

STATE OF NORTH DAKOTA

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# Journal of the Senate

OF THE

THIRTEENTH SESSION

OF THE

LEGISLATIVE ASSEMBLY

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*Begun and held at the Capitol at Bismarck  
January 7 to March 7, 1913  
Inclusive*

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1913



OFFICERS AND MEMBERS  
OF THE  
**Senate of North Dakota**  
FOR THE  
**Thirteenth Legislative Assembly**  
**1913**

OFFICERS.

Lieutenant Governor.....	A. T. Kraabel
President pro tem.....	E. F. Gilbert
Secretary.....	W. D. Austin
First Assistant Secretary.....	W. J. Prater
Second Assistant Secretary.....	Adolph Wacker
Senate Stenographer.....	Cyril E. Thomas
Stenographer to the Lieutenant-Governor.....	Esther Lien
Chief Enrolling and Engrossing Clerk.....	J. M. Stewart
Assistants.....	H. Quanbeck, J. R. Young, G. D. Peterson
Bill Clerk.....	Lawrence Casey
Assistant Bill Clerk.....	E. J. Morris
Sergeant-at-Arms.....	W. L. Gill
Assistant Sergeant-at-Arms.....	Wm. Bickel
Watchman.....	Geo. Fisher
Messenger.....	F. A. McDonald
Doorkeeper.....	W. P. Mills
Doorkeeper of the Gallery.....	L. H. Sisco
Postmaster.....	J. O. Quamme
Journal Clerk.....	M. Skarrison
Assistant Journal Clerk.....	Peter Reid
Chaplain.....	Bruce Jackson
Voucher Clerk and Bookkeeper.....	O. P. Rognlie
Proof Reader.....	J. T. Charmley
Clerk Judiciary Committee.....	E. K. Mason
Clerk Appropriation Committee.....	H. E. McFall

## OFFICERS.

Clerk Committee on State Affairs.....J. I. Williams  
Clerk Committee on Ways and Means.....Rudolph Maažo  
Clerk Committee on Railroads.....E. R. Fairbanks  
Committee Clerks.....Miss Morrish and Miss Coleman  
Bill Room Clerk.....F. A. Tanger  
Assistant Bill Room Clerk.....Nels Sostrom  
Janitors.....John Rott, Jr. and J. J. Johnson  
Cloak Room Attendants....Dennis Hannifin and Miss Mayme McCormick  
Stenographers for the Senators.....Misses May Disbrow, Marie George,  
Margaret Hood, Emma Sherven, Margaret Ryan, Jessie M. Wilde,  
Alice McDonald and Myrtle Ross.  
Pages.....Jerome Conway, Murl Montgomery, Lloyd Couch, Harold  
Erstrom, Clarence Larson, and Chas. Barclay.  
Mailing Clerk.....Hans Dyste  
Janitor.....Thor C. Farman  
Watchman .....Chas. Mason

## MEMBERS.

Dist.	Name	County	P. O.
1	C. Ganssle.....	Pembina.....	St. Thomas
2	J. A. Englund.....	Ward .....	Kenmare
3	O. T. Loftsgaard.....	Walsh .....	Hoople
4	John L. Cashel.....	Walsh .....	Grafton
5	O. O. Trageton.....	Grand Forks.....	Northwood
6	Jas. Turner.....	Grand Forks.....	Grand Forks.
7	H. A. Bronson.....	Grand Forks.....	Grand Forks.
8	G. L. Elken.....	Trail .....	Mayville
9	Wm. Porterfield.....	Cass.....	Fargo
10	E. F. Gilbert.....	Cass .....	Casselton
11	F. S. Talcott.....	Cass .....	Buffalo
12	W. L. Carter.....	Richland .....	Wahpeton
13	F. W. Vail.....	Sargent .....	Milnor
14	C. O. Heckle.....	Ransom .....	Lisbon
15	C. F. Mudgett.....	Barnes.....	Valley City
16	Chas. Ellingson.....	Steele .....	Sharon
17	L. S. Helgeland.....	Nelson .....	Aneta
18	Henry McLean.....	Cavalier .....	Hannah
19	A. L. Nelson.....	Rolette .....	Rolette
20	Jas. Duncan.....	Benson .....	Oberon
21	Frank H. Hyland.....	Ramsey.....	Devils Lake
22	A. S. Gibbens.....	Towner .....	Cando
23	Alfred Steel.....	Stutsman .....	Jamestown
24	W. C. McDowell.....	LaMoure .....	Marion
25	Ira A. Barnes.....	Dickey .....	Oakes
26	H. W. Allen.....	Emmons .....	Braddock
27	E. A. Hughes.....	Burleigh .....	Bismarck
28	E. L. Garden.....	Bottineau .....	Souris
29	Walter R. Bond.....	Ward .....	Minot
30	J. M. Hanley.....	Morton .....	Mandan
31	M. L. McBride.....	Stark .....	Dickinson
32	S. M. Putnam.....	Eddy .....	New Rockford
33	Aloys Wartner.....	Wells .....	Harvey
34	C. W. Hookway.....	McHenry .....	Granville
35	J. E. Davis.....	Sheridan .....	Goodrich
36	P. T. Kretschmar.....	McIntosh .....	Venturia
37	A. F. Bonzer.....	Richland .....	Lidgerwood
38	Martin Thoreson.....	Barnes .....	Fingal
39	Ed. Hoverson.....	Golden Valley.....	Beach
40	C. E. Davidson.....	Burke.....	Portal
41	W. B. Overson.....	Williams .....	Williston

## MEMBERS.

Dist	Name	County	P. O.
42	F. T. Gronvold.....	Pierce .....	Rugby
43	O. J. Clark.....	Renville .....	Sherwood
44	H. J. Linde.....	Mountrail .....	Stanley
45	L. J. Albrecht.....	McHenry .....	Anamoose
46	J. E. Williams.....	McLean.....	Turtle Lake
47	F. Leutz.....	Morton .....	Hebron
48	John Young.....	Mercer .....	Mannhaven
49	H. P. Jacobson.....	Hettinger .....	Mott
50	C. W. Plain.....	Cavalier .....	Milton

# Journal of the Senate

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## THIRTEENTH SESSION

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### FIRST DAY.

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SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 7, 1913.

At the hour of 12 o'clock meridian, being the day and hour appointed by law for the convening of the thirteenth legislative assembly, members of the Senate assembled in the Senate Chamber and were called to order by Geo. A. Welch, president pro tem. Prayer was offered by the Chaplain, Rev. Bruce Jackson.

Mr. Gibbons moved that a committee of three be named to escort the Lieutenant Governor-elect and Chief Justice Spaulding to the Senate Chamber, which motion prevailed and the president named Messrs. Elken, Gilbert and Duncan.

The oath of office was administered to the Lieutenant Governor A. T. Kraabel by Chief Justice Spaulding.

The following communication was received from the Secretary of State:

BISMARCK, NORTH DAKOTA.  
January 6th, 1913.

Hon. James W. Foley,  
Secretary of the Senate,  
Thirteenth Legislative Assembly  
Bismarck, North Dakota.

Dear Sir:—

I hereby certify that the following is, according to the records of my office a true and correct list of the names and addresses of those duly quali-

fied as Members of the Senate of the Thirteenth Legislative Assembly of the State of North Dakota:—

Name.	County.	Postoffice.
C. Ganssle	Pembina	St. Thomas
J. A. Englund	Ward	Kenmare
G. T. Lofsgaard	Walsh	Hoople
John L. Cashel	Walsh	Grafton
O. O. Trageton	Grand Forks	Northwood
Jas. Turner	Grand Forks	Grand Forks
H. A. Bronson	Grand Forks	Grand Forks
G. L. Elken	Trail	Mayville
Wm. Porterfield	Cass	Fargo
E. F. Gilbert	Cass	Casselton
F. S. Talcott	Cass	Buffalo
W. L. Carter	Richland	Wahpeton
F. W. Vail	Sargent	Milnor
C. O. Heckle	Ransom	Lisbon
C. F. Mudgett	Barnes	Valley City
Chas. Ellingson	Steele	Sharon
L. S. Helgeland	Nelson	Aneta
Henry McLean	Cavalier	Hannah
A. L. Nelson	Rolette	Rolette
Jas. Duncan	Benson	Oberon
Frank H. Hyland	Ramsey	Devils Lake
A. S. Gibbons	Towner	Cando
Alfred Steel	Stutsman	Jamestown
W. C. McDowell	LaMoure	Marion
Ira A. Barnes	Dickey	Oakes
H. W. Allen	Emmons	Braddock
E. A. Hughes	Burleigh	Bismarck
E. L. Garden	Bottineau	Souris
Walter R. Bond	Ward	Minot
J. M. Hanley	Morton	Mandan
M. L. McBride	Stark	Dickinson
S. N. Putnam	Eddy	New Rockford
Aloys Wartner	Wells	Harvey
C. W. Hookway	McHenry	Granville
J. E. Davis	Sheridan	Goodrich
P. T. Kretschmar	McIntosh	Venturia
A. F. Bonzer	Richland	Lidgerwood
Martin Thoreson	Barnes	Fingal
Ed. Hoverson	Golden Valley	Beach
C. E. Davidson	Burke	Portal
W. B. Overson	Williams	Williston
F. T. Gronvold	Pierce	Rugby
O. J. Clark	Renville	Sherwood
H. J. Linde	Mountrail	Stanley
L. J. Albrecht	McHenry	Anamoose
J. E. Williams	McLean	Turtle Lake
F. Leutz	Morton	Hebron
John Young	Mercer	Mannhaven
H. P. Jacobson	Hettinger	Mott
C. W. Plain	Cavalier	Milton

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the great seal of the State of North Dakota, this 6th day of January, 1913.

P. D. NORTON,  
Secretary of State.

(Seal.)

The roll of the holdover Senators was called and the following responded to their names:

First district—C. Ganssle.  
 Fourth district—John L. Cashel.  
 Sixth district—Jas. Turner.  
 Eighth district—G. L. Elken.  
 Tenth district—E. F. Gilbert.  
 Twelfth district—W. L. Carter.  
 Sixteenth district—Chas. Ellingson.  
 Eighteenth district—Henry McLean.  
 Twentieth district—Jas. Duncan.  
 Twenty-second district—A. S. Gibbens.  
 Twenty-fourth district—W. C. McDowell.  
 Twenty-sixth district—H. W. Allen.  
 Twenty-eighth district—E. L. Garden.  
 Thirty-second district—S. N. Putnam.  
 Thirty-fourth district—C. W. Hookway.  
 Thirty-sixth district—P. T. Kretschmar.  
 Thirty-eighth district—Martin Thoreson.  
 Forty-second district—F. T. Gronvold.  
 Forty-fourth district—H. J. Linde.  
 Forty-sixth district—J. E. Williams.  
 Forty-eighth district—John Young.  
 Fiftieth district—C. W. Plain.

The roll of the Senators-elect was called and the following responded to their names:

Second district—J. A. Englund.  
 Third district—O. T. Loftsgaard.  
 Fifth district—O. O. Trageton.  
 Seventh district—H. A. Bronson.  
 Ninth district—Wm. P. Porterfield.  
 Eleventh district—F. S. Talcott.  
 Thirteenth district—F. W. Vail.  
 Fourteenth district—C. O. Heckle.  
 Fifteenth district—C. F. Mudgett.  
 Seventeenth district—L. S. Helgeland.  
 Nineteenth district—A. L. Nelson.  
 Twenty-first district—Frank H. Hyland.  
 Twenty-third district—Alfred Steel.  
 Twenty-fifth district—Ira A. Barnes.  
 Twenty-seventh district—E. A. Hughes.  
 Twenty-ninth district—Walter R. Bond.  
 Thirtieth district—J. M. Hanley.  
 Thirty-first district—M. L. McBride.  
 Thirty-third district—Aloys Wartner.  
 Thirty-fifth district—J. E. Davis.  
 Thirty-seventh district—A. F. Bonzer.  
 Thirty-ninth district—Ed. Hoverson.

Fortieth district—C. E. Davidson.  
 Forty-first district—W. B. Overson.  
 Forty-third district—O. J. Clark.  
 Forty-fifth district—L. C. Albrecht.  
 Forty-seventh district—F. Leutz.  
 Forty-ninth district—H. P. Jacobson.

The oath of office was then administered to the Senators-elect by Chief Justice Spaulding.

Mr. Duncan moved that Mr. Ganssle be excused on account of illness, which motion prevailed.

On behalf of the manual training class of the State Industrial School, Mr. McDowell presented the Lieutenant Governor with a gavel and stand, which was fittingly acknowledged by the Lieutenant Governor.

Mr. Plain moved that the Senate proceed to organize by the election of its officers, which motion prevailed.

Mr. Davis nominated E. F. Gilbert for the office of President pro tem. There being no other nominations the roll was called and those who voted for Mr. Gilbert were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gronvold	Mudgett
Barnes	Hanley	Nelson
Bond	Heckle	Overson
Bonzer	Helgeland	Plain
Bronson	Hookway	Porterfield
Carter	Hoverson	Putnam
Cashel	Hughes	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Davis	Kretschmar	Trageton
Duncan	Loftsgaard	Turner
Elken	Linde	Vail
Ellingson	Leutz	Wartner
Englund	McBride	Williams
Garden	McDowell	Young

**Absent and not voting:**

Messrs.—	Messrs.—
Ganssle	Gilbert

Mr. Gilbert being excused.

Mr. Gilbert having received a majority of the votes cast was declared elected.

Mr. Hyland nominated W. D. Austin for the office of Secretary. There being no other nominations the roll was called and those who voted for Mr. Austin were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Bond	Cashel
Allen	Bonzer	Clark
Barnes	Bronson	Davidson

Messrs.—	Messrs.—	Messrs.—
Davis	Hoverson	Overson
Duncan	Hughes	Plain
Elken	Hyland	Porterfield
Ellingson	Jacobsen	Putnam
Englund	Kretschmar	Steel
Garden	Loftsgaard	Talcott
Gibbens	Linde	Thoreson
Gilbert	Leutz	Trageton
Gronvold	McBride	Turner
Hanley	McDowell	Vail
Heckle	McLean	Wartner
Helgeland	Mudgett	Williams
Hookway	Nelson	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Carter	Ganssle	Young

Mr. Austin having received a majority of the votes cast was declared elected.

The oath of office was administered to the Secretary by the President.

Mr. Putnam nominated W. J. Prater for the office of First Assistant Secretary. There being no other nominations the roll was called and those who voted for Mr. Prater were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	Mudgett
Barnes	Hanley	Nelson
Bond	Heckle	Overson
Bonzer	Helgeland	Plain
Bronson	Hookway	Porterfield
Cashel	Hoverson	Putnam
Clark	Hughes	Steel
Davidson	Hyland	Talcott
Davis	Jacobsen	Thoreson
Duncan	Kretschmar	Trageton
Elken	Loftsgaard	Turner
Ellingson	Linde	Vail
Englund	Leutz	Wartner
Garden	McBride	Williams
Gibbens	McDowell	Young
Gilbert	McLean	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Allen	Carter	Ganssle

Mr. Prater having received a majority of the votes cast was declared duly elected.

Mr. Williams nominated Adolph Wacker for the office of Assistant Secretary. There being on other nominations the roll was called and those who voted for Mr. Wacker were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Davis	Kretschmar	Turner
Duncan	Loftsgaard	Vail
Elken	Linde	Wartner
Ellingson	Leutz	Williams
Englund	McBride	Young
Garden	McDowell	
Gibbens	McLean	

Adolph Wacker having received a majority of the votes cast was declared elected.

Mr. Hyland nominated Cyril Thomas for the office of Stenographer of the Senate. There being no other nominations the roll was called and those who voted for Mr. Thomas were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Heckle	Overson
Bonzer	Helgeland	Plain
Bronson	Hookway	Porterfield
Carter	Hoverson	Putnam
Cashel	Hughes	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Davis	Kretschmar	Trageton
Duncan	Loftsgaard	Turner
Elken	Linde	Vail
Ellingson	Leutz	Wartner
Englund	McBride	Williams
Garden	McDowell	Young

#### Absent and not voting:

Messrs.—	Messrs.—
Ganssle	Hanley

Mr. Thomas having received a majority of the votes cast was declared elected.

Mr. Garden nominated Esther Lien for the office of Stenographer to the Lieutenant Governor. There being no other nominations the roll was called and those who voted for Miss Lien were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Loftsgaard	Turner
Elken	Linde	Vail •
Ellingson	Leutz	Wartner
Englund	McBride	Williams
Garden	McDowell	Young

**Absent and not voting:**

Messrs.—	Messrs.—
Ganssle	Kretschmar

Miss Lien having received a majority of the votes cast was declared elected.

Mr. Elken nominated J. M. Stewart for the office of Chief Engrossing and Enrolling Clerk. There being no other nominations the roll was called and those who voted for Mr. Stewart were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Loftsgaard	Turner
Elken	Linde	Vail
Ellingson	Leutz	Wartner
Englund	McBride	Williams
Garden	McDowell	Young

**Absent and not voting:**

Messrs.—	Messrs.—
Ganssle	Kretschmar

Mr. Stewart having received a majority of the votes cast was declared elected.

Mr. Helgeland nominated Henry Quambeck for the office of Assistant Engrossing and Enrolling Clerk. There being

no other nominations the roll was called and those who voted for Mr. Quambeck were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Trageton
Davis	Loftsgaard	Turner
Duncan	Linde	Vail
Elken	Leutz	Wartner
Ellingson	McBride	Williams
Englund	McDowell	Young
Garden	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Ganssle	Helgeland	Hughes

Mr. Quambeck having received a majority of the votes cast was declared duly elected.

Mr. Putnam nominated J. R. Young for the office of Assistant Engrossing and Enrolling Clerk. There being no other nominations the roll was called and those who voted for Mr. Young were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Davis	Kretschmar	Trageton
Duncan	Loftsgaard	Turner
Elken	Linde	Vail
Ellingson	Leutz	Wartner
Englund	McBride	Williams
Garden	McDowell	Young

Absent and not voting:

Messrs.—	Messrs.—
Ganssle	Hughes

Mr. Young having received a majority of the votes cast was declared elected.

Mr. Garden nominated O. L. Peterson for the office of Assistant Engrossing and Enrolling Clerk. There being no other nominations the roll was called and those who voted for Mr. Peterson were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Trageton
Duncan	Loftsgaard	Turner
Elken	Linde	Vail
Ellingson	Leutz	Wartner
Englund	McBride	Williams
Garden	McDowell	Young
Gibbens	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Ganssle	Hughes

Mr. O. L. Peterson having received a majority of the votes cast was declared elected.

Mr. W. B. Overson nominated Lawrence Casey for the office of Bill Clerk. There being no other nominations the roll was called and those who voted for Mr. Casey were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Trageton
Duncan	Loftsgaard	Turner
Elken	Linde	Vail
Ellingson	Leutz	Wartner
Englund	McBride	Williams
Garden	McDowell	Young
Gibbens	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Ganssle	Hughes

Mr. Lawrence Casey having received a majority of the votes cast was declared elected.

Mr. Cashel nominated E. J. Morris for the office of Assistant Bill Clerk. There being no other nominations the roll was called and those who voted for Mr. Morris were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hookway	Steel
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Davidson	Hyland	Trageton
Davis	Loftsgaard	Turner
Duncan	Linde	Vail
Elken	Leutz	Wartner
Ellingson	McBride	Williams
Englund	McDowell	Young
Garden	McLean	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Ganssle	Jacobsen	Kretschmar

Mr. E. J. Morris having received a majority of the votes cast was declared elected.

Mr. Talcott nominated W. L. Gill for the office of Sergeant at Arms. There being no other nominations the roll was called and those who voted for Mr. Gill were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hookway	Steel
Cashel	Hoverson	Talcott
Clark	Hyland	Thoreson
Davidson	Loftsgaard	Trageton
Davis	Linde	Turner
Duncan	Leutz	Vail
Elken	McBride	Wartner
Ellingson	McDowell	Williams
Englund	McLean	Young
Garden		

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Ganssle	Jacobsen	Kretschmar
Hughes		

Mr. W. L. Gill having received a majority of the votes cast was declared elected.

Mr. Davis nominated William Bickel for the office of Assistant Sergeant at Arms. There being no other nominations the roll was called and those who voted for Mr. Bickel were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Davis	Loftsgaard	Turner
Duncan	Linde	Vail
Elken	Leutz	Wartner
Ellingson	McBride	Williams
Englund	McDowell	Young
Garden	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Ganssle	Hanley	Kretschmar

Mr. Wm. Bickel having received a majority of the votes cast was declared elected.

Mr. Hanley nominated Geo. Fisher for the office of Night Watchman. There being no other nominations the roll was called and those who voted for Mr. Fisher were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Messrs.—
Allen	Gronvold	Mudgett
Barnes	Hanley	Nelson
Bond	Heckle	Overson
Bonzer	Helgeland	Plain
Bronson	Hookway	Porterfield
Carter	Hoverson	Putnam
Cashel	Hughes	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Davis	Kretschmar	Trageton
Duncan	Leutz	Turner
Elken	Linde	Vail
Ellingson	Loftsgaard	Wartner
Englund	McBride	Williams
Garden	McDowell	Young
Gibbens	McLean	

**Absent and not voting:**

Messrs.—  
Ganssle

Mr. Geo. Fisher having received a majority of the votes cast was declared elected.

Mr. Plain nominated F. A. McDonald for the office of Messenger. There being no other nominations the roll was called and those who voted for Mr. McDonald were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Heckle	Overson
Bonzer	Helgeland	Plain
Bronson	Hookway	Porterfield
Carter	Hoverson	Putnam
Cashel	Hughes	Steel
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Davis	Kretschmar	Turner
Duncan	Leutz	Vail
Elken	Linde	Wartner
Ellingson	Loftsgaard	Williams
Englund	McBride	Young
Garden	McDowell	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Ganssle	Hughes	Talcott
Hanley		

Mr. F. A. McDonald having received a majority of the votes cast was declared elected.

Mr. Gibbons nominated W. P. Mills for the office of Door-keeper. There being no other nominations the roll was called and those who voted for Mr. Mills were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Heckle	Overson
Bonzer	Helgeland	Plain
Bronson	Hookway	Porterfield
Carter	Hoverson	Putnam
Cashel	Hughes	Steel
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Davis	Kretschmar	Turner
Duncan	Leutz	Vail
Elken	Linde	Wartner
Ellingson	Loftsgaard	Williams
Englund	McBride	Young
Garden	McDowell	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Ganssle	Hanley	Talcott

Mr. Mills having received a majority of the votes cast was declared duly elected.

Mr. Allen nominated L. H. Sisco for the office of Door-keeper of the gallery. There being no other nominations the roll was called and those who voted for Mr. Sisco were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Davis	Kretschmar	Trageton
Duncan	Leutz	Turner
Elken	Linde	Vail
Ellingson	Loftsgaard	Wartner
Englund	McBride	Williams
Garden	McDowell	Young

**Absent and not voting:**

Messrs.—	Messrs.—
Ganssle	Hughes

Mr. Sisco having received a majority of the votes cast was declared duly elected.

Mr. Trageton nominated J. O. Quamme for the office of Postmaster. There being no other nominations the roll was called and those who voted for Mr. Quamme were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Kretschmar	Turner
Duncan	Leutz	Vail
Elken	Linde	Wartner
Ellingson	Loftsgaard	Williams
Englund	McBride	Young
Garden	McDowell	
Gibbens	McLean	

**Absent and not voting:**

Messrs.—  
Cashel  
Ganssle

Messrs.—  
Jacobsen

Messrs.—  
Trageton

Mr. Quamme having received a majority of the votes cast was declared duly elected.

Mr. Garden nominated Mr. Skarrison for the office of Journal Clerk. There being no other nominations the roll was called and those who voted for Mr. Skarrison were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson  
Carter  
Cashel  
Clark  
Davidson  
Davis  
Duncan  
Elken  
Ellingson  
Englund  
Garden  
Gibbens

Messrs.—  
Gilbert  
Gronvold  
Hanley  
Heckle  
Helgeland  
Hookway  
Hoverson  
Hughes  
Hyland  
Jacobsen  
Kretschmar  
Leutz  
Linde  
Loftsgaard  
McBride  
McDowell  
McLean

Messrs.—  
Mudgett  
Nelson  
Overson  
Plain  
Porterfield  
Putnam  
Steel  
Talcott  
Thoreson  
Trageton  
Turner  
Vail  
Wartner  
Williams  
Young

**Absent and not voting:**

Messrs.—  
Ganssle

Mr. Skarrison having received a majority of the votes cast was declared duly elected.

Mr. Overson moved that the Senate take a recess for five minutes, which motion prevailed and the Senate took a recess.

**AFTER RECESS.**

Mr. Garden nominated Peter Reid for the office of Assistant Journal Clerk. There being no other nominations the roll was called and those who voted for Mr. Reid were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bond

Messrs.—  
Bonzer  
Bronson  
Carter  
Cashel

Messrs.—  
Clark  
Davidson  
Davis  
Duncan

Messrs.—	Messrs.—	Messrs.—
Elken	Hyland	Porterfield
Ellingson	Jacobsen	Putnam
Englund	Kretschmar	Steel
Garden	Leutz	Talcott
Gibbens	Linde	Thoreson
Gilbert	Loftsgaard	Trageton
Gronvold	McBride	Turner
Hanley	McDowell	Vail
Heckle	McLean	Wartner
Helgeland	Mudgett	Williams
Hookway	Nelson	Young
Hoverson	Overson	
Hughes	Plain	

**Absent and not voting:**

Messrs.—  
Ganssle

Mr. Reid having received a majority of the votes cast was declared elected.

Mr. Williams nominated Bruce Jackson for the office of Chaplain. There being no other nominations the roll was called and those who voted for Mr. Jackson were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Hookway	Porterfield
Carter	Hoverson	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Trageton
Davis	Leutz	Turner
Duncan	Linde	Vail
Elken	Loftsgaard	Wartner
Ellingson	McBride	Williams
Garden	McDowell	Young

**Absent and not voting:**

Messrs.—	Messrs.—	
Englund	Helgeland	Putnam
Ganssle	Hughes	

Rev. Jackson having received a majority of the votes cast was declared duly elected.

Mr. Duncan nominated O. P. Ronglie for the office of Voucher Clerk and Bookkeeper. There being no other nominations the roll was called and those who voted for Mr. Ronglie were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Steel
Carter	Hookway	Talcott
Cashel	Hoverson	Thoreson
Clark	Hyland	Trageton
Davidson	Kretschmar	Turner
Davis	Leutz	Vail
Duncan	Linde	Wartner
Elken	Loftsgaard	Williams
Ellingson	McBride	Young
Englund	McDowell	
Garden	McLean	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Ganssle	Jacobsen	Putnam
Hughes		

Mr. Ronglie having received a majority of the votes cast was declared duly elected.

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**MESSAGE FROM THE HOUSE.**

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 7, 1913.

Mr. President:

I have the honor to announce to the Senate that the House has organized by the election of the following officers and is ready to receive any communications from the Senate:

Speaker—J. H. Fraine.

Chief Clerk—M. J. George.

Assistant Chief Clerk—Albert Wold.

Assistant Clerk—W. F. Rhea.

Voucher Clerk and Bookkeeper—T. E. Metcalf.

Chief Enrolling and Engrossing Clerk—O. S. Hedahl.

Assistant Enrolling and Engrossing Clerks—Chas. G. Boyce. W. C. Wharton, Wm. Hutsonpiper.

House Stenographers—Sena Thompson, Leah Bennett, Jennie Rowan, Maybelle Tellefson, Edith Webster, Rose

Cripe, Miss Pannebaker, Miss Loraine Mallough, Mrs. McKenzie, Miss J. C. Girard, Miss Julia Everson, Mae Persons.

Sergeant at Arms—B. D. Ash.

Bill Clerk—H. H. Taylor.

Assistant Bill Clerk—A. E. Scace.

Gallery Doorkeeper—J. T. Blackrook.

Doorkeepers—R. W. Drummond, John Hoven.

Clerk of Appropriations Committee—John C. Patterson.

Clerk of State Affairs Committee—Frank Currier.

Messengers—Otto Hall, A. M. Grant.

Postmaster—Walter Sterland.

Chaplain—Rev. E. F. Alfson.

Pages—Warren Johnson, Harold Stedman, Frank Ethrington, Frank Jager, Walter Knott, Leonard Chasc, Wills Johnson, Percy Ployhar, Jr.

Janitors—Ludwig Ulmer, O. T. Jones, Sam Moore, Fred Trumann.

Watchman—Claté Cooper.

Cloakroom Attendant—E. L. Chance.

Journal Clerk—O. S. Wing.

Assistant Journal Clerks—Thomas Pettit, A. Boe.

Mailing Clerks—O. T. Solum, Frank Tousley, Oscar Lybeck, F. P. Casey.

Proofreader—T. W. McDonough.

Telephone Boy—Frank Demling.

Respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Jacobson nominated J. T. Charmley for the office of Proofreader. There being no other nominations the roll was called and those who voted for Mr. Charmley were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Davis	Kretschmar	Turner
Duncan	Leutz	Vail
Elken	Linde	Wartner
Ellingson	Loftsgaard	Williams
Englund	McBride	Young
Garden	McDowell	
Gibbens	McLean	

**Absent and not voting:**

Messrs.—  
Ganssle

Mr. Charnley having received a majority of the votes cast was declared duly elected.

Mr. Mudgett nominated E. K. Mason for the office of Clerk of the Judiciary Committee. There being no other nominations the roll was called and those who voted for Mr. Mason were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Davis	Kretschmar	Turner
Duncan	Leutz	Vail
Elken	Linde	Wartner
Ellingson	Loftsgaard	Williams
Englund	McBride	Young
Garden	McDowell	
Gibbens	McLean	

**Absent and not voting:**

Messrs.—  
Ganssle

Mr. Mason having received a majority of the votes cast was declared duly elected.

Mr. Bond nominated H. E. McFall for the office of Clerk of the Appropriation Committee. There being no other nominations the roll was called and those who voted for Mr. McFall were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ellingson	Kretschmar
Allen	Englund	Leutz
Barnes	Garden	Linde
Bond	Gibbens	Loftsgaard
Bonzer	Gilbert	McBride
Bronson	Gronvold	McDowell
Carter	Hanley	McLean
Cashel	Heckle	Mudgett
Clark	Helgeland	Nelson
Davidson	Hookway	Overson
Davis	Hoverson	Plain
Duncan	Hughes	Porterfield
Elken	Hyland	Putnam

Messrs.—  
Steel  
Talcott  
Thoreson

Messrs.—  
Trageton  
Turner  
Vail

Messrs.—  
Wartner  
Williams  
Young

**Absent and not voting:**

Messrs.—  
Ganssle

Messrs.—  
Jacobsen

Mr. McFall having received a majority of the votes cast was declared elected.

Mr. Wartner nominated J. I. Williams for Clerk of the Committee on State Affairs. There being no further nominations the roll was called and those who voted for Mr. Williams were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson  
Carter  
Cashel  
Clark  
Davidson  
Davis  
Duncan  
Elken  
Ellingson  
Englund  
Garden

Messrs.—  
Gibbens  
Gilbert  
Gronvold  
Heckle  
Helgeland  
Hookway  
Hoverson  
Hughes  
Hyland  
Jacobsen  
Kretschmar  
Leutz  
Linde  
Loftsgaard  
McBride  
McDowell

Messrs.—  
McLean  
Mudgett  
Nelson  
Overson  
Plain  
Porterfield  
Putnam  
Steel  
Talcott  
Thoreson  
Trageton  
Turner  
Vail  
Wartner  
Williams  
Young

**Absent and not voting:**

Messrs.—  
Ganssle

Messrs.—  
Hanley

Mr. Williams having received a majority of the votes cast was declared elected.

Mr. Thoreson nominated Rudolf Maasjo for Clerk of the Committee on Ways and Means. There being no further nominations the roll was called and those who voted for Mr. Maasjo were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson  
Carter  
Cashei  
Clark

Messrs.—  
Davidson  
Davis  
Duncan  
Elken  
Ellingson  
Englund  
Garden  
Gibbens  
Gilbert

Messrs.—  
Gronvold  
Hanley  
Heckle  
Helgeland  
Hookway  
Hoverson  
Hughes  
Hyland  
Kretschmar

Messrs.—	Messrs.—	Messrs.—
Leutz	Nelson	Trageton
Linde	Overson	Turner
Loftsgaard	Plain	Vail
McBride	Porterfield	Wartner
McDowell	Putnam	Williams
McLean	Steel	Young
Mudgett	Thoreson	Talcott

**Absent and not voting:**

Messrs.—	Messrs.—
Jacobsen	Ganssle

Mr. Maasjo having received a majority of the votes cast was declared duly elected.

Mr. Garden nominated E. R. Fairbanks for Clerk of the Committee on Railroads. There being on further nominations the roll was called and those who voted for Mr. Fairbanks were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes.	Talcott
Davidson	Hyland	Thoreson
Davis	Kretschmar	Trageton
Duncan	Leutz	Turner
Elken	Linde	Vail
Ellingson	Loftsgaard	Wartner
Englund	McBride	Williams
Garden	McDowell	Young

**Absent and not voting:**

Messrs.—	Messrs.—
Ganssle	Jacobsen

Mr. Fairbanks having received a majority of the votes cast was declared duly elected.

Mr. Garden nominated Miss Morrish and Miss Coleman for Committee Clerks. There being no further nominations those who voted for Miss Morrish and Miss Coleman were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Cashel	Englund
Allen	Clark	Garden
Barnes	Davidson	Gibbens
Bond	Davis	Gilbert
Bonzer	Duncan	Gronvold
Bronson	Elken	Hanley
Carter	Ellingson	Heckle

Messrs.—  
 Helgeland  
 Hookway  
 Hoverson  
 Hughes  
 Hyland  
 Jacobsen  
 Kretschmar  
 Leutz  
 Linde  
 Loftsgaard

Messrs.—  
 McBride  
 McDowell  
 McLean  
 Mudgett  
 Nelson  
 Overson  
 Plain  
 Porterfield  
 Putnam  
 Steel

Messrs.—  
 Talcott  
 Thoreson  
 Trageton  
 Turner  
 Vail  
 Wartner  
 Williams  
 Young

**Absent and not voting:**

Messrs.—  
 Ganssle

Miss Morrish and Miss Coleman having received a majority of the votes cast, were each declared elected.

Mr. Ellingson nominated F. A. Tanger for Bill Room Clerk. There being no further nominations those who voted for Mr. Tanger were:

Messrs.—  
 Albrecht  
 Allen  
 Barnes  
 Bond  
 Bonzer  
 Bronson  
 Carter  
 Cashel  
 Clark  
 Davidson  
 Davis  
 Duncan  
 Elken  
 Ellingson  
 Englund  
 Garden  
 Gibbens

Messrs.—  
 Gilbert  
 Gronvold  
 Hanley  
 Heckle  
 Helgeland  
 Hookway  
 Hoverson  
 Hughes  
 Hyland  
 Jacobsen  
 Kretschmar  
 Leutz  
 Linde  
 Loftsgaard  
 McBride  
 McDowell  
 McLean

Messrs.—  
 Mudgett  
 Nelson  
 Overson  
 Plain  
 -Porterfield  
 Putnam  
 Steel  
 Talcott  
 Thoreson  
 Trageton  
 Turner  
 Vail  
 Wartner  
 Williams  
 Young

**Absent and not voting:**

Messrs.—  
 Ganssle

Mr. Tanger having received a majority of the votes cast was declared elected.

Mr. Gronvold nominated Nels Sostrom for Assistant Bill Room Clerk. There being on further nominations those who voted for Mr. Sonstrom were:

Messrs.—  
 Albrecht  
 Allen  
 Barnes  
 Bond

Messrs.—  
 Bonzer  
 Bronson  
 Carter  
 Cashel

Messrs.—  
 Clark  
 Davidson  
 Davis  
 Duncan

Elken	Hyland	Plain
Ellingson	Jacobsen	Porterfield
Englund	Kretschmar	Putnam
Garden	Leutz	Steel
Gibbens	Linde	Talcott
Gilbert	Loftsgaard	Thoreson
Gronvold	McBride	Trageton
Hanley	McDowell	Turner
Heckle	McLean	Vail
Helgeland	Mudgett	Wartner
Hookway	Nelson	Williams
Hoverson	Overson	Young
Hughes		

**Absent and not voting:**

Messrs.—  
Ganssle

Mr. Nels Sostrom having received a majority of the votes cast was declared elected.

Mr. Garden nominated John Rott, Jr., and J. G. Johnson for Janitors. There being no further nominations those who voted for Mr. Rott and Mr. Johnson were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Davis	Kretschmar	Turner
Duncan	Leutz	Vail
Elken	Linde	Wartner
Ellingson	Loftsgaard	Williams
Englund	McBride	Young
Garden	McDowell	
Gibbens	McLean	

**Absent and not voting:**

Messrs.—  
Ganssle

Messrs. John Rott, Jr., and J. G. Johnson having received a majority of the votes cast, was each declared elected.

Mr. Garden nominated Dennis Hannifin for Cloakroom Attendant and Miss Cormick for ladies' Cloakroom Attendant. There being on further nominations those who voted for Dennis Hannifin and Miss McCormick were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hoverson	Putnam
Carter	Hughes	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Leutz	Trageton
Davis	Linde	Turner
Duncan	Loftsgaard	Vail
Elken	McBride	Wartner
Ellingson	McDowell	Williams
Englund	McLean	Young
Garden		

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Ganssle	Hookway	Kretschmar
Gilbert		

Mr. Dennis Hannifin and Miss McCormick having received a majority of the votes cast, was each declared elected.

Mr. Garden nominated Margaret Ryan, Margaret Hood, Emma Sherven, Jessie Wilde, Alice McConville, Myrtle Ross, Mae Disbrow, Marie George, Olive Couch for Senate Stenographers. There being no further nominations those who voted for were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McLean
Allen	Gronvold	Mudgett
Barnes	Hanley	Nelson
Bond	Heckle	Overson
Bonzer	Helgeland	Plain
Carter	Hookway	Porterfield
Cashel	Hoverson	Putnam
Clark	Hughes	Steel
Davidson	Hyland	Talcott
Davis	Jacobsen	Thoreson
Duncan	Kretschmar	Trageton
Elken	Leutz	Turner
Ellingson	Linde	Vail
Englund	Loftsgaard	Wartner
Garden	McBride	Williams
Gibbens	McDowell	Young

**Absent and not voting:**

Messrs.—	Messrs.—
Bronson	Ganssle

Misses May Disbrow, Marie George, Margaret Hood, Emma Sherven, Margaret Ryan, Olive Couch, Jessie M. Wilde,

Alice McConville and Myrtle Ross, having received a majority of the votes cast, was each declared elected.

Mr. Vail nominated Hans Dyste for Mailing Clerk. There being no further nominations those who voted for Mr. Dyste were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Kretschmar	Trageton
Duncan	Leutz	Turne.
Elken	Linde	Vail
Ellingson	Loftsgaard	Wartner
Englund	McBride	Williams
Garden	McDowell	Young

**Absent and not voting:**

Messrs.—	Messrs.—
Gaissle	Jacobsen

Mr. Hans Dyste having received a majority of the votes cast was declared elected.

Mr. Garden nominated Jerome Conway, Murl Montgomery, Lloyd Couch, Harold Erstrom, Clarence Larsen, Chas. Barclay for Pages. There being no further nominations those who voted for were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hookway	Steel
Cashel	Hoverson	Talcott
Clark	Hyland	Thoreson
Davidson	Kretschmar	Trageton
Davis	Leutz	Turner
Duncan	Linde	Vail
Elken	Loftsgaard	Wartner
Ellingson	McBride	Williams
Englund	McDowell	Young
Garden	McLean	

## Absent and not voting:

Messrs.—  
GanssleMessrs.—  
HughesMessrs.—  
Jacobsen

Jerome Conway, Chas. Barclay, Murl Montgomery, Lloyd Couch, Harold Erstrom and Clarence Larsen, having received a majority of the votes cast, was each declared elected.

## MOTIONS AND RESOLUTIONS.

Mr. Talcott moved that a committee of three be appointed to wait upon the House and inform them that the Senate had organized and were ready for the transaction of business.

Which motion prevailed.

And the President appointed as such committee Messrs. Talcott, Hoverson and Bond.

Mr. Talcott moved that a committee of three be appointed to wait upon the Governor and inform him that the Senate is organized and ready to receive any communication he may have to make to the Senate.

Which motion prevailed.

And the President named as such committee Messrs. Cashel, Hyland and Gibbens.

Mr. Gilbert moved that a joint committee of three from the Senate be named to act with a like committee from the House and wait on the Governor and the Governor-elect to ascertain at what time they desire to present their messages to the two Houses of the Legislature in joint session.

Which motion prevailed.

And the President appointed as such members in behalf of the Senate, Messrs. Gilbert, Plain and McDowell.

Mr. Allen moved that the President appoint a committee of seven members on rules.

Which motion prevailed, and

The President appointed as such committee on rules: Senators Allen, chairman, Steele, Cashel, Bond, Linde, Kretschmar, Hanley.

Mr. Talcott offered the following concurrent resolution and moved its adoption:

## CONCURRENT RESOLUTION.

*Be it resolved* by the Senate, the House of Representatives concurring, that when both bodies do adjourn on Wednesday, the 8th day of January, 1913, that they stand adjourned until Tuesday the 14th day of January, 1913.

Mr. Davis moved as an amendment that the resolution be made to read Monday, January 13th.

Which amendment was lost.

Senator Allen offered the following resolution and moved its adoption:

*Resolved*, that the President of the Senate shall appoint the following standing committees:

- On Judiciary, to consist of 17 members.
- On Education, to consist of 11 members.
- On Elections, to consist of 9 members.
- On Appropriations, to consist of 17 members.
- On Railroads, to consist of 13 members.
- On State affairs, to consist of 17 members.
- On Public lands, to consist of 9 members.
- On Ways and means, to consist of 11 members.
- On Agriculture, to consist of 11 members.
- On Warehousing, grain and grain grading, to consist of 11 members.
- On Counties, to consist of 7 members.
- On Engrossed and enrolled bills, to consist of 5 members.
- On Banks and banking, to consist of 15 members.
- On Cities and municipal corporations, to consist of 11 members.
- On Indian affairs, to consist of 5 members.
- On Statistics, to consist of 7 members.
- On Federal relations, to consist of 7 members.
- On Insurance, to consist of 11 members.
- On Public printing, to consist of 9 members.
- On Public health, to consist of 9 members.
- On Temperance, to consist of 11 members.
- On Mines and minerals, to consist of 9 members.
- On Rules, to consist of 7 members.
- On Immigration, to consist of 9 members.
- On Highways, bridges and ferries, to consist of 11 members.

On Irrigation and drainage, to consist of 9 members.

On Apportionment, to consist of 23 members.

On Corporations other than municipal, to consist of 9 members.

On Military affairs, to consist of 9 members.

On Woman suffrage, to consist of 11 members.

On Game and fish, to consist of 9 members.

On Live stock and animal husbandry, to consist of 11 members.

On Taxes and taxation, to consist of 11 members.

Also joint committees of the following subjects:

On Public buildings, to consist of 5 members.

On Charitable institutions, to consist of 5 members.

On Penal institutions, to consist of 7 members.

On Educational institutions, to consist of 7 members.

On State library, to consist of 5 members.

On Joint rules, to consist of 7 members.

Which motion prevailed and the resolution was adopted.

A sealed communication was received from the Governor.

Mr. Cashel moved that the Senate do now go into executive session.

Which motion prevailed.

#### OPEN SESSION.

Mr. Talcott offered the following joint resolution and moved its adoption:

#### CONCURRENT RESOLUTION.

*Be it resolved* by the Senate, the House of Representatives concurring, that when both bodies do adjourn on Wednesday, the 8th day of January, 1913, that they stand adjourned until Wednesday, the 15th day of January, 1913.

Mr. Davis moved as an amendment that the resolution be made to read Monday.

Mr. Hanley moved as an amendment that the word Wednesday be changed to read Tuesday.

The question being on the amendment as offered by Mr. Hanley.

The roll was called and there were ayes 31, nays 18, absent and not voting 1.

Messrs.—	Messrs.—	McBride
Albrecht	Hanley	McLean
Allen	Heckle	Mudgett
Barnes	Helgeland	Messrs.—
Bonzer	Hookway	Plain
Bronson	Jacobsen	Putnam
Carter	Kretschmar	Talcott
Cashel	Leutz	Thoreson
Clark	Linde	Turner
Davidson	Loftsgaard	Williams
Duncan	McDowell	Young
Englund		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bond	Gilbert	Overson
Davis	Gronvold	Porterfield
Elken	Hoverson	Steel
Ellingson	Hughes	Trageton
Garden	Hyland	Vail
Gibbens	Nelson	Wartner

Absent and not voting:

Ganssle

So the motion as amended by Mr. Hanley carried.

Mr. Davis moved that the amended resolution as passed be laid on the table.

Roll call demanded.

The roll was called and there were ayes 9, nays 39, absent and not voting 1.

Messrs.—	Messrs.—	Messrs.—
Davis	Hughes	Trageton
Ellingson	Hyland	Wartner
Gibbens	Overson	Young

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McBride
Allen	Gronvold	McLean
Barnes	Hanley	Mudgett
Bond	Heckle	Nelson
Bonzer	Helgeland	Plain
Bronson	Hookway	Porterfield
Carter	Hoverson	Putnam
Cashel	Jacobsen	Steel
Clark	Kretschmar	Talcott
Davidson	Leutz	Thoreson
Duncan	Linde	Turner
Englund	Loftsgaard	Vail
Gilbert	McDowell	Williams

## Absent and not voting:

Messrs.—	Messrs.—
Elken	Ganssle

So the motion to lay on the table was lost.

The question being on the resolution as amended to adjourn to Tuesday, January 14.

The roll was called and there were ayes 35, nays 14, absent and not voting 1.

Messrs.—	Messrs.—	Messrs.—
Albrecht	Harley	McLean
Allen	Heckle	Mudgett
Barnes	Helgeland	Plain
Bonzer	Hookway	Porterfield
Bronson	Hoverson	Putnam
Carter	Jacobsen	Steel
Cashel	Kretschmar	Talcott
Clark	Leutz	Thoreson
Davidson	Linde	Turner
Duncan	Loftsgaard	Williams
Englund	McBride	Young
Gronvold	McDowell	

## Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bond	Gibbens	Overson
Davis	Gilbert	Trageton
Elken	Hughes	Vail
Ellingson	Hyland	Wartner
Garden	Nelson	

## Absent and not voting:

Ganssle

So the resolution to adjourn prevailed.

Mr. Talcott offered the following joint resolution and moved its adoptionn:

## CONCURRENT RESOLUTION.

*Be it resolved*, that a joint committee be appointed consisting of three members of the Senate and three members of the House of Representatives for the purpose of investigating the present system of preserving the official record of the Senate and House of Representatives and for the further purpose of economizing and adopting a system that

will be more accurate and modern and thus allow the business to be facilitated with more dispatch.

Which motion prevailed.

And the joint resolution was adopted.

The President administered the oath of office to the following employes:

J. O. Quamme, postmaster.  
 H. E. McFall, appropriations.  
 John F. Charmley, proof reader.  
 B. E. Jackson, chaplain.  
 John Rott, Jr., janitor.  
 W. L. Gill, sergeant at arms.  
 J. M. Stewart, chief enrolling and engrossing.  
 May Disbrow, stenographer.  
 Emma Sherven, stenographer.  
 J. J. Johnson, janitor.  
 Dennis Hannifin, cloakroom.  
 Geo. Fisher, night watch.  
 J. I. Williams, state affairs.  
 S. L. Casey, chief bill clerk.  
 E. R. Fairbanks, railroads.  
 F. A. MacDonald, messenger.  
 Harold Erstrom, Jerome Conway, Murl Montgomery,  
 Clarence Larsen, Lloyd Couch, pages.  
 W. J. Prater, assistant secretary.  
 Mayme McCormick, cloakroom.  
 C. M. Coleman.

#### MOTIONS AND RESOLUTIONS.

Senator Talcott introduced the following concurrent resolution:

##### CONCURRENT RESOLUTION.

Providing for the appointment of visiting committees for the state institutions.

*Resolved by the Senate, the House of Representatives concurring:*

That, Whereas, The Legislative Assembly is about to adjourn for several days; and

Whereas, It is usual and customary to appoint committees to visit the public institutions of the state and report their conditions and needs:

*Therefore be it Resolved:*

That two committees of five members, consisting each of three members of the House and two of the Senate, be appointed to act jointly, and

Which motion prevailed.

And the concurrent resolution was adopted.

Mr. Davidson offered the following resolution:

*Be it resolved by the Senate:*

That the 1905 Revised Codes of North Dakota, for use by the members of the Senate, be annotated, with reference to the amendments and repeals, as made in the 1907 session laws and as made in the 1909 session laws, and the 1911 session laws, opposite each section as amended and repealed, and that said work be performed by the clerical force of the Senate and under the direction of the Secretary of the Senate, during the recess of the Senate, and the codes so annotated be ready for use and on the desk of each Senator at the first meeting of the Senate after said recess.

Which motion prevailed.

And the resolution was adopted.

Mr. Allen moved that the rules of the last Senate, except rule 35 be in force until the new rules are adopted.

Which motion prevailed.

Mr. Plain moved that the Senate take a recess until 1:30 P. M. tomorrow.

Which motion prevailed,

And the Senate took a recess.

W. D. AUSTIN,  
Secretary.

## FIRST DAY AFTER RECESS AND SECOND DAY.

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

January 8, 1913.

The Senate convened at 1:30 o'clock P. M., pursuant to recess taken.

The President presiding.

Mr. Davis moved that a committee consisting of three members be appointed by the President to arrange for committee rooms down town.

Which motion prevailed.

## COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the Governor:

January 7, 1913.

*To the Senate of the Thirteenth Legislative Assembly of the State of North Dakota:*

The Twelfth Legislative Assembly passed a law providing for the appointment of a commission to investigate and report on the subject of legislation providing for the liability of employers in compensation for injured workmen.

I appointed on that commission Hon. D. B. Holt of Fargo, Hon. M. N. Hatcher of Fargo, and Hon. Fred G. Cleveland of Jamestown.

The commission has duly made its report and I transmit the same herewith.

Respectfully submitted,

JOHN BURKE,  
Governor.

Mr. Gilbert moved that the report of the commission to report on the subject of legislation providing for the liability of employers in compensation for injured workmen, be referred to the committee on state affairs.

Which motion prevailed, and

The report was so referred.

Mr. Talcott moved

That the President appoint a committee pro tem of three on the revision of the Journal. The chairman of the temporary committee to be the chairman of the permanent committee.

Which motion prevailed.

The President named as such committee Messrs. Trage-ton, Carter and Hookway.

Mr. Talcott moved

That the Senate take a recess of five minutes.

Which motion prevailed.

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#### AFTER RECESS.

The committee named to wait upon the Governor, reported, and advised the Senate that the Governor would be pleased to deliver his message to the two houses in joint session at 2:30 o'clock P. M.

The President named as committee on committee rooms the following: Messrs. Hughes, Young and Nelson.

The President administered the oath of office to the following:

Miss Margaret Hood, Stenographer.

E. K. Mason, Clerk Judiciary Committee.

Adolph Wacker, Second Assistant Secretary.

Hans Dyste, Mailing Clerk.

Miss Myrtle Ross, Stenographer.

Mrs. Marie George, Stenographer.

O. P. Rognlie, Voucher Clerk.  
 Wm. Bickel, Assistant Sergeant at Arms.  
 Mr. Talcott moved  
 That the Senate do now adjourn,  
 Which motion prevailed, and  
 The Senate adjourned.

W. D. AUSTIN,  
 Secretary.

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SECOND DAY.

SENATE CHAMBER,  
 BISMARCK, NORTH DAKOTA,  
 January 8, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the Chaplain.

Roll call.

All members present except Messrs. Ganssle and Mudgett, who were excused.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the first day, have carefully examined the same and recommend that the same be corrected as follows:

Page 2, line 37, change name "Towner" to "McHenry."

Page 3, line 31, after the word "Wm." insert the letter "P."

Page 5, third line from bottom, change "Walker" to "Wacker" and make same change wherever it appears.

Page 5, change "Putman" to "Putnam."

Page 7, line 49, change name "Bomback" to "Quambeck."

Page 8, lines 2 and 23, change name "Bomback" to "Quambeck."

Page 9, line 50, change name "W. B. Overson" to "Lawrence Casey."

Page 11, line 27, change name "Hanley" to "Garden."

Page 11, line 28, strike out the words "Assistant Sergeant at Arms" and insert "Night Watchman."

Page 15, after line 33, insert the name "Davis."

Page 15, line 41, strike out the name "Davis."

Page 21, line 43, change the name "Sorstrom" to "Sostrom."

Page 23, after the name "Davidson" in line 11 add the name "Davis."

Page 23, line 19, strike out the name "Davis."

Page 23, line 24, after the word "nominated" insert the name "Margaret Ryan."

Page 25, last line, after the word "following" insert "concurrent resolution."

Page 26, first line, strike out the word "joint" and insert the word "concurrent."

Page 29, line 34, strike out the word "joint" and insert the word "concurrent."

And when so amended recommend that the same be approved.

O. O. TRAGETON,  
Chairman.

Mr. Trageton moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

A committee from the House announced that the House was awaiting to receive the Senate in joint session to receive the messages from the retiring Governor, Hon. John Burke, and the Governor-elect, Hon. Louis B. Hanna.

Mr. Talcott moved that the Senate proceed to the House for a joint session.

Which motion prevailed, and

The Senate proceeded to the House.

The Senate reassembled.

The President presiding.

#### MOTIONS AND RESOLUTIONS.

Mr. Plain moved

That the committee on committee rooms be empowered to make necessary arrangements to equip the rooms in the Exposition Building and to arrange for two rooms, one at the Grand Pacific Hotel, and one at the McKenzie Hotel, to be used by the Senate Stenographers.

The motion prevailed.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
Wednesday, January 8, 1913.

*Mr. President:*

I have the honor to inform you that the House has concurred in the concurrent resolution relative to adjournment.

Respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Overson moved

That the Senate do now adjourn,

Which motion prevailed,

And the Senate adjourned.

W. D. AUSTIN,  
Secretary.

EIGHTH DAY

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 14, 1913.

The Senate convened at 2 o'clock P. M., pursuant to adjournment.

The President presiding.

Prayer by the Chaplain.

Roll call.

All present except Messrs. Carter, Hookway, Leutz, Linde, Loftsgaard, McDowell, Putnam and Young.

Mr. Davis moved that all absentees be excused.

Which motion prevailed, and

Those absent were excused.

REFERENCE OF THE JOURNAL OF THE SENATE

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the second day, have carefully examined the same and recommend that the same be corrected as follows:

Page 3, line 5, change "A" to "O."

Page 5, strike out all of line 9 after the word "to"; all of line 10, and all of line 11, and insert instead the following:

“arrange for two rooms, one at the Grand Pacific Hotel, and one at the McKenzie Hotel, to be used by the Senate stenographers.”

And when so amended recommend that the same be approved.

O. O. TRAGETON,  
Chairman.

Mr. Trageton moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

#### PETITIONS AND COMMUNICATIONS

The following communication was received from the Board of Control of State Institutions:

STATE OF NORTH DAKOTA,  
BOARD OF CONTROL OF STATE INSTITUTIONS,  
Bismarck, January 13, 1913.

*To the Members of the Senate and House of Representatives of the 13th Legislative Assembly:*

Gentlemen:

There are now in the State Hospital for Insane at Jamestown 838 inmates; and 90 persons who have been committed to the institution are out on parole. Any or all of those on parole are liable to be returned at any time.

The normal capacity of the institution is about 600. Most of the wards are over crowded, some of the inmates sleeping two in a bed; this of course, should not be.

The net increase of inmates in the institution for the biennial period ending June 30, 1912 was 166; the total number of inmates handled in the institution during that same period, that is the number received, paroled, discharged and deported, was 424.

The Superintendent of the institution says that there are about 25 per cent of the inmates more or less tubercular. There is a tubercular hospital for women that will answer for the next biennial period. There is no place in the insti-

tution to segregate and care for the tubercular male inmates. Many of the patients who are mentally cured and discharged, die after leaving the institution from tuberculosis contracted while in the institution.

The administration building is not large enough to properly conduct the business affairs of the institution; there is no receiving ward. The water supply is at present insufficient. The boiler house is too small for the needs of the institution and is in a dilapidated condition. One of the barns will have to be moved and rebuilt in order to make room for the extension of the side track to the boiler house. A farm house large enough for the farm help and the inmates who work on the farm should be erected; a large amount of time could thus be saved.

In order to thoroughly understand the needs of the institution a committee consisting of members of both houses should visit the institution at as early a date as possible. The members of this Board will be pleased to accompany such a committee at any time.

Respectfully,

BOARD OF CONTROL OF STATE INSTITUTIONS,

JOHN CARMODY,  
W. F. ROBERTSON,  
F. W. EVANS,  
Members of Board.

Mr. Steel moved

That the communication be referred to the Committee on Appropriations.

Which motion prevailed, and

The communication was referred to the Committee on Appropriations.

The following communications were received from the North Dakota Annual Conference Methodist Episcopal church:

*To the Honorable A. T. Kraabel, Lieutenant Governor:*

A petition from the North Dakota Annual Conference of the Methodist Episcopal church.  
Secretary's Office

*Resolved,* That we declare ourselves unalterably opposed to the principle of the Initiative and Referendum as applied to the Constitution of the State, and we direct our

Secretary to convey this declaration of our position to the Senate and House of Representatives of the coming Legislative Assembly, to convene in January, 1913, and we petition the members of said Senate and House to eliminate such provisions from any act or acts which come before them for approval.

Signed,

A. LINCOLN SHUTE,  
J. M. WALTERS,  
W. J. HUTCHESON,  
JAMES I. ASHER.

Done at the City of Williston, N. D., October, 1912.

BISHOP NAPHTALI LUCCOCK, Presiding,  
A. W. BROWN, Secretary.

Secretary's Office

*To the Legislative Assembly of the State of North Dakota:*

A Petition, introduced by A. L. Shute and adopted by the North Dakota Annual Conference of the Methodist Episcopal church;

WHEREAS, The law of the State of North Dakota does not permit the marriage ceremony to be solemnized by some persons now authorized by well established churches and religious organizations to officiate at such service; and

WHEREAS, This condition works an unnecessary, an embarrassing, and a financial hardship to many pastors on remote and difficult fields; and

WHEREAS, In this respect our State is the lone exception in all the Central Northwest from Illinois to Montana, inclusive; therefore, be it

*Resolved,* That we petition the Senate and the House of Representatives of the Legislative Assembly of the State of North Dakota so to amend the marriage laws of our State that all persons authorized by their respective churches to solemnize marriage shall be authorized so to do by the law of the State of North Dakota.

And the Secretary of this Conference is directed hereby to convey a copy of this petition to the President of the Senate and the Speaker of the House of Representatives of the coming session of the Legislative Assembly.

Done at Williston, N. D., this day, October 4th, 1912.

BISHOP NAPHTALI LUCCOCK, Presiding,  
A. W. BROWN, Secretary.

Mr. Overson moved

That the first communication be referred to the Committee on Elections and that the second communication be referred to the Committee on Judiciary.

Which motion prevailed, and

The communications were so referred.

Mr. Gilbert moved

That the foregoing communication be made part of the Journal.

Which motion prevailed.

#### REPORTS OF SELECT COMMITTEES

The Committee on Rules made the following report:

*Mr. President:* Your Committee on Rules begs leave to report and recommend the following changes in the present rules of the Senate:

That Rule No. 27 be amended to read: "No bills for the appropriation of money except for the expenses of the government, shall be introduced after the 30th day of the session, except by the unanimous consent of the Senate. All Appropriation Bills shall be reported back to the Senate by the committee to which they are referred not later than the 45th day of the Session."

No bills shall be introduced after the fiftieth day except by unanimous consent.

H. W. ALLEN,  
Chairman.

That Rule No. 34 be amended to read: "All bills and joint resolutions, after the second reading shall be printed, unless otherwise ordered by the Senate."

That Rule No. 35 be amended by changing the number of members on the Committee on Education from eleven to fifteen, and further amended by adding to the present number of standing committees a committee on Revision and Correction of the Journal to consist of three members.

Mr. Allen moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The President announced the appointment of the following Standing Committees:

#### SENATE COMMITTEES.

*Agriculture.*—Messrs. Duncan, Chairman; Thoreson, Ganssle, Plain, McLean, McBride, Hoverson, Vail, Helgeland, Barnes, Clark.

*Apportionment.*—Messrs. Kretschmar, Chairman; Albrecht, Bonzer, Barnes, Davidson, Englund, Heckle, Hoverson, Hughes, Hyland, Jacobsen, Nelson, McBride, Trageton, Vail, Young, Leutz, Gilbert, Elken, Clark, McLean, Williams, Davis.

*Appropriations.*—Messrs. Plain, Chairman; Davis, Putnam, Gibbens, Williams, Duncan, Gronvold, Kretschmar, McDowell, Ellingson, Allen, Linde, Jacobsen, Wartner, Hoverson, Davidson, Vail.

*Banks and Banking.*—Messrs. Putnam, Chairman; McDowell, Allen, Garden, Gibbens, Cashel, Ellingson, Kretschmar, Gronvold, Nelson, Carter, Bronson, Heckle, Leutz, Clark.

*Cities and Municipal Corporations.*—Messrs. Steel, Chairman; Overson, Turner, Bond, Hanley, Hughes, Elken, Porterfield, Hookway, Mudgett, McBride.

*Corporations Other Than Municipal.*—Messrs. Jacobsen, Chairman; Carter, Hookway, Young, Leutz, Heckle, Ganssle, Davidson, Barnes.

*Counties.*—Messrs. Ganssle, Chairman; Linde, Gronvold, Jacobsen, Albrecht, Hoverson, Bonzer.

*Education.*—Messrs. Talcott, Chairman; Steel, Garden, Gibbons, Davis, McDowell, Cashel, Putnam, McLean, Allen, Williams, Jacobsen, Nelson, Hoverson, Albrecht.

*Elections.*—Messrs. Garden, Chairman; Gibbens, Bond, Wartner, Cashel, Hughes, Englund, Heckle, Turner.

*Engrossing and Enrolling Bills.*—Messrs. Bond, Chairman; Gronvold, Loftsgaard, Porterfield, Trageton.

*Federal Relations.*—Messrs. Carter, Chairman; Hookway, Albrecht, Ganssle, Thoreson, Gibbens, Turner.

*Game and Fish.*—Messrs. McLean, Chairman; Gilbert, Young, Gronvold, Ganssle, Clark, Porterfield, Hyland, Englund.

*Highways, Bridges and Ferries.*—Messrs. Ellingson, Chairman; Linde, McLean, Elken, Albrecht, Hughes, Helgeland, Vail, Bond, Mudgett, Hyland.

*Immigration.*—Messrs. Hookway, Chairman; Hyland, Linde, Loftsgaard, Bond, Englund, Ganssle, Bonzer, Turner.

*Indian Affairs.*—Messrs. Hyland, Chairman; Young, Leutz, Jacobsen, Nelson.

*Insurance.*—Messrs. Williams, Chairman; Gronvold, Steel, Garden, Plain, Allen, McDowell, Heckle, Bronson, Loftsgaard, McBride.

*Irrigation and Drainage.*—Messrs. Cashel, Chairman; Williams, Allen, Vail, Ganssle; Overson, Bronson, Porterfield, Albrecht.

*Judiciary.*—Messrs. Overson, Chairman; Talcott, Williams, Linde, Plain, Cashel, Hookway, Davis, Bronson, Wartner, Trageton, Heckle, McBride, Nelson, McDowell, Hanley, Mudgett.

*Live Stock.*—Messrs. Gibbens, Chairman; McLean, Duncan, Young, Hoverson, Leutz, Hyland, Englund, Albrecht, Barnes, Helgeland.

*Military Affairs.*—Messrs. Hanley, Chairman; Carter, Heckle, Bond, Bronson, Hyland, Cashel, Overson, Porterfield.

*Mines and Minerals.*—Messrs. Leutz, Chairman; Davidson, McBride, Williams, Overson, Young, Jacobsen, Hughes, Davis.

*Public Health.*—Messrs. Gronvold, Chairman; Ellingson, Porterfield, Putnam, Carter, Trageton, Ganssle, Clark, Nelson.

*Public Lands.*—Messrs. Young, Chairman; Gilbert, Thoreson, Carter, Turner, Davidson, Garden, Nelson, Helgeland.

*Public Printing.*—Messrs. Nelson, Chairman; Duncan, Allen, Turner, Gilbert, Hanley, Clark, Mudgett, Wartner.

*Railroads.*—Messrs. Gilbert, Chairman; Elken, Cashel, McLean, Thoreson, Duncan, Carter, Hookway, Jacobsen, Young, Hughes, Englund, McBride.

*Revision and Correction of the Journal.*—Messrs. Davidson, Chairman; Cashel, Trageton.

*Rules.*—Messrs. Allen, Chairman; Kretschmar, Steel, Linde, Cashel, Hanley, Bond.

*State Affairs.*—Messrs. Davis, Chairman; Putnam, Gibbens, Overson, Talcott, Steel, Elken, Young, Duncan, Kretschmar, Garden, Gilbert, Mudgett, Turner, Bond, Hughes, Hyland.

*Statistics.*—Messrs. Englund, Chairman; Wartner; Vail, Ellingson, Thoreson, Barnes, Loftsgaard.

*Taxes and Tax Laws.*—Messrs. Linde, Chairman; Plain, Gibbens, McDowell, Talcott, Elken, Overson, Hanley, Bronson, Davidson, Mudgett.

*Temperance.*—Messrs. Mudgett, Chairman; Hyland, McLean, Steel, Talcott, Garden, Ganssle, Leutz, McDowell, Helgeland, Porterfield.

*Warehouse, Grain and Grain Grading.*—Messrs. Thoreson, Chairman; Cashel, Plain, Ellingson, Duncan, Wartner, Bonzer, Hookway, Barnes, Hoverson, Loftsgaard.

*Ways and Means.*—Messrs. Elken, Chairman; Garden, Steel, Thoreson, Vail, Englund, Loftsgaard, Leutz, Albrecht, Porterfield, Barnes.

*Womans' Suffrage.*—Messrs. Wartner, Chairman; Bronson, Kretschmar, Gilbert, Helgeland, Williams, Loftsgaard, Barnes, Bonzer, Hanley, Porterfield.

#### JOINT COMMITTEES.

*Charitable Institutions.*—Messrs. Vail, Chairman; Duncan, Steel, Gilbert, Bonzer.

*Educational Institutions.*—Messrs. McDowell, Chairman; Talcott, Ellingson, Trageton, Clark, Hoverson, Hookway.

*Penal Institutions.*—Messrs. Hughes, Chairman; Hanley, Plain, Davis, Helgeland, Putnam, Gronvold.

*Public Buildings.*—Messrs. Turner, Chairman; Bond, Kretschmar, Mudgett, Putnam.

*Rules.*—Messrs. Allen, Chairman; Bond, Cashel, Hanley, Linde, Steel, Kretschmar.

*State Library.*—Messrs. McBride, Chairman; Wartner, Ellingson, Carter, Thoreson.

#### REPORT OF SPECIAL COMMITTEE

The Committee on Rooms made the following report:

The Committee on Rooms beg leave to report that four

Committee rooms and one mailing room have been secured on the second floor of the Industrial Exposition Building, same being provided with heat, light, tables, chairs and telephone service. One room for stenographer at each of the hotels—the McKenzie and Grand Pacific—has also been engaged.

Respectfully submitted,

E. A. HUGHES,  
Chairman.

Mr. Hughes moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

#### FIRST READING OF SENATE BILLS.

Mr. Hughes introduced

Senate bill No. 1.

A bill for an act providing for the appointment of a Highway Commission, defining their duties and powers, providing for the establishment of state roads and the use of convict labor thereon, defining certain duties and power of the state engineer in connection therewith and making an appropriation therefore, amending Sections 14, 15 and 16 of Chapter 6 of the Laws of 1911 and amending Section 7608 of the Revised Code of 1905 as amended in Chapter 52 of the Laws of 1907. Emergency.

Which was read the first time.

Mr. Cashel introduced

Senate Bill No. 2

A Concurrent Resolution to amend Article 19, Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

Which was read the first time.

Mr. Bond introduced

Senate Bill No. 3.

A bill for an Act to provide for the regulation and supervision of investment companies, and providing penalties for the violation thereof.

Which was read the first time.

Mr. Garden introduced

Senate Bill No. 4.

A bill for an Act creating the office of State Fire Marshal, describing the duties, and providing for the maintenance of same.

Which was read the first time.

Mr. Duncan introduced

Senate Bill No. 5.

A bill for an Act to provide for the regulation and supervision of investment companies under the supervision of the state examiner and providing penalties for the violation thereof.

Which was read the first time.

Mr. Bronson introduced

Senate Bill No. 6.

A bill for an Act to re-enact Section 16, Chapter 6 of the Laws of North Dakota for the year 1911 relating to motor license and road regulations.

Which was read the first time.

Mr. Bronson introduced

Senate Bill No. 7.

A bill for an Act to appropriate money for maintenance, equipment and permanent improvements at the State University and School of Mines of North Dakota.

Which was read the first time.

Mr. Bronson introduced

Senate Bill No. 8.

A bill for an Act to amend Section 605, Sub-division I, of the Revised Code of North Dakota for 1905, and Chapter 131 of the Session Laws of North Dakota for the year 1911, relating to who is entitled to vote, and providing for woman suffrage.

Which was read the first time.

Mr. Bronson introduced

Senate Bill No. 9.

A bill for an Act to amend Section 1571 of the Revised Codes of 1905, providing when real estate taxes shall become due and delinquent, and for penalty and interest in the event of delinquency thereof.

Which was read the first time.

Mr. McLean introduced

Senate Bill No. 10.

A bill for an Act making an appropriation of a sum sufficient to complete payment for the silver service to be donated by the State of North Dakota to the Battleship North Dakota.

Which was read the first time.

Mr. Duncan introduced

Senate Bill No. 11.

A bill for an Act appropriating an annual sum of money for the use of the Government Experiment Station at Fargo for conducting demonstration farms and for furnishing samples of seed grains and otherwise co-operating with farmers; for publishing reports and bulletins, for analyses of fertilizers and stock foods, for complying with the provisions of the pure paint, paris green and formaldehyde laws, and for making other experiments.

Which was read the first time.

Mr. Duncan introduced

Senate Bill No. 12.

A bill for an Act to amend Section 2582 of the Revised Codes of the State of North Dakota for 1905, relating to deputy clerks of the district court.

Which was read the first time.

Mr. McLean introduced

Senate Bill No. 13.

A bill for an Act to amend Sections 1933, 1934, 1935 and 1936, relating to stock running at large.

Which was read the first time.

Mr. Englund introduced

**Senate Bill No. 14.**

A bill for an Act to provide for the extermination of gophers and the compensation thereof.

Which was read the first time.

Mr. Englund introduced

**Senate Bill No. 15.**

A bill for an Act authorizing the appointment of two delegates from this state as members of a commission which is to investigate European systems of rural credits and report thereon, and making an appropriation therefor.

Which was read the first time.

Mr. Nelson introduced

**Senate Bill No. 16.**

A bill for an Act appropriating money for the current and contingent expenses of the State Tuberculosis Sanatorium at Dunseith.

Which was read the first time.

Mr. Overson introduced

**Senate Bill No. 17.**

A bill amending the Constitution of the State of North Dakota providing for the recall of public officials by the people.

Which was read the first time.

Mr. Gibbens introduced

**Senate Bill No. 18.**

A Joint Resolution ratifying an amendment to Section three, Article one of the Constitution of the United States.

Which was read the first time.

Mr. Vail introduced

**Senate Bill No. 19.**

A bill for an Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Which was read the first time.

Mr. Jacobsen introduced

Senate Bill No. 20.

A bill for an Act amending and re-enacting Section 2597 of the Revised Codes of 1905, as amended by Chapter 257 of the Session Laws of 1911, relating to the fees in the office of the Register of Deeds.

Which was read the first time.

Mr. Bronson introduced

Senate Bill No. 21.

A bill for an Act to amend Section 7176 of the 1905 Revised Codes of North Dakota, and Chapter 177 of the Session Laws of North Dakota for the year 1907, relating to attorney's fees on foreclosures.

Which was read the first time.

Mr. Bronson introduced

Senate Bill No. 22.

A bill for an Act to amend Section 6246 of the Revised Codes of 1905 relating to Mechanics' Liens and the enforcement thereof.

Which was read the first time.

Mr. Talcott introduced

Senate Bill No. 23.

A bill for an Act to amend Chapter 290 of the Laws of 1911 relating to property exempt from taxation.

Which was read the first time.

Mr. Talcott introduced

Senate Bill No. 24.

A bill for an Act to protect purchasers of stocks, and bonds and prevent frauds in the sale thereof; To create a Bureau of Corporations to administer this Act; Providing for the maintenance thereof and providing penalties for the violation thereof.

Which was read the first time.

Mr. Gronvold introduced

Senate Bill No. 25.

A bill for an Act to appropriate the sum of Sixty Thousand Dollars, or as much thereof as may be necessary to

indemnify persons who have lost animals from the disease known as glanders.

Which was read the first time.

Mr. Ellingson introduced

Senate Bill No. 26.

A bill for an Act to amend Section 618 of the Revised Codes of North Dakota for 1905, relating to elections.

Which was read the first time.

Mr. Ellingson introduced

Senate Bill No. 27.

A bill for an Act to amend Section 4493 of the Revised Codes of North Dakota for 1905 relating to county mutual insurance companies.

Which was read for the first time.

Mr. Gronvold introduced

Senate Bill No. 28.

A bill for an Act for the regulation and supervision of investment companies, and providing penalties for the violation thereof.

Which was read the first time.

Mr. Cashel introduced

Senate Bill No. 29.

A bill for an Act to amend Section 2864 of the Revised Codes of North Dakota for 1905, as amended by Chapter 186 of the Session Laws of 1905, and re-amended by Chapter 268 of the Session Laws of 1907, relating to the general powers of the boards of trustees of incorporated villages.

Which was read the first time.

Mr. Cashel introduced

Senate Bill No. 30.

A bill for an Act to provide an appropriation for the current and contingent expense, and for permanent improvements for the Institution for Feeble Minded, at Grafton, North Dakota.

Which was read the first time.

Mr. McLean introduced

Which was read the first time.

Senate Bill No. 31.

A bill for an Act to amend Section 3 of Chapter 209 of the Session Laws of 1909, relating to the selling, offering or exposure of seed for sale.

Mr. Overson introduced

Senate Bill No. 32.

A Concurrent Resolution amending the Constitution of the State of North Dakota providing for the initiative and referendum.

Which was read for the first time.

The Senate returned to the ninth order of business.

And

Mr. Englund offered the following concurrent resolution:

*Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:*

That there be printed and the mailing clerks be directed to mail to each newspaper, educational institution, classified high schools, public libraries, and commercial clubs and county auditors and district judges in this state a copy of all bills and journals of the Senate and House of Representatives, and that each member may have five copies mailed.

Mr. Englund moved that the concurrent resolution be adopted.

Which motion prevailed, and

The concurrent resolution was adopted.

The Senate returned to the eighth order of business.

And

Mr. Talcott moved that all four "Blue Sky Law" bills be referred at this time to the committee on judiciary without being printed.

Which motion prevailed, and

The bills were so referred.

Mr. Overson moved that the rules be suspended and the Senate proceed to the second reading of Senate bills.

Which motion prevailed.

## SECOND READING OF SENATE BILLS.

## Senate bill No. 1.

A bill for an act providing for the appointment of a Highway Commission, defining their duties and powers, providing for the establishment of state roads and the use of convict labor thereon, defining certain duties and power of the state engineer in connection therewith and making an appropriation therefore, amending Sections 14, 15 and 16 of Chapter 6 of the Laws of 1911 and amending Section 7608 of the Revised Code of 1905 as amended in Chapter 52 of the Laws of 1907. Emergency.

Was read the second time and

Referred to the committee on highways, bridges and ferries.

## Senate Bill No. 2

A Concurrent Resolution to amend Article 19, Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

Was read the second time and

Referred to the committee on education.

## Senate Bill No. 3.

A bill for an Act to provide for the regulation and supervision of investment companies, and providing penalties for the violation thereof.

Was read the second time and

Referred to the committee on judiciary.

## Senate Bill No. 4.

A bill for an Act creating the office of State Fire Marshal, describing the duties, and providing for the maintenance of same.

Was read the second time and

Referred to the committee on insurance.

## Senate Bill No. 5.

A bill for an Act to provide for the regulation and supervision of investment companies under the supervision of

the state examiner and providing penalties for the violation thereof.

Was read the second time and

Referred to the committee on judiciary.

Senate Bill No. 6.

A bill for an Act to re-enact Section 16, Chapter 6 of the Laws of North Dakota for the year 1911 relating to motor license and road regulations.

Was read the second time and

Referred to the committee on highways, bridges and ferries.

Senate Bill No. 7.

A bill for an Act to appropriate money for maintenance, equipment and permanent improvements at the State University and School of Mines of North Dakota.

Was read the second time and

Referred to the committee on appropriations.

Senate Bill No. 8.

A bill for an Act to amend Section 605, Sub-division I, of the Revised Code of North Dakota for 1905, and Chapter 131 of the Session Laws of North Dakota for the year 1911, relating to who is entitled to vote, and providing for woman suffrage.

Was read the second time and

Referred to the committee on woman's suffrage.

Senate Bill No. 9.

A bill for an Act to amend Section 1571 of the Revised Codes of 1905, providing when real estate taxes shall become due and delinquent, and for penalty and interest in the event of delinquency thereof.

Was read the second time and

Referred to the committee on taxes and tax laws.

Senate Bill No. 10.

A bill for an Act making an appropriation of a sum sufficient to complete payment for the silver service to be donated

ed by the State of North Dakota to the Battleship North Dakota.

Was read the second time and

Referred to the committee on appropriations.

Senate Bill No. 11.

A bill for an Act appropriating an annual sum of money for the use of the Government Experiment Station at Fargo for conducting demonstration farms and for furnishing samples of seed grains and otherwise co-operating with farmers; for publishing reports and bulletins, for analyses of fertilizers and stock foods, for complying with the provisions of the pure paint, paris green and formaldehyde laws, and for making other experiments.

Was read the second time and

Referred to the committee on appropriations.

Senate Bill No. 12.

A bill for an Act to amend Section 2582 of the Revised Codes of the State of North Dakota for 1905, relating to deputy clerks of the district court.

Was read the second time and

Referred to the committee on judiciary.

Senate Bill No. 13.

A bill for an Act to amend Sections 1933, 1934, 1935 and 1936, relating to stock running at large.

Was read the second time and

Referred to the committee on live stock.

Senate Bill No. 14.

A bill for an Act to provide for the extermination of gophers and the compensation thereof.

Was read the second time and

Referred to the committee on state affairs.

Senate Bill No. 15.

A bill for an Act authorizing the appointment of two delegates from this state as members of a commission which is to investigate European systems of rural credits and report thereon, and making an appropriation therefor.

Was read the second time and

Referred to the committee on state affairs.

Senate Bill No. 16.

A bill for an Act appropriating money for the current and contingent expenses of the State Tuberculosis Sanatorium at Dunseith.

Was read the second time and

Referred to the committee on appropriations.

Senate Bill No. 17.

A bill amending the Constitution of the State of North Dakota providing for the recall of public officials by the people.

Was read the second time and

Referred to the committee on judiciary.

Senate Bill No. 18.

A Joint Resolution ratifying an amendment to Section three, Article one of the Constitution of the United States.

Was read the second time and

Referred to the committee on judiciary.

Senate Bill No. 19.

A bill for an Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Was read the second time and

Referred to the committee on judiciary.

Senate Bill No. 20.

A bill for an Act amending and re-enacting Section 2597 of the Revised Codes of 1905, as amended by Chapter 257 of the Session Laws of 1911, relating to the fees in the office of the Register of Deeds.

Was read the second time and

Referred to the committee on judiciary.

Senate Bill No. 21.

A bill for an Act to amend Section 7176 of the 1905 Revised Codes of North Dakota, and Chapter 177 of the Session Laws of North Dakota for the year 1907, relating to attorney's fees on foreclosures.

Was read the second time and  
Referred to the committee on judiciary.

Senate Bill No. 22.

A bill for an Act to amend Section 6246 of the Revised Codes of 1905 relating to Mechanics' Liens and the enforcement thereof.

Was read the second time and  
Referred to the committee on judiciary.

Senate Bill No. 23.

A bill for an Act to amend Chapter 290 of the Laws of 1911 relating to property exempt from taxation.

Was read the second time and  
Referred to the committee on taxes and tax laws.

Senate Bill No. 24.

A bill for an Act to protect purchasers of stocks and bonds and prevent frauds in the sale thereof; to create a bureau of corporations to administer this act; providing for the maintenance thereof and providing penalties for the violation thereof.

Was read the second time and  
Referred to the committee on judiciary.

Senate Bill No. 25.

A bill for an Act to appropriate the sum of Sixty Thousand Dollars, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Was read the second time and  
Referred to the committee on appropriations.

Senate Bill No. 26.

A bill for an Act to amend Section 618 of the Revised Codes of North Dakota for 1905, relating to elections.

Was read the second time and  
Referred to the committee on elections.

Senate Bill No. 27.

A bill for an Act to amend Section 4493 of the Revised

Codes of North Dakota for 1905 relating to county mutual insurance companies.

Was read the second time and

Referred to the committee on insurance.

Senate Bill No. 28.

A bill for an Act relating to the regulation and supervision of investment companies in North Dakota.

Was read the second time and

Referred to the committee on judiciary.

Senate Bill No. 29.

A bill for an Act to amend Section 2864 of the Revised Codes of North Dakota for 1905, as amended by Chapter 186 of the Session Laws of 1905, and re-amended by Chapter 268 of the Session Laws of 1907, relating to the general powers of the boards of trustees of incorporated villages.

Was read the second time and

Referred to the committee on cities and municipal corporations.

Senate Bill No. 30.

A bill for an Act to provide an appropriation for the current and contingent expense, and for permanent improvements for the Institution for Feeble Minded, at Grafton, North Dakota.

Was read the second time and

Referred to the committee on appropriations.

Senate Bill No. 31.

A bill for an Act to amend Section 3 of Chapter 209 of the Session Laws of 1909, relating to the selling, offering or exposure of seed for sale.

Was read the second time and

Referred to the committee on state affairs.

Senate Bill No. 32.

A Concurrent Resolution amending the Constitution of the State of North Dakota providing for the initiative and referendum.

Was read the second time and

Referred to the committee on judiciary.

The President administered the oath of office to the following employes:

W. P. Mills—doorkeeper, on Jan. 8, 1913.

Esther Lein—stenographer, on Jan. 10, 1913.

Alice McConnell—stenographer, on Jan. 11, 1913.

Peter Reid—asst. Journal clerk, on Jan. 11, 1913.

H. T. Quanbeck, 1st asst. enrolling and engrossing clerk, on Jan. 11, 1913.

G. D. Peterson—3rd asst. enrolling and engrossing clerk, on Jan. 11, 1913.

J. R. Young—2nd asst. enrolling and engrossing clerk, on Jan. 13, 1913.

Margaret Ryan—stenographer, on Jan. 13, 1913.

Carrie Morrish—stenographer, on Jan. 13, 1913.

Jessie Wilde—stenographer, on Jan. 13, 1913.

E. J. Morris—asst. bill clerk, on Jan. 13, 1913.

M. Skarrison—bill room clerk, on Jan. 13, 1913.

Cyril E. Thomas—desk stenographer, on Jan. 14, 1913.

L. H. Sisco—gallery doorkeeper, on Jan. 14, 1913.

F. A. Tanger—Journal clerk, on Jan. 14, 1913.

Chas. Barclay—page, on Jan. 14, 1913.

Thor C. Farman—janitor exposition building, on Jan. 14, 1913.

Rudolph Maasjo—clerk Ways and Means Committee, on Jan. 14, 1913.

Mr. Gilbert moved that a committee of three be appointed to confer with a like committee from the House in making arrangements for a joint session on Thursday to listen to a representative from the Panama-Pacific Exposition.

Which motion prevailed.

The President appointed on such committee Messrs. Gilbert, Gronvold and Porterfield.

Mr. Talcott moved

That the Senate do now adjourn.

Which motion prevailed, and  
Senate adjourned.

W. D. AUSTIN,  
Secretary.

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#### NINTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 15, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the Chaplain.

Roll call.

All members present except Messrs. Carter, Kretschmar and Linde, who were excused.

#### REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the eighth day, have carefully examined the same and recommend that the same be corrected as follows:

On page 5, lines 32-33, the following line 26 as a part of Rule 27, and that the H. W. Allen, chairman, follow line 31.

That in line 27 the name "Hovererson" be corrected to so as to read Hoverson.

That on page 10 the title to Bill 5 be inserted, also on pages 12, 13, 14 and 15, that title to Bills from No. 17 to 32 inclusive be inserted in the printed form; also on page 9 insert title to Bill No. 3.

On page 8, line 27, correct the name "Trageston" to read "Trageton."

And when so amended recommended that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved that the report be adopted.

Which motion prevailed, and

The report was adopted.

#### REPORTS OF STANDING COMMITTEES.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred

"A petition, introduced by A. L. Shute and adopted by the North Dakota Annual Conference of the Methodist Episcopal church as to whom may perform marriage ceremonies."

Have had the same under consideration and recommend that the same be returned to the Secretary and ordered filed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved that the report be adopted.

Which motion prevailed, and

The report was adopted.

#### REPORT OF SPECIAL COMMITTEE.

*Mr. President:*

The joint committee appointed to arrange for a demonstration by Mr. Fisher for the Exposition to be held at San Francisco in 1915, beg leave to report that Mr. Rhodes representing Mr. Fisher has arranged to have the meeting in the Exposition Building opposite the McKenzie Hotel for

8:00 o'clock P. M., Thursday, the 16th. Full accommodations for both the Senate and House have been arranged for.

E. F. GILBERT,  
O. J. SORLIE,  
F. T. GRONVOLD,  
C. S. BUCK,  
W. P. PORTERFIELD,  
OLE NYHUS,  
Joint Committee.

Mr. Gilbert moved that the report be adopted.

Which motion prevailed and

The report was adopted.

There being no objection Senate Bill No. 18 was recalled by the President from the committee on judiciary and referred to the committee on federal relations.

#### MOTIONS AND RESOLUTIONS.

Mr. Davidson introduced the following resolution:

*Be it Resolved*, That the Secretary of the Senate be instructed to have five hundred copies of the Senate Rules and list of committees, printed in the usual form.

Mr. Davidson moved that the resolution be adopted.

Which motion prevailed, and

The resolution was adopted.

Mr. Davidson introduced the following resolution:

*Be it Resolved*, That the President of the Senate appoint a committee of three on mileage and per diem.

Mr. Davidson moved that the resolution be adopted.

Which motion prevailed, and

The resolution was adopted.

The President appointed as such committee Messrs. Clark, Albrecht and Barnes.

Mr. Bronson moved that the President appoint a committee of three to draw up suitable resolutions of memorial with respect to the late Chief Justice Morgan and Judge Templeton to be presented to this body.

Which motion prevailed, and

The President appointed as such committee Messrs. Bronson, Hyland and Cashel.

### MESSAGE FROM THE HOUSE.

Bismarck, N. D., January 15, 1913.

*Mr. President:*

I have the honor to return herewith the following concurrent resolution:

*Whereas*, It is necessary that the members of the Legislature be provided with stationery, desk supplies, postage and necessary articles involving the expenditure of funds;

*Therefore be it Resolved* by the House of Representatives of the State of North Dakota, the Senate concurring:

That the Secretary of State be authorized and directed to furnish such supplies and postage upon the requisition of the members of the House and Senate, the Chief Clerk of the House and the Secretary of the Senate for the transaction of the business of the Legislative Assembly. The expense of carrying out the provisions of this resolution is hereby authorized from the general fund of the state as a proper charge against legislative expense.

In which the House has concurred.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Overson moved that the foregoing concurrent resolution be referred to a special committee of three to be appointed by the President to report today.

Which motion prevailed, and

And the President appointed as such committee Messrs. Overson, Plain and Duncan.

### INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. Gronvold introduced

Senate Bill No. 33.

A bill for an Act to prohibit the use of public drinking cups in the State of North Dakota.

Which was read the first time.

Mr. Jacobsen introduced

Senate Bill No. 34.

A bill for an Act prohibiting unfair discrimination in the buying of milk, cream or butter fat and providing a penalty for the violation thereof.

Which was read the first time.

Mr. Wartner introduced

Senate Bill No. 35.

A bill for an Act permitting a voter to cast his vote at general elections when unavoidably absent from his regular voting precinct outside of the county, to vote for county, district or state officers, members of the legislature, member of Congress and electors of President and Vice President of the United States, in any voting precinct where he may present himself for such purposes, on the day of such election, under regulations hereinafter prescribed.

Which was read the first time.

Mr. Loftsgaard introduced

Senate Bill No. 36.

A bill for an Act entitled "An Act to amend Section 4331 of the Revised Codes of North Dakota of 1905, relating to the operation of railroads in this state, receiving and transporting passengers and property.

Which was read the first time.

Mr. Gilbert introduced

Senate Bill No. 37.

A bill for an Act providing for an appropriation to pay expenses of construction of drains benefitting school lands situated in Cass County.

Which was read the first time.

Mr. McLean introduced

Senate Bill No. 38.

Concurrent resolution for an amendment to the Constitution of the State of North Dakota providing that the term of office of the Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, Commis-

sioner of Insurance, Commissioners of Railroads and the Commissioner of Agriculture and Labor shall be four years.

Which was read the first time.

Mr. Hoverson introduced

Senate Bill No. 39.

A bill for an Act to appropriate money for the maintenance of the Department of Agricultural, Manual Training and Domestic Economy in the High School at Beach, Grafton, Velva, Carrington and LaMoure.

Which was read the first time.

Mr. Hanley introduced

Senate Bill No. 40.

A bill for an Act making an appropriation for the erection of a new building, and other improvements, and for the current and contingent expenses of the Reform School of North Dakota, located at Mandan, N. D.

Which was read the first time.

Mr. Hughes introduced

Senate Bill No. 41.

A bill for an Act making appropriation for the current and contingent expenses of the State Penitentiary, and for making permanent improvements and additions thereto.

Which was read the first time.

Mr. Hughes introduced

Senate Bill No. 42.

A bill for an Act to require Road Supervisors, Street Commissioners or any person authorized to collect a road poll tax receipt, to file with the county auditor duplicate receipts, so that he may make the proper credits on the tax lists.

Which was read the first time.

## SECOND READING OF SENATE BILLS.

Senate Bill No. 33.

A bill for an Act to prohibit the use of public drinking cups in the State of North Dakota.

Was read the second time and

Referred to the committee on public health.

Senate Bill No. 34.

A bill for an Act prohibiting unfair discrimination in the buying of milk, cream or butter fat and providing a penalty for the violation thereof.

Was read the second time and

Referred to the committee on state affairs.

Senate Bill No. 35.

A bill for an Act permitting a voter to cast his vote at general elections when unavoidably absent from his regular voting precinct outside of the county to vote for county, district or state officers, members of the legislature, member of Congress and electors of President and Vice President of the United States, in any voting precinct where he may present himself for such purposes, on the day of such election, under regulations hereinafter prescribed.

Was read the second time and

Referred to the committee on Elections.

Senate Bill No. 36.

A bill for an Act entitled "An Act to amend Section 4331 of the Revised Codes of North Dakota of 1905, relating to the operation of railroads in this state, receiving and transporting passengers and property.

Was read the second time and

Referred to the committee on railroads.

Senate Bill No. 37.

A bill for an Act providing for an appropriation to pay expenses of construction of drains benefitting school lands situated in Cass County.

Was read the second time and

Referred to the committee on appropriations.

Senate Bill No. 38.

Concurrent resolution for an amendment to the Constitution of the State of North Dakota providing that the

term of office of the Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, Commissioner of Insurance, Commissioners of Railroads and the Commissioner of Agriculture and Labor shall be four years.

Was read the second time and

Referred to the committee on Elections.

Senate Bill No. 39.

A bill for an Act to appropriate money for the maintenance of the Department of Agricultural, Manual Training and Domestic Economy in the High School at Beach, Grafton, Velva, Carrington and LaMoure.

Was read the second time and

Referred to the committee on appropriations.

Senate Bill No. 40.

A bill for an Act making an appropriation for the erection of a new building, and other improvements, and for the current and contingent expenses of the Reform School of North Dakota, located at Mandan, N. D.

Was read the second time and

Referred to the committee on appropriations.

Senate Bill No. 41.

A bill for an Act making appropriation for the current and contingent expenses of the State Penitentiary, and for making permanent improvements and additions thereto.

Was read the second time and

Referred to the committee on appropriations.

Senate Bill No. 42.

A bill for an Act to require Road Supervisors, Street Commissioners or any person authorized to collect a road poll tax receipt, to file with the county auditor duplicate receipts, so that he may make the proper credits on the tax lists.

Was read the second time and

Referred to the committee on ways and means.

Mr. Cashel moved that the Senate take a recess of ten minutes.

Which motion prevailed, and

The Senate took a recess.

AFTER RECESS.  
MESSAGE FROM THE HOUSE.

The following message was received from the House:

January 15, 1913.

*Mr. President:*

I have the honor to inform you that the House has concurred in the following resolution:

*Be it Resolved*, That a joint committee be appointed consisting of three members of the Senate and three members of the House of Representatives for the purpose of investigating the present system of preserving the official record of the Senate and House of Representatives and for the further purpose of economizing and adopting a system that will be more accurate and modern and thus allow the business to be facilitated with more dispatch.

And the Speaker has appointed as such committee Messrs. Snyder, Walsh and Putnam.

Yours respectfully,

M. J. GEORGE,  
Chief Clerk.

The Senate returned to the seventh order of business.

REPORT OF SPECIAL COMMITTEE.

We, the undersigned special committee, appointed to consider the concurrence in the concurrent resolution introduced by the House of Representatives, relating to the furnishing of supplies and postage, do hereby report as follows:

We recommend that said resolution be amended so as to read as follows:

*Whereas*, It is necessary that the members of the Legislature be provided with stationery, desk supplies, postage and necessary articles involving the expenditure of funds;

*Therefore, be it Resolved* by the House of Representatives of the State of North Dakota, the Senate concurring:

That the Secretary of State be authorized and directed to furnish such necessary supplies and necessary postage not to exceed two dollars per member, upon the requisition of the members of the House and Senate, the Chief

Clerk of the House and the Secretary of the Senate for the transaction of the business of the Legislative Assembly. The expense of carrying out the provisions of this resolution is hereby authorized from the general fund of the state as a proper charge against legislative expense.

We recommend the adoption of the resolution as amended.

Dated January 15, 1913.

W. H. OVERSON,  
C. W. PLAIN,  
JAMES DUNCAN,  
Special Committee.

Mr. Overson moved that the report of the committee be adopted.

Mr. McDowell moved that the report be amended by striking out the words "and necessary postage not to exceed two dollars per member."

Mr. Davidson moved as a substitute to the amendment to the original motion to make the limit for postage not to exceed \$5.00 for the session for each member.

Which motion was lost.

The question being on the adoption of the report as amended.

The roll was called and there were ayes 44, absent and not voting 6.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Nelson
Allen	Gilbert	Overson
Barnes	Gronvold	Plain
Bonzer	Hanley	Porterfield
Bronson	Heckle	Putnam
Cashel	Helgeland	Steel
Clark	Hookway	Talcott
Davidson	Hoverson	Thoreson
Davis	Hyland	Trageton
Duncan	Jacobsen	Turner
Elken	Loftsgaard	Vail
Ellingson	Leutz	Wartner
Englund	Mudgett	Williams
Ganssle	McBride	Young
Garden	McDowell	

Absent and not voting, Messrs. Bond, Carter, Hughes, Kretschmar, Linde and McLean.

Messrs. Carter, Kretschmar and Linde being excused.

So the report as amended was adopted.

The Senate returned to the ninth order of business.

#### FIRST READING OF SENATE BILLS.

Mr. Talcott introduced

Senate Bill No. 43.

A bill for an Act to authorize the Superintendent of Public Instruction to publish the report of the State Inspector of Rural and Graded Schools for 1912 and to appropriate money to defray the expense of the same and to meet the deficiency in the expenses of the State Inspector of Rural and Graded Schools.

Which was read the first time.

Mr. Talcott introduced

Senate Bill No. 44.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 of Chapter 35 of the Session Laws of the year 1911, of the State of North Dakota, being an Act to encourage elementary education in North Dakota, and appropriate money therefor.

#### SECOND READING OF SENATE BILLS.

Which was read the first time.

Senate Bill No. 43.

A bill for an Act to authorize the Superintendent of Public Instruction to publish the report of the State Inspector of Rural and Graded Schools for 1912 and to appropriate money to defray the expense of the same and to meet the deficiency in the expenses of the State Inspector of Rural and Graded Schools.

Was read the second time and

Referred to the committee on education.

Senate Bill No. 44.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 of Chapter 35 of the Session Laws of the year 1911, of the State of North Dakota, being

an Act to encourage elementary education in North Dakota, and appropriate money therefor.

Was read the second time and

Referred to the committee on education.

The President appointed as members of the joint committee for the purpose of investigating the present system of preserving the official record of the Senate and House, Messrs. Talcott, Davis and McDowell.

Mr. Thoreson moved that the Senate do now go into Executive Session.

Which motion prevailed, and

The Senate went into Executive Session.

#### OPEN SESSION.

#### SENATE RULES.

#### ORDER OF DAILY BUSINESS.

After calling the Senate to order the following order shall govern:

1. Prayer by the chaplain.
2. Calling the roll.
3. Reading and approval of the Journal.
4. Unfinished business.
5. Presentation of petitions and communications.
6. Reports of standing committees.
7. Reports of select committees.
8. Motions and resolutions.
9. Introduction of bills, joint resolutions and memorials.
10. Consideration of messages from the House.
11. First reading of Senate bills, joint resolutions and memorials.
12. Second reading of the same.
13. Third reading of the same.

14. First reading of House bills, joint resolutions and memorials.
15. Second reading of the same.
16. Third reading of the same.
17. Consideration of general orders.

## RULES.

1. The President shall take the chair at 2 o'clock P. M., or the hour to which the Senate was adjourned, and call the Senate to order, and if a quorum be present he shall direct the Journal of the preceding day to be read and mistakes or omissions, if any, corrected. He shall preserve order and decorum, and decide all questions of order, subject to an appeal to the Senate.

2. Eight members may have a call of the Senate, and compel the attendance of absent members, until the call be dispensed with by a constitutional majority.

3. Questions shall be put in this form: "As many as are of the opinion that (as the case may be) say aye," and after the affirmative voice is expressed, "As many as are of the contrary opinion say no." If the President doubt, or a division be called for, the Senate shall divide; those in the affirmative of the question shall arise from their seats, and afterwards those in the negative.

4. All motions, except to adjourn, postpone or commit shall be reduced to writing if required by any member of the Senate. Any motion may be withdrawn by consent of the Senate.

5. No member shall interrupt the business of the Senate while the Journal is being read, or when any member is speaking in debate, except on questions of privilege.

6. Every member present, when the question is put, shall vote, unless he shall, for a special cause, be excused by a two-thirds vote of the Senate present; but no member shall vote on any question in which he is directly or personally interested, or any case where he was not present when the question was put.

7. When any member is about to speak in debate, or debate on any matter in the Senate, he shall rise from his seat and respectfully address himself to "Mr. President" and shall stand in his place until recognized by the chair, and shall confine himself to the question under debate, and

avoid personalities and the implication of improper motives.

8. When a question is under debate no motion shall be received except to adjourn, to lay on the table, to move for the previous question, to move to postpone to a day certain, to commit or amend, to postpone indefinitely—which several motions shall have precedence in the order in which they are named and no motion to postpone to a day certain, to commit, to postpone indefinitely, having been decided, shall be entertained on the same day and at the same stage of the bill or proposition.

9. When two members rise the President shall name the member to speak. No member shall speak more than twice on the same subject, without leave of the Senate, nor more than once until every member choosing to speak on the subject pending shall have spoken, nor shall any member occupy more than ten minutes at the first time, nor nor more than five minutes at the second time, without unanimous consent of the Senate; but in all cases the member who shall first address the chair shall speak first.

10. If any member, in speaking or otherwise, transgress the rules of the Senate, the presiding officer shall, or any member may, call him to order, and when a member shall be called to order by the President or a member of the Senate he shall sit down, and shall not proceed without the leave of the Senate.

11. Every question of order shall be decided by the President, subject to an appeal to the Senate, and the President may call for a sense of the Senate on any question of order.

12. If any member be called to order by another member for words spoken the words excepted to shall immediately be taken down in writing, that the Senate may be better able to judge of the matter.

13. A motion to adjourn and to lay on the table shall be decided without debate.

14. Any member may call for a division of the question, which shall be divided if it comprehends propositions in substance so distinct, that on being taken away a substantive proposition shall remain for the decision of the Senate. A motion to strike out and insert shall be deemed divisible; but a motion to strike out being lost, shall preclude neither amendments nor motions to strike out and insert.

15. No motion shall be debated until the same shall be seconded and stated by the President.

16. When the reading of a paper is called for and the same is objected to by any member, it shall be determined by the Senate.

17. The unfinished business in which the Senate was engaged at the last preceding adjournment, shall have the preference in the special order of the day.

18. Every bill and joint resolution shall be introduced on the report of a committee, or on a call for bills and joint resolutions, or by a motion for leave, unless objected to by one member of the Senate, which shall carry it over for one day; and such objection may be made at any time on or before the first reading is completed.

19. Every bill shall be read three several times, but the first and second readings, and those only, may be upon the same day; and a second reading may be by title of a bill, unless a reading at length be demanded. The first and third readings shall be at length.

20. The first reading of a bill shall be for information, and the bill shall be presented and go to its second reading without further question.

21. Upon the second reading of a bill or joint resolution, the President shall refer it to its appropriate committee, unless the Senate, upon motion, decide to refer the same to a select or other standing committee, or to committee of the whole Senate; if to the committee of the whole Senate, then it shall come up for consideration under the general order of the next day, unless otherwise ordered by the Senate.

22. No bill or joint resolution shall be committed or amended until it shall have been twice read; nor shall any such bill or joint resolution have its third reading and be put upon its final passage until at least one day after the same has been reported to the Senate by the committee to which the same has been referred; provided, that any bill or joint resolution may have its third reading and be put upon its final passage on the day the same is reported back, when so ordered by two-thirds of the members of the Senate present.

23. On the third reading of every bill or resolution, any amendment may be received and it may be recommitted at any time previous to its final passage.

24. No bill shall be revised or amended, nor the provisions thereof extended or incorporated in any other bill by reference to its title only, but so much thereof as is revised, amended or extended or so incorporated, shall be re-enacted and published at length.

25. No bill shall become a law except by a vote of the majority of the members-elect in each house, nor unless on its final passage, the vote be taken by yeas and nays, and the names of those voting be entered on the Journal.

26. The presiding officer shall, in the presence of the Senate, sign all bills and joint resolutions passed by the Senate. Immediately before such signing their title shall be publicly read, and the fact of signing shall be at once entered on the Journal.

27. No bills for the appropriation of money, except for the expenses of the government shall be introduced after the thirtieth day of the session, except by unanimous consent of the Senate. All appropriation bills shall be reported back to the Senate by the committee to which they are referred not later than the forty-fifth day of the session. No bills shall be introduced in the Senate after the fiftieth day of the session, except by unanimous consent.

28. In filling blanks the largest sum and longest time shall be first put. When a motion or question has been decided in the negative or affirmative, any member having voted with the prevailing side may move a reconsideration on the same or following day, but when a motion to reconsider is laid on the table, a motion to reconsider cannot again be made.

29. Before acting on executive business the Senate chamber shall be cleared, by the direction of the President, of all persons except members, the chief clerk and sergeant at arms to be sworn.

30. No standing rule or order of the Senate shall be reconsidered or suspended, except by a vote of two-thirds of the members-elect, and no motion to suspend the rules and pass a bill shall be entertained except by unanimous consent, unless the bill has first been printed and considered by a committee.

31. The rules of parliamentary practice comprised of "Reeds' Parliamentary Rules" shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and order of the Senate, and the joint rules of the Senate and House of Representatives.

32. When the ayes and nays shall be called for by one-sixth of the members present each member called upon shall, unless for special reasons he be excused by the Senate, declare openly and without debate, his assent or dissent to the question. In taking the ayes and nays upon the call of the house, the names of the members shall be taken alphabetically.

33. In the absence of the President of the Senate, or his refusal to act, the President pro tempore shall exercise all rights and prerogatives of the President for the time being.

34. All bills and joint resolutions, after the second reading, shall be printed, unless otherwise ordered by the Senate.

35. There shall be appointed by the President of the Senate the following standing committees:

On judiciary, to consist of seventeen members.

On education, to consist of fifteen members.

On elections, to consist of nine members.

On appropriations, to consist of seventeen members.

On railroads, to consist of thirteen members.

On state affairs, to consist of seventeen members.

On public lands, to consist of nine members.

On ways and means, to consist of eleven members.

On agriculture, to consist of eleven members.

On warehousing, grain and grain grading, to consist of eleven members.

On counties, to consist of seven members.

On engrossed and enrolled bills, to consist of five members.

On banks and banking, to consist of fifteen members.

On cities and municipal corporations, to consist of eleven members.

On Indian affairs, to consist of five members.

On statistics, to consist of seven members.

On federal relations, to consist of seven members.

On insurance, to consist of eleven members.

- On public printing, consisting of nine members.
  - On public health, to consist of nine members.
  - On temperance, to consist of eleven members.
  - On mines and minerals, to consist of nine members.
  - On rules, to consist of seven members.
  - On immigration, to consist of nine members.
  - On highways, bridges and ferries, to consist of eleven members.
  - On irrigation and drainage, to consist of nine members.
  - On apportionment, to consist of twenty-three members.
  - On corporations other than municipal, to consist of nine members.
  - On military affairs, to consist of nine members.
  - On woman suffrage, to consist of eleven members.
  - On game and fish, to consist of nine members.
  - On live stock and animal husbandry, to consist of eleven members.
  - On taxes and taxation, to consist of eleven members.
  - On revision and correction of the Journal, to consist of three members.
- Also joint committees on the following subjects:
- On public buildings, to consist of five members.
  - On charitable institutions, to consist of five members.
  - On penal institutions, to consist of seven members.
  - On educational institutions, to consist of seven members.
  - On state library, to consist of five members.
  - On joint rules, to consist of seven members.

36. A quorum for the transaction of business shall consist of a majority of members elected to the Senate.

37. No person shall be admitted within the bar of the Senate except the executive, members and officers of the House, state officers, judges of the Supreme Court and District Courts, members of Congress, those who have been members of Congress, and the Legislative Assembly, mem-

bers of the constitutional convention, and all federal officials of the state, except by a vote of the Senate.

38. Members of the Senate introducing bills in the nature of amendments to laws now existing shall designate in the title of such amendatory act the title of the act and shall have printed at length in the bill the section or sections to be amended.

39. All nominations from the executive shall be opened and read immediately in executive session and then be referred to their appropriate committees, unless otherwise ordered; and the final question on every nomination shall be: "Will the Senate advise and consent to the nomination?" which question shall not be put on the same day on which the nomination is received, nor on the day on which it may be reported by a committee, unless by unanimous consent.

40. All bills reported from committees with amendments shall be engrossed before being read the third time and placed upon final passage.

41. All reports of committees and motions to discharge a committee from the consideration of a subject, and all subjects from which a committee shall be discharged, shall lie over one day for consideration unless, by unanimous consent the Senate shall otherwise direct.

42. No member or officer of the Senate, unless he from illness or other cause, shall be unable to attend, shall absent himself from the session of the Senate during an entire day without first having obtained leave of absence, and no one shall be entitled to draw pay while absent more than one day without leave.

43. The sergeant at arms of the Senate, under the direction of the presiding officer, shall be the executive officer of the body for the enforcement of all rules made by the committee on rules, for the regulation of the Senate wing of the Capitol. The Senate floor shall be at all times under his immediate supervision, and he shall see that the various subordinate officers perform the duties to which they are especially assigned.

44. When a member rises to explain his vote upon any measure before the Senate, while the roll call is in progress, his words shall be taken down by the stenographer and printed in the Journal; and upon request a member may have his remarks upon any question taken and extended on the record.

45. Upon a majority vote of the Senate the presiding officer shall refuse to sign any bill which may have passed the Senate, and which the house shall have refused to return for further consideration on being properly requested so to do.

46. The chairman of any committee to whom a bill or resolution has been referred, shall if so ordered, by a vote of the majority of the Senate present, report such bill or resolution back to the Senate forthwith.

Mr. Cashel moved that the Senate do now adjourn.

Which motion prevailed, and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

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### TENTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 16, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Linde, Kretschmar and McDowell.

Mr. Jacobsen moved that all absent Senators be excused.

Which motion prevailed, and

The absent Senators were excused.

### ·REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

Mr. President:

Your committee on revision and correction of the Journal of the ninth day, have carefully examined the same and recommend that the same be corrected as follows:

That the Journal of the first day be corrected to read:

On page one, line thirteen, after the words "Lieutenant Governor," insert the name "A. T. Kraabel"; also, page four after line six, insert the words, "The oath of office was then administered to the Senators elect, by Chief Justice Spaulding."

That the Journal of the ninth day be corrected on page ten, line thirteen, the name Davison be corrected to read Davidson.

That on page 1, line 15, where the words read "Rule 34," be changed to read "Rule 27."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

A communication relating to waterways was read and on motion was ordered filed.

#### MOTIONS AND RESOLUTIONS.

Mr. Plain moved that the concurrent resolution from the House relating to furnishing necessary supplies and postage which was amended and passed by the Senate be recalled from the House for reconsideration.

Which motion prevailed.

Mr. Putnam offered the following Resolution:

*Resolved*, That the following additional offices be created:

One mailing clerk at a salary of \$5.00 per day.

One ladies' cloak room attendant at a salary of \$3.00 per day.

One bill room clerk at a salary of \$4.00 per day.

One assistant bill room clerk at a salary of \$4.00 per day.

Two additional stenographers as committee clerks at a salary of \$5.00 per day.

One assistant sergeant at arms at a salary of \$4.00 per day.

One stenographer to Lieutenant Governor at a salary of \$5.00 per day.

Also, that the following offices be created and the following named persons be nominated and elected to the same, to-wit:

Janitor at Committee Rooms, Thor C. Farman, at a salary of \$4.00 per day.

Watchman at Committee Rooms, Chas. Mason, at a salary of \$2.00 per day.

And further, that payment shall be made from time of commencement of service, same to be determined by Secretary of Senate.

Mr. Putnam moved

That the resolution be adopted.

The question being on the adoption of the Resolution.

The roll was called and there were 47 ayes, no nays, absent and not voting 3.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson  
Carter  
Cashel  
Clark  
Davidson  
Davis  
Duncan  
Elken

Messrs.—  
Ellingson  
Englund  
Ganssle  
Garden  
Gibbens  
Gilbert  
Gronvold  
Hanley  
Heckle  
Helgeland  
Hookway  
Hoverson  
Hughes

Messrs.—  
Hughes  
Jacobsen  
Leutz  
Loftsgaard  
McBride  
McLean  
Mudgett  
Nelson  
Overson  
Plain  
Porterfield  
Putnam  
Steel

Messrs.—  
Talcott  
Thoreson  
Trageton

Messrs.—  
Turner  
Vail  
Wartner

Messrs.—  
Williams  
Young

Absent and not voting, Messrs. Kretchmar, Linde and McDowell.

Messrs. Kretschmar, Linde and McDowell being excused.  
So the resolution was adopted.

### INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. Overson introduced  
Senate Bill No. 45.

A bill for an Act regulating marriages and the issuance of marriage licenses, prohibiting marriages in certain cases, providing penalties for the violation of the provisions of this Act and repealing all Acts or parts of Acts in conflict herewith.

Which was read the first time.

Mr. Overson introduced  
Senate Bill No. 46.

A bill for an Act to amend and re-enact Section 6187 of the Revised Codes of North Dakota for 1905.

Which was read the first time.

Mr. Jacobsen introduced  
Senate Bill No. 47.

A bill for an Act repealing Chapter 268 of the Session Laws of 1911, relating to school houses and sites.

Which was read the first time.

Mr. Porterfield introduced  
Senate Bill No. 48.

A bill for an Act entitled, "An Act relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the Food Commissioner of the North Dakota Government Agricultural Experiment Station in relation thereto and providing penalties for the violation thereof.

Which was read the first time.

Mr. Porterfield introduced

Senate Bill No. 49.

A bill for an Act for preventing the manufacture, sale or transportation of adulterated insecticides and fungicides, and for regulating traffic therein and fixing penalties for the violation of this Act.

Which was read the first time.

Mr. McBride introduced

Senate Bill No. 50.

A bill for an Act making an appropriation for the Dickinson Experiment Station located in the City of Dickinson.

Which was read the first time.

Mr. Cashel introduced

Senate Bill No. 51.

A bill for an Act to amend and re-enact Sections 1031, 1032, 1033, 1034, 1035, 1036, 1037 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907 and Chapter 267 of the General Laws of 1911; and to amend Sections 1, 2, 3, 4, 5 of Chapter 40 of the General Laws of 1911, and to repeal Sections 6, 7, 8, 9, 10, 11, of Chapter 40 of the General Laws of 1911.

Which was read the first time.

Mr. Bronson introduced

Senate Bill No. 52.

A bill for an Act concerning railroads, regulating the size of engines, motors and cars, and also the clearance of obstructions thereon.

Which was read the first time.

Mr. Turner introduced

Senate Bill No. 53.

A bill for an Act to re-enact Section 492 of the Revised Codes of North Dakota for the year 1905, relating to the State Board of Bar Examiners.

Which was read the first time.

Mr. Talcott introduced

Senate Bill No. 54.

A bill for an Act regulating the manner in which payments shall be made for any service or fee prescribed by law from any department of the State of North Dakota.

Which was read the first time.

Mr. Bond introduced

Senate Bill No. 55.

A bill for an Act to amend Section 157 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to the election of school officers.

Which was read the first time.

SECOND READING OF SENATE BILLS.

Senate Bill No. 45.

A bill for an Act regulating marriages and the issuance of marriage licenses, prohibiting marriages in certain cases, providing penalties for the violation of the provisions of this Act and repealing all Acts or parts of Acts in conflict herewith.

Was read the second time and

Referred to the committee on state affairs.

Senate Bill No. 46.

A bill for an Act to amend and re-enact Section 6187 of the Revised Codes of North Dakota for 1905.

Was read the second time and

Referred to committee on judiciary.

Senate Bill No. 47.

A bill for an Act repealing Chapter 268 of the Session Laws of 1911, relating to school houses and sites.

Was read the second time and

Referred to committee on education.

Senate Bill No. 48.

A bill for an Act entitled, "An Act relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the Food Commissioner of the North Dakota Government

Agricultural Experiment Station in relation thereto and providing penalties for the violation thereof.

Was read the second time and

Referred to the committee on state affairs.

Senate Bill No. 49.

A bill for an Act for preventing the manufacture, sale or transportation of adulterated insecticides and fungicides, and for regulating traffic therein and fixing penalties for the violation of this Act.

Was read the second time and

Referred to the committee on state affairs.

Senate Bill No. 50.

A bill for an Act making an appropriation for the Dickinson Experiment Station located in the City of Dickinson.

Was read the second time and

Referred to the committee on appropriations.

Senate Bill No. 51.

A bill for an Act to amend and re-enact Sections 1031, 1032, 1033, 1034, 1035, 1036, 1037 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907 and Chapter 267 of the General Laws of 1911; and to amend Sections 1, 2, 3, 4, 5, of Chapter 40 of the General Laws of 1911, and to repeal Sections 6, 7, 8, 9, 10, 11, of Chapter 40 of the General Laws of 1911.

Was read the second time and

Referred to the committee on education.

Senate Bill No. 52.

A bill for an Act concerning railroads, regulating the size of engines, motors and cars, and also the clearance of obstructions thereon.

Was read the second time and

Referred to the committee on railroads.

Senate Bill No. 53.

A bill for an Act to re-enact Section 492 of the Revised Codes of North Dakota for the year 1905, relating to the State Board of Bar Examiners.

Was read the second time and

Referred to the committee on Judiciary.

Senate Bill No. 54.

A bill for an Act regulating the manner in which payments shall be made for any service or fee prescribed by law from any department of the State of North Dakota.

Was read the second time and

Referred to the committee on state affairs.

Senate Bill No. 55.

A bill for an Act to amend Section 157 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to the election of school officers.

Was read the second time and

Referred to the committee on elections.

#### MESSAGE FROM THE HOUSE.

HOUSE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 16, 1913.

Mr. President:

I have the honor to return herewith the following concurrent resolution as requested by the Senate:

*Whereas*, It is necessary that the members of the Legislature be provided with stationery, desk supplies, postage and necessary articles involving the expenditure of funds;

*Therefore, be it Resolved* by the House of Representatives of the State of North Dakota, the Senate concurring:

That the Secretary of State be authorized and directed to furnish such necessary supplies and necessary postage not to exceed two dollars per member, upon the requisition of the members of the House and Senate, the Chief Clerk of the House and the Secretary of the Senate for the transaction of the business of the Legislative Assembly. The expense of carrying out the provisions of this resolution is hereby authorized from the general fund of the state as a proper charge against legislative expense.

Which the Senate has amended by striking out the words "and postage."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

The Senate returned to the 8th order of business.

Mr. Plain moved

That the vote by which the House concurrent resolution relating to supplies, was adopted be reconsidered.

Which motion prevailed.

Mr. Plain moved

To amend the concurrent resolution by striking out the portion that the special committee put in and leave the concurrent resolution as it came from the House.

Which motion prevailed, and the concurrent resolution was so amended.

Mr. Talcott moved

As an amendment to the concurrent resolution that the word "signed" be inserted before the word "requisition,"

Which motion prevailed, and

The concurrent resolution was so amended.

Mr. Gilbert moved

That the Senate concur in the concurrent resolution as amended.

The question being on the adoption of the concurrent resolution as amended. L

The roll was called and there were 26 ayes, 21 nays, absent and not voting 3.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Duncan	Hughes
Barnes	Englund	Jacobsen
Bond	Ganssle	Loftsgaard
Bonzer	Gibbens	McLean
Carter	Gilbert	Plain
Cashel	Gronvold	Talcott
Clark	Heckle	Trageton
Davidson	Helgeland	Young
Davis	Hookway	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hyland	Putnam
Bronson	Leutz	Steel
Elkeñ	Mudgett	Thoreson
Ellingson	McBride	Turner
Garden	Nelson	Vail
Hanley	Overson	Wartner
Hoverson	Porterfield	Williams

Absent and not voting, Messrs. Kretschmar, Linde and McDowell, who were excused.

So the concurrent resolution was adopted.

Mr. Talcott moved that the Senate take a recess for ten minutes.

Which motion prevailed, and

The Senate took a recess.

#### AFTER RECESS.

Mr. Davis gave notice that on tomorrow he would move to reconsider the vote by which the report of the special committee on employees was adopted.

The President administered the oath of office to the following employees:

Nels Sostrom, Assistant Bill Room Clerk, on January 16, 1913.

Chas. Mason, Watchman, on January 9, 1913.

Courtesies of the floor were extended to the following: Hon. Fred Jansonius, Fessenden, N. D.; Geo. F. Hart, Ryder, N. D.; L. M. Doerschlag, O. M. Vie, J. J. Ryan, M. B. Fallgatter, G. W. Lynn, William Jones, Michael Baumgartner; Fred S. Dewey, Hettinger County; M. J. Cashel, Belmont, Mont.; H. H. Kemper, Minot, N. D.; W. W. Tyler, Minot, N. D.

Mr. Bronson moved that the Senate do now adjourn.

Which motion prevailed, and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

## ELEVENTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 17, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs Kretschmar and Linde.

Mr. Jacobsen moved

That all absent Senators be excused.

Which motion prevailed, and

The absent Senators were excused.

## REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

Mr. President:

Your committee on revision and correction of the Journal of the tenth day, have carefully examined the same and recommend that the same be corrected as follows:

On page nine after line four insert the following:

“Mr. Plain moved that the vote by which the House concurrent resolution relating to supplies was adopted, be reconsidered, which motion prevailed.”

Also on page nine, in line 17, strike out the word "it," and all of line 18, and insert the word, "amended."

Also on page nine, line 20, strike out the words "it came from the House," and insert the word, "amended."

On page 8, Journal of the 8th day, line 15, strike out the names Kretschmar, Gilbert, Helgeland and Williams and insert the names Hookway, Barnes and Hoverson.

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Garden presented the following petition:

*To the Legislative Assembly of the State of North Dakota:*

We the undersigned citizens of the 28th Legislative District of the State of North Dakota over 21 years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

J. J. WEEKS, and 110 others.

Mr. Loftsgaard presented the following petition

*To the Honorable Members of the State Senate and the House of Representatives of the 1913 Legislature of the State of North Dakota:*

We, the undersigned farmers of Vesta, Golden and Norton Townships, Walsh County, North Dakota, in meeting assembled beg to call your attention to the petition below and kindly ask that our request be granted.

In August, 1912, the Honorable Board of Railroad Commissioners granted us and ordered the Railroad Company to construct a siding half way between Adams and Larkin, right-of-way for same was bought by the Railroad Company, but the business men in Larkin and Adams made a protest and induced the Railroad Company to apply to the Board of Railroad Commissioners for a rehearing, which request was granted, said rehearing was held November 8th, 1912. The Board of Railroad Commissioners then, considering that a siding was necessary and proper according to Section 2261 of the Revised Codes of 1905 upheld their former decision in the case and ordered the Railroad Company to construct the siding.

Being that Section 4331 of the Revised Codes of 1905 is in conflict with said Section 2261 in that it requires the Railroad Company to construct siding where distance between stations is 12 miles or more, while Section 2261 requires Railroad Companies to construct siding if stations are 10 miles or more apart.

In case referred to the distance between stations is 10.5 miles along railroad and 14 miles along section lines.

We are informed that special interests in Larkin are going to have legislation passed which will make Section 2261 ineffective or perhaps have Section repealed, which would make our siding come under the requirements of Section 4331 which would give the said special interests a clear case, in an appeal to the State Supreme Court, from the Railroad Commissioner's Order.

We, your petitioners, consider it inconsistent with public welfare that farmers along a railroad shall be required to haul their grain and other products they sell and buy six to seven miles and in some instances eight miles.

We have made a careful and conservative estimate of the loss we sustained on account of being deprived of the use of that siding on the 1912 crop, considering the slower marketing, the falling price and the increased cost of hauling the longer distance, and find that for the territory that would be benefitted from the siding referred to the loss will not be less than \$18,000.00.

As we cannot now refer to any certain bill or bills we kindly ask that in legislation the producers interest be considered in preference to requests from special interest seeking individuals.

And for the best interest of the public in general and the producer especially, do we ask that you use your vote and influence to further such legislation that will repeal Section 4331 of the Revised Codes of 1905 and leave Section 2261 intact.

HENRY MATHISON, Frecholder, and 56 others.

Mr. Hanley moved

That the petition referring to railroads and sidings be referred to the Committee on Railroads.

Which motion prevailed, and

The petition was referred to the Committee on Railroads.

## REPORTS OF SELECT COMMITTEES.

### REPORT OF PROBATE CODE COMMISSION.

*To the Legislative Assembly of the State of North Dakota:*

In compliance with the provisions of Chapter 221 of the Laws of 1911, the undersigned were appointed as a commission to draft a revision of the Probate Code of this state, to be reported to this Session of the legislature for its consideration and action. We hereby submit our report in the form of a proposed revision of the Probate Code of this state for your consideration and action.

Dated January 11th, 1913.

A. G. HANSON,  
GEO. E. WALLACE,  
CHAS. S. EGO,  
Commissioners.

Mr. Overson moved

That the report of the Probate Court Commission be referred to the Committee on Judiciary.

Which motion prevailed, and

The report was referred to the Committee on Judiciary.

## INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Mr. Hegeland introduced

Senate Bill No. 56.

A bill for an Act to repeal Sections 9354, 9355, 9356, 9357, 9358, 9359, 9360, 9361, 9362 and 9363 of the Revised Codes of North Dakota for 1905 as amended by Chapter 183 of

the Session Laws of North Dakota for 1909, regulating the sale of intoxicating liquors by druggists who are registered pharmacists, and to provide a method of such sales, and of granting and revoking of permits to make such sales, and of any and all Acts amendatory thereof.

Was read the first and second times and

Referred to the committee on temperance.

Mr. Gronvold introduced

Senate Bill No. 57.

A Concurrent Resolution amending the Constitution of the State of North Dakota, establishing and locating a state hospital for the insane in the City of Rugby, County of Pierce.

Was read the first and second times and

Referred to the committee on state affairs.

Mr. Duncan introduced

Senate Bill No. 58.

A Concurrent Resolution amending the Constitution of the State of North Dakota, establishing and locating a state hospital for the insane and institution for the feeble minded in connection therewith at the City of Leeds, County of Benson.

Was read the first and second times and

Referred to the committee on state affairs.

Mr. Duncan introduced

Senate Bill No. 59.

A bill for an Act for the registration of farm names.

Was read the first and second times and

Referred to the committee on ways and means.

Mr. Hughes introduced

Senate Bill No. 60.

A bill for an Act to provide for the protection of the deer.

Was read the first and second times and

Referred to the committee on game and fish.

Mr. Porterfield introduced

Senate Bill No. 61.

A bill for an Act to regulate the itinerant vending of medicines, nostrums and appliances for the treatment of disease, injury or deformity.

Was read the first and second times and

Referred to the committee on public health.

Mr. Hoverson introduced

Senate Bill No. 62.

A bill for an Act to amend Section 1953 of the Revised Codes of 1905 relating to bounty for killing wolves and coyotes.

Was read the first and second times and

Referred to committee on state affairs.

Mr. Putnam introduced

Senate Bill No. 63.

Concurrent Resolution amending the Constitution of the State of North Dakota, establishing and locating a State Hospital for the insane at New Rockford in Eddy County.

Was read the first and second times and

Referred to committee on state affairs.

Mr. Talcott introduced

Senate Bill No. 64.

A bill for an Act to amend Sections 38, 46, 51, 66 of the Revised Codes of 1905, to provide for the printing and pre-scribing the manner of distribution of the Legislative Manual known as the North Dakota Blue Book.

Was read the first and second times and

Referred to committee on public printing.

Mr. Ganssle introduced

Senate Bill No. 65.

A bill for an Act to amend and re-enact Chapter 126 of the Laws of 1909, relating to the foreclosure by advertisement of mortgages on real property.

Was read the first and second times and

Referred to committee on judiciary.

Mr. Ganssle introduced

Senate Bill No. 66.

A bill for an Act to provide for making improvements for the North Dakota Blind Asylum at Bathgate, and making an appropriation therefor.

Was read the first and second times and

Referred to the committee on appropriations.

There being no objection the Senate returned to the 5th order of business.

Mr. Bronson moved

That the petition on woman's suffrage be referred to the committee on woman's suffrage.

Which motion prevailed, and

The petition was referred to the committee on woman's suffrage.

The courtesies of the floor were extended to the following gentlemen:

W. H. Horton, Devils Lake, N. D.

John Nelson, Minot, N. D.

Mr. Bronson moved

That the Senate do now adjourn.

Which motion prevailed, and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

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#### TWELFTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 18, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except,

Messrs. Hughes and Linde,

Who were excused,

## REFERENCE TO THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

Mr. President:

Your committee on revision and correction of the Journal of the eleventh day, have carefully examined the same and find it correct.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

## REPORT OF SELECT COMMITTEES.

## REPORT OF JOINT COMMITTEE.

Mr. President:

Your special committee appointed under a concurrent resolution for the purpose of investigating the present system of transcribing and preserving the official records of the Senate and House of Representatives, also relative to the transcribing of the enrolled bills of both houses of the Legislative Assembly, beg leave to report,

That after giving these matters full investigation and careful consideration, our recommendations have been drawn up in the form of two bills which will be introduced for your further consideration.

F. S. TALCOTT,  
WESLEY C. MCDOWELL,  
J. E. DAVIS,  
T. N. PUTNAM,  
JAS. WALSH,  
N. F. SNYDER.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Mr. Davis moved

That the Senate do now go into executive session.

Which motion prevailed, and

The Senate went into executive session.

## OPEN SESSION.

Mr. McDowell moved

That the Senate take a recess for five minutes.

Which motion prevailed, and

The Senate took a recess.

AFTER RECESS.

## MESSAGE FROM THE HOUSE.

HOUSE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 17, 1913.

Mr. President:

I have the honor to transmit herewith the following concurrent resolution:

*Resolved* by the House of Representatives of the State of North Dakota, the Senate concurring, that the mailing clerks be directed to mail a copy of all bills and journals of the Senate and House of Representatives to such Farmer's Clubs in this state as the members of the House and Senate shall designate.

Which the House adopted and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

## CONSIDERATION OF MESSAGES FROM THE HOUSE.

Mr. Elken moved

That the Senate concur in the resolution of the House referring to the mailing of copies of bills and journals to Farmer's Clubs.

Which motion prevailed, and

The Senate concurred in the resolution.

INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS.

Mr. Albrecht introduced

Senate Bill No. 67.

A Concurrent Resolution amending Section 185 of the Constitution of the State of North Dakota, relating to state aid in the construction and improvement of public highways.

Which was read the first and second times and  
Referred to the committee on highways and bridges.

Mr. Kretschmar introduced

Senate Bill No. 68.

A bill for an Act repealing Chapter 174 of the Session Laws of 1911 relating to the terms of court in various counties comprising the Fourth Judicial District of this State.

Which was read the first and second times and

Referred to the committee on Judiciary.

Mr. Ganssle introduced

Senate Bill No. 69.

A bill for an Act relative to the collection of taxes from officers and deputies drawing salaries from the treasuries of the counties of this State.

Which was read the first and second times and

Referred to the committee on taxes and tax laws.

Mr. Hyland introduced

Senate Bill No. 70.

A bill for an Act to provide for the erection of an Industrial Building at the school for the deaf and dumb at Devils Lake, North Dakota, and making an appropriation therefor.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Gronvold introduced

Senate Bill No. 71.

A bill for an Act to amend Section 7140 of the Revised Codes of the year 1905 of the State of North Dakota, relating to redemption from foreclosure of real estate mortgage.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Hanley introduced

Senate Bill No. 72.

A bill for an Act to appropriate money to reimburse the citizens of Mandan, North Dakota, for moneys advanced by

them for the purchase of certain lands in Morton County, North Dakota to be deeded to the Board of Trustees of the North Dakota Agricultural College and to be used in connection with the Experiment Station established by Act of Congress and located near Mandan, North Dakota.

Which was read the first and second times and  
Referred to the committee on appropriations.

Mr. Gibbens introduced

Senate Bill No. 73.

A Concurrent Resolution amending the Constitution of the State of North Dakota, providing for future amendments thereof.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Hyland introduced

Senate Bill No. 74.

A Concurrent Resolution amending the Constitution of the State of North Dakota, establishing and locating a blind asylum or such other institution as the Legislative Assembly may determine, at the City of Devils Lake, in the County of Ramsey, and abandoning and discontinuing the Blind Asylum now located at Bathgate in the County of Pembina.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Allen introduced

Senate Bill No. 75.

A bill for an Act to amend Chapter 110, Laws of 1911, relating to the investment of county sinking funds.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Plain introduced

Senate Bill No. 76.

A bill for an Act to provide for the examination by the State Bank Examiner of Elevators and Warehouses, doing business in the state, whenever requested by a *bona fide* stockholder or shareholder of such Elevator or Warehouse, Company or Association.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Plain introduced

Senate Bill No. 77.

A bill for an Act to amend Sections 1851, 1852, 1853, 1858, 1859, 1860, 1862, 1863, 1866, 1867, 1868, 1869 and 1870 of the Revised Codes of 1905, and to repeal Sections 1855, 1856 and 1861 of the said Codes, and providing for the relief of poor persons.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Allen introduced

Senate Bill No. 78.

A bill for an Act to amend Chapter 103, Laws of 1907, relating to depositories of school funds.

Which was read the first and second times and  
Referred to the committee on education.

Mr. Bronson introduced

Senate Bill No. 79.

A bill for an Act to provide for the revision and codification of the General Laws of the State of North Dakota.

Which was read the first and second times and  
Referred to the committee on judiciary.

Special Committee introduced

Senate Bill No. 80.

A bill for an Act to amend Section 84 of Article 5 of the Revised Code of the State of North Dakota for 1905, relating to enrollment and engrossing bills.

Which was read the first and second times and  
Referred to the committee on state affairs.

Special Committee introduced

Senate Bill No. 81.

A bill for an Act to amend Section 54 of Article 4 of the Revised Code of the State of North Dakota for 1905.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Vail introduced

Senate Bill No. 82.

A bill for an Act to amend Section 8363 of Chapter 3 of the Revised Codes of 1905 of the Laws of North Dakota, relating to the service of summons out of Justice Court and who is authorized to make such summons, and fees to be paid therefor.

Also, to amend Section 2887 of Article 7 of Chapter 31 of the Political Code of 1905 of North Dakota, relating to the powers of village marshals in the service of summons.

Which was read the first and second times and  
Referred to the committee on judiciary.

The Senate Judiciary Committee introduced

Senate Bill No. 83.

A bill for an Act to provide a Probate Code for the State of North Dakota, and to repeal Sections 7872 to 8287 inclusive of the Revised Codes of 1905, Chapters 114, 115, 116, and 204 of the Session Laws of 1907, Chapters 79 and 118 of the Session Laws of 1909, Chapters 215, 216, 217, 220, 222, 224 and 234 of the Session Laws of 1911.

Which was read the first and second times and  
Referred to the committee on judiciary.

There being no objections the Senate returned to the 8th order of business.

Mr. Gilbert introduced the following resolution:

WHEREAS, There is now in the Capitol building of this state a framed portrait of Honorable Judson LaMoure, a pioneer of Dakota Territory, a legislator of many years experience and a man of sturdy character, whose services have been of value to this Territory and state; and

WHEREAS, Honorable Judson LaMoure was for many years a member of this body, as the chairman of its appropriation committee, and a diligent and earnest worker for the good of North Dakota. Now, therefore, be it

*Resolved*, That the Board of Trustees of Public property be requested to have the portrait of Honorable Judson LaMoure placed upon the wall of this Senate Chamber, where it may be a reminder of his long presence and diligent

service, and that a copy of this resolution be mailed to the Honorable Judson LaMoure.

Mr. Gilbert moved

That the resolution be adopted.

Which motion prevailed, and

The resolution was adopted.

The President *pro tempore* presiding.

Mr. Hookway moved

That the Senate do now adjourn.

Which motion prevailed, and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

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#### FOURTEENTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 20, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Mr. Englund, who was excused.

#### REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the twelfth day have carefully examined the same and recommend that the same be corrected as follows:

On page 5, line 33, the word "extermination" to read "examination."

Also on page 3, line 23, strike out the word "Elkin" and insert the name "Elken."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved that the report be adopted.

Which motion prevailed, and

The report was adopted.

### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

The following communications were received from the Secretary of State:

OFFICE OF SECRETARY OF STATE,  
BISMARCK, NORTH DAKOTA,  
January 16, 1913.

*To the Members of the Senate of the Thirteenth Legislative Assembly of the State of North Dakota.*

Sirs: I, Thomas Hall, secretary of state, of the State of North Dakota, do hereby certify that the following proposed constitutional amendments were passed by the Twelfth Legislative Assembly and are hereby respectfully submitted to the Thirteenth Legislative Assembly, for your approval or rejection.

Very respectfully,

THOMAS HALL,  
Secretary of State.

#### PROPOSED CONSTITUTIONAL AMENDMENT.

##### *Initiative and Referendum.*

For an Amendment to the Constitution Providing for the Initiative and Referendum.

That the following amendment to the Constitution of the State of North Dakota, providing for the initiative and referendum shall be referred to the next Legislative Assembly to be chosen at the next general election in said state, and with the approval of said Legislative Assembly to be submitted to the qualified electors for adoption or rejection, in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota.

Amendment.) Section 25 of Article 2 of the Constitution of the State of North Dakota is hereby amended to read as follows:

Section 25. The legislative authority of the State of North Dakota shall be vested in a Legislative Assembly con-

sisting of a Senate and House of Representatives but the people reserve to themselves power to propose laws and to enact or reject the same at the polls, independent of the Legislative Assembly, and also reserve power, at their own option, to approve or reject at the polls any act, item, section or part of any Act of measure passed by the Legislative Assembly. The first power reserved by the people is the initiative, or the power to propose measures for enactment into laws, and at least ten per cent of the legal voters to be secured in a majority of the counties of this state shall be required to propose any measure by initiative petition, and every such petition shall include the full text of the measure so proposed. Initiative petitions shall be filed with the secretary of state not less than thirty days before any regular session of the Legislative Assembly; he shall transmit the same to the Legislative Assembly as soon as it convenes. Such initiative measure shall take precedence over all other measures in the Legislative Assembly except appropriation bills, and shall be either enacted or rejected without change or amendment by the Legislative Assembly within forty days. If any such initiative measure shall be enacted by the Legislative Assembly it shall be subject to referendum petition or it may be referred by the Legislative Assembly to the people for approval or rejection. If it is rejected or no action is taken upon it by the Legislative Assembly within said forty days, the secretary of state shall submit it to the people for approval or rejection at the next ensuing regular general election. The Legislative Assembly may reject any measure so proposed by initiative petition and propose a different one to accomplish the same purpose, and in any such event both measures shall be submitted by the secretary of state to the people for approval or objection at the next ensuing regular election. If conflicting measures submitted to the people at the next ensuing election shall be approved by a majority of the votes severally cast for and against the same, the one receiving the highest number of affirmative votes shall thereby become valid and the other shall thereby be rejected. The second power is the referendum or the power to order any act, item, or part of any act to be referred to the people for their approval or rejection at the polls, and it may be ordered (except as to laws necessary for the immediate preservation of the public peace, health or safety), as to any measure or any parts, items or sections of any measure passed by the Legislative Assembly either by a petition signed by ten per cent of the legal voters of the state from a majority of the counties or by the Legislative Assembly, if a majority of the members elect vote therefor. When it is necessary for

the immediate preservation of the public peace, health or safety that a law shall become effective without delay, such necessity and the facts creating the same shall be stated in one section of the bill, and if upon aye and no vote in each house two-thirds of all the members elected to each house shall vote on a separate roll call in favor of the said law going into instant operation for the immediate preservation of the public peace, health or safety, such law shall become operative upon approval by the governor.

The filing of a referendum petition against one or more items, sections or parts of an act shall not delay the remainder of that act from becoming operative. Referendum petitions against measures passed by the Legislative Assembly shall be filed with the secretary of state not more than ninety days after the final adjournment of the session of the Legislative Assembly which passed the measure on which the referendum is demanded. The veto power of the governor shall not extend to measures referred to the people. All elections on measures referred to the people of the state shall be had at biennial regular elections, except as provision may be made by law for a special election or elections. Any measure referred to the people shall take effect when it is approved by a majority of the votes cast thereon and not otherwise and shall be in force from the date of the official declaration of the vote.

The enacting clause of all the initiative bills shall be "Be it enacted by the people of the State of North Dakota." This section shall not be construed to deprive any member of the Legislative Assembly of the right to introduce any measure. The whole number of votes cast for secretary of state at the regular election last preceding the filing of any petition for the initiative or for the referendum shall be the basis on which the number of legal voters necessary to sign such petition shall be counted.

Petitions and order for the initiative and for the referendum shall be filed with the secretary of state, and in submitting the same to the people he and all other officers shall be guided by the general laws and the act submitting this amendment until legislation shall be specially provided therefor.

This amendment shall be self-executing, but legislation may be enacted to facilitate its operation.

## PROPOSED CONSTITUTIONAL AMENDMENT.

*Providing for Direct Legislation.*

Amending the Constitution of the State of North Dakota, Relating to the Legislative Department and Providing for Direct Legislation, the Proposing of Constitutional Amendments, and Reference of Laws.

That the following amendment to the Constitution of the State of North Dakota be referred to the Legislative Assembly to be chosen at the next general election in said state and, if approved by the last named Legislative Assembly, the same be submitted to the qualified electors of the state for approval or rejection, in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota.

Amendment to Constitution.) That Section 25 of Article 2 of the Constitution of the State of North Dakota is hereby amended to read as follows:

Section 25. The legislative authority of the State of North Dakota shall be vested in a Legislative Assembly consisting of a Senate and a House of Representatives, but the people reserve to themselves the power to propose laws and amendments to the State Constitution and to enact and approve or reject the same at the polls, except as to local or special laws, as enumerated in Section 70 of Article 2 of this Constitution, independent of the Legislative Assembly; and also reserve the power, at their own option to approve or reject and annul at the polls any act, item, section or part of any act or measure passed by the Legislative Assembly except as to laws relating to appropriation of money, and except as to local or special laws, as enumerated in Section 70 of Article 2 of this Constitution. The first power reserved by the people is the initiative. Any measure or constitutional amendment may be proposed by the people by initiative petition, signed by not less than ten per cent, or if an amendment to the Constitution, not less than fifteen per cent of the legal voters in each county of at least one-half of the counties of the state. Any such petition shall contain the full text of the proposed measure. Such petitions shall be filed with the secretary of state not less than four months prior to the election at which they are to be voted on, or not later than twenty days after the opening session of the Legislative Assembly to which such petitions are to be presented. The secretary of state shall transmit the same to the House of Representatives of such

Legislative Assembly on the first day of the session thereof, or not later than ten days after the same are filed. Measures or amendments to the Constitution so proposed shall take precedence over all other measures in the Legislative Assembly, except appropriation bills, and shall be either enacted or rejected by the Legislative Assembly without amendment, at that session. Any such measure or amendment, if enacted or agreed to by the Legislative Assembly, shall be subject to referendum upon a petition as hereinafter provided, or it may be referred to the people by the Legislative Assembly for approval or rejection. In the event that it is rejected, or if no action is taken upon it by the Legislative Assembly at that session, the secretary of state shall submit it to the people for approval or rejection at the next general election. The Legislative Assembly may propose a different measure or constitutional amendment to accomplish the same purpose, whereupon both measures, or both amendments, shall be submitted by the secretary of state to the people for approval or rejection at the next ensuing general election. If conflicting measures or amendments are submitted to the people at a general election and each receives a majority of the votes cast for and against the same respectively, then the one receiving the highest number of affirmative votes shall be thereby deemed enacted and approved and all others rejected. When any measure so approved at the polls, as provided herein, is a constitutional amendment, it shall be referred to the next Legislative Assembly, and should such amendment be approved by a majority of the members elected to each house thereof, such amendment shall become a part of the Constitution of the state. If such amendment be rejected by the next Legislative Assembly, it shall again be submitted to the people at the next general election for approval or rejection, and if the said amendment the second time receives a majority of all the votes cast thereon at such election, it shall become a part of the Constitution of the state.

The second power reserved is the referendum, or the power to order any act, item, or part of any act of the Legislative Assembly to be referred to the people for their approval or rejection at the polls. A referendum may be ordered as to any measure or any part, item or section of any measure passed by the Legislative Assembly upon a majority vote of the members elect thereof, or by a petition signed by at least ten per cent of the legal voters in each county of at least one-half of the counties of the state, whereupon such act, measure, part or parts thereof so ordered shall be suspended until the referendum vote shall determine

whether or not the law is sustained or defeated, *provided*, that when it is necessary for the immediate preservation of the public health, peace or safety that a law become effective without delay, such necessity and the facts creating the same, shall be stated in one section of the bill, and if upon aye and nay vote in each house of the Legislative Assembly, two-thirds of all the members-elect thereto shall vote on a separate roll call in favor of such law going into instant operation on account of the necessity for the same, such law shall become operative upon approval by the governor, and shall not be subject to a referendum. The reference to the people of one or more items, sections or parts of any duly enacted act or emergency law shall not delay the remainder of that act or law from becoming operative. All referendum petitions shall be filed with the secretary of state within ninety days after the final adjournment of the session of the Legislative Assembly, which passed the measure upon which the referendum is demanded. The veto power of the governor shall not extend to measures initiated by, or referred to and approved by the people. All elections or measures referred to the people shall be had at biennial regular elections, unless provisions be made by law for a special election on such measures. Any measure thus referred to the people shall become a law when it is approved by a majority of the votes cast thereon, and not otherwise, and shall be in force from the date of the official declaration of the vote by the state board of canvassers. The enacting clause of all measures initiated by the people shall be: "Be it enacted by the people of North Dakota." The basis for the computation of the number of signatures required for any initiative or referendum petition shall be the total vote cast for governor at the last general election in the counties where such petitions are signed.

This section shall not be construed to deprive any member of the Legislative Assembly of the right to introduce any measure.

The secretary of state and all other officers shall be guided by the general laws and this Act in filing and submitting initiative and referendum petitions until legislation shall be especially enacted therefor.

This amendment shall be self-executing, but laws may be enacted for the purpose of facilitating its operation.

## PROPOSED CONSTITUTIONAL AMENDMENT.

*Providing for Initiative as to the Constitution.*

Amending the Constitution of the State of North Dakota,  
Providing for the Future Amendment Thereof.

That the following proposed amendment to Section 202 of Article 15 of the Constitution of the State of North Dakota, be referred to the Legislative Assembly to be chosen at the next general election in the State of North Dakota to be, if approved, by said last mentioned Legislative Assembly submitted to the qualified electors of the state for approval or rejection in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota. Amendment.) Article 15, Section 202 of the Constitution of the State of North Dakota is amended so as to read as follows:

Section 202. This Constitution may be amended as follows:

First.—Any amendment or amendments to this Constitution may be proposed in either house of the Legislative Assembly; and if the same shall be agreed to by a majority of the members elected to each of the two houses such proposed amendment shall be entered on the journal of the House with the yeas and nays taken thereon and referred to the Legislative Assembly to be chosen at the next general election and shall be published, as provided by law, for three months previous to the time of making such choice, and if in the Legislative Assembly so next chosen as aforesaid such proposed amendment or amendments shall be agreed to by a majority of all members elected to each house, then it shall be the duty of the Legislative Assembly to submit such proposed amendment or amendments to the people in such manner and at such times as the Legislative Assembly shall provide; and if the people shall approve and ratify such amendment or amendments by a majority of the electors qualified to vote for members of the Legislative Assembly voting thereon, such amendment or amendments shall become a part of the Constitution of this state. If two or more amendments shall be submitted at the same time they shall be submitted in such manner that the electors shall vote for or against each of such amendments separately.

Second.—Any amendment or amendments to this Constitution may also be proposed by the people by the filing with the secretary of state, at least six months previous to a general election, of an initiative petition containing the

signatures of at least twenty-five per cent of the legal voters in each of not less than one-half of the counties of the state. When such petition has been properly filed the proposed amendment or amendments shall be published as the Legislature may provide for three months previous to the general election, and shall be placed upon the ballot to be voted upon by the people at the next general election. Should any such amendment or amendments proposed by initiative petition and submitted to the people receive a majority of all the legal votes cast at such general election such amendment or amendments shall be referred to the next Legislative Assembly and should such proposed amendment or amendments be agreed upon by a majority of all the members elected to each house, such amendment or amendments shall become a part of the Constitution of this state. Should any amendment or amendments proposed by initiative petition and receiving a majority of all the votes cast at the general election as herein provided, but failing to receive approval by the following Legislative Assembly to which it has been referred, such amendment or amendments shall again be submitted to the people at the next general election for their approval or rejection as at the previous general election. Should such amendment or amendments receive a majority of all the legal votes cast at such succeeding general election such amendment or amendments at once become a part of the Constitution of this state.

Any amendment or amendments proposed by initiative petition and failing of adoption as herein provided, shall not be again considered until the expiration of six years.

#### PROPOSED CONSTITUTIONAL AMENDMENT.

##### *Empowering the Legislature to Provide for Terminal Elevators.*

Amending the Constitution of the State of North Dakota, Empowering the Legislative Assembly to Provide by Law for Erection, Leasing, Purchasing and Operating Terminal Elevators in the State of North Dakota.

The following proposed amendment to the Constitution of the State of North Dakota is referred to the Legislative Assembly to be chosen at the next general election in this state, to be by said last mentioned Legislative Assembly submitted to the qualified electors of the state for approval or rejection, in accordance with the provisions of Section 202 of the Constitution of the state.

Amendment.) The Legislative Assembly is hereby authorized and empowered to provide by law for the erection, purchasing or leasing and operation of one or more terminal grain elevators in the State of North Dakota, to be maintained and operated in such manner as the Legislative Assembly shall prescribe, and provide for inspection, weighing and grading of all grain received in such elevator or elevators.

PROPOSED CONSTITUTIONAL AMENDMENT.

*Construction and Improvement of Public Highways.*

Amending Section 185 of the Constitution of the State of North Dakota, Relating to State Aid in the Construction and Improvement of Public Highways.

That the following amendment to the Constitution of the State of North Dakota be referred to the Legislative Assembly to be chosen at the next general election in said state, to be by the last named Legislative Assembly submitted to the qualified electors for approval or rejection in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota.

Amendment to Constitution.) That Section 185 of Article 12 of the Constitution of the State of North Dakota is hereby amended to read as follows:

185. Neither the state nor any county, city, township, town, school district or any other political subdivision shall loan or give its credit or make donations to or in aid of any individual, association or corporation, except for necessary support of the poor, nor subscribe to or become the owner of the capital stock of any association or corporation, nor shall the state engage in any work of internal improvement unless authorized by a two-thirds vote of the people.

*Provided*, that the state may appropriate money in the treasury or to be thereafter raised by taxation for the construction or improvement of public highways.

PROPOSED CONSTITUTIONAL AMENDMENT.

*Providing for the Recall.*

For an Amendment to the Constitution of the State of North Dakota, Providing for the Recall of Public Officers by the People.

That the following proposed amendment to the Constitution of the State of North Dakota is agreed to and referred to the Legislative Assembly to be chosen at the next gen-

eral election in said state for the approval, to be by said last mentioned Legislative Assembly submitted to the qualified electors of the state for approval or rejection, in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota:

Amendment.) The Constitution of the State of North Dakota is amended by the addition of the following article:

Article —. Every public officer in North Dakota is subject as herein provided to recall by the legal voters of the state or of the electoral district from which he is elected. There shall be required twenty-five (25) per cent, but not more of the number of electors who voted in his district at the preceding election for justice of the Supreme Court to file their petition demanding his recall by the people. They shall set forth in said petition the reasons for said demand. If he shall offer his resignation it shall be accepted and take effect on the day it is offered, and the vacancy shall be filled as may be provided by law. If he shall not resign within five days after the petition is filed, a special election shall be ordered to be held within twenty days in his said electoral district to determine whether the people will recall said officer. On the sample ballot at said election shall be printed in not more than two hundred words the reasons for demanding the recall of said officer as set forth in the recall petition, and in not more than two hundred words the officers justification of his course in office. He shall continue to perform the duties of his office until the result of said special election shall be officially declared. Other candidates for the office may be nominated to be voted for at said special election. The candidate who shall receive the highest number of votes shall be deemed elected for the remainder of the term, whether it be the person against whom the recall petition was filed or another. The recall petition shall be filed with the officer with whom a petition for nomination to such office should be filed and the same officer shall order the special election when it is required. No such petition shall be circulated against any officer until he has actually held his office six months, save and except that it may be filed against a senator or representative in the Legislative Assembly at any time after fifteen days from the beginning of the first session after his election. After one such petition and special election no further recall petition shall be filed against the same officer during the term for which he was elected unless such further petitioners shall first pay into the public treasury which has paid such special election expenses, the whole amount of its expenses for the preceding special election. Such

additional legislation as may aid the operation of this section shall be provided by the Legislative Assembly, including provision for payment by the public treasury of the reasonable special election campaign expenses of such officer. But the words "the Legislative Assembly shall provide," or any similar or equivalent words in this Constitution or any amendment thereto shall not be construed to grant to the Legislative Assembly any exclusive power of law making in any way to limit the initiative and referendum powers reserved by the people.

OFFICE OF SECRETARY OF STATE  
*Bismarck, North Dakota*

January 17, 1913.

Hon. A. T. Kraabel,  
Lieutenant Governor,  
Bismarck, N. D.

Dear Sir: I have the honor of transmitting to you a copy of a joint resolution adopted by the Legislative Assembly of the State of California, March 28th, 1911, relating to a proposed amendment to the Constitution of the United States, governing marriage and divorce.

Also, a copy of a joint resolution adopted by the Legislative Assembly of the State of Vermont, December 18th, 1912, relating to the calling of a convention to propose an amendment to the Constitution of the United States, whereby polygamy and polygamous cohabitation shall be prohibited.

Respectfully yours,

THOMAS HALL,  
Secretary of State.

CHAPTER 71.

Assembly Joint Resolution No. 19 Relating to a Proposed Amendment to the Constitution of the United States so that the Laws Governing Marriage and Divorce shall be Established by Federal Statute and Divorce Proceedings Heard and Determined in the Federal Courts, and by Uniform Law Throughout the United States. (Adopted March 28, 1911.)

WHEREAS, The number of divorces throughout the United States has been increasing during the past fifty years at an alarming rate and under the present system there is no uniform law covering this subject in the several states, and

WHEREAS, At the present time the several states are operating under laws so entirely divergent that the legitimacy of children is often made a serious question, and property rights are frequently uncertain, and

WHEREAS, The question is one that strikes at the very foundation of our social organization and we deem it necessary and proper that the law in relation thereto should be uniform throughout the United States and that such law should be so safeguarded that fraudulent divorces cannot be secured, now, therefore, be it

*Resolved*, That we instruct our senators in congress and request our representatives at Washington to use their best endeavors to have congress propose an amendment to the Constitution of the United States whereby the congress may pass laws regulating the subject of marriage and divorce throughout the United States.

Joint Resolution Making Application to Congress under the Provisions of Article V of the Constitution of the United States for the Calling of a Convention to Propose an Amendment to the Constitution of the United States Whereby Polygamy and Polygamous Cohabitation Shall be Prohibited.

WHEREAS, It appears from investigation recently made by the Senate of the United States, and otherwise, that polygamy still exists in certain places in the United States notwithstanding prohibitory statutes enacted by the several states thereof, and

WHEREAS, The practice of polygamy is generally condemned by the people of the United States and there is a demand for the more effectual prohibition thereof by placing the subject under Federal jurisdiction and control, at the same time reserving to each state the right to make and enforce its own laws relating to marriage and divorce; now, therefore,

*Resolved by the Senate and House of Representatives*, That the application be made and hereby is made to Congress, under the provisions of Article V of the Constitution of the United States for the calling of a convention to propose an amendment to the Constitution of the United States whereby polygamy and polygamous cohabitation shall be prohibited, and Congress shall be given power to enforce such prohibition by appropriate legislation.

*Resolved*, That the Legislatures of all other states of the United States, now in session or when next convened, be

and they hereby are respectfully requested to join in this application by the adoption of this or an equivalent resolution.

*Resolved Further*, That the Secretary of State be and he hereby is directed to transmit copies of this application to the Senate and House of Representatives of the United States, and to the several members of said bodies representing this state therein; also to transmit copies hereof to the Legislatures of all other states of the United States.

FRANK E. HOWE,  
President of the Senate.

CHARLES A. PLUMLEY,  
Speaker of the House of Representatives.

Approved December 18, 1912.

ALLEN M. FLETCHER,  
Governor.

STATE OF VERMONT,

*Office of the Secretary of State.*

I hereby certify that the foregoing is a true copy of "A Joint Resolution making Application to Congress under the Provisions of Article V. of the Constitution of the United States for the calling of a Convention to Propose an Amendment to the Constitution of the United States whereby Polygamy and Polygamous Cohabitation shall be Prohibited." Approved December 18, 1912; as appears by the files and records of this office.

Witness my signature and the seal of this office, at Montpelier, this tenth day of January, one thousand nine hundred thirteen.

(Seal.)

GUY W. BAILEY,  
Secretary of State.

#### REPORTS OF STANDING COMMITTEES.

*Mr. President:*

Your committee on live stock, to whom was referred Senate Bill No. 13.

A bill for an Act to amend Sections 1933, 1934, 1935, and 1936, relating to stock running at large.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the words "A bill" in line 3, page 1, of the printed bill, and insert in lieu thereof the following:

A bill for an Act to amend Sections 1933, 1934, 1935, 1936, 1937 and 1938 of the Revised Codes of 1905, relating to stock running at large.

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

Section 1. Amendment.) Sections 1933, 1934, 1935, 1936, 1937 and 1938 of the Revised Codes of North Dakota for 1905 are hereby respectively amended to read as follows:

Section 1933. Unlawful for Stock to Run at Large.) It shall be unlawful for cattle, horses, mules, swine, goats and sheep to run at large at any time.

Section 1934. County Commissioners Vote to Allow Stock to Run at Large. How Conducted.) The board of county commissioners may, whenever it is deemed advisable, vote to allow said animals to run at large from the first day of December until the first day of April of each year, except within the corporate limits of any city or village; but no stallion or vicious bull or other animal known to be vicious shall be permitted to run at large at any time. Said vote shall be in all respects conducted by said board in the regular meeting and according to the provisions of law, and shall be effective to abolish the provisions of Section 1933 and of Chapter 44 of the Code of Civil Procedure between the first day of December and the first day of April following, from and after the date of such vote, and until said proposition shall have been voted upon by the electors of said county, as hereinafter provided.

Section 1935. When Proposition Submitted to Vote. How Conducted.) Whenever the county commissioners shall have voted it lawful for stock to run at large from December first to April first, then at the next general election, but at no other time, this question shall be submitted to a vote of the people, and the order of the board of county commissioners shall be made at least sixty days before such election is held and notice thereof shall be given in the same manner and for the same length of time as notices of all general elections.

Section 1936. Form of Ballots. Effect of Vote.) The ballots used at such election shall be in the following form:

For stock to run at large between December first and April first:	<input type="checkbox"/>
Against stock to run at large between December first and April first:	<input type="checkbox"/>

In voting on the question each voter must place at the right of the proposition he favors the mark "X." If a majority of the ballots cast is in favor of letting stock run at large from December first to April first, the provisions of Chapter 44 of the Code of Civil Procedure shall not apply during such period, but shall apply at all other times of the year. If a majority of the ballots is against letting stock run at large, the order of the board of county commissioners declaring it lawful for stock to run at large between December first and April first shall be nullified from and after the canvass of such vote, and said board shall not have authority again to order a change in the law for a period of two years.

Section 1937. When Proposition May Again Be Submitted.) At any subsequent general election but at no other time after an election has once been held under the provisions hereof, the question of re-establishing the provisions of this article, and of Chapter 44 of the Code of Civil Procedure, and making it unlawful for stock to run at large at any time, may again be submitted by the board to a vote of the qualified electors to be voted upon in the same manner as herein provided for the first election. The result of any election held under the provisions hereof, shall remain in force until changed at some subsequent election held hereunder, except as herein otherwise provided.

Section 1938. In any county in which an election has been held, under the provisions hereof, and in which the result of such election shall have been declared to be in favor of abolishing the provisions of Section 1933 and Chapter 44 of the Code of Civil Procedure, from December first to April first, a fence constructed as hereinafter described shall be sufficient and lawful.

Section 2. Emergency.) Whereas, an emergency exists in this that there is now a quantity of hay and grain unprotected in the state, therefore this Act should take effect and be in force from and after its passage and approval in each county of the state, regardless of any vote which such county may have taken heretofore to abolish the herd law.

And when so amended recommend the same do pass.

A. S. GIBBENS,  
Chairman.

Mr. Gibbens moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 19.

A bill for an Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof,

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

And the further consideration of the bill was indefinitely postponed.

Also

Senate Bill No. 28.

A bill for an Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

And the further consideration of the bill was indefinitely postponed.

Also

Senate Bill No. 3.

A bill for an Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

And the further consideration of the bill was indefinitely postponed.

Also

Senate Bill No. 5.

A bill for an Act to provide for the regulation and supervision of investment companies under the supervision of the state examiner and providing penalties for the violation thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

And the further consideration of the bill was indefinitely postponed.

Also

Senate Bill No. 24.

A bill for an Act to protect purchasers of stocks and bonds and prevent fraud in the sale thereof. To create a bureau of corporations, to administer this Act; providing for the maintenance thereof and providing penalties for the violations thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

And the further consideration of the bill was indefinitely postponed.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 80.

A bill for an Act to amend Section 84 of Article 5 of the Revised Code of the State of North Dakota for 1905, relating to enrolling and engrossing bills.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also

Senate Bill No. 81.

A bill for an Act to amend Section 54 of Article 4 of the Revised Code of the State of North Dakota for 1905.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

## MESSAGE FROM THE HOUSE.

HOUSE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 20, 1913.

*Mr. President:*

I have the honor to inform you that the House has concurred in the Senate amendment to House concurrent resolution relating to supplies and postage.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

The President announced that ex-Senator Pierce, formerly of Ramsey County, North Dakota, now of Fargo, Florida, had presented the members and employees of the Senate with an assortment of fruit from his present home.

## MOTIONS AND RESOLUTIONS.

Mr. Gilbert moved that a committee of three be appointed to draw up proper resolution of thanks to former Senator Pierce of Ransom County and that a copy of the resolution be forwarded to Senator Pierce.

Which motion prevailed, and

The President appointed as such committee Messrs. Gilbert, Heckle and Leutz.

Mr. Davis moved that the rules be suspended and that Senate Bills Nos. 80 and 81 be considered engrossed and be placed on their third reading and final passage.

Which motion prevailed.

And Senate Bills Nos. 80 and 81 were declared engrossed and were placed on their third reading and final passage.

## THIRD READING OF SENATE BILLS.

Senate Bill No. 80.

A bill for an Act to amend Section 84 of Article 5 of the Revised Code of the State of North Dakota for 1905, relating to enrolling and engrossing bills.

Was read the third time.

There being no objection, Mr. Davis offered the following amendment and moved its adoption.

Sec. 2. Emergency.) In as much as an emergency exists

this law shall take effect and be in force from and after its passage and approval.

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 49, absent and not voting 1.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McLean
Allen	Gronvold	Mudgett
Barnes	Hanley	Nelson
Bond	Heckle	Overson
Bonzer	Helgeland	Plain
Bronson	Hookway	Porterfield
Carter	Hoverson	Putnam
Cashel	Hughes	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Davis	Kretschmar	Trageton
Duncan	Leutz	Turner
Elken	Linde	Vail
Ellingson	Loftsgaard	Wartner
Ganssle	McBride	Williams
Garden	McDowell	Young
Gibbens		

Absent and not voting, Mr. Englund, who was excused.

So the bill passed and the title was agreed to.

Senate Bill No. 81.

A bill for an Act to amend Section 54 of Article 4 of the Revised Code of the State of North Dakota for 1905.

Was read the third time.

There being no objection, Mr. Davis offered the following amendment and moved its adoption:

Sec. 2. Emergency.) In as much as an emergency exists this law shall take effect and be in force from and after its passage and approval.

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 49, absent and not voting 1.

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McLean
Allen	Gronvold	Mudgett
Barnes	Hanley	Nelson
Bond	Heckle	Overson
Bonzer	Helgeland	Plain
Bronson	Hookway	Porterfield
Carter	Hoverson	Putnam
Cashel	Hughes	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Davis	Kretschmar	Trageton
Duncan	Leutz	Turner
Elken	Linde	Vail
Ellingson	Loftsgaard	Wartner
Ganssle	McBride	Williams
Garden	McDowell	Young
Gibbens		

Absent and not voting, Mr. Englund, who was excused.

So the bill was passed and the title was agreed to.

Mr. Bronson moved

That the Senate do now go into executive session.

Which motion prevailed, and

The Senate went into executive session.

#### OPEN SESSION.

Mr. Bronson moved

That the Senate take a recess of ten minutes.

Which motion prevailed, and

The Senate took a recess.

#### AFTER RECESS.

In open session announcement was made of the confirmation of the following recess nominations made by Ex-Governor Burke:

Prof. L. E. Birdsell, Tax Commissioner.

Frank E. Packard, Tax Commissioner.

George E. Wallace, Tax Commissioner.

There being no objection, the Senate returned to the eighth order of business.

Mr. Plain moved that the members of the appropriation committee and Senator Steel be excused for tomorrow for the purpose of visiting the Insane Asylum at Jamestown.

Which motion prevailed, and  
The Senators were excused.

### INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Mr. Davidson introduced  
Senate Bill No. 84.

A bill for an Act to amend and re-enact Section 1546 of the Revised Code of 1905, requiring a notation on tax receipts where real estate has been sold for taxes and not redeemed, and providing a penalty for failure therefor.

Which was read the first and second times and  
Referred to the committee on taxes and tax laws.

Mr. Bronson introduced  
Senate Bill No. 85.

A bill for an Act creating a teachers' insurance and retirement fund and providing for its maintenance and disbursement.

Which was read the first and second times, and  
Referred to the committee on education.

Mr. Heckle introduced  
Senate Bill No. 86.

A bill for an Act to enable incorporated villages to provide or contract for the furnishing of water for fire protection and for light for streets, alleys, public buildings and grounds.

Which was read the first and second times and  
Referred to the committee on city and municipal corporations.

Mr. Leutz introduced  
Senate Bill No. 87.

A bill for an Act amending Section 3012 of the Revised Codes of North Dakota for the year 1905, relating to the

disposition of road taxes collected by county treasurers.

Which was read the first and second times and

Referred to the committee on taxes and tax laws.

Mr. McBride introduced

Senate Bill No. 88.

A bill for an Act to promote the safety of employes and travelers upon railroads by compelling common carriers engaged in the transportation of passengers or property in this state to equip locomotives with electric headlights.

Which was read the first and second times and

Referred to the committee on railroads.

The President announced the appointment of the following committee:

On the committee to consider the messages of Governor Burke and Governor Hanna, Messrs. Elken, Wartner, Cashel, McBride and Linde.

The courtesies of the floor were extended to the following gentlemen:

J. P. Edwards, Fargo, N. D.; L. D. McGahan, Minot, N. D.; Col. Alex Scarlett, Minot, N. D.

Mr. Gibbens moved

That the Senate do now adjourn.

Which motion prevailed, and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

FIFTEENTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January, 21, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Allen, Davidson, Englund, Gibbens, Gronvold, Hoverson, Jacobsen, Kretschmar, McDowell, Plain, Steel, Vail and Williams.

Who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the Fourteenth day, have carefully examined the same and recommend that the same be corrected as follows:

On page 20, line 13, strike out the word "Ramsey" and insert the word Ransom.

On page 20, after line 37, insert the words: "Amendment and moved its adoption."

And when so amended recommend that the same be approved.

J. L. CASHEL,  
Acting Chairman,

Mr. Cashel moved  
 That the report be adopted.  
 Which motion prevailed, and  
 The report was adopted.

### REPORT OF SELECT COMMITTEE.

REPORT OF COMMITTEE ON MEMORIALS FOR THE LATE CHIEF  
 JUSTICE DAVID E. MORGAN AND THE LATE JUDGE CHARLES  
 F. TEMPLETON.

The Committee on Resolutions concerning the late Chief Justice David E. Morgan and the late Judge Charles F. Templeton, respectfully report the following resolutions:

H. A. BRONSON,  
 J. L. CASHEL.  
 FRANK H. HYLAND.

### CONCURRENT RESOLUTION

WHEREAS, In His infinite wisdom our Almighty Father has removed from our midst to the Great Beyond our beloved friend and honored Judge, the late Chief Justice David E. Morgan,

AND WHEREAS, In his years of service as a Judge in this State, comprehending in addition to many years upon the District Bench, eleven years of service as Justice of the Supreme Court, seven of which were as Chief Justice, he displayed and showed a breadth of mind and understanding of the fundamental principals of right and justice and devotion to duty for the up-building of law and a character embellished by nobility of thought and action that has been not only of incalculable benefit to this State but has endeared him in the hearts and minds of the citizens of this State as a true exemplification of an honest, faithful, fearless and upright judge:

*Therefore, be it Resolved,* By the Senate of North Dakota, the House of Representatives concurring therein, that the members of the Thirteenth Legislative Assembly express herewith their great obligation and gratitude for his high services as judge in behalf of the State; and hereby pay a well deserved tribute to his memory for his great

work performed as a jurist and to his noble and upright character as a man.

*Be it Further Resolved*, That a copy of this resolution be engrossed and sent to the family of the late Chief Justice David E. Morgan by the Secretary of the Senate, and,

*Be it Further Resolved*, That a committee consisting of three Senators and three Representatives be named by their respective presiding officers to arrange for a joint session of this Legislative Assembly to commemorate his public services and his name.

#### CONCURRENT RESOLUTION.

WHEREAS, The State of North Dakota has suffered an ir retrievable loss in the death of one of its ablest Judges, the late Charles F. Templeton of Grand Forks, North Dakota, who passed away on the third day of January, 1913, while still in the service of the State, and

WHEREAS, His long career of efficient and high achievement in the service of the people as Attorney General, and as Judge of the District and Supreme Court in the Territory of Dakota, and as District Judge of the First Judicial District in this State for many years, has commended him and his memory to the hearts of all citizens, and

WHEREAS, His high ideals and upright character as a man, his great learning as a scholar, his fearlessness, impartiality and devotion to duty, as a judge, always offered to the people of this Commonwealth the secure feeling that, in his tribunal, as far as was within his power, justice would be rendered fearlessly, without favor, and without delay.

*Therefore, Be It Resolved*, By the Senate of North Dakota, the House of Representatives concurring therein, that the members of the Thirteenth Legislative Assembly, hereby express their deep appreciation of the service by him so rendered to this Commonwealth, and sincerely regretting the great loss now sustained by this State through his death, extend this memorial as a tribute to his memory in grateful recognition of the deep obligation of the State to him and his memory.

*Be It Further Resolved*, That a copy of this resolution be engrossed and sent to the family of the late Charles F. Templeton, by the Secretary of the Senate, and,

*Be It Further Resolved*, That a committee consisting of three Senators and three Representatives be named by their respective presiding officers to arrange for a joint session of this Legislative Assembly to commemorate his public services and his name.

Mr. Bronson moved

That the Concurrent Resolution be adopted.

Which motion prevailed, and

The Concurrent Resolution was adopted.

### MOTIONS AND RESOLUTIONS.

#### RESOLUTION.

WHEREAS, Former Senator Ed Pierce, our friend and companion of several Sessions, has been so thoughtful as to send to this Body, and its employees, several boxes of oranges and grape fruit, that we might participate in some of the luxuries of a Tropical Clime.

*Therefore Be It Resolved*, That this Body extend to our old companion, our sincere thanks for his thoughtfulness and kindness, and our only regret is, that he is not with us that we might have his able assistance in legislative work, and see his ever welcome face.

E. F. GILBERT.,

C. O. HECKLE,

F. LEUTZ,

Committee.

Mr. Gilbert moved

That the resolution be adopted.

Which motion prevailed, and

The resolution was adopted.

### INTRODUCTION, FIRST AND SECOND READINGS OF SENATE BILLS.

The Committee on Judiciary introduced

Senate Bill No. 89.

A bill for an Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Which was read the first and second times and

Referred to the committee on Judiciary.

Mr. Wartner introduced

Senate Bill No. 90.

For an Act, entitled: An Act to amend and re-enact Chapter 131 of the laws of 1909 relating to garnishment proceedings in justice courts.

Which was read the first and second times and

Referred to the committee on Judiciary.

Mr. McBride introduced

Senate Bill No. 91.

For an Act to provide for the renewal of marks and brands.

Which was read the first and second times and

Referred to the committee on Live Stock.

Mr. Hanley introduced.

Senate Bill No. 92.

A bill for an Act to amend and re-enact Chapter 158 of Session Laws of 1907, requiring that the amount of the insurance written upon real property and personal property shall be taken conclusively to be the true value thereof.

Which was read the first and second times and

Referred to the committee on Insurance.

Mr. Elken introduced

Senate Bill No. 93.

A bill for an Act to Amend Section 10 of Chapter 141 of the Session Laws of 1911 relating to that protection of game.

Which was read the first and second times and

Referred to the committee on Game and Fish.

Mr. Cashel introduced

Senate Bill No. 94.

A bill for an Act to amend Chapter 213 of the Laws of 1909, Relating to the Inmates of the Institution for the Feeble Minded.

Which was read the first and second times and  
Referred to the committee on State Affairs.

Mr. Cashel introduced

Senate Bill No. 95.

A bill for an Act relative to payment of deposits in trust.

Which was read the first and second times and  
Referred to the committee on Banks and Banking.

Mr. Leutz introduced

Senate Bill No. 96.

For an act giving mortgages on growing crops to secure payment of hail insurance premiums upon policies upon such crops priority over all other mortgages on such crops, excepting seed grain mortgages.

Which was read the first and second times and  
Referred to the committee on Judiciary.

Mr. Linde introduced

Senate Bill No. 97.

A bill for an Act amending Section 1307 of the Revised Codes of North Dakota for the year 1905, relating to state fairs.

Which was read the first and second times and  
Referred to the committee on appropriations.

Mr. Thoreson introduced

Senate Bill No. 98.

A bill for an Act to prohibit the importation, manufacture, distribution, transportation, sale or use of snuff and providing a penalty therefor.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Hookway introduced

Senate Bill No. 99.

A bill for an Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains.

Which was read the first and second times and  
Referred to the committee on railroads.

Mr. Hanley introduced  
Senate Bill No. 100.

A bill for an Act to amend Chapter 121 of the Session  
Laws of 1907, providing for the determination of heir and  
the share of such heirs respectively in the claims to certain  
real estate by action in the district court.

Which was read the first and second times and  
Referred to the committee on judiciary.

There being no objection the Senate returned to the sixth  
order of business.

REPORTS OF STANDING COMMITTEES.

SENATE COMMITTEE ON ENROLLED AND  
ENGROSSED BILLS

The committee on Enrolled and Engrossed Bills made the  
following report:

*Mr. President:*

Your committee on Enrolled and Engrossed Bills have  
examined:

Senate bill No 80.

A bill for an Act to amend Section 84 of Article 5 of the  
Revised Code of the State of North Dakota for 1905, relat-  
ing to enrolling and engrossing bills.

Also,

Senate Bill No. 81.

A bill for an Act to amend Section 54 of Article 4 of the  
Revised Code of the State of North Dakota for 1905.

And find the same correctly engrossed.

W. R. BOND,  
Chairman

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report was adopted,

Courtesies of the floor were extended to the following gentlemen:

J. P. Edwards, Fargo, N. D., A. Isaminger, Denhoff, N. D.

Mr. Hanley moved

That the Senate do now adjourn.

Which motion prevailed, and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

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#### SIXTEENTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 22, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by Rev. J. P. Newcomb.

Roll Call.

All members present except Messrs. Englund and Gronvold, who were excused.

#### REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the fifteenth day, have carefully examined the same and find the same correct.

And recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Resolutions passed by the North Dakota Live Stock Ass'n.  
at its Annual Meeting, January 16th, 1913.

Recognizing the importance of the live stock industry to the prosperity of the state and the necessity for its encouragement and believing that the state fair offers the most valuable medium for the encouragement and promotion of this important industry, we therefore unanimously request the legislative assembly to appropriate out of the state funds not less than \$25000.00 annually to the state fair so that this and other needed agricultural interests may be developed and encouraged, and further that a copy of this resolution signed by the president and secretary be forwarded to the President of the Senate and the Speaker of the House, that they be read in open session before these bodies.

WHEREAS, this organization has this day passed a resolution requesting the legislative assembly to appropriate \$25000.00 annually to the State Fair Associations. Be it resolved that each of us request of the representatives of our respective districts their vote and work for the passage of such a measure.

(Signed) Donald Campbell,  
President.

W. B. Richards,  
Secretary.

Mr. Talcott moved

That the resolution be spread upon the Journal.

Which motion prevailed, and

The resolution was made a part of the Journal.

UNIVERSITY OF NORTH DAKOTA,

January 20, 1913.

HON. H. E. KRAABEL,  
 President of the Senate,  
 BISMARCK, N. D.

*My dear Sir:*

I am transmitting herewith the report of the Temporary Educational Commission, authorized and appointed under Chapter 9 of the Session Laws of 1911.

I trust that the report will be received and referred to the proper committee.

Respectfully yours,

FRANK L. McVEY,  
 Chairman.

Mr. Hanley moved that the Communication be spread upon the Journal and that the report be referred to the Committee on Education.

Which motion prevailed, and

The communication was made a part of the Journal, and

The report referred to the committee and adopted.

#### REPORT OF STANDING COMMITTEES.

*Mr. President:*

Your committee on Judiciary to whom was referred Senate Bill No. 12.

A bill for an Act to amend Section 2582 of the Revised Code of the State of North Dakota for 1905, relating to deputy clerks of the District Court.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
 Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

And the further consideration of the bill was indefinitely postponed.

Also

Senate Bill No. 21.

A bill for an Act to amend Section 7176 of the 1905 Revised Codes of North Dakota, and Chapter 177 of the Session Laws of North Dakota for the Year 1907, Relating to Attorney's Fees on Foreclosures.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

And the further consideration of the bill was indefinitely postponed.

Also,

Senate Bill No. 53.

A bill for an Act to re-enact Section 492 of the Revised Codes of North Dakota for the Year 1905, Relating to the State Board of Bar Examiners.

Have had the same under consideration and recommend that the same be amended as follows:

In the title thereof after the words "An Act to" insert the words "Amend and"

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

Senate Bill No. 65.

A bill for an Act to amend and re-enact Chapter 126 of the Laws of 1909, relating to the foreclosure by advertisement of mortgages on real property.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

And the further consideration of the bill was indefinitely postponed.

Also,

Senate Bill No. 68.

A bill for an Act repealing Chapter 174 of the Session Laws of 1911, Relating to the Terms of Court in Various Counties Comprising the Fourth Judicial District of this State.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

*Mr. President:*

Your committee on state affairs to whom was referred Senate Bill No. 34.

A bill for an Act prohibiting unfair discrimination in the

buying of milk, cream or butter fat providing a penalty for the violation thereof.

Have had the same under consideration and recommend that the same be amended as follows:

That in the printed bill in line 13 after the word "punished," the words, "for each offense" be inserted.

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved that the report be adopted.

Which motion prevailed, and the report was adopted.

*Mr. President:*

Your committee on Highways and Bridges to whom was referred.

Senate Bill No. 67.

A Concurrent Resolution amending Section 185 of the Constitution of the State of North Dakota, relating to state aid in the construction and improvement of public highways.

Have had the same under consideration and recommend that the same do pass.

CHAS. ELLINGSON,  
Chairman.

Mr. Ellingson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

#### REPORT OF SELECT COMMITTEE.

*Mr. President:*

Your committee on mileage and per diem beg leave to report mileage as follows:

## MILEAGE OF SENATE MEMBERS.

Dist.	Name and Address	N. P.	G. N.	Soo	Milw.	Team	Total
1.	C. Ganssle, St. Thomas.....	388	266	...	...	...	654
2.	J. A. Englund, Kenmare.....	274	...	460	...	...	734
3.	O. T. Loftsgaard, Hoople.....	388	266	...	...	14	668
4.	John T. Cashel, Grafton.....	388	238	...	...	...	626
5.	O. O. Trageton, Northwood.....	348	126	...	...	...	474
6.	Jas. Turner, Grand Forks.....	388	156	...	...	...	544
7.	H. A. Bronson, Grand Forks.....	388	156	...	...	...	544
8.	G. L. Elken, Mayville.....	348	94	...	...	...	442
9.	Wm. Porterfield, Fargo.....	388	...	...	...	...	388
10.	E. F. Gilbert, Casselton.....	348	...	...	...	...	348
11.	F. S. Talcott, Buffalo.....	316	...	...	...	...	316
12.	W. L. Carter, Wahpeton.....	348	116	...	...	...	464
13.	F. W. Vail, Milnor.....	64	...	312	...	...	376
14.	C. O. Heckle, Lisbon.....	498	...	...	...	...	498
15.	C. F. Mudgett, Valley City.....	274	...	...	...	...	274
16.	Chas. Ellingson, Sharon.....	348	118	...	...	...	466
17.	L. S. Helgeland, Aneta.....	388	194	...	...	8	590
18.	Henry McLean, Hannah.....	388	406	...	...	...	794
19.	A. L. Nelson, Rolette.....	348	378	...	...	...	726
20.	Jas. Duncan, Oberon.....	360	...	...	...	...	360
21.	Frank H. Hyland, Devils Lake.....	388	336	...	...	...	724
22.	A. S. Gibbens, Cando.....	388	402	...	...	...	790
23.	Alfred Steel, Jamestown.....	202	...	...	...	...	202
24.	W. C. McDowell, Marion.....	468	...	...	...	...	468
25.	Ira A. Barnes, Oakes.....	172	...	132	38	...	342
26.	H. W. Allen, Braddock.....	...	...	82	...	...	82
27.	E. A. Hughes, Bismarck.....	...	...	...	...	...	000
28.	E. L. Garden, Souris.....	388	550	...	...	...	938
29.	Walter R. Bond, Minot.....	137	...	372	...	...	509
30.	J. M. Hanley, Mandan.....	10	...	...	...	...	10
31.	M. L. McBride, Dickinson.....	230	...	...	...	...	230
32.	S. N. Putnam, New Rockford.....	322	...	...	...	...	322
33.	Aloys Wartner, Harvey.....	274	...	220	...	...	494
34.	C. W. Hookway, Granville.....	388	526	...	...	...	914
35.	J. E. Davis, Goodrich.....	384	...	...	...	...	384
36.	P. T. Kretschmar, Venturia.....	...	...	212	...	...	212
37.	A. F. Bonzer, Lidgerwood.....	...	...	404	...	...	404
38.	Martin Thoreson, Fingal.....	430	...	...	...	14	444
39.	Ed. Hoverson, Beach.....	360	...	...	...	...	360
40.	C. E. Davidson, Portal.....	274	...	526	...	...	800
41.	W. B. Overson, Williston.....	...	242	382	...	...	624
42.	F. T. Gronvold, Rugby.....	388	448	...	...	...	836
43.	O. J. Clark, Sherwood.....	274	162	362	...	...	798
44.	H. J. Linde, Stanley.....	274	110	362	...	...	746
45.	L. J. Albrecht, Anamoose.....	274	...	254	...	...	528
46.	J. E. Williams, Turtle Lake.....	458	...	...	...	...	458
47.	F. Leutz, Hebron.....	152	...	...	...	...	152
48.	John Young, Mannhaven.....	...	...	156	...	28	184
49.	H. P. Jacobsen, Mott.....	268	...	...	...	...	268
50.	C. W. Plain, Milton.....	388	328	...	...	...	716

O. J. CLARK,  
L. C. ALBRECHT,  
IRA. A. BARNES.

Mr. Gilbert moved

That the report be adopted and printed in the Journal.

Which motion prevailed, and

The report was adopted.

### MOTIONS AND RESOLUTIONS.

Mr. Hughes offered the following resolution.

#### RESOLUTION.

WHEREAS, The Honorable C. B. Little of Bismarck, North Dakota, a pioneer of Dakota Territory and the State of North Dakota, as well as an eminent legislator of many years experience, and for twenty-two years a member of this body and chairman of its most important committees, a man of sturdy character, whose services have been of great value to this state, and

WHEREAS, The portrait of the Honorable Judson LaMoure, another eminent legislator of this state and for many years a prominent member of this body, has been placed upon the walls of this Senate as a reminder of his absence and past usefulness; therefore,

*Be It Resolved*, That the Honorable Lieutenant Governor appoint a committee of three members of this body to request of the Honorable C. B. Little a copy of a portrait of himself suitable for the purpose, and that the same when presented be accepted by said committee in the name of the Senate, and that said portrait be placed upon the walls of this Senate Chamber beside the portrait of the Honorable Judson LaMoure, and that a copy of this resolution be mailed to the Honorable C. B. Little.

Mr. Hughes moved

That the resolution be adopted.

Which motion prevailed, and

The resolution was adopted.

The President appointed as such committee:

Messrs. Hughes, Jacobsen and McLean.

INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS.

Mr. Cashel introduced

Senate Bill No. 101.

A bill for an Act relative to payment of deposits in two names.

Which was read the first and second times and

Referred to the committee on banks and banking.

Mr. Porterfield introduced

Senate Bill No. 102.

A bill for an Act providing for the inspection of refined petroleum, illuminating oils, gasolines and other low flash test petroleum products, defining the ports of entry, appointment of oil inspectors and deputies, and fixing the salaries of the same.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Davis introduced

Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Cashel introduced

Senate Bill No. 104.

A bill for an Act to amend Chapter 165 of the Laws of 1911 relating to the maintenance of inmates of the Institution for the Feeble Minded.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. McBride introduced

Senate Bill No. 105.

A bill for an Act relating to the responsibility of fidelity insurance companies.

Which was read the first and second times and

Referred to the committee on insurance.

Mr. Barnes introduced

Senate Bill No. 106.

A bill for an Act to appropriate moneys for maintenance, equipment and permanent improvements at the Ellendale State Normal and Industrial School.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Mudgett introduced

Senate Bill No. 107.

A bill for an Act to provide for the making of permanent improvements at the State Normal School at Valley City, North Dakota, to assist in the maintenance thereof and for other purposes and make an appropriation therefor.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Talcott introduced

Senate Bill No. 108.

A Concurrent Resolution to amend Section 154 of the Constitution of the State of North Dakota relating to the apportioning of the interest and income derived from the permanent fund of the Common Schools.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Talcott introduced

Senate Bill No. 109.

A Concurrent Resolution to amend Section 150 of the Constitution of the State of North Dakota, pertaining to choosing County Superintendents of Schools.

Referred to the committee on judiciary.

There being no objection the Senate returned to the 8th order of business.

Mr. Davis moved

That the vote on which the adoption of the report of the committee on Senate Bill No. 34 be reconsidered.

Which motion prevailed.

Mr. Davis moved

That Senate Bill No. 34, as amended be re-referred to the Committee on State Affairs.

Which motion prevailed, and

The bill was so re-referred.

There being no objection the Senate returned to the 8th order of business.

And

Mr. Overson moved

That Senate Bills No. 17 and 32 be recalled from the Committee on Judiciary and re-referred to the Committee on Elections.

Which motion prevailed, and

Senate Bills No. 17 and 32 were so recalled and re-referred to the Committee on Elections.

There being no objection the Senate returned to the 9th order of business.

And.

Mr. Plain introduced.

Senate Bill No. 110.

A Concurrent Resolution amending the Constitution of the State of North Dakota.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Talcott introduced

Senate Bill No. 111.

A bill for an Act to amend Section 266 of the Laws of 1911 relating to the duties of County Superintendent.

Which was read the first and second times and

Referred to the committee on education.

Mr. Talcott introduced

Senate Bill No. 112.

A bill for an Act to amend Chapter 266 of the Laws of

1911 relating to the duties of Superintendent of Public Instruction.

Which was read the first and second times and  
Referred to the committee on education.

Mr. Leutz introduced  
Senate Bill No. 113.

A bill for an Act making an appropriation for the Experimental Station of the School of Mines and the Mining Sub-station at Hebron, Morton County.

Which was read the first and second times and  
Referred to the committee on appropriations.

#### COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

The committee on Enrolled and Engrossed Bills made the following report:

*Mr. President:*

Your committee on Enrolled and Engrossed Bills have examined:

Senate Bill No. 13.

A bill for an Act to amend Sections 1933, 1934, 1935, 1936, 1937 and 1938 of the Revised Codes of 1905, relating to stock running at large.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The courtesies of the floor were extended to the following:

J. J. Lee, Hettinger County, F. I. Bonesho, Hettinger County, Senator J. E. Stevens, Grand Forks, Ed. Sullivan, New Salem, N. D., Paul Kurtz, Hazelton, N. D.

Mr. Hanley moved  
That the Senate do now adjourn.  
Which motion prevailed, and  
The Senate adjourned.

W. D. AUSTIN,  
Secretary.

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SEVENTEENTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 23, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Gronvold and Hookway.

Who were excused.

REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the sixteenth day, have carefully examined the same and recommend that the same be corrected as follows:

On page 2, line 8, strike out the word "is" and insert in lieu thereof the word "its."

On page 7, line 53, where the name C. J. Clark appears,

strike out the letter "C." and insert the letter O.; in line 56 strike out the word "George" and insert the name "Ira."

On page 12, line 30, strike out the name Paul Kintz, and on line 31 strike out Hazelton, N. D.

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

The following communication was received from the Board of Control of State Institutions.

STATE OF NORTH DAKOTA,  
BOARD OF CONTROL OF STATE INSTITUTIONS,  
BISMARCK.

January 22, 1913.

*To the Members of the Senate and House of Representatives of the 13th Legislative Assembly:*

Gentlemen: We today received a letter from the Knight Printing Co., stating that the report of the Board of Control would be printed and ready for use in about one week.

Yours truly,  
BOARD OF CONTROL OF STATE INSTITUTIONS,  
F. L. BRANDT,  
Secretary.

Mr. Loftsgaard presented the following petition:

*To the Legislature of the State of North Dakota:*

*Gentlemen:*

WHEREAS, The Government of the United States has announced that the Panama Canal is about to be completed and opened to the commerce and navies of the world, and,

WHEREAS, This is an accomplishment on the part of the American people of which every citizen is justly proud; and,

WHEREAS, The Congress of the United States has designated the City of San Francisco as the place for the holding of a great international celebration in honor of the event, and has invited all the nations of the world to participate, and,

WHEREAS, The pride of our nation in this great achievement can only be properly expressed through the participation of all the States of our Union;

*Now, Therefore, We, the undersigned, citizens of Park River and vicinity, do hereby respectfully petition your Honorable Body to take such action as will bring about a proper display by the State of North Dakota at said Exposition.*

Respectfully submitted,

D. E. TOMLE and 74 others.

#### REPORTS OF STANDING COMMITTEES.

*Mr. President:*

Your committee on joint rules beg leave to report for adoption the same joint rules for the government of the Senate and House as were adopted by the Legislative Assembly of 1911, with the following amendment:

In Rule 10 strike out the word "two" and insert in lieu thereof the word "three."

Respectfully submitted,

H. W. ALLEN,

Chairman of the Senate Committee.

C. S. BUCK,

Chairman of the House Committee.

Mr. Allen moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

*Mr. President:*

Your committee on Woman Suffrage to whom was referred

Senate Bill No. 8.

A bill for an Act to amend Section 605, Sub-division I, of the Revised Code of North Dakota for 1905, and Chapter 131 of the Session Laws of North Dakota for the year 1911,

relating to who is entitled to vote, and providing for woman suffrage.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1 of the title after the word "amend" insert "and to re-enact" and after the figures "605" strike out "sub-division 1."

In line 1 before the word "every" insert "Sec. 605 (who entitled to vote.)"

In line 9 change the words "he has" and substitute "they have."

Strike out all of line 15.

And when so amended recommend the same do pass.

ALOYS WARTNER,  
Chairman.

Mr. Wartner moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

*Mr. President:*

Your committee on education to whom was referred

Senate Bill No. 47.

A bill for an Act repealing Chapter 268 of the Session Laws of 1911, relating to school houses and sites.

Have had the same under consideration and recommend that the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

*Mr. President:*

Your committee on Ways and Means to whom was referred

Senate Bill No. 42.

A bill for an Act to require Road Supervisors, Street Commissioners or any person authorized to collect a road poll tax receipt, to file with the county auditor duplicate receipts, so that he may make the proper credits on the tax lists.

Have had the same under consideration and recommend that the same be referred to the Committee on Highways, Bridges and Ferries.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

*Mr. President:*

Your committee on Federal Relations to whom was referred

Senate Bill No. 18.

A Joint Resolution ratifying an amendment to Section 3, Article 1, of the Constitution of the United States.

Have had the same under consideration and recommend that the same do pass.

W. L. CARTER,  
Chairman.

Mr. Carter moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

#### MOTIONS AND RESOLUTIONS.

Mr. Davis moved

That a committee of one consisting of Senator Elken, be appointed with authority to select one of the Senate stenographers to report for duty at the Grand Pacific Hotel.

Which motion prevailed, and

Mr. Elken was appointed as such committee.

Mr. Plain introduced

Senate Bill No. 114.

A bill for an Act to amend Section 1337 of the Revised Codes of 1905 relating to the compensation of assessors for collecting agricultural statistics.

Which was read the first and second times and

Referred to the committee on ways and means.

Mr. McBride introduced

Senate Bill No. 115.

A bill for an Act fixing the time when policies of hail insurance companies shall take effect.

Which was read the first and second times and

Referred to the committee on insurance.

Mr. Davidson introduced

Senate Bill No. 116.

A bill for an Act providing for an inheritance tax and to repeal Sections 8320, 8321, 8322, 8323, 8324, 8325, 8326, 8327, 8328, 8329, 8330, 8331, 8332, 8333, 8334, 8335, 8336, 8337, 8338, and 8339 of the Revised Codes of 1905.

Which was read the first and second times and

Referred to the committee on tax and tax laws.

Mr. Hughes introduced

Senate Bill No. 117.

A bill for an act relating to the enforcement of liens for storage of personal property and charges thereon.

Which was read the first and second times and

Referred to the committee on judiciary.

The President in the Chair.

Mr. Hanley introduced

Senate Bill No. 118.

A bill for an Act repealing Section 6131 of the Revised Codes of 1905, and declaring void all mortgages or liens by contract hereafter placed on growing crops, with certain specified exceptions.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Trageton introduced

Senate Bill No. 119.

A bill for an Act to provide for the maintenance of free employment offices under the supervision of the commissioner of agriculture and labor during the months of July, August, September and October of each year.

Which was read the first and second times and

Referred to the committee on ways and means.

Mr. Garden introduced

Senate Bill No. 120.

A bill for an Act to provide for and the making of improvements at the North Dakota School of Forestry, to assist in the maintenance thereof, and making appropriation therefor.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Steel introduced

Senate Bill No. 121.

A bill for an Act to provide an appropriation for the current and contingent expenses, for the erection of necessary additional buildings, for other necessary improvements and repairs at the State Hospital for the Insane of North Dakota, at Jamestown, and for purchasing additional land for the use of such State Hospital.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Bronson introduced

Senate Bill No. 122.

A Concurrent Resolution for an amendment to the Constitution of the State of North Dakota, providing for the recall of public officers.

Which was read the first and second times and

Referred to the committee on elections.

Mr. Bond introduced

Senate Bill No. 123.

A bill for an Act to amend Paragraph 21 of Section 2610 of the Political Code of North Dakota for 1905; providing for the compensation of justices of the peace for duties performed.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Talcott introduced

Senate Bill No. 124.

A bill for an Act to amend Section 8, Chapter 61 of the Session Laws of 1911 relating to the election of Secretary of the State Board of Normal School Trustees.

Which was read the first and second times and

Referred to the committee on education.

Mr. Elken introduced

Senate Bill No. 125.

A bill for an Act making an appropriation for the State Normal School at Mayville, North Dakota, for a demonstration school, improvement of campus, an additional storage room for fuel, a greenhouse, a barn, horses and wagons, a system of automatic temperature regulation in the main building, completing the ventilation system in the main building, and rewiring the main building.

Which was read the first and second times and

Referred to the committee on appropriations.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 13.

A bill for an Act to amend Sections 1933, 1934, 1935 and 1936, relating to stock running at large.

Was read the third time.

There being no objection, further consideration of the bill was deferred until tomorrow, January 24th, 1913.

The courtesies of the floor were extended to the following gentlemen:

Addison Leech, Fargo, N. D., A. A. Bradley, Williston, N. D., N. F. Easton, Tioga, N. D., Thomas R. Forbes, Bedford, N. D., Charles Peterson, Bisbee, N. D., J. H. S. Thompson, Valley City, N. D. and S. F. Sherman, Tower City, N. D.

Mr. Bronson moved  
That the Senate do now adjourn,  
Which motion prevailed, and  
The Senate adjourned.

W. D. AUSTIN,  
Secretary.

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### EIGHTEENTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 24th, 1913.

The Senate convened at 2 o'clock P. M.  
The President presiding.  
Prayer by the chaplain.  
Roll call.  
All members present except Mr. Gronvold.  
Who was excused.

### REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the seventeenth day, have carefully examined the same and recommend that the same be corrected as follows:

On page 9, strike out lines 28, 29, 30, 31, 32 and 33.

On page 8, following line 37, insert the words:

Mr. Bronson moved

That the Senate do now adjourn.

Which motion prevailed, and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 20th, 1913.

*Mr. President:*

I have the honor to inform you that the House has concurred in the Senate Concurrent Resolution relating to the appointing of a joint committee to arrange for a joint session of the Legislative Assembly to commemorate the memories of the late Chief Justice David E. Morgan and Judge Charles F. Templeton and the Speaker has appointed as members of the joint committee on behalf of the House of Representatives, Messrs. Buck, Doyle and Campbell.

Very respectfully

M. J. GEORGE,  
Chief Clerk.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Hoverson presented the following petition:

We, the undersigned, protest against and ask you to work against the passage of any bills placing burdensome con-

ditions and qualifications or high licenses on rural wagon salesmen of domestic and stock remedies, spices, extracts and toilet articles.

These salesmen regularly supply us with satisfactory goods at reasonable prices and we consider any legislation harming their business and injury to ourselves. Such legislation forces out competition, creates a monopoly, prohibits freedom of purchase and increases the cost of living.

L. E. CURE, and 22 others.

#### REPORT OF STANDING COMMITTEES.

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 53.

A bill for an Act to amend and re-enact Section 492 of the Revised Codes of North Dakota for the year 1905, relating to the State Board of Bar Examiners.

Also,

Senate Bill No. 67.

A Concurrent Resolution amending Section 185 of the Constitution of the State of North Dakota, relating to state aid in the construction and improvement of public highways.

Also,

Senate Bill No. 68.

A bill for an Act repealing Chapter 174 of the Session Laws of 1911, relating to the terms of court in various counties comprising the Fourth Judicial District of this state.

And find them correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

*Mr. President:*

Your committee on state affairs to whom was referred Senate Bill No. 15.

A bill for an Act authorizing the appointment of two delegates from this state as members of a commission which is to investigate European systems of rural credits and report thereon, and making an appropriation therefor.

I have had the same under consideration and recommend that the same be amended as follows:

In Section 2 and line 3 of the printed bill after the word thousand and before the word dollars, the figures (\$2,000) be stricken out and the words "Four Hundred" be inserted.

And when so amended recommend the same be re-referred to the committee on appropriations.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted, and the bill was re-referred to the committee on appropriations.

*Mr. President:*

Your committee on judiciary to whom was referred

Senate Bill No. 71.

A bill for an Act to amend Section 7140 of the Revised Codes of the year 1905 of the State of North Dakota, relating to redemption from foreclosure of real estate mortgage.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted, and further consideration of the bill was indefinitely postponed.

#### MOTIONS AND RESOLUTIONS.

On the request of Mr. Overson Senate Bill No. 73 was recalled from the committee on judiciary and referred to the committee on elections.

Mr. Porterfield offered the following:

A resolution was passed by The Tri-State Grain and Stock Growers' Association, January 16, 1913, that the Legislative Assembly of North Dakota be requested to appropriate One Hundred Thousand Dollars (\$100,000.00) for the support and encouragement of rural schools; Fifty Thousand Dollars (\$50,000.00) for consolidated schools, and Twenty-five Thousand Dollars (\$25,000.00) for extension work by the Agricultural College.

RESOLUTION ADOPTED BY THE TRI-STATE GRAIN GROWERS' ASSOCIATION AT THEIR ANNUAL CONVENTION IN THE CITY OF FARGO, JANUARY 14 TO 17, INCLUSIVE, A. D. 1913.

We do recognize with regret the deplorable fact that agriculture is not taught in our elementary schools as a vocational study in the same manner as other vocational subjects are taught throughout the school systems of the country; further that the curriculums and courses of study at present in vogue and existence in the vast majority of our rural country schools are not in keeping with the industrial needs of the communities in which those schools exist, and that for the purpose of remedying those conditions we respectfully urge upon and request the Legislatures of our respective states to take some action to secure, first, a school year which shall be in keeping with the needs of the community in which a particular school exists, second, that the superintendents of public instruction be directed to confer with the heads of the agricultural colleges and experiment stations of their respective states and endeavor to select or prepare suitable text books for the teaching of agriculture in the rural schools of our respective states where farming is the principal industry and occupation carried on in the districts for whose benefit said schools are maintained. Further, that the legislature of the respective states provide ways and means whereby the faculties and officers of the respective agricultural colleges and experiment stations can co-operate with the general government of the United States any private association of persons which may be organized or exist for the promotion of advanced agriculture and better farming or any branch or department thereof, in order that the scientific principles of agriculture and the most experienced methods in farm management and economy be brought home to the individual farmer upon his home farm as far as possible in order that each and every farmer in our respective states may, if he desires, secure a large degree of benefit from the agricultural extension work, com-

monly so called, which is now in progress by the United States Government, private association and the agricultural and experiment stations, and we heartily recommend said work to the respective legislatures of our respective states as being worthy of receiving as large an appropriation as in their judgment can be judiciously expended for the purpose of promoting this work so far as the funds at their disposal will permit them to do.

We further especially commend to the attention of the Governor and Legislature of the State of North Dakota the needs of the Agricultural College of said State, located at the City of Fargo, calling their attention in particular to the grossly inadequate facilities which at the present time exist for the teaching and demonstration work in such manner as is necessary for the proper development of the dairying interests of said state, and we respectfully urge upon said Legislature to give the needs of the college special attention in that respect and grant to them such an appropriation as will enable them to successfully provide for the proper development of the interests of the state in this particular.

And we further commend to your earnest attention the necessity for providing additional facilities of said Agricultural College for the carrying on of extension work in connection with the general work of said institution and urge upon the legislature of the State of North Dakota the necessity for giving careful consideration to the needs of this institution and providing them with the proper facilities necessary for the carrying on the work needed for the promotion of the agricultural interests of the state.

Introduction,

First and Second Reading of Senate Bills.

Mr. Hughes introduced

Senate Bill No. 126.

A bill for an Act relating to the employment of a chaplain at the State Penitentiary.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Cashel introduced

Senate Bill No. 127.

A bill for an Act relating to the employment and compensation of prisoners confined in the state penitentiary, and making an appropriation therefor.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Cashel introduced

Senate Bill No. 128.

A Concurrent Resolution to further amend Section 121 of Article V. of the Constitution of the State of North Dakota; being heretofore amended by Article II, Amendments to the Constitution, pertaining to elective franchise.

Which was read the first and second times and

Referred to the committee on elections.

Mr. Gilbert introduced

Senate Bill No. 129.

A bill for an Act to amend and re-enact Section 368 of the Revised Codes of 1905 and to provide free passage for the members of the State Board of Railroad Commissioners and their employees.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Gilbert introduced

Senate Bill No. 130.

A bill for an Act to provide for the representation of the State of North Dakota at the Panama-Pacific International Exposition at San Francisco, California, and at the Panama-California Exposition at San Diego, California, celebrating the opening and commercial use of the Panama Canal and making an appropriation therefor.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Thoreson introduced

Senate Bill No. 131.

A bill for an Act to require public warehouses to clean all grain handled by them before testing the same for grade, and providing a penalty for the violation of this Act.

Which was read the first and second times and

Referred to the committee on warehouses, grain and grain grading.

Mr. Mudgett introduced

Senate Bill No. 132.

A bill for an Act to amend Section 2596 of the 1905 Revised Codes of North Dakota as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907 providing the clerk hire for the register of deeds in the various counties of the state.

Which was read the first and second times and

Referred to the committee on ways and means.

There being no objection, the Senate returned to the sixth order of business, and the committee on appropriations presented the following report:

*To the House of Representatives and Senate of the Thirteenth Legislative Assembly of the State of North Dakota:*

REPORT OF A VISIT MADE BY THE COMMITTEE ON APPROPRIATIONS  
OF BOTH HOUSES, TO THE ASYLUM FOR THE INSANE, AT  
JAMESTOWN, ON THE 21ST DAY OF JANUARY, 1913.

At a joint meeting of the appropriation committee of the House and Senate, held on Saturday, January 18th, 1913, the matter of appropriation for the asylum for the insane was thoroughly discussed by the two committees, and from our understanding at that time, it was apparent that the needs of this institution were very imperative; and from the fact that a large amount of money was to be asked for new buildings for this institution, it was deemed wise that the two committees visit, personally, the institution to inspect the same thoroughly so that they might thoroughly understand the necessary improvements to properly care for the needs of the patients during the next biennial period. The committee felt the necessity at this time of making a thorough investigation of the institution, for the reason that it was given to understand that large appropriations would be asked for from other sources, and from the further fact that the appropriation contemplated for the asylum was greatly in excess of the customary appropriations made in the past for that institution, and the amount available.

Your committee left Bismarck the evening of January 20th, arriving at Jamestown at 11:00 o'clock. The next morning we were taken to the institution by conveyances furnished by the officers, and immediately began a thor-

ough inspection of all the buildings on the grounds. There was no special entertainment provided, nor any prominent citizens of the City of Jamestown present to specify the particular needs of the institution, and the matter was left entirely to the visiting committee.

Piloted by Dr. Hotchkiss, Superintendent, and Mr. M. D. Williams, Steward, the committee went through the different wards, the sleeping quarters, and thoroughly inspected every building. From the first building to the last, the over-crowded condition was very apparent.

At the beginning of the last biennial period the population of the institution was two hundred twenty-six in excess of the capacity to properly care for. During this last biennial period there has been a gain in population of one hundred seventy-eight, of which one hundred have been taken care of by the erection of a new building, which leaves seventy-five at the beginning of the period, so that at this time there are three hundred three patients more than the institution can properly take care of.

The committee found conditions in this institution that they little dreamed could exist in a State Institution, finding twenty to twenty-five men sleeping in the basement, in poorly ventilated rooms, with low ceilings, often times two in a bed, and in one particular room there was only two hundred twenty-seven cubic feet of air available for each patient, while the proper amount of air under healthful conditions should be at least two thousand cubic feet for each person. Under these conditions, it is absolutely impossible to secure ventilation and to have the best sanitary conditions.

In one ward that your committee visited, the beds were so close together that it was necessary for the women patients to climb over the foot of the beds to retire.

One of the matters which was called very vividly to the attention of the committee was the inability of the hospital authorities to properly segregate the patients according to the different variety of dementia. We are informed that in order to treat insane patients, it is necessary that they be classified and separated into wards where there will be less cause for disturbance, and where they can best be cared for.

The lack of room necessitates the placing of patients, many times, in wards of the hospital where they improperly belong, because there is no place where patients, upon

their arrival, can be kept by themselves and their especial kind of dementia of which they are possessed be ascertained, so that it is unfair to the hospital authorities, and works disaster many times in the case of the patients themselves. In this connection, your committee strongly recommend that an appropriation be made for a receiving ward where patients, upon their arrival, can come under the more direct eye of the superintendent, and be more properly placed. This ward would provide space for one hundred patients, and possibly in a more congested time, could be increased twenty-five per cent.

The second feature which struck your committee very forcibly was the increase among tuberculosis patients, and among the male population these patients so afflicted are mingled with the others so that the disease is undoubtedly spreading, the increase in the preceding biennial period being one hundred per cent. Your committee was informed by the superintendent that he was certain that at least one dozen patients discharged from the institution during the last biennial period, apparently cured mentally, had died from tuberculosis contracted during their stay in the institution. By reason of this condition, your committee strongly recommends a building to be used for the segregation of the afflicted male patients as the proper solution for this condition. Your committee recommends that the amount of appropriation for this building be approximately the same as for the receiving ward first mentioned.

The next matter which seemed of the utmost importance and one which of necessity upon the erection of the two buildings above mentioned would have to be prepared for, would be the erection of a power house and the installation of certain improvements connected with the furnishing of the same, the addition of boilers and machinery. It is also contemplated in this power house to have a machine shop and storage capacity for fuel. The institution, up to this fall, have been compelled to haul the fuel from Jamestown by team, a distance of two miles. Your committee beg to report that the Midland Continental Railroad has built a spur track up to the present engine house and we are also informed that the Northern Pacific Railroad is ready now to build a spur track from Jamestown to the institution. This will save to the state the expense of hauling the fuel, which we understand was done at a cost of about twenty-six cents a ton. The institution uses lignite coal, and at the present time any surplus that they may have on hand is piled out on the open prairie, causing a

direct loss. It is proposed in the new power house to have sufficient storage capacity for this fuel and your committee strongly recommends an appropriation which would furnish the necessary light and heat at this time.

An outside ward building and farm house which would take care of the farm help and about forty patients who might be termed "trusties." This building could be erected cheaper than the proportionate cost per patient of the regular ward buildings of the institutions, and seems the proper thing to do. A large proportion of the farm help at this time are housed in the fourth story of one of the ward buildings. The doors of the floors below are all locked each night, and if fire should break out, or an emergency arise whereby this help was needed, it would be a hard matter for them to be of any assistance before considerable time had elapsed. The water supply of the institution is inadequate for its needs, as there is unquestionably a need for a larger supply of water. The tank erected on the grounds at the time your committee's visit was only about half full, and in case of conflagration, it is estimated that the water supply couldn't last over thirty minutes. This is a condition which should not exist, and your committee strongly recommends an appropriation necessary to defray the expenses of obtaining an adequate water supply.

Your committee was impressed very favorably with the cleanliness and neatness of the institution. The buildings themselves were scrupulously clean. The beds and bedding had very close scrutiny and it was apparent that the management believed in the use of plenty of soap and water.

The committee notices particularly that considerable of the farm work and ordinary labor about the institution was performed by patients, and taking this into consideration, certain outside improvements like the removal of some of the old barns to get room for the spur tracks for the railroad, the erection of a piggery and chicken coop, improvement of the grounds, and such matters as these could be properly left to the management to work out with

the labor they have without any direct appropriation from the State.

Respectfully submitted,

C. W. PLAIN, Chairman,  
F. W. VAIL,  
H. P. JACORSEN,  
P. T. KRETSCHMAR,  
C. E. DAVIDSON,  
ED. HOVERSON,  
JOHN E. WILLIAMS,  
H. W. ALLEN,  
A. S. GIBBENS,  
CHAS. ELLINGSON,  
WESLEY C. MCDOWELL,

Senate Committee on Appropriations.

BERNT ANDERSON, Chairman,  
W. V. O'CONNOR,  
T. N. PUTNAM,  
H. C. HARTY,  
C. E. KNOX,  
R. J. LIST,  
H. C. MILLER,  
THOMAS PENDRAY,

House Committee on Appropriations.

Mr. Plain moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 13.

A bill for an Act to amend Sections 1933, 1934, 1935 and 1936, relating to stock running at large.

Mr. Hanley moved

That Senate Bill No. 13 be referred to a special committee of five with instructions to amend said bill so that in the provision with reference to action to be taken by the county commissioners the word "shall" be used instead of the word "may."

Also to provide that the action to be taken by the board of county commissioners may be taken at any regular or special meeting.

Also to provide a method by which the county commissioners shall be compelled to act at a special or regular meeting upon petition signed by a limited number of voters.

Also, if practical, to incorporate a provision for the application of the elective feature law to townships.

Which motion prevailed, and

Senate Bill No. 13 was referred to a special committee appointed by the President, consisting of Messrs. Hanley, McLean, Davis, Jacobsen and Gibbens.

Mr. Talcott moved

That the Senate do now go into executive session.

Which motion prevailed, and

The Senate went into executive session.

#### OPEN SESSION.

#### THIRD READING OF SENATE BILLS.

Senate Bill No. 53.

A bill for an Act to re-enact Section 492 of the Revised Codes of North Dakota for the year 1905, relating to the State Board of Bar Examiners.

Was read the third time

The question being on the final passage of the bill;

The roll was called and there were 47 ayes, 1 nay, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Carter  
Cashel  
Clark  
Davidson  
Davis  
Duncan  
Ellingson  
Englund  
Ganssle  
Garden  
Gibbens

Messrs.—  
Gilbert  
Hanley  
Heckle  
Helgeland  
Hookway  
Hoverson  
Hughes  
Hyland  
Jacobsen  
Kretschmar  
Loftsgaard  
Linde  
Leutz  
Mudgett  
McBride  
McDowell

Messrs.—  
McLean  
Nelson  
Overson  
Plain  
Porterfield  
Putnam  
Steel  
Talcott  
Thoreson  
Trageton  
Turner  
Vail  
Wartner  
Williams  
Young

Mr. Elken voted in the negative.

Absent and not voting, Messrs. Bronson and Gronvold, who were excused.

So the bill passed and the title was agreed to.

Senate Bill No. 67.

A Concurrent Resolution amending Section 185 of the Constitution of the State of North Dakota, relating to state aid in the construction and improvement of public highways.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were 47 ayes, 2 nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McLean
Allen	Gilbert	Nelson
Barnes	Heckle	Overson
Bond	Helgeland	Plain
Bonzer	Hookway	Porterfield
Bronson	Hoverson	Putnam
Carter	Hughes	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Trageton
Davis	Loftsgaard	Turner
Duncan	Linde	Vail
Elken	Leutz	Wartner
Ellingson	Mudgett	Williams
Englund	McBride	Young
Ganssle	McDowell	

Messrs Gibbens and Hanley voted in the negative.

Absent and not voting, Mr. Gronvold, who was excused.

So the bill passed and the title was agreed to.

Senate Bill No. 68.

A bill for an Act repealing Chapter 174 of the Session Laws of 1911 relating to the terms of court in various counties comprising the Fourth Judicial District of this State.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were 49 ayes, no nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Davis	Kretschmar	Turner
Duncan	Loftsgaard	Vail
Elken	Linde	Wartner
Ellingson	Leutz	Williams
Englund	Mudgett	Young
Ganssle	McBride	
Garden	McDowell	

Absent and not voting, Mr. Gronvold, who was excused.

So the bill passed and the title was agreed to.

On the joint committee for the purpose of arranging for a joint session of this Legislative Assembly to commemorate the memory of the late Chief Justice David E. Morgan and the late Judge Charles F. Templeton, the President appointed Messrs. Bronson, Hyland and Cashel.

The courtesies of the floor were extended to the following:

John Rott, Sr. of Lehr, N. D.; Fred E. Smith of Wahpeton, N. D.; N. Hayes and E. B. Olson of Williston, N. D.; Louis Larson, E. G. Warren, Prof. A. G. Crane and James Dwyer of Minot, N. D.; David Larum of Ryder, N. D.; O. H. Thinglestad of Northwood, N. D.; T. F. Murtha and W. G. Elliott of Dickinson, N. D.; Hon. H. W. Hansch of Kenmare, N. D. and Olaf Lokensgaard of Minot, N. D.

Mr. Gibbens moved

That the Senate do now adjourn.

Which motion prevailed, and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

NINETEENTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 25, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Mr. Davidson.

Who was excused.

REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the eighteenth day, have carefully examined the same and recommend that the same be corrected as follows:

On page 6 after line 29 insert:

INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS.

And when so amended recommend that the same be approved.

J. L. CASHEL,  
Acting Chairman.

Mr. Cashel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS.

The following communication was received from the Governor.

STATE OF NORTH DAKOTA,  
EXECUTIVE OFFICE,  
BISMARCK.

January 24, 1913.

Hon. A. T. Kraabel,  
Bismarck, N. D.

My dear Governor:

I hand you herewith a letter from Mr. C. A. Williams of the Agricultural College, which will explain itself. Will you kindly take the matter up that he writes of with the members of the Senate and with the Speaker of the House and advise him what can be done?

Thanking you for this courtesy, I am,

Sincerely,

L. B. HANNA.

AGRICULTURAL COLLEGE, N. D.,

January 21, 1913.

Governor L. B. Hanna,  
Bismarck, N. D.

Dear Governor Hanna:

The students of the North Dakota Agricultural College, through their representative body (The Student Council) have completed preparations to send a special train over a considerable portion of the state. You will find an enclosed article setting forth the purpose and description of the student enterprise. This train will arrive at Bismarck, via Soo Line from Minot, at seven o'clock a. m., February twelfth, and it would afford us great pleasure to greet you upon our arrival.

Furthermore, we would greatly appreciate an invitation to the Capitol for the purpose of giving the legislators a musical concert of from one to one and one-half hours in length, during which time President J. H. Worst will deliver his "Lincoln" address, if invited to do so.

As the time is short for making our arrangements, an early reply will be greatly appreciated.

Respectfully yours,

C. A. WILLIAMS,  
President of the Student Council.

Mr. McDowell moved

That the foregoing communication from the Student Council of the Agricultural College of North Dakota be referred to the committee on state affairs.

Which motion prevailed and

The communication was so referred.

The following communication was received:

Odessa, North Dakota,  
January 24, 1913.

Dear Representatives of North Dakota:

I understand that there is a bill to be passed, a bill to prohibit the sale of remedies sold by wagon men. Which is only the doings of druggists alone to destroy competition as they wish the farmers to buy from them, this bill is only to create a monopoly and not for public purposes at all. Our goods are of a high class and comply with the pure food law, and if customers are not satisfied they need not pay for them. Should the wagon man become a nuisance, the powers have always been able to take care of themselves, they need not the druggists to look after their interests.

This matter is a purely selfish reason from the side of the druggists, were it not for the competition they would leave the wagon man alone. They do not look for the interests of the public.

This bill has not been introduced as yet, but may come up in a few days.

I wish you would consider this from the right standpoint, and oblige.

JACOB STARAH,  
Odessa, North Dakota.

Mr. Hanley moved

That the foregoing communication be referred to the committee on public health.

Which motion prevailed and

And the communication was so referred.

#### REPORTS OF STANDING COMMITTEES.

Your committee on highways and bridges to whom was referred

Senate Bill No. 6.

A bill for an Act to re-enact Section 16, Chapter 6 of the Laws of North Dakota for the year 1911 relating to motor license and road regulations.

Have had the same under consideration and recommend that the same be amended as follows:

Insert in line one of the title after the word "to" the word "amend and."

Insert in line eight after the word "appointed," the following words: "then under the direction of the Board of County Commissioners."

In line twelve strike out all the words following the word "village."

Strike out all of lines thirteen and fourteen.

After line twenty-four add the following: "*Provided*, further that no moneys so received shall be expended under the provisions of this Act on any road within any township that does not levy at least a tax of five mills for road purposes."

The above amendments refer to printed bill.

And when so amended recommend the same do pass.

CHAS. ELLINGSON,  
Chairman.

Mr. Ellingson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

*Mr. President:*

Your committee on judiciary to whom was referred

Senate Bill No. 90.

A bill for an Act entitled, an Act to amend and re-enact Chapter 131 of the Laws of 1909 relating to garnishment proceedings in justice courts.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 8.

A bill for an Act to amend and to re-enact Section 605, of the Revised Code of North Dakota for 1905, and Chapter 131 of the Session Laws of North Dakota for the year 1911, relating to who is entitled to vote, and providing for woman suffrage.

Also,

Senate Bill No. 18.

A Joint Resolution ratifying an amendment to Section three, Article one of the Constitution of the United States.

Also,

Senate Bill No. 47.

A bill for an Act repealing Chapter 268 of the Session Laws of 1911, relating to school houses and sites.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Mr. Talcott moved that the Senate do now go into Executive Session.

Which motion prevailed and

The Senate went into Executive Session.

#### OPEN SESSION.

The President announced in the open session that the recess appointments of ex-Governor Burke on the Board of Control were not confirmed by the Senate.

#### MOTIONS AND RESOLUTIONS.

Mr. McDowell offered the following resolution:

*Mr. President:*

In reporting that the present members of the Board of Control be not confirmed, it is the sense of the Senate that such action is taken wholly on account of the evident intent of the law establishing such Board of Control, that each administration, through its Board of Control, shall be charged with the responsibility of the management of the penal and charitable institutions of the state, and not in any manner to be taken as a reflection upon the ability, efficiency and integrity of the members of the present board.

Mr. McDowell moved

That the foregoing resolution be adopted.

Which motion prevailed and

The resolution was adopted.

There being no objections the Senate returned to the 7th order of business, and

Mr. Elken presented the following report:

REPORT OF COMMITTEE TO WHOM WAS REFERRED THE MESSAGES  
OF THE HONORABLE JOHN BURKE, RETIRED GOVERNOR OF  
THIS STATE, AND THE HONORABLE L. B. HANNA,  
PRESENT GOVERNOR.

*Mr. President and Gentlemen of the Senate of the Thirteenth Legislative Assembly:*

We, your committee to whom was referred the messages of the Honorable John Burke, retired Governor of this State, and the Honorable L. B. Hanna, present Governor, do respectfully report that we have gone over the messages, and report on the same as follows:

With reference to that part of Governor Burke's message referring to proposed constitutional amendments creating a law for the publication of a proposed constitutional amendment to cheapen the expense of printing proposed amendments, our committee is informed that a bill has already been introduced and is now up for consideration.

The matter of assessments of property is also being attended to by bills.

The matter of public instruction is also a matter which is being attended to.

The matter of Legislative appropriations is a matter which is attended to by the Committee on Appropriations.

The matter of glandered horses is also under consideration by bill, providing for indemnity and calling for an appropriation.

DAIRIES.

This matter is under consideration by the Live Stock Committee, and a bill has been introduced and legislation being formulated providing for this industry.

Your committee is heartily in favor and endorses any movement which will increase the productiveness of the farms and the happiness of the agricultural population of our state.

The Military Reservation is a matter which is now under consideration by the Committee on Military Affairs, as well as the matter relating to War Veterans of the Spanish-American War.

GOOD ROADS.

The matter of good roads is already a matter for consideration by a number of bills introduced in the Senate and also in the House.

Your committee endorses any legislation which will result in the betterment of the rural roads in the State of North Dakota.

OIL INSPECTION.

This matter is now considered by a bill and will have proper attention from the respective committees.

STATE FAIR.

This matter is also under consideration by a bill already introduced.

PANAMA-PACIFIC INTERNATIONAL EXPOSITION.

This matter is already before both bodies of the Legislature and should be taken care of by the State Affairs Committee and with Senate and House when reached.

INITIATIVE AND REFERENDUM.

Concurrent resolutions, relating to this subject, are already introduced and will come up for consideration at this Legislative Session.

EMPLOYER'S LIABILITY AND WORKINGMEN'S COMPENSATION ACTS.

Your committee believes that this subject of legislation should be called for by the employees of the various Employment Unions of this State, and when so done, should receive proper consideration.

The power of removal from office is a matter that we do not wish to make any recommendations on at this time, as there is no legislation proposed covering this subject.

STATE HAIL INSURANCE.

This matter is already before the Legislature and when such bill is reached will receive proper consideration.

RURAL CREDITS.

This matter is already attended to by bill providing for same.

COMMON SCHOOL FUND.

This matter is now up before the Committee on Education, and will receive proper attention.

JUDGES MORGAN AND TEMPLETON.

Resolutions and committees have already been appointed providing for the holding of suitable exercises to commemorate the great services rendered by these men to our State.

Governor L. B. Hanna's message covers a great many matters recommended by Governor Burke.

EDUCATION.

This matter is now in the hands of the Committee on Education and is receiving attention in both Houses.

INSTITUTIONS.

The matter of institutions is now before the Senate and is being attended to by committee.

SYSTEMS OF ACCOUNTING.

We recommend that this matter be considered and referred to Committee on Tax and Tax Laws.

EXPOSITIONS.

This matter was also referred to by Gov. Burke, and is being attended to.

GOOD ROADS.

Both Governor Burke and our present Governor has recommended legislation covering good roads. As stated before, this committee is in favor of any legislation tending to make good roads.

THE FARMERS.

We recommend that the Committee on Agriculture introduce a bill empowering counties to levy a tax to hire agricultural and dairy experts to assist and instruct their localities in building silos, and other methods of improving farming.

FLAX AND WHEAT STRAW.

This matter is up for consideration and should receive proper consideration.

FARM CREDITS.

This matter is being attended to by a bill providing for an investigation.

FIRE MARSHAL.

A bill is introduced and this matter will be taken care of.

## VOTING AWAY FROM HOME.

Bills have been introduced in both Houses covering this subject.

## ELECTIONS.

This subject is receiving consideration by bills covering same.

## TERMS OF OFFICE.

Bills are in providing for this recommendation of the officers.

## BUSINESS AGENT.

We leave this matter without recommendation to this Legislature.

## ENFORCEMENT OF LAWS.

Your committee endorses the recommendation that all laws should be enforced and all necessary aid be given to the officers throughout the State.

## GAME AND FISH.

This matter is receiving attention in the proper committee.

## COAL INSPECTION.

This matter is being attended to by a bill covering the subject.

## PUBLIC HEALTH.

This is a matter which should be attended to by the Committee on Public Health.

## CORPORATIONS.

Your committee recommends the reasonable regulation of corporations.

## THE OLD SOLDIERS.

A bill is already introduced covering the recommendation of Governor Hanna on this subject.

## SILVER SERVICE.

A bill is already introduced providing for the covering of the deficiency.

## LABOR.

This matter should receive attention by the Committee on Agriculture and the Committee on Labor.

BLUE SKY LAWS.

This matter is receiving considerable consideration in both Houses of this Session.

STATE MILITIA.

Bills are already introduced providing for and covering this subject.

HOTEL INSPECTION.

This matter is also already attended to.

LIGNITE COAL.

This matter is now receiving consideration.

OIL INSPECTION.

This matter is receiving attention, and bills covering the subject have been introduced.

GREAT PLAINS EXPERIMENT STATION.

This matter is already receiving consideration by a bill introduced, and we, your committee, would recommend that the Committees on Public Printing investigate the present system of printing reports of the various institutions and the departments, and try and find out why the reports of all institutions are not made. Also investigate and find out if there is not some way by which these reports could be condensed. They should also investigate and study closely the matter of publication of constitutional amendments, and learn, if possible, of some means by which notice could be given to the electors with less cost and expense than under the present system.

We also recommend that the matter of funds providing for glanders in horses, tubercular cattle, and wolf bounty be investigated and a means sought to combine the same into one fund, and a levy made accordingly.

Your committee recommends to each one careful consideration of these messages, if possible, for the purpose of working out legislation in harmony with same, and for the best interests of the State of North Dakota.

Respectfully submitted,

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the foregoing report be printed in the Journal.

Which motion prevailed and

The report was ordered printed in the Journal.

Mr. Hughes moved

That Senate Bill No. 1 be withdrawn from the committee to which it was referred.

Which motion prevailed and

The bill was withdrawn.

#### INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Mr. McDowell introduced

Senate Bill No. 133.

A bill for an Act to amend and re-enact Section 4639 of the Revised Codes of 1905, relating to power of banking corporations.

Which was read the first and second times and

Referred to the committee on banks and banking.

Mr. Hoverson introduced

Senate Bill No. 134.

A bill for an Act to amend Chapter 62 of the Session Laws of 1911, entitled, "An Act to create a State Board of Control and provide for the management and control of the charitable and penal institutions of the state, and to make an appropriation therefor, and for the defining of certain offences and providing penalties therefor."

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Davis introduced

Senate Bill No. 135.

For an Act to amend and re-enact Chapter 172 of the Laws of the State of North Dakota for 1907 relating to who may solemnize marriages and to marriage licenses.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Porterfield introduced

Senate Bill No. 136.

A bill for an Act to provide for increased maintenance and contingent expenses, for establishing and maintaining and agricultural extension department and for an agricultural building and other permanent improvements and repairs for the North Dakota Agricultural College.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Overson introduced

Senate Bill No. 137.

A bill for an Act providing for a contract system of legislative clerical work and employment.

Which was read the first and second times and

Referred to the committee on ways and means.

Mr. Bond introduced

Senate Bill No. 138.

A bill for an Act to amend Sections 838, 839, 840 and 841, Chapter 9, of the Political Code of the State of North Dakota, Revised Codes of 1905, relating to education, as amended by Chapter 107 of the Session Laws of 1907.

Which was read the first and second times and

Referred to the committee on taxes and tax laws.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 25, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 81.

A bill for an Act to amend Section 54 of Article 4 of the Revised Code of the State of North Dakota for 1905.

Which the House has amended as follows:

Strike out the words "of Article 4" in the first line of the title of the printed bill. Also add the letter "s" to the word "Code" in the same line. Strike out the words "of Article 4" in line 1 of the printed bill. In line 21 of the printed bill change the comma to a period after the word "journal" and strike out the balance of the paragraph. In line 24 of the printed bill, after the word "each," insert the following: "which shall be in half morocco."

After Section 1 of the printed bill insert the following: "Section 2. Emergency.) Inasmuch as an emergency exists, this law shall take effect and be in force from and after its passage and approval.

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

And passed as amended.

Also to transmit

House Bill No. 1.

A bill for an Act to amend Sections 525, 527 of the Revised Codes of 1905, relating to the summoning of jurors.

Also

House Bill No. 5.

A Joint Resolution, ratifying amendment to the Constitution of the United States.

Whereas, the Sixty-second Congress of the United States of America, at the Second Session by a constitutional majority of two-thirds thereof, made and passed the following proposal to amend the Constitution of the United States of America in the following words, to-wit:

Also

House Bill No. 11.

A Concurrent Resolution to amend Section 121 of Article 5 of the Constitution of the State of North Dakota and Article 2 of the amendments to the Constitution amendatory thereof, to elective franchise.

Also

House Bill No. 20.

A bill for an Act validating certain execution sales hereto-

fore made and limiting the time within which the same may be attached.

Also

House Bill No. 40.

A bill for an Act repealing Sections 2294, 2295 and 2296.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Talcott moved

That the rules be suspended and that the Senate concur in the House amendments to Senate Bill No. 81.

Which motion prevailed and

The Senate concurred in said amendment.

Senate Bill No. 81.

A bill for an Act to amend Section 54 of Article 4 of the Revised Code of the State of North Dakota for 1905.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davis	Kretschmar	Trageton
Duncan	Loftsgaard	Turner
Elken	Linde	Vail
Ellingson	Leutz	Wartner
Englund	McBride	Williams
Ganssle	McDowell	Young
Gibbens	McLean	

Absent and not voting, Messrs Davidson, Garden and Hughes.

Mr. Davidson being excused.

So the House amendments were concurred in.

INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS.

Mr. Leutz introduced

Senate Bill No. 139.

A bill for an Act providing for cancellation of live stock brands, and re-recording of same; appropriation for additional clerk hire.

Which was read the first and second times and

Referred to the committee on live stock.

Mr. Leutz introduced

Senate Bill No. 140.

A bill for an Act making an appropriation for a suitable building and an experimental mine at the mining experiment sub-station at Hebron, Morton County.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Bronson introduced

Senate Bill No. 141.

A bill for an Act to amend and re-enact Section 4974 of the Revised Codes of 1905, providing for the confirmation of the conveyance of the family homestead in any case in which the same has been or may be deeded by both husband and wife in separate instruments where said deeds purport to convey the land to the same person or his grantees, and validating such deeds.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Englund introduced

Senate Bill No. 142.

A bill for an Act to incorporate and establish the Des Lacs and Mouse River Valley agriculture and fair association and making an appropriation therefor.

Which was read the first and second times and

Referred to the committee on appropriations.

## THIRD READING OF SENATE BILLS.

## Senate Bill No. 8.

A bill for an Act to amend Section 605, Subdivision I, of the Revised Codes of North Dakota for 1905, and Chapter 131 of the Session Laws of North Dakota for the year 1911, relating to who is entitled to vote, and providing for woman suffrage.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 25, nays 23, absent and not voting 2.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Heckle	Putnam
Barnes	Hookway	Steel
Bronson	Hoverson	Trageton
Davis	Hyland	Turner
Duncan	Loftsgaard	Vail
Ellingson	Mudgett	Wartner
Garden	Nelson	Williams
Gibbens	Plain	
Hanley	Porterfield	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	McBride
Bond	Gronvold	McDowell
Bonzer	Helgeland	McLean
Carter	Hughes	Overson
Cashel	Jacobsen	Talcott
Clark	Kretschmar	Thoreson
Elken	Leutz	Young
Englund	Linde	

Absent and not voting, Messrs. Davidson and Gilbert.

Mr. Davidson being excused.

So the bill was declared lost because it did not receive the required constitutional majority.

Mr. Hanley explained his vote to the effect that he believed that there was enough sentiment in the state in favor of this bill justifying the submission of the question to the voters of the state for them to decide whether they desired woman's suffrage or not.

Senate Bill No. 18.

A joint resolution ratifying an amendment to Section three, Article one of the Constitution of the United States.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 48, absent and not voting 2.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davis	Hyland	Thoreson
Duncan	Jacobsen	Trageton
Elken	Leutz	Turner
Ellingson	Linde	Vail
Englund	Loftsgaard	Wartner
Ganssle	McBride	Williams
Garden	McDowell	Young

Absent and not voting, Messrs. Davidson and Kretschmar.

Mr. Davidson being excused.

So the bill was passed and the title agreed to.

Senate Bill No. 47.

A bill for an Act repealing Chapter 268 of the Session Laws of 1911, relating to school houses and sites.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 49, absent and not voting 1.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Clark	Gibbens
Allen	Davis	Gilbert
Barnes	Duncan	Gronvold
Bond	Elken	Hanley
Bonzer	Ellingson	Heckle
Bronson	Englund	Helgeland
Carter	Ganssle	Hookway
Cashel	Garden	Hoverson

Messrs.—  
Hughes  
Hyland  
Jacobson  
Kretschmar  
Leutz  
Linde  
Loftsgaard  
McBride  
McDowell

Messrs.—  
McLean  
Mudgett  
Nelson  
Overson  
Plain  
Porterfield  
Putnam  
Talcott  
Steel

Messrs.—  
Thoreson  
Trageton  
Turner  
Vail  
Wartner  
Williams  
Young

Absent and not voting, Mr. Davidson, who was excused.

So the bill was passed and the title agreed to.

There being no objections the Senate returned to the sixth order of business, and

The committee on education made the following report:

*Mr. President:*

Your committee on education to whom was referred

Senate Bill No. 43,

A bill for an Act to authorize the Superintendent of Public Instruction to publish the report of the State Inspector of Rural and Graded Schools for 1912 and to appropriate money to defray the expense of the same and to meet the deficiency in the expenses of the State Inspector of Rural and Graded Schools.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of Section 2, that the word "five" and the figure "5" be changed to the word "four" and figure "4."

And when so amended recommend the same be re-referred to committee on appropriations.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 48.

A bill for an Act entitled "An Act relating to cold storage and refrigerating warehouses; the disposition or sale of the food kept or preserved therein, and defining the duties of the Food Commissioner of the North Dakota Government Agricultural Experiment Station in relation thereto and providing penalties for the violation thereof.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Senate Bill No. 49.

A bill for an Act preventing the manufacture, sale or transportation of adulterated insecticides and fungicides, and for regulating traffic therein and fixing penalties for the violation of this Act.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 11, page 8, and line 14 of the printed bill, the word "libel" be stricken out.

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Overson gave notice that he will move for a re-consideration of the vote by which Senate Bill No. 8 was lost.

Mr. Gronvold moved

That the vote by which the report of the committee indefinitely postponing Senate Bill No. 71 was carried be re-considered and that Senate Bill No. 71 be referred to the committee on judiciary.

Which motion prevailed, and

The bill was so re-referred.

The courtesies of the floor were extended to the following:

Fred Graham, Ellendale, N. D.; G. M. Gannon, Ashley, N. D.; Chas. Markely, Pleasant Lake, N. D.; Geo. W. Froine, Rugby, N. D.; B. J. Schoregge, Williston, N. D.; Paul Jerdeau, McClusky, N. D.

Mr. Hanley moved

That the Senate do now adjourn.

Which motion prevailed, and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

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## TWENTY-FIRST DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 27, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Davidson, McBride, Mudgett and Wartner.

Who were excused.

### REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the nineteenth day, have carefully examined the same and recommend that the same be corrected as follows:

Page 6, line 14, that the words "confirmed not" be changed to "not confirmed."

And when so amended recommend that the same be approved.

J. L. CASHEL,  
Acting Chairman.

Mr. Cashel moved  
 That the report be adopted.  
 Which motion prevailed and  
 The report was adopted.

#### REPORTS OF STANDING COMMITTEES.

*Mr. President:*

Your committee on judiciary to whom was referred  
 Senate Bill No. 100.

A bill for an Act to amend Chapter 121 of the Session  
 Laws of 1907, providing for the determination of heirs and  
 the share of such heirs respectively in the claim to certain  
 real estate by action in the district court.

Have had the same under consideration and recommend  
 that the same be amended as follows:

In line one of title after the word "amend" insert the  
 words "and re-enact."

In line one of title strike out "1907" and insert in lieu  
 thereof "1911."

And when so amended recommend the same do pass.

W. B. OVERSON,  
 Chairman.

Mr. Overson moved  
 That the report be adopted.  
 Which motion prevailed and  
 The report was adopted.

*Mr. President:*

Your committee on state affairs to whom was referred  
 Senate Bill No. 62.

A bill for an Act to amend Section 1953 of the Revised  
 Codes of 1905 relating to bounty for killing wolves or coy-  
 otes.

Have had the same under consideration and recommend  
 that the same be amended as follows:

In Section 1 and line 3 the word "may" be stricken out,  
 and the word "shall" be inserted, and in line 4 the words

“in such amount as they deem proper,” be stricken out and the words “of not less than two dollars” be inserted.

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

*Mr. President:*

Your committee on insurance to whom was referred  
Senate Bill No. 27.

A bill for an Act to amend Section 4493 of the Revised Codes of North Dakota for 1905 relating to county mutual insurance companies.

Have had the same under consideration and recommend that the same be amended as follows:

In line 6 after the word “contents” insert the words “farm buildings and contents.”

And when so amended recommend the same do pass.

Mr. Williams moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

Your committee on insurance to whom was referred  
Senate Bill No. 105.

A bill for an Act relating to the responsibility of fidelity insurance companies.

Have had the same under consideration and recommend that the same do pass, and recommend that the same be referred to the judiciary committee.

JOHN E. WILLIAMS,  
Chairman.

Mr. Williams moved

That the report be adopted.

Which motion prevailed and

The report was adopted, and the bill was so referred.

### MOTIONS AND RESOLUTIONS.

Mr. Overson presented the following resolution:

WHEREAS, The development and prosperity of the state as well as the growth and prosperity of the towns and cities of the commonwealth depend almost entirely upon agriculture and improved methods of agriculture and the care and intelligence with which farms are managed, and

WHEREAS, The federal government and the state have, in the agricultural college and experiment stations under its direction, the organized agencies through which the best information can be had for students and that can be carried to the farmers of the state,

*Therefore, Be It Resolved,* That the Legislative Assembly be requested to provide the necessary buildings and equipment, now asked for, for giving information in agriculture, dairying and kindred subjects and especially for extension work that the information in possession of the college and experiment stations may be taken to the farmers of the state by establishing additional demonstration farms, by establishing lecture courses, preparing county fair agricultural exhibits, encouraging school children's contests, conducting movable schools of agriculture, etc., etc., to the end that the taxpayers of the state may reap the largest possible benefit from the Agricultural College and Experiment Stations.

WILLISTON COMMERCIAL CLUB,

W. C. RAWSON,  
President.

C. ELLITHORPE,  
Secretary.

Williston, North Dakota, Jan. 22, 1913.

Mr. Overson moved

That the foregoing resolution be printed in the Journal.

Which motion prevailed and

The resolution was ordered printed in the Journal.

Mr. Vail offered the following Concurrent Resolution:

WHEREAS, It is a well established and well known fact, that large industrial enterprises have found it not only fea-

ible, but a matter of *good business economy* to carry their own insurance against loss by fire, and

WHEREAS, The business of the State of North Dakota does in many features, resemble a big industrial enterprise, and in the wide distribution of its property in public buildings, and the construction of such public buildings the methods used in supplying fire protection and the employment of watchmen in and about them, said public buildings become preferred risks from an insurance standpoint, and

WHEREAS, The amount of insurance now being carried on public buildings of the state reaches the large sum of \$3,681,887.00, that the insurance premiums paid in the last twelve years amounts to the sum of \$153,827.38 and the entire fire losses during the same period amount to the sum of \$64,293.23 and it is apparent that there can be a large saving to the state in carrying its own insurance;

*Be It Hereby Resolved*, That the subject is well worth an investigation and it is hereby made the duty of the Committee of Insurance of the Senate, the House of Representatives concurring in this resolution, to meet in joint session with the Committee of Insurance of the House of Representatives, inviting the Committee of Insurance to be present and see if some safe plan cannot be devised by which the state can carry its own insurance on public buildings, perhaps including, if found advisable, county court houses of concrete or brick construction, and to report a bill for passage in case the result of the investigation of the committees, and the state insurance commissioner approves such action.

INSURANCE CARRIED ON PUBLIC BUILDINGS.

192

	July 1, 1904	July 1, 1906	July 1, 1908	July 1, 1910	July 1, 1912
Agricultural College .....	\$ 144,465.00	\$ 188,340.00	\$ 384,439.00	\$ 629,750.00	\$ 671,000.00
Biological Station .....				4,250.00	4,250.00
Blind Asylum .....			35,000.00	45,000.00	56,500.00
Capitol Building .....	242,000.00	235,500.00	242,500.00	242,000.00	242,000.00
Dickinson Experiment Station.....		7,400.00			9,929.00
Executive Mansion .....	5,200.00	13,200.00	7,400.00	7,400.00	7,400.00
Fish Hatchery .....				5,000.00	5,000.00
Hebron Mining Station.....				4,000.00	10,000.00
Edgeley Experiment Station.....	1,200.00	13,060.00			24,000.00
Hettinger Experiment Station.....					10,400.00
Hospital for Insane.....	167,000.00	244,000.00	245,000.00	410,000.00	750,000.00
Industrial School .....	36,000.00	51,200.00	81,200.00	70,200.00	199,500.00
Institute Feeble Minded.....	44,000.00	54,000.00	58,900.00	69,800.00	86,250.00
Langdon Experiment Station.....					5,800.00
Mayville Normal .....	36,175.00	92,250.00	79,800.00	145,500.00	151,400.00
Penitentiary .....	57,000.00	75,000.00	108,000.00	153,000.00	185,000.00
Reform School .....	19,500.00	16,500.00	24,000.00	31,500.00	49,000.00
School for Deaf and Dumb.....	47,650.00	46,750.00	58,550.00	76,550.00	78,300.00
School of Forestry.....			14,000.00	27,000.00	31,200.00
Soldiers' Home .....	14,800.00	22,250.00	27,700.00	26,700.00	24,350.00
State University .....	233,700.00	247,533.00	293,333.00	407,633.00	655,333.00
Tuberculosis Sanitarium .....					16,975.00
Valley City Normal.....	60,500.00	134,500.00	163,500.00	176,000.00	219,000.00
Wardens' Residence .....	8,000.00				8,000.00
Williston Experiment Station.....					16,300.00
Twint Plant—Penitentiary .....	50,000.00				
Twine Plant—Stock and Material.....	25,000.00				
Total.....	\$1,192,190.00	\$1,141,483.00	\$1,833,322.00	\$2,531,283.00	\$3,516,887.00

JOURNAL OF THE SENATE

INSURANCE CARRIED ON PUBLIC BUILDINGS.

	Fire	Tornado	Boiler
Agricultural College .....	\$ 513,000.00	\$ 158,000.00	
Biological Station .....	4,250.00		\$ 10,000.00
Blind Asylum .....	46,500.00		
Capitol Building .....	242,000.00		
Dickinson Experiment Station	9,929.00		
Executive Mansion .....	7,400.00		
Fish Hatchery .....	2,500.00	2,500.00	
Hebron Mining Station.....	10,000.00		
Edgeley Experiment Station..	12,000.00	12,000.00	
Hettinger Experiment Station.	5,400.00	5,000.00	
Hospital for Insane.....	420,500.00	304,500.00	25,000.00
Industrial School .....	144,500.00	55,000.00	
Institution for Feeble Minded.	71,250.00		15,000.00
Langdon Experiment Station..	5,800.00		
Mayville Normal .....	136,400.00		15,000.00
Penitentiary .....	160,000.00		25,000.00
Reform School .....	39,000.00		10,000.00
School for Deaf .....	68,300.00		10,000.00
School of Forestry .....	31,200.00		
Soldiers' Home .....	24,350.00		
State University .....	490,333.00	125,000.00	40,000.00
Tuberculosis Sanitarium .....	16,975.00		
Valley City Normal.....	204,000.00		15,000.00
Wardens' Residence .....	8,000.00		
Williston Experiment Station..	9,200.00	7,100.00	
Total.....	\$2,682,787.00	\$ 669,100.00	\$ 165,000.00

July 1, 1912.

PREMIUMS PAID.

Year	
1901 and 1902.....	\$ 19,593.30
1903 and 1904.....	19,975.11
1905 and 1906.....	24,617.18
1907 and 1908....	20,490.36
1909 and 1910.....	38,744.10
1911 and 1912.....	30,407.33
Total.....	\$157,827.38

FIRE LOSS.

Year	
1901 to 1904.....	No Losses
1904—Capitol Building.....	\$ 521.00
1904—University .....	3,929.31
1905—Agricultural College .....	384.25
1909—State University .....	55.00
1910—Agricultural College .....	40,205.23
1910—Hospital for Insane .....	122.09
1910—School of Mines .....	18,870.99
1912—School for Deaf .....	145.36
Total.....	\$64,293.23

Mr. Vail moved

That the statistics from the Auditor's office attached to the foregoing resolution be printed in the Journal.

Which motion prevailed.

#### INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Mr. Talcott introduced

Senate Bill No. 143.

A bill for an Act to amend and re-enact Section 4 of Chapter 275 of the Session Laws of 1911, relating to deputy sheriffs.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Talcott introduced

Senate Bill No. 144.

A bill for an Act to amend and re-enact Section 3147 of the Revised Codes of North Dakota for the year 1905, relating to duties of township treasurers and the method of drawing township funds from the county treasurer.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Carter introduced

Senate Bill No. 145.

A bill for an Act to provide an appropriation for the current and contingent expenses and for the permanent improvements of the State School of Science at Wahpeton.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Nelson introduced

Senate Bill No. 146.

A bill for an Act relating to the fish hatchery at Devils Lake and Fish Lake in Rolette County, and making appropriation therefor.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Nelson introduced

Senate Bill No. 147.

A bill for an Act to provide for making permanent improvements at the State Tuberculosis Sanitarium at Dunseith, to assist in the maintenance thereof, and for other purposes and making appropriations therefor.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. McLean introduced

Senate Bill No. 148.

A bill for an Act to amend Sections 2 and 36 of Chapter 128 of the Laws of 1909, and Sections 4, 6 and 10 of Chapter 141 of the Laws of 1911, relating to fish and game; providing for the removal of beavers causing damage to property and making an appropriation therefor.

Which was read the first and second times and

Referred to the committee on game and fish.

Mr. McLean introduced

Senate Bill No. 149.

A bill for an Act relating to uniform text books and to amend Section 285 of Chapter 266 of the Session Laws of 1911.

Which was read the first and second times and

Referred to the committee on education.

Mr. Bronson introduced

Senate Bill No. 150.

A bill for an Act relating to settlements of causes of action or cases for damages sustained through personal injuries and contracts of retainer made therefor.

Which was read the first and second times and

Referred to the committee on state affairs.

The committee on Enrolled and Engrossed Bills made the following report:

*Mr. President:*

Your committee on Enrolled and Engrossed Bills have examined:

Senate Bill No. 81.

A bill for an Act to amend Section 54 of the Revised Codes of the State of North Dakota for 1905.

And find the same correctly enrolled.

W. R. BOND.  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The Secretary announced that the President was about to sign

Senate Bill No. 81.

A bill for an Act to amend Section 54 of Article 4 of the Revised Code of the State of North Dakota for 1905.

And the President signed the same in the presence of the Senate.

Mr. Bronson moved

That the vote by which Senate Bill No. 8 was lost be re-considered.

Which motion prevailed.

Mr. Bronson moved

That Senate Bill No. 8 be re-referred to the committee on elections.

Which motion prevailed and

The bill was so re-referred.

Mr. Talcott offered the following Concurrent Resolution:

*Be It Resolved* by the Senate of the Legislative Assembly, the House of Representatives concurring, that when this Legislative Assembly adjourns on Thursday, January 30th, it shall stand adjourned until Tuesday, February 4th, 1913.

Mr. Talcott moved

That the Concurrent Resolution be adopted.

Which motion prevailed and

The Concurrent Resolution was adopted.

Mr. Allen moved

That Senate Rule 35 be amended and that the judiciary committee be increased from 17 to 18 members, and that the committee on state affairs be increased from 17 to 18 members.

Which motion prevailed and

The President appointed Mr. Gronvold as member of the committee on judiciary and Mr. Leutz as member of the committee on state affairs.

The committee on Enrolled and Engrossed bills made the following report:

*Mr. President:*

Your committee on Enrolled and Engrossed bill have examined:

Senate Bill No. 6.

A bill for an Act to re-enact Section 16, Chapter 6 of the Laws of North Dakota for the year 1911, relating to motor license and road regulations.

Also,

Senate Bill No. 90.

A bill for an Act, entitled: An Act to amend and re-enact Chapter 131 of the Laws of 1909 relating to garnishment proceedings in justice courts.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### THIRD READING OF SENATE BILLS

Senate Bill No. 6.

A bill for an Act to re-enact Section 16 of Chapter 6 of the Laws of North Dakota for the year 1911 relating to motor license and road regulations.

The question being on the final passage of the bill;

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Loftsgaard
Allen	Gibbens	McDowell
Barnes	Gilbert	McLean
Bond	Gronvold	Nelson
Bonzer	Hanley	Overson
Bronson	Heckle	Plain
Carter	Helgeland	Porterfield
Cashel	Hookway	Putnam
Clark	Hoverson	Steel
Davis	Hughes	Talcott
Duncan	Hyland	Thoreson
Elken	Jacobsen	Trageton
Ellingson	Kretschmar	Turner
Englund	Leutz	Vail
Ganssle	Linde	Williams
		Young

Absent and not voting, Messrs. Davidson, McBride, Mudgett and Wartner.

Who were excused.

So the bill passed and the title was agreed to.

Senate Bill No. 90.

A bill for an Act, entitled: An Act to amend and re-enact Chapter 131 of the Laws of 1909 relating to garnishment proceedings in justice courts.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were 44 ayes, 1 nay, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gilbert	McLean
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hookway	Steel
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Duncan	Hyland	Trageton
Elken	Jacobsen	Turner
Ellingson	Kretschmar	Vail
Englund	Leutz	Williams
Ganssle	Linde	Young
Garden	Loftsgaard	

Mr. Nelson voted in the negative.

Absent and not voting, Messrs. Davidson, Davis, McBride, Mudgett and Wartner.

Messrs. Davidson, McBride, Mudgett and Wartner, being excused.

Mr. Bronson moved

That the title of Senate Bill No. 90 be amended to read as follows:

“For an Act to amend and re-enact Section 8405 of the Revised Codes of 1905 as amended by Chapter 131 of the Laws of 1909, relating to garnishment proceedings in Justice Courts.”

Which motion prevailed.

So the bill passed and the title as amended, was agreed to.

#### FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 1.

A bill for an Act to amend Sections 525, 527 of the Revised Codes of 1905, relating to the summoning of jurors.

Was read the first and second times and

Referred to the committee on judiciary.

House Bill No. 5.

A Joint Resolution, ratifying amendment to the Constitution of the United States.

Whereas, the Sixty-second Congress of the United States of America, at the Second Session by a constitutional majority of two-thirds thereof, made and passed the following proposal to amend the Constitution of the United States of America in the following words, to-wit:

Was read the first and second times and

Referred to the committee on judiciary.

House Bill No. 11.

A Concurrent Resolution to amend Section 121 of Article 5 of the Constitution of the State of North Dakota and Article 2 of the amendments to the Constitution amendatory thereof, to elective franchise.

Was read the first and second times and

Referred to the committee on elections.

House Bill No. 20.

A bill for an Act validating certain execution sales heretofore made and limiting the time within which the same may be attached.

Was read the first and second times and

Referred to the committee on judiciary.

House Bill No. 40.

A bill for an Act repealing Sections 2294, 2295 and 2296.

Was read the first and second times and

Referred to the committee on public printing.

The following communication was received from the Governor:

*To the Members of the Senate:*

I wish to call your attention to a resolution passed by the Commissioners of Public Printing at a meeting held by them January 25, 1913.

“Moved by Mr. Olson that the attention of the Governor be called to the fact that we have been asked to advance the seventy-five per cent allowed by law on estimate work completed and in course of completion for the Thirteenth Legislative Assembly, and in view of the fact that the printer estimates that he has completed and in process of completion to exceed \$10,000.00 worth of legislative printing, this commission believes that it will be wise if the Governor will call the attention of the House and Senate to this fact, with the end in view that a committee may be appointed to investigate and decide what if any cut could be made in the printing now being ordered, the idea being to reduce the expense of unnecessary legislative printing and the incidental cost of postage for its distribution. Seconded by Mr. Jorgenson, and the question on being put to a vote was declared carried, all members voting “Aye.”

I would respectfully suggest to the Senate and House that a joint committee be named to confer with the Governor and Commissioners of Public Printing to see if some way cannot be devised by which this very large expenditure for legislative printing can be cut down. The session of the Legislature is only one-third through and if it has cost us more than \$10,000.00 for the first twenty days of the session, it will be readily seen that it will cost us thirty to thirty-five thousand dollars for legislative printing by the

time the session is over, which would be an average of more than \$500.00 per day.

Trusting this matter may be given proper attention, I am,

Sincerely,

L. B. HANNA,  
Governor.

Mr. Talcott moved

That the foregoing communication be received and be printed in the Journal, and that the President of the Senate in following the recommendation of the Governor appoint a committee of three to act with a joint committee of the House.

Which motion prevailed and

The President appointed as members of such committee, Messrs. Nelson, Hanley and Gilbert.

The courtesies of the floor were extended to:

Rev. Geo. N. Keniston, Adams County, Geo. Shively, Cando, N. D., F. N. Black, Hettinger County, C. J. Hegge, Minnewaukon, N. D., Frank Hodgins, Sarles, N. D., C. D. Ford, Wolford, N. D. and S. E. Dahl, Underwood, N. D.

Mr. Gilbert moved

That the Senate do now adjourn.

Which motion prevailed and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

## TWENTY-SECOND DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 28, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present.

## MESSAGE FROM THE HOUSE.

HOUSE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 28, 1913.

*Mr. President:*

I have the honor to inform you that acting under the suggestion of Governor L. B. Hanna in regard to a joint committee to investigate the cost of Legislative printing, the Speaker has appointed as such committee Messrs. Burnett, Bratton and Small.

Also,

*Mr. President:*

I have the honor to inform you that the House has concurred in the concurrent resolution relating to adjournment on Thursday, January 30th, to Tuesday, February 4th, 1913.

Also,

*Mr. President:*

I have the honor to transmit herewith:

House Bill No. 13.

A bill for an Act to amend Chapter 170 of the Laws of 1907, entitled "An Act indemnifying owners of animals kill-

ed or destroyed according to law for being affected with the disease known as glanders."

Also,

House Bill No. 14.

A bill for an Act entitled "An Act relating to the boundaries, terms of court and chambers of the district judge of the Seventh Judicial District amending Section 475 of the Revised Codes of 1905, as amended by Chapter 75, Laws of 1909.

Also,

House Bill No. 30.

A bill for an Act to amend Section No. 11 of the Revised Codes of 1905, relating to the duties of the state treasurer.

Also,

House Bill No. 57.

A bill for an Act to prevent fraudulent registration and sale of animals as being pure bred, and to amend Section 9007 of the Revised Codes of 1905.

Also,

House Bill No. 63.

A bill for an Act to amend Section 1584 of the Revised Codes of the State of North Dakota for the year 1905, as amended by Chapter 220 of the Session Laws of 1907, relating to the rights of purchasers of land at sale for the non-payment of taxes.

House Bill No. 78.

A bill defining bootlegging, making it a crime, and fixing the punishment therefor.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

#### REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the twenty-first day, have carefully examined the same and recommend that the same be corrected as follows:

On page 2, line 15, strike out the word "lieu," and insert the word "line."

On page 11, after line 32, insert the words, "Third Reading of Senate Bills."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### COMMUNICATION FROM THE GOVERNOR.

STATE OF NORTH DAKOTA,  
EXECUTIVE OFFICE,  
BISMARCK.

January 27, 1913.

*To the Senate:*

Gentlemen: I have the honor to inform you that I have this day approved, and filed with the Secretary of State Senate Bill No. 81, A bill for an Act to amend Section 54 of the Revised Codes of the State of North Dakota for 1905.

I have the honor to be,

Very respectfully,

L. B. HANNA,  
Governor.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Hookway presented the following petition:

*To the Legislative Assembly of the State of North Dakota:*

We the undersigned citizens of the 34th Legislative District of the State of North Dakota over 21 years of age, here-

by petition your honorable body to submit to the voters of the state an amendment to the state constitution which shall enable women to vote.

N. J. KENYON and 65 others.

### REPORTS OF STANDING COMMITTEES.

The committee on Enrolled and Engrossed Bills made the following report:

*Mr. President:*

Your committee on Enrolled and Engrossed Bills have examined:

Senate Bill No. 27.

A bill for an Act to amend Section 4493 of the Revised Codes of North Dakota for 1905 relating to county mutual insurance companies.

Also,

Senate Bill No. 62.

A bill for an Act to amend Section 1953 of the Revised Codes of 1905 relating to bounty for killing wolves and coyotes.

Also,

Senate Bill No. 100.

A bill for an Act to amend and re-enact Chapter 121 of the Session Laws of 1911, providing for the determination of heirs and the share of such heirs respectively in the claims to certain real estate by action in the district court.

Also,

Senate Bill No. 48.

A bill for an Act entitled "An Act relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the Food Commissioner of the North Dakota Government

Agricultural Experiment Station in relation thereto and providing penalties for the violation thereof.

Also,

Senate Bill No. 49.

A bill for an Act for preventing the manufacture, sale or transportation of adulterated insecticides and fungicides, and for regulating traffic therein and fixing penalties for the violation of this Act.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved.

That the report be adopted.

Which motion prevailed and

The report was adopted.

The Committee on State Affairs made the following report:

*Mr. President:*

Your committee on State Affairs to whom was referred communication from the Student Council of the North Dakota Agricultural College, report the following concurrent resolution for adoption:

That a committee of three from the Senate with a like number from the House of Representatives be appointed to arrange for a reception of the representatives of the Student Council of the North Dakota Agricultural College; a joint session of both Houses, on February 12, 1913, and that President John H. Worst be invited to deliver a memorial address at that time in honor of the anniversary of Lincoln's birthday.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The President appointed as such committee, Messrs. Williams, Hookway and Trageton.

The committee on ways and means made the following report:

*Mr. President:*

Your committee on ways and means to whom was referred -

Senate Bill No. 59.

A bill for an Act providing for the registration of farm names.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 2, line 3, strike out the word "one" and insert the word "five." and add "s" to dollar.

In line 4, after the word "treasurer" insert the following words: "by the Register of Deeds and credited to the special salary fund," striking out all of line 5.

In Section 3, line 2, after the word "farm" insert the word "the."

In line 3, after the word "act," insert the words "his heirs, executors or administrators."

In line 4 strike out the last word.

In line 5, the two first words and insert the words "it is desired to."

In Section 4, line 2, after the word "farm" insert the words "his heirs, executors or administrators."

In line 3, after the word "thereof" strike out the rest of that line, all of lines 4, 5 and 6 to the word "for" and insert the words "the same shall be accomplished in the same manner as now provided for cancellation of real estate mortgages."

In line 7 strike out the word "twenty," in line 8, "five" and insert "fifty."

And when so amended recommend the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The President *pro tempore* presiding.

## MOTIONS AND RESOLUTIONS.

## CONCURRENT RESOLUTION.

*Be it Resolved by the Senate, the House of Representatives Concurring Therein:*

That, whereas the United States has abandoned or is about to abandon that certain tract of land with buildings thereon known as Fort Lincoln, near Bismarck, North Dakota, and has wholly ceased, or is about to cease, to use the same as a Military Post, or otherwise.

And, whereas, the State of North Dakota is in need of more ground and buildings for State purposes for penal and charitable purposes,

THEREFORE, The Thirteenth Legislative Assembly does hereby desire and request that the United States cede and grant to the State of North Dakota for State purposes the tract of land with buildings now situated thereupon known and designated as Fort Lincoln, and,

*Be it Further Resolved,* That a Special Committee of six be appointed by said Assembly to consist of three members from each branch of said Assembly, to be appointed by their respective presiding officers to solicit from the United States the cession of said land and buildings, and to take up with our United States Senators and Congressmen from North Dakota the best means of effecting and accomplishing the cession of said lands and buildings to the State for the purposes above stated and further that said committee shall report to said Assembly as soon as possible upon the feasibility of securing such cession and their advice as to the method by which the same may be accomplished.

Mr. Hanley moved

That the resolution be referred to the committee on State affairs.

Which motion prevailed and

The resolution was so referred.

The President in the Chair.

## INTRODUCTION OF MEMORIALS.

The following memorial was received by the Senate:

*To the Honorable Governor and Members of the Legislature of the State of North Dakota, Greeting:*

The undersigned former residents of the State of North

Dakota, now living in the city of San Diego, California, desire to call to your attention the most excellent opportunity to exploit the great resources and advance the interests of North Dakota that is being offered by the Panama-California Exposition, to be held at San Diego during the entire year of 1915.

This Exposition is International in character and will involve the expenditure of nearly \$5,000,000 by the local interests alone. It is being held in a section of California that is most beautiful and attractive both in summer and winter and will be the means of drawing hundreds of thousands of visitors, many of them seeking locations for homes and investment.

The Panama-California Exposition, commemorating the completion of the Panama Canal, has for its greater purpose the exploitation of the States west of the Mississippi River and the exposition in its plans and environment is peculiarly adapted for this purpose. San Diego, the first port of call north of the Panama Canal, will be the objective point of thousands of immigrants from the more densely populated sections of Europe seeking homes in America. From authoritative information, we understand that over sixty thousand tickets have already been sold from Europe to San Diego, via the Panama Canal, through the medium of clubs organized by the steamship companies.

We believe that North Dakota will reap vast benefits from participation in this Exposition, by properly exploiting her opportunities and resources to the homeseekers. Such exploitation will result in the settlement of the unoccupied lands of the state and be the direct means of enriching the state by millions of dollars within the next few years.

THEREFORE, We earnestly request that your Legislature, at its present session, make suitable provisions for the proper representation of the great State of North Dakota at the Panama-California Exposition during 1915.

Respectfully submitted,

JOHN D. BENTEN, and 42 others.

Other names and addresses as per original memorial.

Mr. Gilbert moved

That the foregoing memorial be printed in full in the Journal.

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS.

Mr. Plain introduced

Senate Bill No. 151.

A bill for an Act to legalize the execution and acknowledgment of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof, admissible in evidence.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Englund introduced

Senate Bill No. 152.

A bill for an Act relating to the transfer of messages by telegraph companies and penalty for the violation thereof.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Plain introduced

Senate Bill No. 153.

A Concurrent Resolution for an amendment to the Constitution of the State of North Dakota, relating to the Legislative Department and providing for direct legislation; the proposing of Constitutional Amendments, and reference of laws.

Which was read the first and second times and

Referred to the committee on elections.

Mr. Bond introduced

Senate Bill No. 154.

A bill for an Act making an appropriation for the Normal School at Minot to meet an expenditure for the erection of buildings and permanent improvements necessary in connection therewith, and for furnishing, equipment and maintenance.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Clark introduced

Senate Bill No. 155.

A bill for an Act to amend Section 2864 of the Revised Codes of North Dakota for 1905, relating to powers of the board of trustees of villages.

Which was read the first and second times and

Referred to the committee on cities and municipal corporations.

Mr. Ellingson introduced

Senate Bill No. 156.

A bill for an Act establishing a state bonding department in the office of the State Examiner; providing for the maintenance thereof; and creating a reserve therefor; prescribing the duties of officers connected therewith; providing for the payment of premiums and of indemnities for losses; and providing for the disposal of the surplus after said reserve has been created.

Which was read the first and second times and

Referred to the committee on ways and means.

Mr. Bronson introduced

Senate Bill No. 157.

A Concurrent Resolution for an amendment to the Constitution providing for the elective franchise.

Which was read the first and second times and

Referred to the committee on elections.

Mr. Overson introduced

Senate Bill No. 158.

A bill for an Act to repeal Chapters 132 and 133 of the Session Laws of 1907, and Chapter 139 of the Session Laws of 1909, relating to the Historical Society of North Dakota, and making an appropriation.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Overson introduced

Senate Bill No. 159.

A bill for an Act to amend Section 241 of the Revised Codes of 1905, relating to the duties of the State Historical Society of North Dakota.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Clark introduced

Senate Bill No. 160.

A bill for an Act to amend Section 271 of Chapter 266 of the Session Laws of 1911, relating to branches to be taught in the public schools.

Which was read the first and second times and  
Referred to committee on education.

Mr. McDowell introduced

Senate Bill No. 161.

A bill for an Act requiring railroad companies to line and cooper cars tendered for grain shippers.

Which was read the first and second times and  
Referred to the committee on railroads.

Mr. Mudgett introduced

Senate Bill No. 162.

A bill for an Act to create a board to prepare and publish a history of North Dakota troops in the Spanish-American War and Philippine Insurrection and appropriating money to pay therefor.

Which was read the first and second times and  
Referred to the committee on military affairs.

Mr. Mudgett introduced

Senate Bill No. 163.

A bill for an Act creating the office of county assessor, defining his duties, abolishing the offices of township assessor, village assessor and city assessor, and amending Sections 1513, 1525, 1528, 1530 and 1533 of the Revised Codes of 1905.

Which was read the first and second times and  
Referred to the committee on taxes and tax laws.

Mr. Leutz introduced

Senate Bill No. 164.

A bill for an Act to amend Section 4649, Chapter 21 of the Revised Code of the State of North Dakota for 1905 relating to qualification of directors.

Which was read the first and second times and

Referred to the committee on corporations other than municipal.

Mr. Leutz introduced

Senate Bill No. 165.

A bill for an Act creating the office of deputy commissioner of labor and fixing his salary.

Which was read the first and second times and

Referred to the committee on state affairs.

There being no objection the Senate returned to the 6th order of business, and

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 14.

A bill for an Act to provide for the extermination of gophers, compensation therefor, and declaring the gopher pest a common nuisance.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all the words after "A Bill" and insert the following:

Senate Bill No. 14.

For an Act to provide for the extermination of gophers, compensation therefor, and declaring the gopher pest a common nuisance.

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

Section 1. Extermination of Gophers.) When the county commissioners of any county in this state, where there are gophers, does not offer a bounty for the destruction of the same, then the township supervisors of any township within such county, upon a petition of ten resident land

owners therein, are hereby authorized and empowered to appoint some suitable person or persons whose duty it shall be to poison, kill and exterminate the gophers within such township, and any person so appointed is hereby empowered and directed to, between April first and July first, enter upon any farm, railroad right-of-way, ground or premises where there are gophers, and poison, kill and exterminate the gophers thereon, when the owner or occupant thereof shall neglect or refuse to do so.

Section 2. Notice, How Served.) It shall be the duty of the person so appointed, to give anyone on whose premises are found gophers, ten days notice in writing to poison, kill or exterminate the same; and if upon the land or right-of-way of any railroad company, such notice may be served upon its agent at the station nearest to such land or right-of-way; or if such land is unoccupied and owned by a non-resident, such notice shall be mailed to its owner's address, or if address is unknown, posted upon the land or premises where such gophers are to be exterminated, and if the work of exterminating same is not done within such time, the person so appointed by the township supervisors shall proceed to poison, kill and exterminate the gophers on such land or premises, *provided*, that any person authorized to exterminate gophers according to the provisions of this Act shall, when poison is laid out, use every precaution to prevent the destruction of domestic fowls or animals, and of game birds, by such poison, and no such person shall lay out poison in any pasture where there are stock, or within forty rods of any occupied dwelling or farm house, without the knowledge and consent of the owner or occupant thereof.

Section 3. Compensation, Statement and Voucher to be Charged Against Land as Taxes, After Due Notice.) Any person so appointed under the provisions of this Act, shall receive as compensation, the sum of two dollars and fifty cents per day for ten hours labor performed in poisoning and exterminating gophers. He shall also be reimbursed for all poison and grain used in the performance of such work. Such person shall make a sworn statement to the township of the time put in and the poison and grain used on each tract of land, *provided*, that the maximum charge against any parcel of land containing twenty acres or more, shall not be greater in any one year than at the rate of ten dollars per one hundred and sixty acres, and the minimum charge shall not be less than one dollar against any parcel of land, which amount shall be paid by such township out of its general fund and charged as taxes against each par-

cel of land on which the expenses were incurred. *Provided* further, that before the township supervisors shall charge such amounts to the taxes of such person or corporation, the township supervisors shall give such person or corporation at least twenty days notice by mail, of the time when, and the place at which such amount will be charged against them; and such person or corporation shall have the right to appear and show cause why such amount shall not be charged against their taxes. *Provided* further, that if such person or corporation shall feel aggrieved by the decision of the township supervisors, such person or corporation may appeal to the district court, and such appeal shall be perfected and prosecuted in the same manner as appeal in justice courts, and the county auditor shall enter such amounts upon the tax roll of the county against the land on which such work has been done, and expenses incurred, except the expenses of exterminating gophers on state lands, which shall be paid by the township; and the county treasurer of such county shall collect such amounts the same as taxes, and place the same to the credit of the respective townships from which collected.

Section 4. County Commissioners to Appoint in Unorganized Townships.) The county commissioners of any county in this state not offering bounty on gophers shall, upon a petition of ten resident land owners of any unorganized township within such county, appoint suitable person or persons to destroy and exterminate the gophers within such township, in the same manner as if appointed by the townships supervisors of any organized township according to the provisions of the preceding Sections of this Act, and such person shall proceed to poison, kill and exterminate the gophers according to the provisions of the preceding Sections and make sworn statements in like manner to the county, and the expense so incurred shall be paid out of the general fund of such county; and the county commissioners before entering such amounts as taxes against the land on which the expenses were incurred, shall issue notices as provided for in the preceding Section, which hearing shall also be subject to appeal in like manner; such amounts shall be charged upon the tax roll of the county against the land on which the expenses were incurred, and the county treasurer shall collect such amounts the same as taxes and place the same in the general fund of the county.

Section 5. Emergency.) Whereas, this state is suffering a great annual loss to the growing crops by the gopher pest, it is hereby declared that the gophers are a common nuis-

ance and should be exterminated, and, whereas, there is now no law adequate for the destruction of gophers, this Act shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass and that 500 copies of the amended bill be printed.

J. E. DAVIS,  
Chairman.

Mr. Davis moved.

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 28, 1913.

*Mr. President:*

I have the honor to transmit herewith the following concurrent resolution:

*Be it Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring:*

WHEREAS, An appropriation has been asked by the North Dakota State Tuberculosis Sanitarium from this Legislative Assembly and, whereas, the information as to the needs of such institution and as to the use made of moneys heretofore appropriated to such institution, is not sufficient to enable the appropriation committee of the Senate and House to determine the actual needs of such institution and, whereas, at a joint meeting of the committees on appropriations of the House and Senate it was recommended that a committee of five, three from the House and two from the Senate, be appointed to investigate as to the needs and affairs of such institution;

*Now Therefore, Be It Resolved, That the Speaker of the House is hereby authorized to appoint a committee of three to act with the committee of two to be appointed by the President of the Senate, such joint committee to investigate the needs and affairs of the North Dakota Tuberculosis Sanitarium and to report to this Assembly its findings and recommendations,*

Which the House adopted, and

The Speaker appointed as such committee, Messrs. Twichell, Huso and Haraldson.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Talcott moved

That the foregoing concurrent resolution be referred to the committee on appropriations.

Which motion prevailed.

The committee on judiciary made the following report:

*Mr. Speaker:*

Your committee on judiciary to whom was referred

Senate Bill No. 22.

A bill for an Act to amend Section 6246 of the Revised Codes of 1905 relating to mechanics' liens and the enforcement thereof.

Have had the same under consideration and recommend that the same be amended as follows:

In line one of the title, after the word "amend" insert "and re-enact."

In line 9 after the word "forfeited" insert "Such demand shall be served upon the person of record holding such lien in the manner now provided for the service of summons in the district court of this state, if such person to be served resides within the state; if such person resides without the state or cannot be found therein, of which fact, the return of the sheriff of the county in which the real estate involved is situated, that such person to be so served cannot be found in his county, shall be prima facie evidence, then such notice shall be served by the publication thereof in a newspaper within said county, or if there be no newspaper within said county, then in a newspaper published at the capitol of this state for a period of three successive weeks; upon default of such person so served to commence action as herein required, either by the actual service of summons or by filing in the office of the clerk of the district court of the county where the real property is situated, a summons and complaint therefor, the district judge of such county, upon proof of such default, may order said lien to be cancelled of record and thereupon such lien shall be cancelled by said clerk, upon the filing of said order in the office of the clerk of the district court of the proper court."

In line 9, after the word "lien" insert "hereafter filed."

In line 11 strike out the words "one year and ninety days" and substitute for the same the words "six years."

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 27.

A bill for an Act to amend Section 4493 of the Revised Codes of North Dakota for 1905 relating to county mutual insurance companies.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were 50 ayes, no nays.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Englund	Loftsgaard	Williams
Ganssle	McBride	Young
Garden	McDowell	

So the bill passed and the title was agreed to.

Senate Bill No. 48.

A bill for an Act entitled, "An Act relating to cold storage and refrigerating warehouses, the disposition or sale of the

food kept or preserved therein, and defining the duties of the food commissioner of the North Dakota Government Agricultural Experiment Station in relation thereto and providing penalties for the violation thereof:

Was read the third time.

There being no objection the further consideration of Senate Bill No. 48 was made a special order for tomorrow, Wednesday, January 29th, at 3 o'clock P. M.

Senate Bill No. 62.

A bill for an Act to amend Section 1953 of the Revised Codes of 1905 relating to bounty for killing wolves or coyotes.

Was read the third time.

Mr. Hoverson moved

That Senate Bill No. 62 be amended by striking out the word "shall" and inserting the word "may" in lieu thereof.

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended;

The roll was called and there were 43 ayes, 5 nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McLean
Allen	Gronvold	Mudgett
Barnes	Hanley	Nelson
Bond	Heckle	Overson
Bonzer	Helgeland	Plain
Bronson	Hookway	Porterfield
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Kretschmar	Trageton
Davis	Leutz	Vail
Duncan	Linde	Wartner
Ellingson	Loftsgaard	Young
Ganssle	McBride	
Garden	McDowell	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Englund	Putnam	Williams
Jacobsen	Turner	

Absent and not voting, Messrs. Elken and Gibbens.

So the bill passed and the title was agreed to.

Senate Bill No. 100.

A bill for an Act to amend Chapter 121 of the Session Laws of 1907, providing for the determination of heirs and the share of such heirs respectively in the claims to certain real estate by action in the district court.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were 49 ayes, 1 nay.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Linde	Williams
Englund	Loftsgaard	Young
Ganssle	McBride	
Garden	McDowell	

Mr. Wartner voted in the negative.

So the bill passed and the title was agreed to.

#### FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 13.

A bill for an Act to amend Chapter 170 of the Laws of 1907, entitled, "An Act indemnifying owners for animals killed or destroyed according to law for being affected with the disease known as glanders."

Was read the first and second times and

Referred to the committee on live stock.

House Bill No. 14.

A bill for an Act entitled, "An Act relating to the boundaries, terms of court and chambers of the district judge of

the Seventh Judicial District amending Section 475 of the Revised Codes of 1905, as amended by Chapter 75, Laws of 1909.

Was read the first and second times and

Referred to the committee on judiciary.

House Bill No. 30.

A bill for an Act to amend Section 11 of the Revised Codes of 1905, relating to the duties of the state treasurer.

Was read the first and second times and

Referred to the committee on state affairs.

House Bill No. 57.

A bill for an Act to prevent fraudulent registration and sale of animals as being pure bred, and to amend Section 9007 of the Revised Codes of 1905.

Was read the first and second times and

Referred to the committee on live stock.

House Bill No. 63.

A bill for an Act to amend Section 1584 of the Revised Codes of the State of North Dakota for the year 1905, as amended in Chapter 220 of the Session Laws of 1907, relating to the rights of purchasers of land at sale for the non-payment of taxes.

Was read the first and second times and

Referred to the committee on taxes and tax laws.

House Bill No. 78.

A bill defining bootlegging, making it a crime, and fixing the punishment therefor.

Was read the first and second times and

Referred to the committee on temperance.

The courtesies of the floor were extended to E. E. Cole, W. W. King, Fargo, N. D.; Lewis Bertsch, Upham, N. D.; J. B. Rieder, Anamoose, N. D.; W. H. Mann, Hebron, N. D.; A. S. Reitan, Washburn, N. D.

Mr. Thoreson moved

That the Senate do now adjourn.

Which motion prevailed, and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

## TWENTY-THIRD DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 29, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Mr. Linde.

Who was excused.

## REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the twenty-second day, have carefully examined the same and recommend that the same be corrected as follows:

On page 5, line 19, strike out the word "who" and insert the word "whom."

On page 8, line 40, strike out the word "frogoing" and insert the word "foregoing."

On page 6, line 9, strike out figure "1" and insert the figure "2."

On line 38, page 8, strike out the words "and 42 others" and insert the list of names attached to this report,

- John D. Benton, 2965 2nd St.; former address Fargo, Cass County.
- Wm. McDonald, 3320 F St.; former address Fargo, Cass County.
- F. S. Young, 520 Fort Stockton; former address Fargo, Cass County.
- F. E. Graves, 1053 4th St.; former address Minot, Ward County.
- M. O. Hall, 3320 30th St.; former address Mohall, Renville County.
- W. C. Hotchkiss, 2342 C St.; former address Jamestown, Stutsman County.
- A. O. Samuelson, 1262 F St.; former address Mott, Hettinger County.
- M. L. Hall, 3320 F St.; former address Mohall, Renville County.
- J. C. K. Smith, 830 12th St.; former address Granville, McHenry County.
- V. M. Smith, 830 12th St.; former address Granville, McHenry County.
- J. R. Gage, 3351 5th St.; former address Bismarck, Burleigh County.
- T. C. Kilty, 3760 Olive St.; former address Sheldon, Ransom County.
- Dr. Andrew Ekern, 1333 Pine; former address Grand Forks, Grand Forks County.
- G. C. Dickson, National City Cal.; former address Grand Forks, Grand Forks County.
- C. W. Darling, Chula Vista, Cal.; former address Fargo, Cass County.
- J. F. Butler, Court House, San Diego; former address La Moure, La Moure County.
- H. D. Albert, La Jolla Strand; former address Langdon, Cavalier County.
- E. L. Scofield, 1620 30th St.; former address Dickinson, Stark County.

- Geo. H. Cody, 1523 33rd St.; former address, Sheldon, Ransom County.
- M. F. Falahy, 1030 26th St.; former address Cando, Towner County.
- H. G. Edwards, Chula Vista, Cal.; former address Fargo, Cass County.
- E. P. Lundberg, 302 Howard; former address Fargo, Cass County.
- G. G. Keenery, 1631 28th St.; former address Fargo, Cass County.
- M. D. Keenery, 1631 28th St.; former address Fargo, Cass County.
- C. A. Mulette, 1375 25th St.; former address Wheatland, Cass County.
- F. J. Campbell, M. D., 2504 Albatross; former address Fargo, Cass County.
- Sam Mathews, Redwood Apartments; former address Fargo, Cass County.
- Geo. S. Graves, 1053 4th St.; former address Minot, Ward County.
- Thos. L. Lawson, 3335 Adams Ave.; former address Grand Forks, Grand Forks County.
- Geo. B. Winship, The Terrace, National City; former address Grand Forks, Grand Forks County.
- Frank M. Winship, Chula Vista, Cal.; former address Grafton, Walsh County.
- F. Ehrman, 520 Ft. Stockton; former address Fargo, Cass County.
- Jno. W. Gearey, 34th and Adams; former address Fargo, Cass County.
- Aug. Jungnitsch, 1320 Union St.; former address Page, Cass County.
- J. F. Schoeninger, Kirtland; former address Fargo, Cass County.
- Orin L. Churchill, Park Vie Apts.; former address Jamestown, Stutsman County.
- T. J. Lynch, 2845 K St.; former address Casselton, Cass County.

- W. R. Edwards, Chula Vista, Cal.; former address Fargo, Cass County.
- G. W. Johnston, Coronado, Cal.; former address Portland, Traill County.
- S. E. Nill, Coronado, Cal.; former address Sherbrooke, Steele County.
- A. B. Qualey, Coronado, Cal.; former address Fargo, Cass County.
- C. Winslow, Coronado, Cal.; former address Golden Lake, Steele County.
- J. J. Hughes, 856 7th St.; former address Fargo, Cass County.

On page 11, after line 11, insert the title to Senate Bill No. 161.

Also on page 19, line 11, strike out "affirmatice" and insert in lieu thereof "affirmative."

On page 13, line 33, in the word "lands" strike out the letter "s."

On page 14, line 29, before the word "supervisors" insert the word "township."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

The following communication was received from the Secretary of State:

OFFICE OF SECRETARY OF STATE,  
BISMARCK, NORTH DAKOTA.

January 28, 1913.

Hon. A. T. Kraabel,  
Lieutenant Governor,  
Bismarck, N. D.

Sir: I am pleased to transmit to the Legislative Assembly copies of the Senate Joint Resolution No. 2, and Senate Joint Memorial No. 2, endorsed by the Legislative Assembly of the State of Oregon, relating to the federal protection to migratory game birds, and for the calling of a convention to propose an amendment to the Constitution of the United States, whereby polygamy and polygamous cohabitation shall be prohibited.

Respectfully yours,

THOMAS HALL,  
Secretary of State.

Mr. Steel moved

That the foregoing communication be printed in the journal and that the proposed measures be referred to the committee on state affairs without printing in the Journal.

Which motion prevailed.

Mr. Putnam presented the following petition:

*To the Legislative Assembly of the State of North Dakota:*

We the undersigned citizens of the 32nd Legislative District of the State of North Dakota over 21 years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

W. A. GODWARD and 166 others.

Mr. Garden presented the following petition:

*To the Legislative Assembly of the State of North Dakota:*

We the undersigned citizens of the 28th Legislative Dis-

trict of the State of North Dakota over 21 years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

JOHN H. KIRK and 50 others.

Mr. Gronvold presented the following petition:

*To the Legislative Assembly of the State of North Dakota:*

We, the undersigned, object to passage of any legislation requiring high licenses of and placing unfair conditions and qualifications on rural salesmen of domestic and stock remedies, spices, extracts and toilet articles.

Such legislation is monopolistic and un-American; it creates higher cost of living and restricts the purchaser's buying opportunities.

These wagon salesmen are dependable merchants who regularly supply us with high-class goods at popular prices and we will be directly injured through legislation injuring them.

CEPHAS PETER and 85 others.

Mr. Heckle presented the following petition:

*To the Legislative Assembly of the State of North Dakota:*

We the undersigned citizens of the 14th Legislative District of the State of North Dakota over 21 years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

A. M. KVELLO and 67 others.

Mr. McLean presented the following petition:

*To the Legislative Assembly of the State of North Dakota:*

We the undersigned citizens of the 18th Legislative District of the State of North Dakota over 21 years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

PETER MCNIVEN and 50 others.

Mr. Ganssle presented the following petition:

*To the Legislative Assembly of the State of North Dakota:*

We the undersigned citizens of the 1st Legislative District of the State of North Dakota over 21 years of age,

hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

REV. G. BOHNER and 85 others.

Mr. Overson presented a resolution from the Commercial Club of Williston and the same was referred to the committee on appropriations.

The following communication was received.

*To Governor L. B. Hanna, and the Members of the Thirteenth Legislative Assembly:*

Gentlemen: The Twelfth Legislative Assembly passed a concurrent resolution instructing the Governor to appoint a committee for the purpose of investigating the Panama-Pacific International Exposition to be held in San Francisco, California, in 1915, and to report to the Thirteenth Legislative Assembly the scope of said Exposition and the benefits that North Dakota might derive therefrom. In conformity to said resolution the committee, appointed, beg leave to submit their findings.

This committee has carefully investigated the purposes of the Exposition and concludes that it will be the largest in the expenditure of money for buildings, grounds and other necessary features which has ever been held. It is estimated by the management that the value of the buildings, grounds and special features exclusive of the exhibits, will require the expenditure of one hundred million dollars. There can be no doubt from the information before the committee, that this Exposition will be in every way successful, and it would seem beneficial to the State of North Dakota to make a reasonable display of its great resources, at this time, when so many people from all parts of the world will assemble to honor the completion of the greatest engineering enterprise that any nation has ever undertaken.

Many of our citizens have been interviewed by the Committee with reference to the kind and character of displays that our state should make and the committee believes that it is possible for North Dakota to make a display that will be unique, instructive and of great commercial benefit to our state.

There should be at this Exposition, First. A full display of our agricultural products. Second. There should be a display made of our coal and clay products. While North Dakota stands first in the ranks of states as a cereal pro-

ducer, yet we have within our borders one-sixth of all the coal in the United States. This coal, by the modern process of briquetting can be made of almost inestimable value to our state. It would be possible to erect on the Exposition Grounds a building in which a small briquetting plant could be operated. Ovens for the manufacture of our clay into pottery and brick could be operated on the grounds at small expense. We believe that it would be almost self-sustaining from the sale of finished pottery. A briquetting plant and potteries in operation would be a most attractive exhibit, and would attract the attention of capital, we believe, for the development of our vast coal and clay deposits. The School of Mines of the University of North Dakota could make a display of the briquetting and pottery industries that would be second to none.

We also desire to call your attention to the plant and bird life of North Dakota of which an exhibit should be made, and we particularly call your attention to the work of Dr. J. Lunell of Leeds, North Dakota, who has made some wonderful scientific discoveries in North Dakota, along these lines.

We find that many of the valuable and unique displays that might be made can be secured for practically nothing through the kindness of the citizens who own them.

Your committee has carefully considered the wonderful resources of our State and at a time when nearly every state will be represented at this great exposition. It would seem that our state with its many possibilities should not overlook the opportunity of making at least a reasonable display, and your committee recommend a proper display of the resources of our state. Your committee would respectfully recommend that a suitable site be secured on the grounds and a building erected suitable for the needs of a proper exhibit.

We would recommend an appropriation of \$50,000 for this purpose. Many of the western states are appropriating as much as \$500,000, each, and some of the eastern states larger amounts, and from all the information your committee was able to secure fifty thousand dollars (\$50,000) would be a reasonable sum to properly display the resources of our great state.

The committee beg leave to state that while their appointment was to report on the Panama-Pacific International Exposition at San Francisco, they could not wholly overlook the other great Exposition which is to be held at

the same time at San Diego, California. This great exposition will scarcely be second to the one held at San Francisco, and in some respects it will be superior. The citizens of San Diego have already subscribed seven million dollars for this great enterprise which will be located near the center of the city. Many of the magnificent buildings are already completed, and this committee believes that San Diego being the first port of call on all traffic north from the great Panama Canal that practically all of the people who visit San Francisco will also visit San Diego, and our State should therefore be represented there.

There is a large colony of the pioneers who helped build North Dakota who reside at San Diego, and the committee has been faithfully urged by our old time citizens to make a display at their Exposition also, and the committee believes through the loyalty expressed by these men and women that North Dakota would derive as much benefit from a reasonable display of its resources at San Diego as at San Francisco. We believe that a display of our agricultural products could be made at San Diego for a very small sum and we feel confident that our old friends down there would take pleasure in extolling the virtues of North Dakota.

In conclusion we heartily recommend for the consideration of the Thirteenth Legislative Assembly a suitable exhibit for the State of North Dakota, at both San Francisco and San Diego. We believe that an appropriation of fifty thousand dollars (\$50,000) would be a reasonable appropriation considering the magnitude and scope of these great Expositions, and we believe that the sum carefully expended would bring many valuable returns to our state.

The committee has forwarded to his excellency, Governor L. B. Hanna, such literature, letters and other information bearing on this subject as they had in their possession.

Respectfully submitted,

JOHN BRUEGGER,  
 JOS. M. KELLY,  
 MARION EDWARDS,  
 C. D. LORD,  
 GEO. E. DAVIS,

Committee

Mr. Gilbert moved

That the foregoing report be printed in the Journal,

Which motion prevailed.

REPORTS OF STANDING COMMITTEES.

The committee on taxes and tax Laws made the following report:

*Mr. President:*

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 23.

A bill for an Act to amend Chapter 290 of the Laws of 1911 relating to property exempt from taxation.

Have had the same under consideration and recommend that the same do pass.

HENRY J. LINDE,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Your committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 22.

A bill for an Act to amend Section 6246 of the Revised Codes of 1905 relating to mechanics' liens and the enforcement thereof.

Also,

Senate Bill No. 59.

A bill for an Act providing for the registration of farm names.

And find the same correctly engrossed.

W. R. BOND,

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 29, 1913.

*Mr. President:*

I have the honor to inform you that the House concurred in the concurrent resolution relating to appointment of a joint committee to arrange for a joint session to receive representatives of the Student Council of the North Dakota Agricultural College, and that the Speaker appointed as such committee, Messrs. Williams, Tucker and Stenhjem.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS.

Mr. Ellingson introduced

Senate Bill No. 166.

A bill for an Act reinstating and validating the charters of corporations that have been cancelled for failure to make and file with the Secretary of State reports as required by and under Section 4186 of the Revised Codes of 1905.

Which was read the first and second times and

Referred to the committee on cities and municipal corporations.

Mr. Hughes introduced

Senate Bill No. 167.

A bill for an Act providing for the making of necessary repairs upon the executive mansion, and making appropriation therefor.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Cashel introduced

Senate Bill No. 168.

A bill for an Act permitting farmers and land owners to drain their lands into road ditches and other depressions,

when such ditch or depression is wholly upon the owners land.

Which was read the first and second times and

Referred to the committee on irrigation and drainage.

Mr. Hoverson introduced

Senate Bill No. 169.

A bill for an Act appropriating the sum of Twenty-five hundred Dollars (\$2,500) for the Billings County Fair to be held at Beach, North Dakota, in the fall of 1913.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Hookway introduced

Senate Bill No. 170.

A bill for an Act to amend and re-enact Section 3 of Chapter 78 of the Session Laws of North Dakota for the year 1909, entitled, "An Act to amend Section 8288 of the Revised Codes of 1905, of the State of North Dakota, relating to the increased jurisdiction of the county courts, and providing for abolishing the same."

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Overson introduced

Senate Bill No. 171.

A bill for an Act to provide an appropriation for the purpose of expenses incurred as a part of and during the Twelfth Legislative Assembly of the State of North Dakota.

Which was read the first and second times and

Referred to the committee on appropriations.

There being no objection the Senate returned to the eighth order of business, and

Mr. Talcott moved

That the Secretary of the Senate notify the Governor of the State of North Dakota that this Senate has taken action on the communication received from him concerning the Student Council of the North Dakota Agricultural College.

Which motion prevailed.

## THIRD READING OF SENATE BILLS.

Senate Bill No. 49.

A bill for an Act for preventing the manufacture, sale or transportation of adulterated insecticides and fungicides, and for regulating traffic therein and fixing penalties for the violation of this Act.

Mr. Porterfield moved

That Senate Bill No. 49 be amended as follows:

At the end of Section 13 insert the following: "Provided nothing contained in this Act shall be construed as in any wise applying to railroad companies, express companies or other common carriers for hire."

Which motion prevailed, and

The amendment was adopted.

Mr. Davidson moved

That Senate Bill No. 49 be amended as follows:

After the words "Section 12" insert the word "penalty" as a sub-title.

Which motion prevailed.

And the amendment was adopted, and

The bill as amended, was read the third time.

The question being on the final passage of the bill as amended;

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Loftsgaard	Vail
Ellingson	Leutz	Wartner
Englund	Mudgett	Williams
Ganssle	McBride	Young
Garden	McDowell	

Absent and not voting, Messrs. Davis, Gilbert and Linde.  
Mr. Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 59.

A bill for an Act for the registration of farm names.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were 46 ayes, no nays, 4  
absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McBride
Allen	Gilbert	McDowell
Barnes	Gronvold	McLean
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Steel
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Davidson	Hyland	Trageton
Duncan	Jacobsen	Turner
Elken	Kretschmar	Vail
Ellingson	Loftsgaard	Wartner
Englund	Leutz	Williams
Ganssle	Mudgett	Young
Garden		

Absent and not voting, Messrs. Davis, Linde, Nelson and  
Putnam.

Mr. Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 22.

A bill for an Act to amend Section 6246 of the Revised  
Codes of 1905 relating to mechanics' liens and the enforce-  
ment thereof.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were 46 ayes, no nays, 4  
absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Duncan	Loftsgaard	Turner
Elken	Leutz	Vail
Ellingson	Mudgett	Wartner
Englund	McBride	Williams
Gansle	McDowell	Young
Garden		

Absent and not voting, Messrs. Davis, Gilbert, Kretschmar and Linde.

Mr. Linde being excused.

So the bill passed and the title was agreed to.

Mr. Bronson called for the Special Order of the day.

There being no objection the Senate returned to the 6th order of business, and

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 14.

A bill for an Act to provide for the extermination of gophers, compensation therefor, and declaring the gopher pest a common nuisance.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

SPECIAL ORDER OF THE DAY.

Senate Bill No. 48.

A bill for an Act entitled, "An Act relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the Food Commissioner of the North Dakota Government Agricultural Experiment Station in relation thereto and providing penalties for the violation thereof.

Mr. Porterfield moved

That Senate Bill No. 48 be amended as follows:

At the end of Section 2, add the following:

"To be covered into the State Treasury as provided by Chapter 133 of the Revised Laws of 1911.

Which motion prevailed, and

The amendment was adopted, and the bill as amended was read the third time.

The question being on the final passage of the bill as amended;

The roll was called and there were 43 ayes, 1 nay, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Nelson
Allen	Gilbert	Overson
Barnes	Gronvold	Plain
Bond	Hanley	Porterfield
Bonzer	Heckle	Putnam
Bronson	Helgeland	Steel
Cashel	Hookway	Talcott
Clark	Hoverson	Thoreson
Davidson	Jacobsen	Trageton
Davis	Kretschmar	Turner
Duncan	Loftsgaard	Vail
Elken	Leutz	Wartner
Englund	Mudgett	Williams
Ganssle	McLean	Young
Garden		

Mr. Hughes voted in the negative.

Absent and not voting, Messrs. Carter, Ellingson, Hyland, Linde, McBride and McDowell.

Mr. Linde being excused.

So the bill passed and the title was agreed to.

## Senate Bill No. 14.

A bill for an Act to provide for the extermination of gophers, compensation therefor, and declaring the gopher pest a common nuisance.

Was read the third time.

Mr. Overson moved

That further consideration of Senate Bill No. 14 be deferred until tomorrow.

Which motion prevailed.

There being no objection the Senate returned to the sixth order of business, and

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred Senate Bill No. 98.

A bill for an Act to prohibit the importation, manufacture, distribution, transportation, sale or use of snuff and providing a penalty therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill, after the word "Act" insert the words "to amend Chapter 277 of the Session Laws of 1911," and that the word "prohibit" be stricken out and the word "prohibiting" be inserted, and in the printed bill in Section 2, and line 4, after the word "mouth" and before the comma, the word "or nose" be inserted and in the same line after the word "mouth" and before the period, the words "or nose," be inserted.

In Section 4, and line 4, the figures \$500.00 be stricken out and the figures \$100.00 be inserted.

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

And the committee on elections made the following report:

*Mr. President:*

Your committee on elections to whom was referred  
Senate Bill No. 26.

A bill for an Act to amend Section 618 of the Revised Codes of North Dakota for 1905, relating to elections.

Have had the same under consideration and recommend that the same be amended as follows:

In line 14, page 2 of printed bill after the word "officers" insert the words "in presidential years."

And when so amended recommend the same do pass.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

Senate Bill No. 55.

A bill for an Act to amend Section 157 of Article 9 of Chapter 266 of the Session Laws of 1911 relating to the election of school officers.

Have had the same under consideration and recommend that the same be amended as follows:

In line 36, page 3 of the printed bill after the word "exists" insert the following: "In this that there is now no law providing for an official ballot for school elections."

And when so amended recommend the same do pass.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Mr. Nelson offered the following concurrent resolution:

WHEREAS, A committee of three from the House and three from the Senate has been appointed pursuant to the suggestion of Governor L. B. Hanna in a communication to this Legislative Assembly, to investigate the cost of legislation printing, with the view of reducing the cost of the same.

WHEREAS, The committee has had some of the matters requiring attention under consideration.

*Therefore, Be It Resolved* by the Senate, the House concurring, that the bills of the House and Senate be hereafter sent only to all newspapers and county auditors, but that the Journals of the two Houses be sent to all the addresses now on the mailing list; that on the front page of the Journal of each House at the top of the page be printed the following words, to-wit:

“Any person interested in any bill may have a copy thereof by sending a request to his representative in either House or Senate;” that 1000 of each of the Senate and House bills be printed instead of the number now printed; that hereafter the House and Senate Journals be set solid and without paragraphing, except as indicated on the copy prepared by the Journal clerk.

Mr. Nelson moved

That the resolution be adopted.

Which motion prevailed and

The resolution was adopted.

There being no objection the Senate returned to the 8th order of business and

Mr. Hookway moved

That all absent Senators be excused.

Which motion prevailed.

The courtesies of the floor were extended to Henry Pederson, Mayville; George Else, Antler; Hon. J. H. Worst, Fargo; Mr. Mann, Ramsey County; George Brown, Dickinson; Rev. Deardorf, Surrey; Judge K. E. Leighton, Minot; Ben Coombs, Donnybrook; E. C. Waydeman, Anamoose.

Mr. Trageton moved

That the Senate do now adjourn.

Which motion prevailed, and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

TWENTY-FOURTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 30, 1913.

The Senate convened at 2 o'clock P. M.

The President pro tempore presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Bonzer, Bronson, Elken, Ellingson, Gibbens, Gronvold, Heckle, Helgeland, Jacobsen, Linde, Loftsgaard, Overson, Plain, Putnam, Thoreson and Young.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 30, 1913.

*Mr. President:*

I have the honor to transmit herewith the following concurrent resolution:

Memorializing the Congress of the United States to pass the measure now pending in the Senate known as the Kenyon-Sheppard Bill:

WHEREAS, There is now on the statutes of the state a law forbidding the sale or transportation of intoxicating liquors in the State of North Dakota; and,

WHEREAS, The interstate common carriers are bringing into our state large quantities of intoxicating liquors to be sold in open violation of our state laws, and to the great injury of the people of the state; and,

WHEREAS, There is now pending in the Congress of the United States a measure known as the Kenyon-Sheppard bill, which has for its purpose the prevention of interstate shipments of liquor into states where the laws of the state forbid the sale of same;

*Therefore Be It Resolved* by the House of Representatives of the State of North Dakota (the Senate concurring), That the Congress of the United States be, and the same is hereby earnestly memorialized and requested to pass the Kenyon-Sheppard bill at the earliest date possible, and without amendment.

*Be It Further Resolved*, That a copy of these resolutions properly certified, be forwarded at once to the Speaker of the House of Representatives and to the President of the Senate.

Which the House adopted and your favorable consideration is respectfully requested.

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

House Bill No. 113.

A bill for an Act to repeal Chapter 114 of the Laws of 1911 relating to the bonding of county commissioners.

Also,

House Bill No. 122.

A bill for an Act to amend Sections 1, 2 and 4 of Chapter 258 of the Session Laws of 1907, relating to trade discrimination and unfair competition.

Also,

House Bill No. 18.

A bill for an Act to amend Sections 620 and 650 of the Revised Codes, 1905, relating to elections.

Also,

House Bill No. 61.

A bill for an Act to repeal Sections 3187, 3188, 3189, 3190 and 3191 of the Revised Codes of North Dakota for the year 1905, relating to guideposts.

Also,

House Bill No. 95.

A bill for an Act to amend and re-enact Section 2494 of the Revised Codes of North Dakota for the year 1905 relating to the duties of State's Attorneys and Attorney General.

Also,

House Bill No. 154.

A bill for an Act requiring treasurers of fair associations to give a bond to the directors thereof.

Also,

House Bill No. 52.

A bill for an Act to repeal Article 21 of Chapter 32, entitled, "Townsites located on public lands," of the Revised Codes of 1905.

Also,

House Bill No. 129.

A bill for an Act entitled, "An Act to amend Section 2478 of the Revised Codes of 1905 relating to partial payment of taxes."

Also,

House Bill No. 92.

A bill for an Act to amend Section 1 of Chapter 77 of the Laws of 1911, entitled, an Act to provide for a commission system of government in cities which shall adopt the provisions of this Act.

Also,

House Bill No. 47.

A bill for an Act to amend and re-enact Section 6187, Revised Code of 1905 of the State of North Dakota, relating to chattel mortgages.

Also,

House Bill No. 82.

A bill for an Act to regulate the manufacture of pneumatic rubber tires for motor vehicles and to prevent fraud and deception in the sale thereof.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 68.

A bill for an Act repealing Chapter 174 of the Session Laws of 1911 relating to the terms of court in various counties comprising the Fourth Judicial District of this State.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 80.

A bill for an Act to amend Section 84 of Article 5 of the Revised Code of the State of North Dakota for 1905, relating to enrollment and engrossing bills.

Which the House has amended as follows:

Line 1 of the printed bill be amended by omitting the words "Article five" and substituting in place thereof the words "Political Code" and omit in line 1 of the title the word "Code" and substitute in place thereof the word "Codes."

In line 1 of Section 1 the words "Article five" be omitted and there be substituted in place thereof the words "the Political Code," and in line 2 of Section 1 that the word "Code" be omitted and that there be substituted in place thereof the word "Codes."

And passed as amended.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

## REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the 23rd day, have carefully examined the same and recommended that the same be corrected as follows:

On page 4 strike out all of line 19.

On page 6, line 9, strike out the word "the."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

## REPORTS OF STANDING COMMITTEES.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred Senate Bill No. 126.

A bill for an Act relating to the employment of a chaplain at the state penitentiary.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1 and line 4 of the printed bill after the word schools insert the following: "county commissioners, surveyors," and after the word administrator insert the word "mayor."

In Section 8, page 6 and line 10 after the word transcribed strike out the words "in long-hand."

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

Senate Bill No. 75.

A bill for an Act to amend Chapter 110, Laws of 1911, relating to the investment of county sinking funds.

Have had the same under consideration and recommend that the same be amended as follows:

In line 12 of the printed bill strike out the word "five" and insert the word "six."

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 23.

A bill for an Act to amend Chapter 290 of the Laws of 1911 relating to property exempt from taxation.

Also,

Senate Bill No. 55.

A bill for an Act to amend Section 157 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to the election of school officers.

Also,

Senate Bill No. 26.

A bill for an Act to amend Section 618 of the Revised Codes of North Dakota for 1905, relating to elections.

Also,

Senate Bill No. 98.

A bill for an Act to amend Chapter 277 of the Session Laws of 1911, prohibiting the Importation, manufacture, distribution, transportation, sale or use of snuff, and providing a penalty therefor.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS.

Mr. Cashel introduced

Senate Bill No. 172.

A bill for an Act to provide an appropriation to re-imburse Richard Heyward, State High School Inspector, for expenses incurred in attending the North Central Association of Colleges and Secondary Schools in Chicago, Illinois, in March 1912, by direction of the State High School Board.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Davis introduced

Senate Bill No. 173.

A bill for an Act to amend Section 1972, Section 1973 as amended by Chapter 117 of the Laws of 1907, and Section 1974 of the Revised Codes of 1905, relating to notice of taking up estrays.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Davis introduced

Senate Bill No. 174.

A bill for an Act repealing Section 7 of Chapter 235 of Session Laws of 1911, relating to the payment of premium on bonds and insurance.

Which was read the first and second times and

Referred to the committee on insurance.

Mr. Davidson introduced

Senate Bill No. 175.

A bill for an Act to amend Section 73 of the Revised Codes of 1905 relating to reports of officers, departments, boards, commissions and state institutions by law required to be made to the Governor and the Legislative Assembly of the State, requiring the person or persons, having contracts for printing with the state to execute a bond, providing a penalty for failure to make, transmit and print such reports at the time required, and repealing all existing provisions of law inconsistent herewith.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Hookway introduced .

Senate Bill No. 176.

A bill for an Act to amend and re-enact Section 1577 of the Revised Codes of North Dakota for the year 1905, relating to certificate of sale and purchase for taxes and the form of such certificate.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Hookway introduced

Senate Bill No. 177.

A bill for an Act to provide for the execution of tax deeds for lands sold for delinquent taxes under the provisions of Section 1576 of the Revised Codes of North Dakota for 1905 and to prescribe the form and to define the effect of all such deeds and the title thereby conveyed, and to provide for the issuance of new tax deeds in lieu of defective ones heretofore issued under the provisions of Section 1591 of the Revised Codes of North Dakota for 1905.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Allen introduced

Senate Bill No. 178.

A bill for an Act making an appropriation for carrying out provisions of the law, relating to the duties of the Commissioner of Agriculture and Labor.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Hughes introduced

Senate Bill No. 179.

A bill for an Act to amend and re-enact Section 4655 of the Revised Codes of 1905, relating to banking corporations.

Which was read the first and second times and

Referred to the committee on banks and banking.

THIRD READING OF SENATE BILLS.

Senate Bill No. 23.

A bill for an Act to amend Chapter 290 of the Laws of 1911 relating to property exempt from taxation.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 23, nays 4, absent and not voting 23.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Hanley	Mudgett
Barnes	Hookway	Nelson
Davidson	Hoverson	Porterfield
Davis	Hughes	Putnam
Duncan	Kretschmar	Trageton
Englund	Leutz	Turner
Garden	McDowell	Vail
Gilbert	McLean	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hyland	Wartner	Williams
Talcott		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ellingson	Loftsgaard
Bond	Ganssle	McBride
Bonzer	Gibbens	Overson
Bronson	Gronvold	Plain
Carter	Héckle	Steel
Cashel	Helgeland	Thoreson
Clark	Jacobsen	Young
Elken	Linde	

So the bill was lost.

Mr. Hyland explained his vote.

Mr. Talcott gave notice that on the next day of the Legislative Session he would move to reconsider the vote by which Senate Bill No. 23 was lost.

There being no objection, the Senate returned to the sixth order of business.

And

The special committee on Senate Bill No. 13 made the following report:

*Mr. President:*

Your special committee to whom was referred  
Amended Senate Bill No. 13.

A bill for an Act to amend Sections 1933, 1934, 1935 and 1936, relating to stock running at large.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out all after the words "A bill" and inserting the following:

For an Act to amend Sections 1933, 1934, 1935, 1936, 1937 and 1938 of the Revised Codes of 1905, relating to stock running at large.

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

Section 1. Amendment.) Sections 1933, 1934, 1935, 1936, 1937 and 1938 of the Revised Codes of North Dakota for 1905 are hereby respectively amended to read as follows:

Section 1933. Unlawful for Stock to Run at Large.) It shall be unlawful for cattle, horses, mules, swine, goats and sheep to run at large at any time.

Section 1934. Herd Law. How and When Suspended.) The board of county commissioners of each county in the state shall establish stock districts including all of the territory within the county for the purposes hereinafter provided. The boundaries of districts so established shall follow township lines. A stock 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. If one-fourth of the electors of any such district, as determined by the whole number of votes polled at the general election last held therein, shall file a petition in the office of the county auditor asking that stock be permitted to run at large between certain dates specified in such petition, and that the question of permitting stock to run at large in such district between such dates be submitted to the voters of said district at the next general election, it shall be the duty of the board, 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 or village; but no stallion or vicious bull, or other animals 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 shall be effective to permit stock to run at large between said dates from and after the date specified in said resolution, until said proposition shall have been voted upon by the electors of said district. *Provided*, that the board of county commissioners may, at any regular or special meeting, when it is deemed advisable, adopt the resolution herein authorized without being first petitioned so to do.

Section 1935. When Submitted to Vote.) Whenever it shall have been declared lawful for stock to run at large within a certain district between specified dates, then, at the

next general election, but at no other time, said question shall be submitted to a vote of the electors of such district. The law governing the giving of notices of general elections shall govern the giving of notice for such election.

Section 1936. Form of Ballots. Effect of Vote.) The ballots used at such election shall be in the following form, the dates named in the resolution to be inserted therein:

- Against stock to run at large between.....
- For stock to run at large between.....

In voting on the question each voter must place at the right of the proposition he favors the mark "X." If a majority of the ballots cast is in favor of letting stock run at large between said dates, the provisions of Chapter 44 of the Code of Civil Procedure shall not apply during such period, but shall apply at all other times of the year. If a majority of the ballots is against letting stock run at large, the resolution of the board of county commissioners declaring it lawful for stock to run at large between said dates shall be nullified from and after the canvass of such vote, and said board shall not have authority again to declare a change in the law for a period of two years.

Section 1937. When Proposition May Again be Submitted.) After the electors of any stock district shall have voted to permit stock to run at large, as hereinbefore provided, such vote may be nullified and stock prohibited from running at large at any time by resolution of the board of county commissioners and vote of the people upon the proceedings provided for the suspension of the provisions of this Article. The result of any election held hereunder shall remain in force until changed at some subsequent election, except as herein otherwise provided.

Section 1938. In any stock district in which an election has been held under the provisions hereof and in which the result of such election shall have been declared to be in favor of permitting stock to run at large between certain dates, a fence constructed as hereinafter described shall be sufficient and lawful.

Section 2. Emergency.) Whereas, an emergency exists in this that there is now a quantity of hay and grain unprotected in the state, therefore, this Act should take effect and be in force from and after its passage and approval in each county of the state regardless of any vote which such county may have taken heretofore to abolish the herd law.

And when so amended recommend the same do pass.

J. M. HANLEY,  
Chairman,

Mr. Hanley moved  
That the report be adopted.  
Which motion prevailed, and  
The report was adopted.

The courtesies of the floor were extended to Hon. D. C. Wright, Wilton, N. D.

Mr. Talcott moved  
That the Senate do now adjourn.  
Which motion prevailed, and  
The Senate adjourned.

W. D. AUSTIN,  
Secretary.

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TWENTY-NINTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 4th, 1913.

The Senate convened at 2 o'clock P. M.  
The President pro tempore presiding.  
Prayer by the chaplain.  
Mr. Talcott moved  
That the Senate take a recess of thirty minutes.  
Which motion prevailed, and  
The Senate took a recess.

AFTER RECESS.

The President presiding.  
Roll call.

All members present except Messrs. Bond, Englund, Gibbens, Hookway, Linde, Loftsgaard, McBride, Overson and Vail.

REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Jour-

nal of the 24th day, have carefully examined the same and recommend that the same be corrected as follows:

On page 4, line 15, strike out the word "these" and insert the word "this" in lieu thereof.

On page 8 transpose lines 1 and 2.

On page 12, at the end of lines 8 and 9 insert a

On page 11, line 1, strike out the 2 words, "A bill."

On page 11, line 7, after the words "North Dakota," insert the words "for 1905."

And when so amended recommend that the same be approved.

O. O. TRAGETON,  
Acting Chairman.

Mr. Trageton moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Duncan presented the following petition:

*To the Legislative Assembly of the State of North Dakota:*

We the undersigned citizens of the 20th Legislative District of the State of North Dakota over 21 years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

ABRAM BALDWIN and 46 others.

Mr. Hanley presented the following petition:

We, the undersigned, protest against and ask you to work against the passage of any bills placing burdensome conditions and qualifications or high licenses on rural wagon salesmen of domestic and stock remedies, spices, extracts and toilet articles.

These salesmen regularly supply us with satisfactory goods at reasonable prices and we consider any legislation harming their business an injury to ourselves. Such legislation forces out competition, creates a monopoly, prohibits freedom of purchase and increases the cost of living.

E. J. SAWTELL and 126 others.

There being no objection the foregoing petition was referred to the committee on public health.

Mr. Mudgett offered the following petition:

*To the Legislative Assembly of the State of North Dakota:*

We the undersigned citizens of the 15th Legislative District of the State of North Dakota over 21 years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

RUDOLPH ATHER and 49 others.

Mr. Jacobsen offered the following petition:

We, the undersigned, protest against and ask you to work against the passage of any bills placing burdensome conditions and qualifications or high licenses on rural wagon salesmen of domestic and stock remedies, spices, extracts and toilet articles.

These salesmen regularly supply us with satisfactory goods at reasonable prices and we consider any legislation harming their business an injury to ourselves. Such legislation forces out competition, creates a monopoly, prohibits freedom of purchase and increases the cost of living.

H. J. WINTERSTEIN and 98 others.

There being no objection the foregoing petition was referred to the committee on public health.

#### REPORTS OF STANDING COMMITTEES.

The committee on railroads made the following report:

*Mr. President:*

Your committee on railroads to whom was referred

Senate Bill No. 36.

A bill for an Act entitled "An Act to amend Section 4331 of the Revised Codes of North Dakota of 1905, relating to the operation of railroads in this state; receiving and transporting passengers and property.

Have had the same under consideration and recommend that the same do pass.

E. F. GILBERT,  
Chairman.

Mr. Gilbert moved  
That the report be adopted.  
Which motion prevailed, and  
The report was adopted.  
Also,

Senate Bill No. 129.

A bill for an Act to re-enact Section 368 of the Revised Codes of 1905 and to provide free passage for the members of the state board of railroad commissioners and their employees.

Have had the same under consideration and recommend that the same do pass.

E. F. GILBERT,  
Chairman.

Mr. Gilbert moved  
That the report be adopted.  
Which motion prevailed and  
The report was adopted.  
Also,

Senate Bill No. 152.

A bill for an Act relating to the transfer of messages by telegraph companies and penalty for the violation thereof.

Have had the same under consideration and recommend that the same be amended as follows:

After the word "message" in line 5 of Section 1 insert the words, "within this state."

And when so amended recommend the same do pass.

E. F. GILBERT,  
Chairman.

Mr. Gilbert moved  
That the report be adopted.  
Which motion prevailed, and  
The report was adopted.

## MOTIONS AND RESOLUTIONS.

Mr. Talcott moved

That the vote by which Senate Bill No. 23 was lost be re-considered.

Which motion prevailed.

Mr. McLean offered the following resolution:

WHEREAS, The Hon. Edward Pierce of Sheldon, Ransom County, North Dakota, was a pioneer of the State of North Dakota as well as an eminent Legislator of many years experience whose sound judgment, wise and generous council have been of estimable value to the State and,

WHEREAS, The portrait of the Hon. Judson Lamoure and the portrait of the Hon. C. B. Little, two eminent Legislators of the state and for many years useful members of this body, have been placed upon the walls of this Senate as a reminder of their absence and past usefulness. Therefore,

*Be It Resolved*, That the Honorable Lieutenant Governor appoint a committee of three members of this body to request of the Hon. Edward Pierce a copy of a portrait of himself suitable for the purpose, and that the same when presented be accepted by said committee in the name of the Senate and that said portrait be placed upon the walls of this Senate Chamber as a token of his long and faithful service.

And the Secretary of the Senate is requested to mail a copy of this resolution to the Hon. Edward Pierce.

Mr. McLean moved

That the resolution be adopted.

Which motion prevailed, and

The resolution was adopted.

Mr. Gilbert offered the following Concurrent Resolution:

WHEREAS, Automobiles have become a necessity and are owned quite generally over the United States and,

WHEREAS, There are many automobiles that have been used for some time and are still of value to the owners, but would bring very little if offered for sale, and,

WHEREAS, The present rates are the same on new and used automobiles and the classifications are such that

it amounts almost to the prohibiting of shipment of a used automobile from the fact that the freight often in a shipment of any great distance amounts to the value of the automobile shipped, and,

WHEREAS, This seems to us to be a hardship on the shipper and unjust,

*Therefore, Be It Resolved by the Senate, the House of Representatives Concurring,* That our Railroad Commissioners be asked to take this subject up with the Inter-State Commerce Commission and urge that a used car be given a classification so they may be shipped with household effects as other used vehicles are now allowed and that a rate be made so that it does not amount as now to confiscation or giving away of a used car.

Mr. Gilbert moved

That the Concurrent Resolution be adopted.

Which motion prevailed, and

The Concurrent Resolution was adopted.

#### INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Mr. Trageton introduced

Senate Bill No. 180.

A bill for an Act to amend Section 1319 of the Revised Codes for 1905, making an appropriation for Farmers' Institutes.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Duncan introduced

Senate Bill No. 181.

A bill for an Act providing for the inspection of freight and express books and records by the state's attorney in the enforcement of the Prohibition Law.

Which was read the first and second times and

Referred to the committee on temperance.

Mr. McLean introduced

Senate Bill No. 182.

A bill for an Act to amend Section 2623, Revised Codes of 1905, relating to the examination of records of certain public officers.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Garden introduced

Senate Bill No. 183.

A bill for an Act to amend Section 1531 of the Revised Codes of 1905 relating to the State Board of Equalization, how constituted, its meetings, rules for equalizing.

Which was read the first and second times and  
Referred to the committee on taxes and tax laws.

Mr. Garden introduced

Senate Bill No. 184.

A bill for an Act to provide for the payment of costs and expenses in extradition cases brought under the laws of the United States on application of the Governor of this state.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Putnam introduced

Senate Bill No. 185.

A bill for an Act for an appropriation to reimburse Prof. E. F. Ladd for disbursements and expenses incurred in the enforcement of the Pure Food Laws.

Which was read the first and second times and  
Referred to the committee on appropriations.

Mr. Mudgett introduced

Senate Bill No. 186.

A bill for an Act making an appropriation for the purpose of aiding the Union and Confederate soldiers of the Civil War to attend the reunion to be held at Gettysburg, Pa., in the month of July, 1913.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Duncan introduced

Senate Bill No. 187.

A bill for an Act to require the railroad commission to formulate a uniform system of accounting for public elevators and warehouses and providing for the examination of the financial accounts of such elevators and warehouses whenever fifteen per cent of the stockholders of the stock sold request an examination and prescribing fees therefor.

Which was read the first and second times and

Referred to the committee on warehouses, grain and grain grading.

### THIRD READING OF SENATE BILLS.

Mr. Talcott moved

That the Senate do now concur in the House amendments to Senate Bill No. 80.

Which motion prevailed, and

The amendments were concurred in.

Senate Bill No. 80.

A bill for an Act to amend Section 84 of Article 5 of the Revised Codes of the State of North Dakota for 1905, relating to enrollment and engrossing bills.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 38 ayes, no nays, 12 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	• Messrs.—
Albrecht	Garden	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bonzer	Hanley	Plain
Bronson	Heckle	Porterfield
Cashel	Helgeland	Talcott
Clark	Hoverson	Thoreson
Davidson	Hughes	Trageton
Davis	Hyland	Turner
Duncan	Jacobsen	Wartner
Elken	Kretschmar	Williams
Ellingson	Leutz	Young
Ganssle	McDowell	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bond	Hookway	Overson
Carter	Linde	Putnam
Englund	Loftsgaard	Steel
Gibbens	McBride	Vail

So the bill as amended by the House passed and the title was agreed to.

**Senate Bill No. 23.**

A bill for an Act to amend Chapter 290 of the Laws of 1911 relating to property exempt from taxation.

Mr. Talcott moved

That Senate Bill No. 23 be amended as follows:

In Section 8 strike out the words "One Hundred" and insert in lieu thereof the word "Fifty."

Which motion prevailed, and

The amendment was adopted.

There being no objection, further consideration was deferred until tomorrow.

**Senate Bill No. 98.**

A bill for an Act to prohibit the importation, manufacture, distribution, transportation, sale or use of snuff and providing a penalty therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, no nays, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Mudgett
Allen	Gilbert	Nelson
Barnes	Gronvold	Plain
Bonzer	Hanley	Porterfield
Bronson	Heckle	Putnam
Carter	Helgeland	Steel
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Davidson	Hyland	Trageton
Davis	Jacobsen	Turner
Duncan	Kretschmar	Wartner
Elken	Leutz	Williams
Ellingson	McDowell	Young
Ganssle	McLean	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bond	Hookway	McBride
Englund	Linde	Overson
Gibbens	Loftsgaard	Vail

So the bill passed and the title was agreed to.

Senate Bill No. 26.

A bill for an Act to amend Section 618 of the Revised Codes of North Dakota for 1905, relating to elections.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 40 ayes, no nays, 10 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bonzer	Hanley	Plain
Bronson	Heckle	Porterfield
Carter	Helgeland	Steel
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Davidson	Hyland	Trageton
Davis	Jacobsen	Turner
Duncan	Kretschmar	Wartner
Elken	Leutz	Williams
Ellingson	McDowell	Young
Ganssle		

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bond	Linde	Overson
Englund	Loftsgaard	Putnam
Gibbens	McBride	Vail
Hookway		

Mr. Putnam being excused.

So the bill passed and the title was agreed to.

**FIRST AND SECOND READING OF HOUSE BILLS.**

House Bill No. 47.

A bill for an Act to amend and re-enact Section 6187, Revised Code of 1905 of the State of North Dakota, relating to chattel mortgages.

Was read the first and second times and

Referred to the committee on judiciary.

House Bill No. 61.

A bill for an Act to repeal Sections 3187, 3188, 3189, 3190 and 3191 of the Revised Codes of North Dakota for the year 1905, relating to guideposts.

Was read the first and second times and  
Referred to the committee on state affairs.

House Bill No. 18.

A bill for an Act to amend Sections 620 and 650 of the Revised Codes, 1905, relating to elections.

Was read the first and second times and  
Referred to the committee on elections.

House Bill No. 122.

A bill for an Act to amend Sections 1, 2 and 4 of Chapter 258 of the Session Laws of 1907, relating to trade discrimination and unfair competition.

Was read the first and second times and  
Referred to the committee on state affairs.

House Bill No. 113.

A bill for an Act to repeal Chapter 114 of the Laws of 1911 relating to the bonding of county commissioners.

Was read the first and second times and  
Referred to the committee on ways and means.

House Bill No. 154.

A bill for an Act requiring treasurers of fair associations to give a bond to the directors thereof.

Was read the first and second times and  
Referred to the committee on ways and means.

House Bill No. 95.

A bill for an Act to amend and re-enact Section 2495 of the Revised Codes of North Dakota for the year 1905 relating to the duties of State's Attorneys and Attorney General.

Was read the first and second times and  
Referred to the committee on judiciary.

## House Bill No. 129.

A bill for an Act entitled, "An Act to amend Section 2478 of the Revised Codes of 1905 relating to partial payment of taxes."

Was read the first and second times and

Referred to the committee on taxes and tax laws.

## House Bill No. 52.

A bill for an Act to repeal Article 21 of Chapter 32, entitled, "Townsites located on public lands," of the Revised Codes of 1905.

Was read the first and second times and

Referred to the committee on state affairs.

## House Bill No. 92.

A bill for an Act to amend Section 1 of Chapter 77 of the Laws of 1911, entitled, an Act to provide for a commission system of government in cities which shall adopt the provisions of this Act.

Was read the first and second times and

Referred to the committee on cities and municipal corporations.

## House Bill No. 82.

A bill for an Act to regulate the manufacture of pneumatic rubber tires for motor vehicles and to prevent fraud and deception in the sale thereof.

Was read the first and second times and

Referred to the committee on state affairs.

There being no objection the Senate returned to the 8th order of business and

Mr. Talcott moved

That the Senate do now concur in the House resolution referring to memorial to Congress on the Kenyon-Sheppard bill.

Mr. Leutz moved

As an amendment that this resolution be referred to the committee on temperance.

Which amendment was lost.

Mr. Talcott moved

That the resolution be amended to read that a copy of these resolutions be also sent to the members of the United States Senate and to the member of Congress from North Dakota.

Which motion prevailed.

And the amendment was adopted.

And the concurrent resolution as amended was adopted.

The courtesies of the floor were extended to:

T. M. Buchholz, Ashley, N. D.; Robt. D. Beery, Hettinger County; Hon. O. T. Tofsrud, W. D. McClintock, Rugby, N. D.; C. C. Koenig, Underwood, N. D.; John Baer, Pierce Egan, Golden Valley, N. D.; S. G. Severtson, Sheyenne, N. D.; E. L. Peck, Milton, N. D.; C. F. Ellis, G. A. Renden, G. I. Solem, W. W. Fuller, Mandan, N. D.; Hon. Mr. Grimson of Cavalier County, N. D.

Mr. McLean moved

That the Senate do now adjourn.

Which motion prevailed, and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

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### THIRTIETH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 5th, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Hookway, Linde and Loftsgaard.

Who were excused.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 4th, 1913.

*Mr. President:*

I have the honor to inform you that the House has con-

curred in the amendments to concurrent resolution relating to the Kenyon-Sheppard bill.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to transmit herewith

House Bill No. 67.

A bill for an Act entitled "An Act prohibiting and making it a misdemeanor to manufacture, sell, barter, exchange or give away cigarettes or cigarette papers.

Also,

House Bill No. 73.

A bill for an Act to amend and re-enact Section 1372 of the Revised Codes of North Dakota for 1905, relating to county road funds.

Also,

House Bill No. 105.

A bill for an Act to amend Section 3048 of the Revised Codes of North Dakota for 1905, relating to the organization of townships.

Also,

House Bill No. 36.

A bill for an Act to amend Sections 6 and 10 of Chapter 135 of the Laws of 1907 as amended by Chapter 141, Laws

Also,

House Bill No. 50.

A bill for an Act to amend Chapter 306 of the Session Laws of 1911, relating to the election and appointment of township officers and their terms of office and to repeal Section 3111 of the Revised Codes of 1905.

Also,

House Bill No. 116.

A concurrent resolution amending the Constitution of the State of North Dakota, relating to the uniformity of taxation and permitting the classification of property for the purpose of taxation and relating further to the assessment and taxation of certain public utility companies.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

#### REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the 29th day, have carefully examined the same and recommend that the same be corrected as follows:

On page 3, line 2, after the word "foregoing" insert the word "petition."

On page 6, in line 8, strike out the word "the" and insert the word "our."

On page 8, in line 21, after the word "code" add the letter "s."

On page 10, just before the words "House Bill No. 47" prefix the order of the day "First and Second Reading of House Bills," also

On page 13, in line 4, in the word "members" strike out the letter "s."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Nelson presented the following petition:

We, the undersigned, protest against and ask you to work against the passage of any bills placing burdensome conditions and qualifications or high licenses on rural wagon salesmen of domestic and stock remedies, spices, extracts and toilet articles.

These salesmen regularly supply us with satisfactory goods at reasonable prices and we consider any legislation

harming their business and injury to ourselves. Such legislation forces out competition, creates a monopoly, prohibits freedom of purchase and increases the cost of living.

ARON ANDERSON and 40 others.

The following petition was received by mail:

We, the undersigned, hereby protest against Senate Bill No. 61 by Mr. Porterfield, which, if passed, would drive the rural medicine salesmen out of business. We deal satisfactorily with these wagons and wish to continue to do so and consider that all bills of this kind are intended to build up a monopoly in the sale of medicines, to which we very much object on general principles.

ADOLPH FRIED and 6 others.

Mr. Ellingson presented the following petition:

*To the Legislative Assembly of the State of North Dakota:*

We the undersigned citizens of the Sixteenth Legislative District of the State of North Dakota over 21 years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

SAMUEL HITCHCOCK and 66 other.

Mr. Trageton presented the following petition:

The undersigned men and women, citizens and voters of Northwood, respectfully represent that to the best of our knowledge public sentiment in our city and in the Fifth Legislative District is favorable to the passage of an Equal Suffrage bill and we urgently request our Senator and Representative in the Legislature to favor by vote and influence the extension of suffrage to women at the earliest possible date.

ELIAS AAS and 109 others.

Mr. Hoverson presented the following petition:

*To the Legislative Assembly of the State of North Dakota:*

We the undersigned citizens of the Thirty-Ninth Legislative District of the State of North Dakota over 21 years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

S. E. TOLLINGER and 67 others.

Mr. Mudgett presented the following petition:

*To the Senate and House of Representatives of the State of North Dakota:*

We, the undersigned citizens of the State of North Dakota, 21 years old and upwards, respectfully petition your honorable body to submit to the electors of the state an amendment to the Constitution striking out the word "male" as a qualification for suffrage. Town of Leal, Barnes County, Congressional District.

J. W. WIDDIFIELD and 75 others.

#### REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 75.

A bill for an Act to amend Chapter 110, Laws of 1911, relating to the investment of county sinking funds.

Also,

Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

Also,

Senate Bill No. 36.

A bill for an Act entitled "An Act to amend Section 4331 of the Revised Codes of North Dakota of 1905, relating to the operation of railroads in this state, receiving and transporting passengers and property.

Also,

Senate Bill No. 129.

A bill for an Act to re-enact Section 368 of the Revised Codes of 1905 and to provide free passage for the members of the State Board of Railroad Commissioners and their employees.

Also,

Senate Bill No. 152.

A bill for an Act relating to the transfer of messages by telegraph companies and penalty for the violation thereof.

And find the same correctly engrossed.

F. T. GRONVOLD,  
Acting Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

Senate Bill No. 68.

A bill for an Act repealing Chapter 174 of the Session Laws of 1911 relating to the terms of court in various counties comprising the Fourth Judicial District of this State.

Also,

Senate Bill No. 80.

A bill for an Act to amend Section 84 of Political Code of the Revised Codes of the State of North Dakota for 1905, relating to enrolling and engrossing bills.

And find the same correctly enrolled.

F. T. GRONVOLD,  
Acting Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

Senate Bill No. 13.

A bill for an Act to amend Sections 1933, 1934, 1935, 1936, 1937 and 1938 of the Revised Code of 1905, relating to stock running at large.

And find the same correctly re-engrossed.

F. T. GRONVOLD,  
Acting Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on ways and means made the following report:

*Mr. President:*

Your committee on ways and means to whom was referred

Senate Bill No. 119.

A bill for an Act to provide for the maintenance of free employment offices under the supervision of the commissioner of agriculture and labor during the months of July, August, September and October of each year.

Have had the same under consideration and recommend that the same be amended as follows:

Insert "and" after August and cut out "and October" in title of bill.

Insert in line 4, Section 1, after he, "with the advice and consent of the Governor."

In line 6, Section 1, cut out "and October." Insert in line 9 after labor, "with the approval of the Governor."

In line 11, Section 1, cut out "the time" and insert in its place "the three months."

And when so amended recommend the same do pass and referred to the committee on appropriations.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

Senate Bill No. 132.

A bill for an Act to amend Section 2596 of the 1905 Revised Codes of North Dakota as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907 providing the clerk hire for the register of deeds in the various counties of the state.

Have had the same under consideration and recommend that the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved  
 That the report be adopted.  
 Which motion prevailed, and  
 The report was adopted.

#### REPORT OF SPECIAL COMMITTEE.

*Mr. President:*

Your committee appointed to confer with a like committee appointed on the part of the House of Representatives to arrange for the reception of representatives of the Student Council of the North Dakota Agricultural College, beg leave to report that we have conferred with the House Committee and the joint committee recommends that the Senate and House meet in joint session in the hall of the House of Representatives on February 12, 1913, at two o'clock P. M., to receive the Student Council, and that President John H. Worst, of the State Agricultural College, be invited to deliver a memorial address at that time in honor of the anniversary of Lincoln's Birthday.

JOHN E. WILLIAMS,  
 O. O. TRAGETON,  
 Senate Committee.  
 E. A. WILLIAMS,  
 G. A. TUCKER,  
 A. A. STENEHJEM,  
 House Committee

Mr. Williams moved  
 That the report be adopted.  
 Which motion prevailed, and  
 The report was adopted.

#### INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Mr. Steel introduced  
 Senate Bill No. 188.

A bill for an Act to amend and re-enact Section 3, Chapter 137 of the Session Laws of 1907, as amended by Chapter 155 of the Session Laws of 1911, relating to the payment of costs of treatment and board of patients in the insane hospital.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Gronvold introduced

Senate Bill No. 189.

A bill for an Act to provide for the purchase of 10,000 copies of Professor Thomas Shaw's book entitled "Dry Farming" at thirty cents per copy, provided 10,000 copies are purchased.

Which was read the first and second times and  
Referred to the committee on appropriations.

Mr. Jacobsen introduced

Senate Bill No. 190.

A bill for an Act repealing Chapter 258 of the Laws of 1907, entitled "An Act to prohibit discrimination between different sections, communities or localities, unfair competition and providing penalties for the violation thereof."

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Vail introduced.

Senate Bill No. 191.

A bill for an Act prescribing the form that shall be used in securing payment of all appropriations of state moneys, so that the provisions of Section 186 of the Constitution of the State of North Dakota may be complied with, and specifically providing that the appropriations made under Chapter 60, Session Laws of 1909; Chapter 209, Session Laws of 1909; Chapter 21, Session Laws of 1911; Chapter 24, Session Laws of 1911; Chapter 198, Session Laws of 1907; Chapter 82, Session Laws of 1907; Section 1129, Revised Codes of 1905; Section 1070, Revised Codes of 1905; Section 841 of the Revised Codes of 1905 as amended in Chapter 107 of the Session Laws of 1907; Chapter 28, Session Laws of 1909; Chapter 117, Session Laws of 1909; and Chapter 166, Session Laws of 1909, shall be paid by the State Auditor only when the bills or expense lists against the named appropriations shall have been filed in fully itemized form and audited and approved by the State Auditing Board.

Which was read the first and second times and  
Referred to the committee on ways and means.

Mr. Vail introduced

Senate Bill No. 192.

A bill for an Act to amend and re-enact Section 1283 of the Revised Codes of 1905 for North Dakota, prohibiting excessive expenditures out of appropriations and providing for an emergency commission.

Which was read the first and second times and

Referred to the committee on ways and means.

Mr. Vail introduced

Senate Bill No. 193.

A bill for an Act authorizing the Governor of the State of North Dakota to employ chartered public accountants to examine, audit and check the accounts of the several departments of the state government, to list, examine and appraise the securities of all kinds in possession of any of the state officers, to make a complete appraisal on a date certain of all buildings and property of all kinds belonging to the state, to suggest improvements in bookkeeping and methods of handling the business of the state; extending the duties of the state examiner prescribed in Section 141 of Article 9 of the Political Code of 1905, to cover all examination of the books and accounts of auditor and treasurer of the cities of the State of North Dakota, and prescribing fees therefor; requiring the Governor to make report to the Legislature next succeeding any such examination of the result of such examination, credit and check of the several state departments of the state property by the chartered public accountants by him employed and appropriating money to carry out the provisions of this Act.

Which was read the first and second times and

Referred to the committee on ways and means.

Mr. Davis introduced

Senate Bill No. 194.

A bill for an Act making an appropriation for the Dairy Department of the State of North Dakota.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Davis introduced

Senate Bill No. 195.

A bill for an Act to provide additional Assistant Dairy Commissioners, defining their duties, salaries, expenses, and how same shall be paid.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Davis introduced

Senate Bill No. 196.

A bill for an Act to provide for the establishment, organization, regulation and management of a State Board of Health, County Boards of Health, Township Boards of Health and Village Boards of Health, and making an appropriation for the expenses of the State Board of Health, and to repeal Sections 252 to 287, inclusive, of Article 10, Chapter 4, Revised Codes of 1905.

Which was read the first and second times and

Referred to the committee on public health.

Mr. Barnes introduced

Senate Bill No. 197.

A bill for an Act requiring front and rear exits in all schoolhouses having more than one schoolroom and requiring stationary fire escapes with proper landings and railings to be attached to the outside of all schoolhouses above the first story of every schoolhouse having more than one story, and designating whose duty it shall be to provide such exits, fire escapes, landings and railings, prescribing a time within which said Act shall be done, and prescribing a punishment for the violation thereof.

Which was read the first and second times and

Referred to the committee on education.

Mr. Overson introduced

Senate Bill No. 198.

A bill for an Act to provide for the creation of a commission to have charge of the cataloguing of libraries in the state capitol, and providing an appropriation therefor.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Cashel, by request, introduced

Senate Bill No. 199.

A bill for an Act amending Section 461 of the Revised Codes of the State of North Dakota for 1905, relating to the salary of the Supreme Court Reporter.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Wartner introduced

Senate Bill No. 200.

A bill for an Act providing for the payment of expenses of District Judges when acting outside of the counties of their residence, and to amend Chapter 175 of the Session Laws of 1911.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Bronson introduced

Senate Bill No. 201.

A bill for an Act amending Section 1070 of the Revised Codes of North Dakota for 1905, and making an appropriation to meet the necessary expenses of the State Geological Survey.

Which was read the first and second times and

Referred to the committee on appropriations.

There being no objections the Senate returned to the 6th order of business, and

The committee on education made the following report:

*Mr. President:*

Your committee on education to whom was referred

Senate Bill No. 51.

A bill for an Act to amend and re-enact Sections 1031, 1032, 1033, 1034, 1035, 1036, 1037 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907 and Chapter 267 of the General Laws of 1911; and to amend Sections 1, 2, 3, 4, 5, of Chapter 40 of the General Laws of 1911, and to repeal Sections 6, 7, 8, 9, 10, 11, of Chapter 40 of the General Laws of 1911.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 3, page 4, lines 14, 15 and 16 strike out the words "provided, that on and after July 1, 1915, the subjects prescribed for the full four-year secondary school curriculum shall be required."

In Section 4, page 4, line 12, strike out the words "be not less than" and insert in lieu thereof the words "not exceed;" and in line 13 strike out the words "dollars or more than three thousand dollars" and insert in lieu thereof the words "five hundred dollars."

In Section 4, page 6, lines 53, 54, 55, 56, 57, strike out all beginning with the word "provided" in line 53 and ending with the word "curriculum" in line 57.

In Section 4, page 8, line 83, after the word "thereto" insert the following words: "provided further, that with the approval of the state high school board the money appropriated by the state to the high schools designated to maintain departments of agriculture, manual training and domestic economy may be used for the extension of agricultural education and demonstration outside of the district in which the school is located, within the limits of efficiency."

In Section 5, page 8, line 13, after the word "department" insert the words "provided, that the high schools now designated and those hereafter designated to maintain departments of agriculture, manual training and domestic economy shall continue to be so designated and aided so long as they comply with the rules and regulations of the state high school board and perform satisfactorily the work contemplated by this Section."

And when so amended recommend the same do pass and re-referred to the committee on appropriations.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

Senate Bill No. 44.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 of Chapter 35 of the Session Laws of the year 1911, of the State of North Dakota, being an Act to encourage elementary education in North Dakota, and appropriate money therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 4, page 5, line 25, the word "nine" and figure "9" be stricken out and the word "eight" and figure "8" be substituted in lieu thereof.

In Section 6, page 7, line 11, after the word "schools" insert the words "and consolidated schools."

In Section 6, page 7, line 14, strike out the word "county" and insert in lieu thereof the word "state."

In Section 6, page 7, line 14, strike out the word "schools" and insert in lieu thereof the words "public instruction, and shall have been a county superintendent of schools."

In Section 6, page 7, line 15, after the word "thousand" insert the words "five hundred."

In Section 6, page 7, lines 17 and 18, strike out the words "one thousand," and insert in lieu thereof the words "twelve hundred."

In Section 6, page 7, line 21, after the words "inspector of" insert the word "consolidated."

In Section 6, page 7, line 23, strike out the words "directed by the superintendent of public instruction," and insert in lieu thereof the word "possible."

In Section 6, page 7, line 24, strike out the words "and assist at."

In Section 6, page 7, line 25, after the word "officers" insert the words "and patrons'", and strike out the words "meetings called to."

In Section 6, page 8, line 36 strike out the word "fifteen" and figures "\$1500.00" and insert in lieu thereof the word "eighteen" and figures "\$1800.00."

In Section 6, page 8, line 37, strike out the words "eight hundred" and figures "\$800.00" and insert in lieu thereof the words "one thousand" and figures "\$1000.00."

In Section 6, page 8, line 40, after the word "of" insert the word "consolidated."

In Section 12, page 12, line 10, strike out the words "thirty-five" and figures "\$3500.00" and insert in lieu thereof the words "forty-three" and figures "\$4300.00."

In Section 12, page 12, line 12, strike out the word "eighteen" and figures "\$1800.00" and insert in lieu thereof the words "twenty-two" and figures "\$2200.00."

And when so amended recommend the same do pass and re-referred to the committee on appropriations.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The Secretary announced that the President was about to sign  
Senate Bill No. 68.

A bill for an Act repealing Chapter 174 of the Session Laws of 1911 relating to the terms of court in various counties comprising the Fourth Judicial District of this State.

Senate Bill No. 80.

A bill for an Act to amend Section 84 of Article 5 of the Revised Code of the State of North Dakota for 1905, relating to enrollment and engrossing bills.

And the President signed the same in the presence of the Senate.

There being no objection the Senate returned to the 11th order of business, and

Mr. Bronson introduced

Senate Bill No. 202.

A bill for an Act to amend and re-enact Section 2171 of the Revised Codes of North Dakota for 1905, relating to automobiles.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Bronson introduced

Senate Bill No. 203.

A bill for an Act appropriating the sum of twelve thousand dollars for investigation and experimentation concerning the manufacture of flax fibre and the utilization of flax straw therefor.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. McBride introduced

Senate Bill No. 204.

A bill for an Act authorizing the appointment of a State Business Agent to investigate and promote the development of the natural resources of North Dakota and prescribing the duties and term of office, and making appropriation therefor.

Which was read the first and second times and

Referred to the committee on state affairs.

There being no objection the Senate returned to the 8th order of business, and

Mr. Hanley moved

That all Senators absent on the 29th and 30th days be excused.

Which motion prevailed.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 14

A bill for an Act to provide for the extermination of gophers and the compensation thereof.

Mr. Gilbert moved

That Senate Bill No. 14 be referred to a special committee consisting of Senators Gibbens, Leutz and Englund.

Which motion prevailed.

Mr. Gilbert moved

That Senate Bill No. 14 retain its position on the calendar.

Which motion prevailed.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

February 5th, 1913.

*Mr. President:*

I have the honor to transmit herewith

House Bill No. 28.

A bill for an Act to amend and re-enact Chapter 54, Laws 1911, relating to corporations having banking powers, defining what percent of the capital stock and surplus of such corporation may be used for banking house furni-

ture and fixtures, defining its powers as to other real estate and repealing Section 4640 of the Revised Code for the year 1905.

Also,

House Bill No. 71.

A bill for an Act entitled "An Act to amend Section 2783 of the Revised Codes of the State of North Dakota of 1905, relating to cities.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Talcott moved

That the Senate take a recess of twenty minutes.

Which motion prevailed and

The Senate took a recess.

#### AFTER RECESS.

There being no objection the Senate returned to the 9th order of business, and

Mr. Garden introduced

Senate Bill No. 205.

A bill for an Act making an appropriation to compensate F. C. Heffron for services as assistant attorney general, especially authorized to enforce the Prohibitory Law of this state.

Which was read the first and second times and

Referred to the committee on appropriations.

#### THIRD READING OF SENATE BILLS.

Senate Bill No. 23.

A bill for an Act to amend Chapter 290 of the Laws of 1911 relating to property exempt from taxation.

Mr. Talcott moved

That Senate Bill No. 23 be amended as follows:

Line 45 of Section 9, Senate Bill No. 23, insert after the word "purposes" the following: "Provided further, all

personal and real property owned by any Fraternity, Sorority or organization of college students."

Which motion prevailed and

The amendment was adopted.

Was read the third time.

The question being on the final passage of the bill as amended.

The roll was called and there were 39 ayes, 7 nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ellingson	McLean
Allen	Englund	Mudgett
Barnes	Ganssle	Nelson
Bond	Gilbert	Overson
Bonzer	Gronvold	Plain
Bronson	Hanley	Porterfield
Carter	Helgeland	Steel
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Davidson	Jacobsen	Trageton
Davis	Leutz	Turner
Duncan	McBride	Vail
Elken	McDowell	Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Garden	Kretschmar	Williams
Gibbens	Putnam	
Hyland	Wartner	

Absent and not voting, Messrs Heckle, Hookway, Linde and Loftsgaard.

Messrs. Hookway, Linde and Loftsgaard being excused.

So the bill passed and the title was agreed to.

Mr. Talcott moved

That the vote by which Senate Bill No. 23 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 55.

A bill for an Act to amend Section 157 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to the election of school officers.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Nelson
Allen	Gibbens	Overson
Barnes	Gilbert	Plain
Bond	Gronvold	Porterfield
Bonzer	Hanley	Putnam
Bronson	Hølgeland	Steel
Carter	Hoverson	Talcott
Cashel	Hughes	Thoreson
Clark	Hyland	Trageton
Davidson	Jacobsen	Turner
Davis	Kretschmar	Vail
Duncan	Leutz	Wartner
Elken	McBride	Williams
Ellingson	McDowell	Young
Englund	McLean	
Ganssle	Mudgett	

Absent and not voting, Messrs. Heckle, Hookway, Linde and Loftsgaard.

Messrs. Hookway, Linde and Loftsgaard being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

Was read the third time.

Mr. Jacobsen moved

That Senate Bill No. 103 be amended as follows:

Section 9. When charges are preferred against any of the officers mentioned in this Act by qualified electors other than the State's Attorney, or Attorney General as provided in Section 2, and upon the hearing it should appear that such charges were not reasonably sustained by the facts proven at such hearing, or that such charges were not preferred in good faith, then all of the costs of the proceedings under this Act may, in the discretion of the Governor, be taxed to the persons making such charges.

Section 10. If costs shall be taxed against the persons preferring charges against any of the officers mentioned in this Act, it shall be the duty of the Governor to certify such costs to the State's Attorney of the county effected, and it shall then be the duty of such State's Attorney to proceed to put the same into judgment and to cause such judgment to be filed in the office of the clerk of the district court in

such county; and such certificate of the Governor shall be prima facie evidence of the amount of costs therein stated.

Mr. Brønson moved

That Senate Bill No. 103 together with the proposed amendment be re-referred to the committee on state affairs.

Which motion prevailed, and

The bill was so referred.

There being no objection the Senate returned to the 7th order of business, and

The special committee on Senate Bill No. 14 made the following report:

*Mr. President:*

Your special committee to whom was referred Senate Bill No. 14, beg leave to make the following report:

That after line 20, Section 4, page 5, of the re-printed bill, insert the following as Section 5.

Section 5. Gophers Defined.) The word Gopher as used in this Act shall mean to include striped gophers, flicker tail gophers, pocket gophers and prairie dogs.

In Section 5, line 1 of the re-printed bill, change the numeral 5 to 6.

And when so amended, recommend the same to be passed.

A. S. GIBBENS,  
F. LEUTZ,  
J. A. ENGLUND.

Mr. Gibbens moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Mr. Gibbens moved

That Senate Bill No. 14 be placed on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 14.

A bill for an Act to provide for the extermination of gophers, compensation therefor, and declaring the gopher pest a common nuisance.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, 2 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Overson
Barnes	Gilbert	Plain
Bond	Gronvold	Porterfield
Bonzer	Helgeland	Putnam
Bronson	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Davis	Kretschmar	Turner
Duncan	Leutz	Vail
Elken	McBride	Wartner
Ellingson	McDowell	Williams
Englund	McLean	Young
Ganssle	Mudgett	
Garden	Nelson	

Those voting in the negative were:

Messrs.—	Messrs.—
Allen	Carter

Absent and not voting, Messrs. Hanley, Heckle, Hookway, Linde and Loftsgaard.

Messrs. Hookway, Linde and Loftsgaard being excused.

Mr. Davidson moved

That the title be amended as follows:

Strike out the word "and" between the words "therefore" and "declaring" and insert the words "and defining the term gopher" after the word "nuisance."

Which motion prevailed and

The title was so amended.

So the bill passed and the title as amended was agreed to.

Senate Bill No. 13.

A bill for an Act to amend Sections 1933, 1934, 1935, 1936, 1937 and 1938 of the Revised Codes of 1905 relating to stock running at large.

Was read the third time.

Mr. Hanley offered the following amendment and moved its adoption:

At the end of Section 1933 add the words "Except as hereinafter provided."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 40 ayes, no nays, 10 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Mudgett
Allen	Garden	Nelson
Barnes	Gibbens	Plain
Bond	Gronvold	Porterfield
Bonzer	Hanley	Putnam
Bronson	Helgeland	Thoreson
Carter	Hoverson	Trageton
Cashel	Hughes	Turner
Clark	Hyland	Vail
Davidson	Jacobsen	Wartner
Duncan	Kretschmar	Williams
Elken	McBride	Young
Ellingson	McDowell	
Englund	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Leutz	Steel
Gilbert	Linde	Talcott
Heckle	Loftsgaard	
Hookway	Overson	

Messrs. Hookway, Linde and Loftsgaard being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 152.

A bill for an Act relating to the transfer of messages by telegraph companies and penalty for the violation thereof. Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 39 ayes, 1 nay, 10 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Englund	McDowell
Allen	Ganssle	McLean
Barnes	Garden	Mudgett
Bond	Gibbens	Nelson
Bonzer	Gronvold	Plain
Bronson	Hanley	Porterfield
Carter	Helgeland	Putnam
Cashel	Hoverson	Thoreson
Clark	Hughes	Trageton
Davidson	Hyland	Turner
Duncan	Jacobsen	Vail
Elken	Kretschmar	Wartner
Ellingson	McBride	Williams

Those voting in the negative were:

Messrs.—  
Young

Absent and not voting:

Messrs.—  
Davis  
Gilbert  
Heckle  
Hookway

Messrs.—  
Leutz  
Linde  
Loftsgaard  
Overson

Messrs.—  
Steel  
Talcott

Messrs. Hookway, Linde and Loftsgaard being excused.

So the bill passed and the title was agreed to.

### COMMUNICATION FROM THE GOVERNOR.

GOVERNOR'S OFFICE

*North Dakota*

*To the Senate.*

February 5, 1913.

Gentlemen: I have the honor to inform you that I have this day approved and filed with the Secretary of State Senate Bill No. 68, a bill for an Act repealing Chapter 174 of the Session Laws of 1911, relating to the terms of court in various counties comprising the Fourth Judicial District of this state.

Also, Senate Bill No. 80, a bill for an Act to amend Section 84 of Article 5 of the Revised Codes of the State of North Dakota for 1905, relating to the enrolling and engrossing of bills.

I have the honor to be

Respectfully,

L. B. HANNA,  
Governor.

The President appointed as a committee to arrange for obtaining a portrait of Hon. Edward Pierce suitable for placing upon the walls of the Senate, Messrs. McLean, Thoreson and Vail.

The courtesies of the floor were extended to Ira T. Hall, Hettinger, N. D.; H. L. Haussaman, Grafton, N. D.; C. E. Nugent, Fargo, N. D.; A. A. Hendricks, F. M. Davis, Goodrich, N. D.; Chr. Berkmaier, Hebron, N. D.; Wm. Lehfeld, New Salem, N. D.; R. H. Yaeck, George W. Norin, C. J. McWold, Richardton, N. D.; R. H. Austin, H. Peoples, New Rockford, N. D.; Hon. A. W. Gray, Kenmare N. D.

Mr. Trageton moved

That the Senate do now adjourn.

Which motion prevailed, and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

## THIRTY-FIRST DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 6th, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Mr. Linde.

Who was excused.

## REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the 30th day, have carefully examined the same and recommend that the same be corrected as follows:

On page 14, line 25, strike out the figure "7" and insert the figure "6" in lieu thereof.

And when so amended recommend that the same be approved.

J. L. CASHEL,  
Acting Chairman.

Mr. Cashel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS.

The following petition was received by mail:

*To the Senate of the State of North Dakota:*

We, the undersigned, notice from the House proceedings that House Bill No. 122 has passed the House and is now up to your honorable body for consideration. We wish at this time to remonstrate against the passage of this bill, as it will, in our opinion eliminate competition and result in a combination of prices which will result in lower prices being paid for what we sell and higher prices charged for what we buy. What the public at large wants is free and unrestrained competition, where a farmer makes a practice of raising a high quality of milling wheat we feel that competition should be such that he will receive its true commercial value. We sincerely hope that this bill will be defeated by your honorable body.

GUST. A. JOHNSON and 13 others.

The following petition was received by mail:

*To the Honorable Legislative Assembly of the State of North Dakota:*

We, the undersigned, residents of the State of North Dakota, hereby petition your honorable body to use every effort at your command to the end that the bill providing for woman's suffrage may be passed by the present session of the Legislature.

We deem this one of the greatest progressive measures of the present day and by giving the women the opportunity of voting you are placing upon them a responsibility which they are able and willing to assume and a responsibility which will not and can not be corrupted.

U. L. BURDICK and 294 others.

The following petition was received by mail:

*To the Honorable Members of the Senate:*

We, the undersigned, voters of the State of North Dakota petition your honorable body to use all honorable means to repeal the Lumber Lein Laws.

H. W. JOHNSON and 16 others.

Mr. Hyland presented the following communication:

The time has come for Good Roads Legislation. What we must do is to pass laws that will aid us in our efforts to secure and maintain good highways.

The three bills absolutely essential to this end are:

First: The payment in money of all road taxes, instead of in labor;

Second: A State Highway Commission, with supervisory powers, and the power to appoint road experts and engineers to the different counties, the expense to be borne entirely by the state;

Third: It should be made obligatory on the part of the County Commissioners to appoint County Superintendents of roads, instead of optional as is now the law.

We need good roads badly, and we request you to do your share in securing the passage of the above mentioned bills.

Very truly yours,

CHURCHES FERRY COMMERCIAL CLUB,  
J. G. JACOBSON and 136 others.

#### REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 23.

A bill for an Act to amend Chapter 290 of the Laws of 1911 relating to property exempt from taxation.

And find the same correctly re-engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

Senate Bill No. 132.

A bill for an Act to amend Section 2596 of the 1905 Revised Codes of North Dakota, as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907, providing the clerk hire for the register of deeds in the various counties of the state.

Also,

Senate Bill No. 44.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 of Chapter 35 of the Session Laws of the year 1911, of the State of North Dakota, being an Act to encourage elementary education in North Dakota, and appropriating money therefor.

Also,

Senate Bill No. 51.

A bill for an Act to amend and re-enact Sections 1031, 1032, 1033, 1034, 1035, 1036, 1037 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907 and Chapter 267 of the General Laws of 1911; and to amend Sections 1, 2, 3, 4, 5 of Chapter 40 of the General Laws of 1911, and to repeal Sections 6, 7, 8, 9, 10, 11 of Chapter 40 of the General Laws of 1911.

Also,

Senate Bill No. 119.

A bill for an Act to provide for the maintenance of free employment offices under the supervision of the commissioner of agriculture and labor during the months of July, August and September of each year.

And find the same correctly engrossed.

O. O. TRAGETON,  
Acting Chairman.

Mr. Trageton moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred

## Senate Bill No. 123.

A bill for an Act to amend paragraph 21 of Section 2610 of the Political Code of North Dakota for 1905; providing for the compensation of Justices of the Peace for duties performed.

Have had the same under consideration and recommend that the same be indefinitely postponed.

Also,

## Senate Bill No. 105.

A bill for an Act relating to the responsibility of Fidelity Insurance Companies.

Have had the same under consideration and recommend that the same do pass.

Also,

## Senate Bill No. 151.

A bill for an Act to legalize the execution and acknowledgement of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof, admissible in evidence.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Cashel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

There being no objection Senate Bill No. 179 was withdrawn from the committee on banks and banking at the request of Senator Hughes.

## INTRODUCTION OF MEMORIALS.

Mr. Gilbert offered the following joint memorial:

STATE OF NORTH DAKOTA,  
THIRTEENTH LEGISLATIVE ASSEMBLY.  
SENATE CHAMBER.

## SENATE JOINT MEMORIAL.

WHEREAS, There have been introduced in Congress three bills (Numbers H. R. 36, H. R. 4428, S. 2367), to afford Fed

cral protection to migratory game birds and song birds, and

WHEREAS, There is a very general sentiment in this state in favor of such protection, and an urgent request for the enactment of such a law has been made, as appears by the numerous petitions received; now, therefore,

*Resolved*, (The House concurring.) That Congress be and hereby is requested to enact a law giving ample protection to migratory game birds and our best beloved song bird, the Robin of the North and all other migratory song birds.

*Resolved*, That the Legislatures of all other states of the United States, now in session or when next convened, be and they are hereby respectfully requested to join in this request by the adoption of this or an equivalent resolution.

*Resolved, Further*, That the Secretary of State be and he hereby is directed to transmit copies of this resolution to the Senate and the House of Representatives of the United States and to the several members of said body representing this state therein.

Mr. Gilbert moved

That the memorial be adopted.

Which motion prevailed and

The memorial was adopted.

#### INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Mr. Jacobsen introduced

Senate Bill No. 206.

A bill for an Act to amend and re-enact Section 11 of Chapter 210 of the Laws of North Dakota for 1909, relating to seed grain, contract for re-payment and delinquent payments extended on tax lists.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Kretschmar introduced

Senate Bill No. 207.

A bill for an Act to amend Section 4309, Article 6, Chapter 12, of the Revised Codes of North Dakota of 1905, relating to the licensing of railroad ticket agents.

Which was read the first and second times and  
Referred to the committee on railroads.

Mr. Davis introduced

Senate Bill No. 208.

A bill for an Act to amend Section 2613 of the Revised Codes of North Dakota for 1905 as amended by Chapter 119, Session Laws of 1911, relating to compensation and office hours of county commissioners.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Davis introduced

Senate Bill No. 209.

A bill for an Act prohibiting dancing in any elementary, grade or high school building in the State of North Dakota under the public school system of the State of North Dakota and providing a penalty for the violation thereof.

Which was read the first and second times and  
Referred to the committee on education.

Mr. McLean introduced

Senate Bill No. 210.

A bill for an Act repealing Sections 2082, 2083, 2084 and 2085, also Chapter 41 of the Laws of 1907 and Chapter 50 of the Laws of 1909.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Hanley introduced

Senate Bill No. 211.

A bill for an Act to amend Section 2613 of the Revised Codes of North Dakota for 1905 as amended by Chapter 119 of the Laws of 1911, relating to compensation and office hours of county commissioners.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Englund introduced

Senate Bill No. 212.

A bill for an Act to amend and re-enact Sections 2262, 2263 and 2264, Article 47, Chapter 24 of the Revised Codes of 1905, relating to the licensing and bonding of storage companies.

Which was read the first and second times and

Referred to the committee on warehouses, grain and grain grading.

Mr. Englund introduced

Senate Bill No. 213.

A bill for an Act to amend and re-enact Sections 2198, 2200, 2201 and 2202, Article 41, Chapter 24 of the Revised Codes of 1905, relating to the bonding and licensing of commission merchants.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Plain introduced

Senate Bill No. 214.

A bill for an Act establishing a hail insurance department and making the commissioner of agriculture and labor also the commissioner of hail insurance; prescribing rules, regulations and duties of officers and persons connected therewith; prescribing how premiums, expense, and indemnity for losses by hail shall be paid, and repealing all Acts or parts of Acts in conflict with the provisions of this Act.

Which was read the first and second times and

Referred to the committee on insurance.

Mr. Jacobsen introduced

Senate Bill No. 215.

A bill for an Act to amend and re-enact Sections 4179, 4180, 4181, 4182, 4186 and 4188, (Article 1, Chapter 11) of the Revised Codes of 1905, relating to the manner of filing and recording articles of incorporation, by-laws and annual reports of corporations, and providing for their cancellation and reinstatement.

Which was read the first and second times and

Referred to the committee on corporations other than municipal.

Mr. Talcott introduced

## Senate Bill No. 216.

A bill for an Act to repeal Section 3 of Chapter 264 of the Session Laws of 1911, relating to Reviews in high schools.

Which was read the first and second times and

Referred to the committee on education.

There being no objection the Senate returned to the 6th order of business, and

The committee on judiciary made the following report;

*Mr. President:*

Your committee on judiciary to whom was referred House Bill No. 20.

A bill for an Act validating certain execution sales heretofore made and limiting the time within which the same may be attacked.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Section three.

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

## THIRD READING OF SENATE BILLS.

## Senate Bill No. 36.

A bill for an Act entitled "An Act to amend Section 4331 of the Revised Codes of North Dakota of 1905, relating to the operation of railroads in this state, receiving and transporting passengers and property.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 48 ayes, no nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Ellingson	Leutz	Vail
Englund	Loftsgaard	Wartner
Ganssle	McBride	Williams
Garden	McDowell	Young

Absent and not voting, Messrs. Elken and Linde.

Mr. Linde being excused.

So the bill passed and the title was agreed to.

Mr. Hanley presiding.

Senate Bill No. 129.

A bill for an Act to re-enact Section 368 of the Revised Codes of 1905 and to provide free passage for the members of the State Board of Railroad Commissioners and their employees.

Was read the third time.

Mr. Overson moved

That Senate Bill No. 129 be re-referred to the committee on railroads with instructions to prepare an amendment making it the duty of the railroad companies to carry free of charge the members of the railroad commission.

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 11 ayes, 38 nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McBride
Allen	Hookway	McLean
Englund	Hughes	Porterfield
Gibbens	Loftsgaard	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Garden	Overson
Bond	Gronvold	Plain
Bonzer	Hanley	Putnam
Bronson	Heckle	Steel
Carter	Helgeland	Talcott
Cashel	Hoverson	Thoreson
Clark	Hyland	Trageton
Davidson	Jacobsen	Turner
Davis	Kretschmar	Vail
Duncan	Leatz	Wartner
Elken	McDowell	Williams
Ellingson	Mudgett	Young
Ganssle	Nelson	

Absent and not voting, Mr. Linde.

Mr. Linde being excused.

So the bill was lost.

Messrs. Davis, Hanley and Overson explained their votes.

The President presiding.

#### FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 50.

A bill for an Act to amend Chapter 306 of the Session Laws of 1911, relating to the election and appointment of township officers and their terms of office and to repeal Section 3111 of the Revised Codes of 1905.

Was read the first and second times and

Referred to the committee on ways and means.

House Bill No. 116.

A concurrent resolution amending the Constitution of the State of North Dakota, relating to the uniformity of taxation and permitting the classification of property for the purpose of taxation and relating further to the assessment and taxation of certain public utility companies.

Was read the first and second times and

Referred to the committee on taxes and tax laws.

House Bill No. 36.

A bill for an Act to amend Sections 6 and 10 of Chapter 135 of the Laws of 1907 as amended by Chapter 141, Laws of 1909.

Was read the first and second times and

Referred to the committee on public health.

House Bill No. 73.

A bill for an Act to amend and re-enact Section 1372 of the Revised Codes of North Dakota of 1905, relating to county road funds.

Was read the first and second times and

Referred to the committee on highways and bridges.

House Bill No. 67.

A bill for an Act entitled "An Act prohibiting and making it a misdemeanor to manufacture, sell barter, exchange or give away cigarettes or cigaret paper.

Was read the first and second times and

Referred to the committee on public health.

House Bill No. 105.

A bill for an Act to amend Section 3048 of the Revised Codes of North Dakota for 1905, relating to the organization of townships.

Was read the first and second times and

Referred to the committee on counties.

House Bill No. 71.

A bill for an Act entitled "An Act to amend Section 2783 of the Revised Codes of the State of North Dakota of 1905, relating to cities.

Was read the first and second times and

Referred to the committee on cities and municipal corporations.

House Bill No. 28.

A bill for an Act to amend and re-enact Chapter 54, Laws 1911, relating to corporations having banking powers, refining what percent of the capital stock and surplus of such corporation may be used for banking house furniture and fixtures, defining its powers as to other real estate and repealing Section 4640 of the Revised Code for the year 1905.

Was read the first and second times and

Referred to the committee on banks and banking.

Mr. Talcott moved

That the Senate do now go into executive session.

Which motion prevailed, and  
The Senate went into executive session.

## OPEN SESSION.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 20th, 1913.

*Mr. President:*

I have the honor to inform you that the House has indefinitely postponed the Senate Concurrent Resolution relating to the printing of bills and journals and mailing thereof.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to transmit herewith  
House Bill No. 76.

A bill for an Act to amend Section 4, of Chapter 275 of the Session Laws of the State of North Dakota for the year 1911, relating to the office of sheriff and providing for deputies.

Also,

House Bill No. 160.

A bill for an Act relating to the duties of clerks of courts or other officers in charge of such courts in cancelling and discharging judgments.

Also,

House Bill No. 133.

Concurrent resolution for an amendment to the Constitution, providing for the initiative and referendum, and the provisions thereof, the recall of public officers and future amendments to the Constitution.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

The courtesies of the floor were extended to R. A. Nestos, Minot, N. D.; A. A. Hendricks, F. W. Davis, Goodrich, N. D.; M. H. Sawyer, H. C. Hanson, Karl Klein, T. E. Thompson, Washburn, N. D.; David Lloyd, Minot, N. D.; John Bruegger, Williston, N. D.; T. Welo, J. L. Berge, Velva, N. D.; Hon. E. C. Olsgaard, McVille, N. D.; M. W. Spaulding, Grand Forks, N. D.; J. F. Callahan, Casselton, N. D.; Col. John W. Carroll, Lisbon, N. D.; Hon. John Steen, W. J. Holbrook, Rugby, N. D.; J. M. Melander, F. G. Glines, Braddock, N. D.

Mr. Davis moved

That the Senate do now adjourn.

Which motion prevailed and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

### THIRTY-SECOND DAY.

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 7th, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Mr. Putnam.

### REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the thirty-first day, have carefully examined the same and recommend that the same be corrected as follows:

On page 4, last line strike out the word "who" and insert the word "whom."

On page 8, line 22, strike out the letters "wiht," insert the word "with."

On page 8, line 31, strike out the word "Cole" and insert the word "Codes."

On page 12, line 20, strike out the letters "bil" and insert the word "bill."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### PRESENTATION OF PETITIONS AND COMMUNICA- • TIONS.

Mr. Elken presented the following petition:

We, the undersigned, protest against and ask you to work against the passage of any bills placing burdensome conditions and qualifications or high licenses on rural wagon salesmen of domestic and stock remedies, spices, extracts and toilet articles.

These salesmen regularly supply us with satisfactory goods at reasonable prices and we consider any legislation harming their business and injury to ourselves. Such legislation forces out competition, creates a monopoly, prohibits freedom of purchase and increases the cost of living.

C. O. STROM and 16 others.

Mr. Overson presented the following petition:

We, the undersigned, hereby petition your honorable body to give House Bill No. 122 due consideration when same comes up to you for consideration. We are of the opinion that this is a bill which we do not want passed in this state as we think it will work against the farmer who makes a practice of trying to raise extra good grain or have extra good cream and other commodities to sell, we do not think it would be a fair chance to all and in place of making competition stronger will tend to eliminate competition.

R. O. ZILBERTH and 14 others.

Mr. Overson presented the following petition:

*To the Honorable Members of the Senate:*

We, the undersigned, voters of the State of North Dakota, petition your Honorable Body to use all honorable means to repeal the Lumber Lien Laws.

N. N. SIMON and 24 others.

Mr. Garden presented the following petition:

We, the undersigned, protest against and ask you to work against the passage of any bills placing burdensome conditions and qualifications or high licenses on rural wagon salesmen of domestic and stock remedies, spices, extracts and toilet articles.

These salesmen regularly supply us with satisfactory goods at reasonable prices and we consider any legislation harming their business and injury to ourselves. Such legislation forces out competition, creates a monopoly, prohibits freedom of purchase and increases the cost of living.

PAUL OLSON and 19 others.

Mr. Hookway presented the following petition:

*To the Members of the Senate and House of Representatives, Bismarck, North Dakota:*

"Believing in equal rights for all and special privilege for none we the undersigned do hereby petition your honorable body to give just and due consideration to the passage of a consistent bill allowing the women of our state equal rights with men in regard to the electoral franchise."

E. C. STEVENS and 30 others.

Mr. Hughes presented the following petition:

*To the Legislative Assembly of the State of North Dakota:*

We, the undersigned citizens of the Twenty-seventh Legislative District of the State of North Dakota, over twenty-one years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

ZETTA M. BODENSTAB and 76 others.

Mr. Ganssle presented the following petition:

*To the Legislative Assembly of the State of North Dakota:*

We, the undersigned citizens of the First Legislative District of the State of North Dakota over 21 years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

THOS. RICHARDSON and 63 others.

Mr. Nelson presented the following petition:

We, the undersigned, hereby protest against Senate Bill No. 61, by Mr. Porterfield, which, if passed, would drive the rural medicine salesmen out of business. We deal satis-

factorily with these wagons and wish to continue to do so and consider that all bills of this kind are intended to build up a monopoly in the sale of medicines, to which we very much object on general principles.

ALBERT BENSON and 32 others.

The following petition was received by mail:

We, the undersigned, hereby protest against Senate Bill No. 61, by Mr. Porterfield, which, if passed, would drive the rural medicine salesmen out of business. We deal satisfactorily with these wagons and wish to continue to do so and consider that all bills of this kind are intended to build up a monopoly in the sale of medicines, to which we very much object on general principles.

ROMAN C. MUTZ and 13 others.

Mr. Loftsgaard presented the following petition:

We, the undersigned, hereby protest against Senate Bill No. 61, by Mr. Porterfield, which, if passed, would drive the rural medicine salesmen out of business. We deal satisfactorily with these wagons and wish to continue to do so and consider that all bills of this kind are intended to build up a monopoly in the sale of medicines, to which we very much object on general principles.

J. H. MURRAY and 32 others.

Mr. Overson presented the following petition:

We, the undersigned, protest against and ask you to work against the passage of any bills placing burdensome conditions and qualifications or high licenses on rural wagon salesmen of domestic and stock remedies, spices, extracts and toilet articles.

These salesmen regularly supply us with satisfactory goods at reasonable prices and we consider any legislation harming their business and injury to ourselves. Such legislation forces out competition, creates a monopoly, prohibits freedom of purchase and increases the cost of living.

R. H. FRANNFELTER and 30 others.

Mr. McLean presented the following petition:

Any legislation requiring high licenses and unjust conditions and qualifications on rural salesmen of domestic proprietary preparations such as home remedies, stock preparations, spices, extracts and toilet articles would not only increase the cost of living and restrict our right to buy from whom we please, but such legislation is contrary to good

public policy, is un-American and has a monopolistic tendency.

Therefore we, the undersigned protest against the passage of any such legislation. For years we have been buying our supplies of such products of wagon salesmen who are dependable merchants; they call regularly and supply us with high class goods at popular prices on liberal terms, treat us fair, and any legislation that would injure them would also injure us.

JOHN H. ILLERBRUNN and 17 others.

Mr. McLean presented the following petition:

Any legislation requiring high licenses and unjust conditions and qualifications on rural salesmen of domestic proprietary preparations such as home remedies, stock preparations, spices, extracts and toilet articles would not only increase the cost of living and restrict our right to buy from whom we please, but such legislation is contrary to good public policy, is un-American and has a monopolistic tendency.

Therefore we, the undersigned protest against the passage of any such legislation. For years we have been buying our supplies of such products of wagon salesmen who are dependable merchants; they call regularly and supply us with high class goods at popular prices on liberal terms, treat us fair, and any legislation that would injure them would also injure us.

P. C. OLSON and 16 others.

Mr. Williams presented the following petition:

We, the undersigned, protest against and ask you to work against the passage of any bills placing burdensome conditions and qualifications or high licenses on rural wagon salesmen of domestic and stock remedies, spices, extracts and toilet articles.

These salesmen regularly supply us with satisfactory goods at reasonable prices and we consider any legislation harming their business and injury to ourselves. Such legislation forces out competition, creates a monopoly, prohibits freedom of purchase and increases the cost of living.

C. E. WILLIAMS and 157 others.

Mr. McLean presented the following petition:

Any legislation requiring high licenses and unjust conditions and qualifications on rural salesmen of domestic proprietary preparations such as home remedies, stock prep-

arations, spices, extracts and toilet articles would not only increase the cost of living and restrict our right to buy from whom we please, but such legislation is contrary to good public policy, is un-American and has a monopolistic tendency.

Therefore we, the undersigned protest against the passage of any such legislation. For years we have been buying our supplies of such products of wagon salesmen who are dependable merchants; they call regularly and supply us with high class goods at popular prices on liberal terms, treat us fair, and any legislation that would injure them would also injure us.

FRED HERRICKS and 21 others.

#### REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 105.

A bill for an Act relating to the responsibility of fidelity insurance companies.

Also,

Senate Bill No. 151.

A bill for an Act to legalize the execution and acknowledgement of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof, admissible in evidence.

And find the same correctly engrossed.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 14.

A bill for an Act to provide for the extermination of gophers, compensation therefor, declaring the gopher pest a common nuisance and defining the term gopher.

And find the same correctly re-engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred:

Senate Bill No. 20.

A bill for an Act amending and re-enacting Section 2597 of the Revised Codes of 1905, as amended by Chapter 257 of the Session Laws of 1911, relating to the fees in the office of the register of deeds.

Have had the same under consideration and recommend that the same be amended as follows:

In line 33 of the printed bill, after the word "Foreclose" insert the following: "A mortgage, Attorney's affidavit in mortgage foreclosure."

Strike out lines 38, 39 and 40 of the printed bill and insert in lieu thereof the following:

"12. Whenever any person demands a chattel mortgage abstract, it is the duty of the register of deeds to forthwith prepare such abstract and he shall charge and collect ten cents for each mortgage appearing on such abstract, and twenty-five cents for his certificate thereto, if such certificate be demanded."

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred:  
Senate Bill No. 79.

A bill for an Act to provide for the revision and codification of the General Laws of the State of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred:  
House Bill No. 47.

A bill for an Act to amend and re-enact Section 6187, Revised Codes of 1905 of the State of North Dakota, relating to chattel mortgages.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on cities and municipal corporations made the following report:

*Mr. President:*

Your committee on cities and municipal corporations to whom was referred

Senate Bill No. 166.

A bill for an Act re-instating and validating the charters

of corporations that have been cancelled for failure to make and file with the secretary of state reports as required by and under Section 4186 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same be amended as follows:

After the word prescribed, in the 12th line of Section 1 of the printed bill, insert "and pay all arrearages in fees."

And when so amended recommend the same do pass.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on insurance made the following report:

*Mr. President:*

Your committee on insurance to whom was referred

Senate Bill No. 174.

A bill for an Act repealing Section 7 of Chapter 235 of Session Laws of 1911, relating to the payment of premium on bonds and insurance.

Have had the same under consideration and recommend that the same do pass.

JOHN E. WILLIAMS,  
Chairman

Mr. Williams moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Senate Bill No. 92.

A bill for an Act to amend and re-enact Chapter 158 of Session Laws of 1907, requiring that the amount of the insurance written upon real property and personal property shall be taken conclusively to be the true value thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN E. WILLIAMS,  
Chairman.

Mr. Williams moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### MOTIONS AND RESOLUTIONS.

Mr. Cashel moved

That Senate Bill No. 51 be recalled from the committee on appropriations and be re-referred to the committee on education.

Which motion prevailed and

The same was so re-referred.

#### INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Mr. Clark, by request introduced

Senate Bill No. 217.

A bill for an Act to amend Sections 5, 8 and 14 of Chapter 6, of the Session Laws of the State of North Dakota, of 1911, being an Act to license motor and other vehicles and defining the good road regulations of such vehicles, providing that the funds received from such licenses shall be expended on the maintenance of public highways and making it a misdemeanor to take and remove motor and other vehicles from any warehouse, garage or building without the knowledge and consent of the owner, and repealing Section 2169 of the Revised Codes of North Dakota for the year 1905.

Which was read the first and second times and

Referred to the committee on highways and bridges.

Mr. Porterfield introduced

Senate Bill No. 218.

A bill for an Act to amend Section 4190, Article 2 of Chapter 11 of the Revised Codes of the State of North Dakota

of 1905, relating to the disposition of fees collected for the filing of the annual reports of corporations.

Which was read the first and second times and

Referred to the committee on corporations other than municipal.

Mr. Ganssle introduced

Senate Bill No. 219.

A bill for a concurrent resolution to amend Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Barnes, by request, introduced.

Senate Bill No. 220.

A bill for an Act to require a re-insurance reserve for mutual fire insurance companies.

Which was read the first and second times and

Referred to the committee on insurance.

Mr. Davis introduced

Senate Bill No. 221

A bill for an Act to amend Sections 6, 7 and 8, and to repeal Section 14 of Chapter 303 of the Session Laws of 1911, relating to the organization and expenses of the state tax commission.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Carter introduced

Senate Bill No. 222.

A bill for an Act to repeal Chapter 138 of the Session Laws of 1911, and providing penalties for the wrongful use of any free pass, frank or special privilege.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Heckle introduced

Senate Bill No. 223.

A bill for an Act to provide for the creation of a fire marshal department for the better protection and preservation of life and property from fire, for the appointment of a fire marshal, chief assistant fire marshal and deputies. Defining their duties and powers. Providing penalties for the violation and enforcement of the provisions of this Act, and to provide for a tax upon fire insurance companies therefor.

Which was read the first and second times and

Referred to the committee on insurance.

The Committee on State Affairs introduced.

Senate Bill No. 224.

A bill for an Act entitled an Act to prevent procreation of confirmed criminals, idiots and rapists; providing that superintendents and boards of managers of institutions where such persons are confined shall have the authority and are empowered to appoint a committee of experts, consisting of two physicians, to examine into the mental condition of such inmates.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Elken introduced

Senate Bill No. 225.

A bill for an Act to amend and re-enact Sections 6 and 8 of Chapter 61 of the Session Laws of the State of North Dakota of 1911, relating to normal schools.

Which was read the first and second times and

Referred to the committee on education.

Mr. Leutz introduced

Senate Bill No. 226.

A bill for an Act to require all persons who may be entitled to have a mechanics' lien, to file for record a notice of his intention to file a verified account and to perfect such mechanics' lien, and to provide a penalty for not filing a notice of such intention and exempting homesteads.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Linde introduced

Senate Bill No. 227.

A bill for an Act relating to the sale of personal property and the warranty thereof; providing for a reasonable time in which to ascertain defects or breaches of warranty and the giving of notice of such defects or breaches of warranty.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Linde introduced  
Senate Bill No. 228.

A bill for an Act prohibiting the waiver or release of a cause of action before the same shall actually have accrued.

Which was read the first and second times and  
Referred to the committee on judiciary.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 75.

A bill for an Act to amend Chapter 110, Laws of 1911, relating to the investment of county sinking funds.

Was read the third time.

Mr. Allen offered the following amendments to Senate Bill No. 75, and moved their adoption.

Amend line 1 of printed bill after the word "that" by inserting the following:

"Section 2439 of the Revised Codes of 1905 as amended by."

Amend line 2 of the printed bill after the word "amended," the following:

"And re-enacted so as."

In line 9 of the printed bill strike out the word "year" and insert in lieu thereof the words "or more years, not exceeding five years." And in line 12 of printed bill strike out the word "three" and insert the word "four" in lieu thereof. And in line 13 of printed bill after the word "annum" insert the word "payable annually."

Which motion prevailed and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 43 ayes, 5 nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McLean
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Steel
Cashel	Hoverson	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Davis	Kretschmar	Turner
Duncan	Leutz	Wartner
Elken	Linde	Williams
Ellingson	Loftsgaard	Young
Englund	McBride	
Ganssle	McDowell	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Carter	Heckle	Vail
Gibbens	Mudgett	

Absent and not voting, Messrs. Hughes and Putnam.

Mr. Allen moved

That the title of Senate Bill No. 75 be amended as follows:

Amend line 1 of the title by inserting after word "amend" the following:

"And re-enact Section 2439 of the Revised Codes of 1905 as amended by."

Which motion prevailed and

The title was so amended.

So the bill passed and the title, as amended, was agreed to.

Senate Bill No. 132.

A bill for an Act to amend Section 2596 of the 1905 Revised Codes of North Dakota as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907 providing the clerk hire for the register of deeds in the various counties of the state.

Was read the third time.

Mr. Overson offered the following amendments to Senate Bill No. 132 and moved their adoption.

In line 18 of the printed bill strike out the word "five"

and insert in lieu thereof the word "eight," and in line 21 of the printed bill strike out the word "six" and insert in lieu thereof the word "ten."

Which motion prevailed and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 46 ayes, 3 nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Harley	Overson
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Steel
Carter	Hookway	Talcott
Cashel	Hoverson	Thoreson
Clark	Hughes	Trageton
Davidson	Hyland	Turner
Davis	Jacobsen	Vail
Duncan	Leutz	Wartner
Elken	Linde	Williams
Ellingson	Loftsgaard	Young
Englund	McBride	
Ganssle	McDowell	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Gibbens	Kretschmar	Plain

Absent and not voting, Mr. Putnam.

So the bill passed and the title was agreed to.

Senate Bill No. 105.

A bill for an Act relating to the responsibility of fidelity insurance companies.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 49 ayes, no nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Steel
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Davidson	Hyland	Trageton
Davis	Jacobsen	Turner
Duncan	Kretschmar	Vail
Elken	Leutz	Wartner
Ellingson	Linde	Williams
Englund	Loftsgaard	Young
Ganssle	McBride	
Garden	McDowell	

Absent and not voting, Mr. Putnam.

So the bill passed and the title was agreed to.

Senate Bill No. 151.

A bill for an Act to legalize the execution and acknowledgment of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof, admissible in evidence.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 48 ayes, 1 nay, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gilbert	McLean
Barnes	Gronvold	Mudgett
Bond	Hanley	Nelson
Bonzer	Heckle	Overson
Bronson	Helgeland	Plain
Carter	Hookway	Porterfield
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davis	Hyland	Thoreson
Duncan	Jacobsen	Trageton
Elken	Kretschmar	Turner
Ellingson	Leutz	Vail
Englund	Linde	Wartner
Ganssle	Loftsgaard	Williams
Garden	McBride	Young

Mr. Davidson voted in the negative.

Absent and not voting, Mr. Putnam.

So the bill passed and the title was agreed to.

### FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 76.

A bill for an Act to amend Section 4, of Chapter 275 of the Session Laws of the State of North Dakota for the year 1911, relating to the office of sheriff and providing for deputies.

Was read the first and second times and

Referred to the committee on ways and means.

House Bill No. 160.

A bill for an Act relating to the duties of clerks of courts or other officers in charge of such courts in cancelling and discharging judgments.

Was read the first and second times and

Referred to the committee on judiciary.

House Bill No. 133.

Concurrent resolution for an amendment of the Constitution, providing for the initiative and referendum, and the provisions thereof, the recall of public officers and future amendments to the Constitution.

Was read the first and second times and

Referred to the committee on elections.

### THIRD READING OF HOUSE BILLS.

House Bill No. 20.

A bill for an Act validating certain execution sales heretofore made and limiting the time within which the same may be attacked.

Was read the third time.

Mr. Hookway offered the following amendment to House Bill No. 20 and moved its adoption.

In line 9 of the printed bill strike out the words "six months" and insert in lieu thereof the words "one year."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 49 ayes, no nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Steel
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Davidson	Hyland	Trageton
Davis	Jacobsen	Turner
Duncan	Kretschmar	Vail
Elken	Leutz	Wartner
Ellingson	Linde	Williams
Englund	Loftsgaard	Young
Ganssle	McBride	
Garden	McDowell	

Absent and not voting, Mr. Putnam.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 7, 1913.

*Mr. President:*

I have the honor to transmit herewith  
House Bill No. 227.

A bill for an Act to authorize changes in the schedule of items to be listed and valued for purposes of taxation.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,  
M. J. GEORGE,  
Chief Clerk.

The courtesies of the floor were extended to A. S. Sigurdson, Valley City, N. D.; J. W. Sutherland, Gordon Nesbit, Fargo, N. D.; Peter Glovitch, Max, N. D.; W. E. Byerley, Velva, N. D.; D. J. Lloyd, Minot, N. D.; J. Dexter Pierce,

Larimore, N. D.; B. O. Thorkelson, F. G. Orr, H. A. Gallo-way, R. E. Trousdale, R. E. Schroeder, Hettinger County; H. M. Jenson, Palermo, N. D.; W. C. Gibb, O. M. Kilen, Stanley, N. D.; Geo. Elhardt, Gackle, N. D.; Karl Katz, Chris Baltzer, W. Nodding, Jacob Rott, Geo. Kreober, Napoleon, N. D.; F. E. Funk, T. H. Jeffery, Karl Klein, Washburn, N. D.; N. Lefleur, Grafton, N. D.; H. O. Batzer, J. I. Roop, Hazelton, N. D.; L. P. Weber, Braddock, N. D.; D. D. McKee, Tappen, N. D.; Krist Kjelstrup, Underwood, N. D.

Mr. Bronson moved

That the Senate do now adjourn.

Which motion prevailed and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

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### THIRTY-THIRD DAY.

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 8th, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present.

#### REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the 32nd day, have carefully examined the same and recommend that the same be corrected as follows:

On page 8, line 20, add the letter "s" to the word "code."

On page 9, line 6, strike out the word "or" and insert the word "of."

On page 13, line 30, strike out the word "annual" and insert the word "annum."

On page 17, line 16, strike out the word "and."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Hughes presented the following petition:

*To the Legislative Assembly of the State of North Dakota,  
(Thirteenth Assembly), Bismarck, North Dakota:*

We, the undersigned, resident and property owners of Emmons County in the State of North Dakota, do herewith petition you as follows:

First. That we are resident land owners in sections three (3), four (4), five (5), eight (8), nine (9) and ten (10), in township one hundred and thirty six (136), range seventy nine (79), most of us having homesteaded and made final proof upon the lands we now own and reside upon.

Second. That owing to the topographical conditions, the location of railroads and other causes, we are, in our relation to said Emmons County very unfortunately situated. A trip to our county seat means a drive 100 miles. To vote means a drive of about 30 miles over a very bad road. To send our children to school means a daily drive for them of about 20 miles over a road which is frequently impassable. We are, therefore, practically disfranchised and our children totally without educational opportunity and while we all pay taxes into the Emmons County treasury, there has never been a dollar of public money expended in our vicinity on either schools or highways. •

Third. That the said strip of land upon which we reside and comprising sections and parts of section, aforesaid mentioned is too small and there being too few residences thereon to enable us to organize the same into a civil township and school district, part of said lands being state lands and not as yet offered for sale, and further, that the lands in Emmons County immediately east of us are of such char-

acter that they are not settled upon and will not likely be for many years to come.

Fourth. That the natural conditions are such that we should be a part of Burleigh County. Bismarck, the County Seat, being our market and business town and being within twenty miles of us over a fairly good road, while the school houses of Manning School District in said Burleigh County are within our reach and that our natural interests and conveniences is with Burleigh County, Missouri Township and Manning School District.

Wherefore, we respectfully request that your honorable body take such immediate action as will make us a part of Burleigh County, so that our children can, as soon as possible, have school privileges.

Dated this 3rd day of February, 1913.

E. C. SMITH and 6 others.

The foregoing petition was referred to the committee on education.

Mr. McBride presented the following telegram:

Please file with Secretary and have read in the Senate the following: The Equal Suffrage Club of Dickinson petitions your honorable body to support S. B. No. 8, known as the Bronson bill granting suffrage to women.

MRS. T. D. CASEY and 40 members.

Mr. Davis moved

That hereafter in the matter of the presentation of various petitions, reference be made in the journal simply to the subject matter of such petitions, giving only the particular bill to which such petitions may refer, and discontinue the printing in the Journal of the entire petition.

Which motion prevailed.

Mr. Mudgett presented a petition signed by C. Minch and 22 others protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

Mr. Mudgett presented a petition signed by Chas. Podhasky and 17 others protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

Mr. Overson presented a petition signed by Arthur Clay

and 29 others protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

Mr. Overson presented a petition signed by M. M. May and 29 others protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

Mr. McLean presented a petition signed by A. S. Williamson and 16 others protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

Mr. Barnes presented a petition signed by H. C. Peck and 99 others protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

Mr. Barnes presented a petition signed by V. E. Haskins and 70 others protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

Mr. Elken presented a petition signed by M. Knudson and 20 others protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

Mr. McLean presented a petition signed by P. M. Andersen and 15 others protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

Mr. Loftsgaard presented a petition signed by H. E. Alten-dorf and 22 others protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

Mr. Elken presented a petition signed by J. W. Nelson and 12 others protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

Mr. Clark presented a petition signed by J. A. Cull and 68 others praying that rural telephone lines owned and operated by their patrons without profit be made exempt from taxation.

REPORT OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 75.

A bill for an Act to amend and re-enact Section 2439 of the Revised Codes of 1905, as amended by Chapter 110, Laws of 1911, relating to the investment of county sinking funds.

Also,

Senate Bill No. 132.

A bill for an Act to amend Section 2596 of the 1905 Revised Codes of North Dakota, as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907, providing the clerk hire for the register of deeds in the various counties of the state.

And find the same correctly re-engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved.

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 20.

A bill for an Act amending and re-enacting Section 2597 of the Revised Codes of 1905, as amended by Chapter 257 of

the Session Laws of 1911, relating to the fees in the office of the register of deeds.

Also,

Senate Bill No. 166.

A bill for an Act re-instating and validating the charters of corporations that have been cancelled for failure to make and file with the secretary of state reports as required by and under Section 4186 of the Revised Codes of 1905.

Also,

Senate Bill No. 174.

A bill for an Act repealing Section 7 of Chapter 235 of Session Laws of 1911, relating to the payment of premiums on bonds and insurance.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on education made the following report:

*Mr. President:*

Your committee on education to whom was referred

Senate Bill No. 51.

A bill for an Act to amend and re-enact Sections 1031, 1032, 1033, 1034, 1035, 1036, 1037 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907 and Chapter 267 of the General Laws of 1911; and to amend Sections 1, 2, 3, 4, 5 of Chapter 40 of the General Laws of 1911, and to repeal Sections 6, 7, 8, 9, 10, 11, of Chapter 40 of the General Laws of 1911.

Have had the same under consideration and recommend that the same be further amended as follows:

In Section 1, page 1, line 3 the words "High School Board" be stricken out and the words "Board of Education" be substituted in lieu thereof; and that the words "How Composed, Duties" be stricken out, and the word "Powers" substituted in lieu thereof.

In Section 1, page 1, lines 4, 5, 6, 7 and 8, strike out the group of words beginning with the words "The Superintendent" in line 4 and ending with the words "State High School Board" in line 8.

In Section 1, page 1, line 8, strike out the words "Said board" and substitute in lieu thereof the words "The State Board of Education."

In Section 1, page 2, lines 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 strike out all beginning with the word "One" in line 12 and ending with the word "qualified" in line 22.

In Section 3, page 4, line 19, strike out the words "High School Board" and substitute in lieu thereof the words "Board of Education."

In Section 4, page 4, line 5, strike out the words "High School Board" and substitute in lieu thereof the words "Board of Education;" and after the words "High School Inspector" in line 5, insert the following words, "upon the nomination of the Superintendent of Public Instruction."

In Section 4, page 5, line 14 strike out the words "High School Board" and substitute in lieu thereof the words "Board of Education."

In Section 4, page 5, line 22, strike out the words "High School," and after the word "Board" insert the words "of Education."

In Section 4, page 5, line 29, strike out the words "High School Board," and substitute in lieu thereof the words "Board of Education."

In Section 4, page 7, line 59, strike out the words "High School Board" and substitute in lieu thereof the words "State Board of Education."

In Section 5, page 8, line 11, strike out the words "high school board," and substitute in lieu thereof the words "Board of Education."

In Section 7, page 9, line 10, strike out the words "high school board," and substitute in lieu thereof the words "Board of Education."

In Section 8, page 10, line 4, after the word "meeting" insert the words "of the State Board Education."

In Section 8, page 10, line 4, after the word "meeting" insert the words "of the State Board of Education."

In Section 8, page 10, line 20, strike out the words "high school board" and substitute in lieu thereof the words "State Board of Education."

In Section 8, page 11, line 23, strike out the words "high school board" and insert in lieu thereof the words "State Board of Education."

In Section 8, page 11, line 24, strike out the words "high school."

In Section 9, page 11, line 5, strike out the word "high."

In Section 9, page 11, line 6, strike out the word "school" (first word in line); and after the word "board" insert the words "of education."

And when so amended recommend the same do pass and be re-referred to committee on appropriation.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred

Senate Bill No. 141.

A bill for an Act to amend and re-enact Section 4974 of the Revised Codes of 1905 providing for the confirmation of the conveyance of the family homestead in any case in which the same has been or may be deeded by both husband and wife in separate instruments where said deeds purport to convey the land to the same person or his grantees and validating such deeds.

Have had the same under consideration and recommend that the same be amended as follows:

In lines 3 and 4 of title in printed bill strike out the words "or may be."

In line 6 of printed bill strike out the words "or may hereafter convey."

In line 7 of printed bill after the word "may" strike out the word "be" and insert in lieu thereof the words "have been."

In line 12 of the printed bill after the word "grantee" add the words "or subsequent grantee."

And when so amended recommend that the same do pass.

Also,

W. B. OVERSON,  
Chairman.

*Mr. President:*

Senate Bill No. 110.

A Concurrent Resolution amending the Constitution of the State of North Dakota, empowering the Legislative Assembly to provide law for the erection, leasing, purchasing and operating terminal elevators in the State of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the title of the printed bill, after the word "provide" insert the word "by."

In line 3 of the title of printed bill strike out the word "the."

In line 1 of printed bill after the word "following" insert the word "proposed."

And when so amended recommend the same do pass.

Mr. Overson moved

W. B. OVERSON,  
Chairman.

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on judiciary made the following report:

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

Senate Bill No. 200.

A bill for an Act providing for the payment of expenses of District Judges when acting outside of the counties of their residence, and to amend Chapter 175 of the Session Laws of 1911.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on taxes and tax laws made the following report:

*Mr. President:*

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 138.

A bill for an Act to amend Sections 838, 839, 840, and 841, Chapter 9, of the Political Code of the State of North Dakota, Revised Codes of 1905, relating to education, as amended by Chapter 107 of the Session Laws of 1907.

Have had the same under consideration and recommend that the same do pass.

HENRY J. LINDE,  
Chairman.

Mr. Lind moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### MOTIONS AND RESOLUTIONS.

Mr. Overson introduced the following concurrent resolution:

WHEREAS, The commissioner of agriculture and labor has requested biographical information from the members of the Senate and House of Representatives for the purpose of publishing biographical sketches of said members in the North Dakota magazines, as has been the custom in the past, and

WHEREAS, We believe that state money should not be spent for the advertising of any person or class of persons in this state, and

WHEREAS, We believe that the money expended and time spent in the preparation and publication of these biographical sketches could be spent to better advantage in advertis-

ing the agricultural, coal and clay conditions and for the purpose of securing immigration of desirable settlers to this state, and

WHEREAS, It is the opinion of the members of the Senate and the House of Representatives that there is no crying demand by the people of this state for the publication of our pictures and biographies in any magazine published at the expense of the state.

*Therefore, Be It Resolved, By the Senate, the House of Representatives of the State of North Dakota Concurring,* that the commissioner of agriculture and labor be requested not to publish the biographies and photographs of its members, but that the money and time which would be so spent be used in advertising the agricultural, coal and other resources of this state and for other uses for which the department of agriculture and labor was created.

Mr. Overson moved

That the concurrent resolution be adopted.

Which motion prevailed and

The concurrent resolution was adopted.

#### INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 229.

A bill for an Act to amend Section 1 of Chapter 177 of the Session Laws of 1907, relating to attorney's fees on foreclosures.

Which was read the first and second times and

Referred to the committee on judiciary.

Senate Bill No. 230.

A bill for an Act to amend Section 7142 of the Revised Codes of North Dakota for 1905, relating to record of redemption.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Duncan introduced

Senate Bill No. 231.

A bill for an Act to amend Section 48 of Article 4 of Chap-

ter 266, Session Law 1911, relating to election of officers in common school districts.

Which was read the first and second times and

Referred to the committee on education.

Mr. McDowell introduced

Senate Bill No. 232.

A bill for an Act to amend Section 7497 of the Revised Codes of North Dakota for the year 1905, relating to the time allowed and specifying the mode of cancellation of land contracts.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. McDowell introduced

Senate Bill No. 233.

A bill for an Act authorizing the boards of county commissioners to levy taxes for the promotion of diversified farming, agricultural development and extension of scientific agricultural work.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Bond, by request, introduced

Senate Bill No. 234.

A bill for an Act to amend Section 141 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to public schools.

Which was read the first and second times and

Referred to the committee on education.

The Joint Committee on Education introduced

Senate Bill No. 235.

A bill for an Act to provide for the submission and printing of the requests for appropriations and proposed legislation in advance of the meeting of the legislature.

Which was read the first and second times and

Referred to the committee on education.

The Joint Committee on Education introduced

## Senate Bill No. 236.

A bill for an Act to create a state board of education and to amend Chapter 266 of the Session Laws of 1911, relating to state board of examiners, and to repeal Sections 243, 244 and 245 of Chapter 266; and to amend Chapter 265 of the Laws of 1911, relating to a state agricultural and training school board, and to amend Chapter 65 of the Session Laws of 1911, relating to state aid to rural and consolidated schools.

Which was read the first and second times and  
Referred to the committee on education.

Mr. Helgeland introduced  
Senate Bill No. 237.

A bill for an Act to amend Section 2617 of the Revised Codes of 1905, relating to salaries of deputies, how determined.

Which was read the first and second times and  
Referred to the committee on counties.

Mr. Helgeland introduced  
Senate Bill No. 238.

A bill for an Act to amend Section 2618 of the Revised Codes of 1905, relating to deputies and clerks allowed. When.

Which was read the first and second times and  
Referred to the committee on counties.

## THIRD READING OF SENATE BILLS.

## Senate Bill No. 20.

A bill for an Act amending and re-enacting Section 2597 of the Revised Codes of 1905, as amended by Chapter 257 of the Session Laws of 1911, relating to the fees in the office of the register of deeds.

Was read the third time.

Mr. Hanley offered the following amendment to Senate Bill No. 20 and moved its adoption:

Preceding the word "For" in Section 5, insert the following:

“Whenever any person presents an abstract to the register of deeds for continuation of such abstract, it shall be his duty to continue the same.”

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 50 ayes, no nays.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gilbert	McLean
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Loftsgaard	Vail
Ellingson	Linde	Wartner
Englund	Leutz	Williams
Ganssle	Mudgett .	Young
Garden	McBride	

So the bill passed and the title was agreed to.

Senate Bill No. 166.

A bill for an Act re-instating and validating the charters of corporations that have been cancelled for failure to make and file with the secretary of state reports as required by and under Section 4186 of the Revised Codes of 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 49 ayes, 1 nay.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Cashel	Englund
Allen	Clark	Ganssle
Barnes	Davidson	Garden
Bond	Davis	Gibbens
Bonzer	Duncan	Gilbert
Bronson	Elken	Gronvold
Carter	Ellingson	Hanley

Messrs.—  
 Heckle  
 Helgeland  
 Hookway  
 Hoverson  
 Hughes  
 Hyland  
 Jacobsen  
 Kretschmar  
 Loftsgaard  
 Linde

Messrs.—  
 Leutz  
 Mudgett  
 McBride  
 McDowell  
 McLean  
 Nelson  
 Overson  
 Plain  
 Porterfield  
 Putnam

Messrs.—  
 Steel  
 Talcott  
 Thoreson  
 Trageton  
 Turner  
 Vail  
 Wartner  
 Young

Mr. Williams voted in the negative.

So the bill passed and the title was agreed to.

Senate Bill No. 174.

A bill for an Act repealing Section 7 of Chapter 235 of Session Laws of 1911, relating to the payment of premiums on bonds and insurance.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 50 ayes, no nays.

Those voting in the affirmative were:

Messrs.—  
 Albrecht  
 Allen  
 Barnes  
 Bond  
 Bonzer  
 Bronson  
 Carter  
 Cashel  
 Clark  
 Davidson  
 Davis  
 Duncan  
 Elken  
 Ellingson  
 Englund  
 Ganssle  
 Garden

Messrs.—  
 Gibbens  
 Gilbert  
 Gronvold  
 Hanley  
 Heckle  
 Helgeland  
 Hookway  
 Hoverson  
 Hughes  
 Hyland  
 Jacobsen  
 Kretschmar  
 Leutz  
 Linde  
 Loftsgaard  
 Mudgett  
 McBride

Messrs.—  
 McDowell  
 McLean  
 Nelson  
 Overson  
 Plain  
 Porterfield  
 Putnam  
 Steel  
 Talcott  
 Thoreson  
 Trageton  
 Turner  
 Vail  
 Wartner  
 Williams  
 Young

So the bill passed and the title was agreed to.

**FIRST AND SECOND READING OF HOUSE BILLS.**

House Bill No. 227.

A bill for an Act to authorize changes in the schedule of items to be listed and valued for purposes of taxation.

Was read the first and second times and

Referred to the committee on taxes and tax laws.

## THIRD READING OF HOUSE BILLS.

House Bill No. 47.

A bill for an Act to amend and re-enact Section 6187, Revised Code of 1905 of the State of North Dakota, relating to chattel mortgages.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 47 ayes, 2 nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gilbert	McLean
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hoverson	Putnam
Cashel	Hughes	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Duncan	Kretschmar	Trageton
Elken	Loftsgaard	Turner
Ellingson	Linde	Vail
Englund	Leutz	Wartner
Ganssle	Mudgett	Williams
Garden	McBride	

Messrs. Hookway and Young voted in the negative.

Absent and not voting, Mr. Davis.

So the bill passed and the title was agreed to.

Mr. Williams moved

That the vote by which Senate Bill No. 166 was passed be reconsidered.

Which motion prevailed.

Mr. McDowell moved

That Senate Bill No. 166 be re-referred to the committee on cities and municipal corporations.

Which motion prevailed.

Mr. Talcott moved

That the Senate do now go in executive session. and

The Senate went into executive session.

## OPEN SESSION.

Mr. Hyland moved

That hereafter any employee of the Senate who does not report every day to the Secretary of the Senate, and in the case of committee clerks to the chairman of such committee, be dropped from the pay roll of the Senate by the Senate.

Which motion prevailed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 8th, 1913.

*Mr. President:*

I have the honor to transmit herewith

House Bill No. 198.

A bill for an Act to amend Section 4, Chapter 30 of the Political Code of North Dakota of 1905, relating to powers of city council, as amended by Chapter 79 of the Session Laws of 1911.

Also,

House Bill No. 66.

A bill for an Act to amend and re-enact Section 181 of Chapter 266 of the Session Laws of the year 1911 of the State of North Dakota, relating to public schools.

Also,

House Bill No. 80.

A bill for an Act providing closets or privies for the accommodation of the public at railroad stations and keeping them in a sanitary condition and penalty for violation thereof.

Also,

House Bill No. 190.

A bill for an Act repealing Chapter 199 of the Session Laws of 1907 and providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and baggage, and providing a penalty for the violating thereof.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

The courtesies of the floor were extended to N. J. Rusch, Fargo, N. D. and M. L. Ayers, Dickinson, N. D.

Mr. Davidson moved

That the Senate do now adjourn.

Which motion prevailed and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

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### THIRTY-FIFTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 10th, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Mr. Steel.

Who was excused.

### REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the 33rd day, have carefully examined the same and recommend that the same be corrected as follows:

On page 7, after line 27, insert the following "in Section 4."

On page 7, line 59, strike out the words "High School Board" and substitute in lieu thereof the words, "State Board of Education." and in line 28, page 7, strike out the figure "6" and insert the figure "8."

On page 11, line 12, correct the spelling of the word "photographs."

On page 11, line 29, change the figure "30" to read "230."

On page 12, last line correct the spelling of the word "joint."

On page 9, line 19, strike out the word "propose" and insert the word "proposed" in lieu thereof.

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Bronson presented a petition signed by John McMahon and 15 others protesting against the passage of legislation requiring high licenses, of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

Mr. Overson presented a similar petition signed by J. L. Reeser and 200 others.

Mr. Hoverson presented a similar petition signed by Jacob Deutscher and 16 others.

Mr. Ellingson presented a petition signed by F. A. Cole and 33 others protesting against the altering or repealing of the present mechanics' lien law.

Mr. Ellingson presented a similar petition signed by M. Norswing and 16 others.

Mr. Hoverson presented a similar petition signed by W. A. Pennington and 47 others.

Mr. Albrecht presented a similar petition signed by Wm. H. Chapel and 16 others.

Mr. Barnes presented a similar petition signed by A. L. Beggs and 62 others.

Mr. Vail presented a similar petition signed by Geo. Brooks and 12 others.

Mr. Albrecht presented a similar petition signed by A. J. Ingalls and 8 others.

Mr. Mudgett presented a similar petition signed by More Bros. and 35 others.

Mr. Englund presented a petition signed by P. A. Johnson and 20 others, praying for the repeal of the lumber lien laws.

Mr. Hyland presented a petition signed by I. Glerum and 24 others praying that an amendment to the State Constitution enabling women to vote be submitted to the voters of the state.

Mr. Cashel presented a similar petition signed by the president and secretary of the Woman's Christian Union of Grafton.

Mr. Bonzer presented a similar petition signed by W. J. Shields and 117 others.

Mr. Helgeland presented a similar petition signed by Ara Peterson and 39 others.

#### REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 20.

A bill for an Act amending and re-enacting Section 2597 of the Revised Codes of 1905, as amended by Chapter 257 of the Session Laws of 1911, relating to the fees in the office of the Register of Deeds.

Also,

Senate Bill No. 51.

A bill for an Act to amend and re-enact Sections 1031, 1032, 1033, 1034, 1035, 1036, 1037 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907 and Chapter 267 of the General Laws of 1911; and to amend Sections 1, 2, 3, 4, 5, of Chapter 40 of the General Laws of 1911, and to repeal Sections 6, 7, 8, 9, 10, 11, of Chapter 40 of the General Laws of 1911.

And find the same correctly re-engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 110.

A concurrent resolution amending the constitution of the State of North Dakota, empowering the Legislative Assembly to provide law for the erection, leasing, purchasing and operating terminal elevators in the State of North Dakota.

Also,

Senate Bill No. 138.

A bill for an Act to amend Sections 838, 839, 840 and 841, Chapter 9, of the Political Code of the State of North Dakota, Revised Codes of 1905, relating to education, as amended by Chapter 107 of the Session Laws of 1907.

Also,

Senate Bill No. 141.

A bill for an Act to amend and re-enact Section 4974 of the Revised Codes of 1905, providing for the confirmation of the conveyance of the family homestead in any case in which the same has been deeded by both husband and wife in separate instruments where said deeds purport to convey the land to the same person or his grantees, and validating such deeds.

Also,

Senate Bill No. 200.

A bill for an Act providing for the payment of expenses of district judges when acting outside of the counties of their residence, and to amend Chapter 175 of the Session Laws of 1911.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on education made the following report:

*Mr. President:*

Your committee on education to whom was referred

Senate Bill No. 2

A Concurrent Resolution to amend Article 19, Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

Have had the same under consideration and recommend that the same be withdrawn at the request of the author.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred

Senate Bill No. 85.

A bill for an Act creating a teachers' insurance and retirement fund and providing for its maintenance and disbursement.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, page 1, line 7, after the word "one" insert the word "of."

In Section 1, page 1, line 8, after the word "of" insert the word "the."

In Section 8, page 4, line 2, after the word "ending" insert the word "the."

In Section 11, page 5, line 1, strike out the word "July" and substitute in lieu thereof the word "January."

In Section 11, page 5, line 2, strike out the word "July" and substitute in lieu thereof the word "January."

In Section 12, page 5, line 3, strike out the word "September" and substitute in lieu thereof the word "January."

In Section 24, page 10, line 9, strike out the figures "19" and substitute in lieu thereof the figures "10."

In Section 24, page 10, line 13, strike out the letter "s" in the word "teachers."

In Section 25, page 11, line 2, strike out the figures "25" and substitute in lieu thereof the figures "24."

And when so amended recommend the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted. .

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred

Senate Bill No. 112.

A bill for an Act to amend Chapter 266 of the Laws of 1911 relating to the duties of Superintendent of Public Instruction.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred

Senate Bill No. 111.

A bill for an Act to amend Section 266 of the Laws of 1911 relating to the duties of County Superintendent.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 46.

A bill for an Act to amend and re-enact Section 6187 of the Revised Codes of North Dakota for 1905.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 108.

A Concurrent Resolution to amend Section 154 of the Constitution of the State of North Dakota relating to the apportioning of the interest and income derived from the permanent fund of the Common Schools.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

Senate Bill No. 109.

A Concurrent Resolution to amend Section 150 of the Constitution of the State of North Dakota, pertaining to choosing County Superintendents of Schools.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on mnuicipal corporations made the following report:

*Mr. President:*

Your committee on municipal corporations to whom was referred

Senate Bill No. 166.

A bill for an Act re-instating and validating the charters of corporations that have been cancelled for failure to make and file with the secretary of state reports as required by and under Section 4186 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same be amended as follows:

In Section one (1), in line twelve of the printed bill after the word "prescribed," insert "pay a penalty of Ten Dollars and all arrearages in fees."

And when so amended recommend the same do pass.

ALFRED STEEL,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on ways and means made the following report:

*Mr. President:*

Your committee on ways and means to whom was referred

House Bill No. 76.

A bill for an Act to amend Section 4, of Chapter 275 of the Session Laws of the State of North Dakota for the year 1911, relating to the office of sheriff and providing for deputies.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of original bill, line 1, after the word "amend," insert the words, "and re-enact."

In Section 1, line 2 of original bill after the word "be," insert the words "amended and."

In Section 1, line 2, strike out the last word, "and."

In line 3, the first word, "amended."

In the last line of original bill strike out the word "shall" and insert the word "may," in lieu thereof.

And when so amended recommend the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Thoreson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 31.

A bill for an Act to amend Section 3 of Chapter 209 of the Session Laws of 1909, relating to the selling, offering or exposure of seed for sale.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 8, after the word "package" strike out the word "or" and insert the word "of."

In line 12 strike out the words "written agreement or other," and insert after the word "special" the words "or written."

In line 18 after the word "Uncleaned" strike out the word "all" and insert the phrase "the sale or exposure for sale of."

In line 19 strike out the word "and" and insert the word "or," and after the word "containing" insert the phrase "more than a reasonable trace of any."

In line 29 after the word "weeds" strike out the rest of the line, also all of lines 30, 31, 32, 33, 34, 35, 36, 37 and 38, and insert "is unlawful, except such seeds be plainly labeled in English "Uncleaned Seeds" as further provided in Section 6 of Chapter 209 of the Session Laws of 1909.

In line 40 after the word "seeds" insert, "except only the seeds of parsnip, salsify, spinach, lettuce, parsley, medicinal herbs and the seeds of plants grown for flowers only."

In line 45 after "6" insert the phrase "of Chapter 209 of the Session Laws of 1909."

Section 4, line 47 after the word "market" strike out the remainder of the section.

In line 65 after the word "growers" insert "and dealers who may have acquired by purchase any such properly certified seeds," and after the word "which" insert "list."

Section 6, line 79, after the word "dollars" insert "and the end of each month shall be paid into the state treasury."

In line 103 strike out the word "but" and substitute "that."

And when so amended recommend the same be re-referred to the committee on appropriations.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 104.

A bill for an Act to amend Chapter 165 of the Laws of 1911 relating to the maintenance of inmates of the Institution for the Feeble Minded.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the printed bill after the word "Act" strike out the remainder of the line and insert in lieu thereof "to provide for the" in line 2 after the word "minded" insert "and to amend Section 1 of Chapter 165 of the Laws of 1911 relating thereto."

In Section 1, after the figure "1" insert the word "of."

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on railroads made the following report:

*Mr. President:*

Your committee on railroads to whom was referred

Senate Bill No. 52.

A bill for an Act concerning railroads, regulating the size of engines, motors and cars, and also the clearance of obstructions thereon.

Have had the same under consideration and recommend that the printed bill be amended as follows:

Section 2, line 12, after the word "proportion" insert "unless authorized by the railroad commissioners," and after the word "shall" insert the word "not;" and in line 13 after the word "roofs" insert the words "and foreign cars;" and in lines 13, 14 and 15 strike out the words "in that the width and height of said cars and contents shall not exceed the dimensions herein above described, except."

Section 3, lines 5 and 6, strike out the word "warehouse," and in line 19 after the word "specified" insert the words "Provided, further, that this Act shall not apply to any warehouse, storehouse, elevator or other permanent structure now situated or located upon the right-of-way of any railroad in this state which is leased, owned or used by any person or corporation doing business with any railroad, or any railroad terminal or yard now established."

Section 4, line 4, strike out the word "warehouses;" and in line 14, before the word "Tunnel" insert the words "warehouse, storehouse, permanent structure, elevator, loading or unloading platform, bridge"; and in line 16, before the word "obstruction" insert the word "any;" in lines 19 and 20, strike out the words "if in the judgment of the said commission, the removal of such structure, or embankment as aforesaid is impracticable."

Section 5, line 6, change the figures "14" to "13."

Section 6, lines 1 and 2, strike out the words "That on and after the passage of this Act, it" and insert the word "It;" in line 7 strike out the word "emloyees" and insert the word "employees."

And when so amended recommend the same do pass.

E. F. GILBERT,  
Chairman.

Mr. Gilbert moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

#### REPORT OF SELECT COMMITTEE.

The joint committee appointed by the Senate and the House of Representatives to arrange for a joint session of this Legislative Assembly to commemorate the public services and name of the late Chief Justice David E. Morgan, and the late Judge Charles F. Templeton, beg to submit the following report in the form of a concurrent resolution.

*Be it Resolved by the Senate of North Dakota, the House of Representatives Concurring Therein:*

That the Senate and the House of Representatives meet in joint session on Saturday, the 22nd day of February, 1913, at 2:30 o'clock P. M., for the purpose of observing memorial services commemorative of the public services and the name of the late Chief Justice David E. Morgan, and the late Judge Charles F. Templeton.

H. A. BRONSON,  
J. L. CASHEL,  
FRANK H. HYLAND,  
Senate Committee.

C. S. BUCK,  
J. J. DOYLE,  
J. E. CAMPBELL,  
House Committee.

Mr. Bronson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### MOTIONS AND RESOLUTIONS.

Mr. Duncan moved

That Senate Bill No. 187 be recalled from the committee on warehouses, grain and grain grading, and be re-referred to the committee on state affairs.

Which motion prevailed and

The bill was recalled and re-referred.

Mr. Hughes introduced the following concurrent resolution:

A concurrent resolution relating to the education, care, health and maintenance of the Indians within the state of North Dakota.

WHEREAS, There are many thousand Indian families within the borders of our state, and in districts contiguous, and

WHEREAS, Most, if not all of said Indians have been or are now wards of the nation, for whom the Federal Government is now and has been through treaty stipulations and otherwise, the custodian since territorial days, of millions of acres of lands within our borders, lands that don't

now and have not contributed any taxes whatever for the maintenance of our state institutions and government, and which said lands have enhanced in value from insignificance, continually under our statehood, until the present time when they are of great value, and

WHEREAS, The Federal Government by various Acts of Congress has been and is now disposing of these lands and the proceeds from the sale thereof, and is making meager, if any provisions for the schooling, the education and the physical culture, health and care of the young and old among the so-called wards of the nation, and

WHEREAS, Tuberculosis, trachoma and other infectuous diseases prevail in a greater or less degree among those people on the Reservation and in their schools, and to such an extent that many of them may come in the near future public charges and disease-spreaders, and

WHEREAS, There are two non-reservation Indian schools which have been created by Act of Congress within our state; namely, at Bismarck and Wahpeton, the site for the former having been donated by some of the citizens of Bismarck, under an Act of Congress passed in 1904.

*Therefore, Be It Resolved,* By the Senate of the State of North Dakota, the House of Representatives concurring;

That, we respectfully urge our Senators and Representatives in the Congress of the United States to urge upon the Federal Government the desirability and necessity of making immediate and proper provision for the future education and care and of the health, and maintenance of all the Indians and their off-spring that may be within our state, and looking to that end we respectfully urge that at least 150,000 acres be set aside out of the Indian lands within our borders for the maintenance of each of the hereinbefore mentioned non-reservation Indian Schools, and

*Be It Further Resolved,* That in the event said lands are deeded to the State of North Dakota for the maintenance of each of said schools, either by disposal of said lands or otherwise, the state will accept from the United States the said schools and will make proper provision for their maintenance, so that in the end said Indians may receive the benefits enjoyed by the citizens of our state and that they may not become a public charge.

Mr. Overson moved

That the foregoing resolution be referred to the committee on Indian affairs.

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS.

Mr. Elken introduced

Senate Bill No. 239.

A bill for an Act to authorize the public examiner to make examination of state offices.

Which was read the first and second times and

Referred to the committee on ways and means.

Mr. Duncan introduced

Senate Bill No. 240.

A bill for an Act to abolish the collection of tuition fees from North Dakota students entering the state educational institutions.

Which was read the first and second times and

Referred to the committee on education.

Mr. Overson introduced

Senate Bill No. 241.

A bill for an Act to amend Sections 2772, 2775, 2776, 2777 and 2786, Revised Codes of 1905, as amended by Chapter 70 of the Laws of North Dakota, A. D. 1911, relating to the creation of improvement districts and the purpose for which special assessments may be levied in this state.

Which was read the first and second times and

Referred to committee on cities and municipal corporations.

Mr. Duncan introduced

Senate Bill No. 242.

A bill for an Act to prohibit presidents and teachers regularly employed at state educational institutions from charging fees for lectures delivered at State Teachers' Summer Training Schools and Teachers' State Institutes, and other state assemblages of educators or directors.

Which was read the first and second times and

Referred to the committee on education.

Mr. Hoverson introduced

Senate Bill No. 243.

A bill for an Act to amend Section 2485 of the Revised Codes of North Dakota for 1905, relating to the annual statement of the county auditor and treasurer.

Which was read the first and second times and  
Referred to the committee on counties.

Mr. Davis introduced

Senate Bill No. 244.

A bill for an Act to amend Section 1 of Chapter 266 of the Session Laws of 1911 in order to raise the qualifications of the state superintendent of public instruction to that degree that the present salary would justify.

Which was read the first and second times and  
Referred to the committee on education.

Mr. Allen introduced

Senate Bill No. 245.

A bill for an Act to provide for the establishment, equipment and government of a cottage or cottages on the site at Dunseith of the State Tuberculosis Sanitarium by any Fraternal Corporation or Society, organized under the laws of this state or authorized to do business in this state, for the treatment of all members of such corporation or society or members of their families affected with pulmonary tuberculosis.

Which was read the first and second times and  
Referred to the committee on public health.

Mr. Talcott introduced

Senate Bill No. 246.

A bill for an Act to amend and re-enact Sections 2 and 4, Chapter 129, Session Laws of 1911, relating to election privileges.

Which was read the first and second times and  
Referred to committee on elections.

### THIRD READING OF SENATE BILLS.

Mr. Williams moved

That the rules be suspended and that Senate Bill No.

166 be considered as re-engrossed and put on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 166.

A bill for an Act re-instating and validating the charters of corporations that have been cancelled for failure to make and file with the secretary of state reports as required by and under Section 4186 of the Revised Codes of 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 48 ayes, no nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McBride
Allen	Gibbens	McLean
Barnes	Gilbert	Mudgett
Bond	Gronvold	Nelson
Bonzer	Hanley	Overson
Bronson	Heckle	Plain
Carter	Helgeland	Porterfield
Cashel	Hookway	Putnam
Clark	Hoverson	Talcott
Davidson	Hughes	Thoreson
Davis	Hyland	Trageton
Duncan	Jacobsen	Turner
Elken	Kretschmar	Vail
Ellingson	Leutz	Wartner
Englund	Linde	Williams
Ganssle	Loftsgaard	Young

Absent and not voting, Messrs. McDowell and Steel.

Mr. Steel being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 141.

A bill for an Act to amend and re-enact Section 4974 of the Revised Codes of 1905, providing for the confirmation of the conveyance of the family homestead in any case in which the same has been or may be deeded by both husband and wife in separate instruments where said deeds purport to convey the land to the same person or his grantees, and validating such deeds.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 48 ayes, no nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McBride
Allen	Gibbens	McLean
Barnes	Gilbert	Mudgett
Bond	Gronvold	Nelson
Bonzer	Hanley	Overson
Bronson	Heckle	Plain
Carter	Helgeland	Porterfield
Cashel	Hookway	Putnam
Clark	Hoverson	Talcott
Davidson	Hughes	Thoreson
Davis	Hyland	Trageton
Duncan	Jacobsen	Turner
Elken	Kretschmar	Vail
Ellingson	Leutz	Wartner
Englund	Linde	Williams
Ganssle	Loftsgaard	Young

Absent and not voting, Messrs. McDowell and Steel.

Mr. Steel being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 110.

A concurrent resolution amending the constitution of the State of North Dakota, empowering the Legislative Assembly to provide law for the erection, leasing, purchasing and operating terminal elevators in the State of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, 3 nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Englund	Loftsgaard	Williams
Ganssle	McBride	
Garden	McDowell	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Davis	Hughes	Young

Absent and not voting, Mr. Steel, who was excused.

So the bill passed and the title was agreed to.

Senate Bill No. 200.

A bill for an Act providing for the payment of expenses of district judges when acting outside of the counties of their residence, and to amend Chapter 175 of the Session Laws of 1911.

Was read the third time.

Mr. Wartner offered the following amendments to Senate Bill No. 200 and moved their adoption:

In line 4 of the printed bill, after the word "necessary," add the word "traveling," and at the end of line 4, strike out the word "for" and insert in lieu thereof the word "in."

In line 5 of the printed bill strike out the words "railroad fare."

Which motion prevailed and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 47 ayes, 1 nay, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Davidson	Hyland	Trageton
Davis	Jacobsen	Turner
Duncan	Leutz	Vail
Elken	Linde	Wartner
Ellingson	Loftsgaard	Williams
Englund	McBride	Young
Ganssle	McDowell	

Mr. Gibbens voted in the negative.

Absent and not voting, Messrs. Kretschmar and Steel.

Mr. Steel being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 138.

A bill for an Act to amend Sections 838, 839, 840 and 841, Chapter 9, of the Political Code of the State of North Dakota, Revised Codes of 1905, relating to education, as amended by Chapter 107 of the Session Laws of 1907.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 48 ayes, 1 nay, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McBride
Allen	Gibbens	McDowell
Barnes	Gilbert	McLean
Bond	Gronvold	Mudgett
Bonzer	Hanley	Nelson
Bronson	Heckle	Overson
Carter	Helgeland	Plain
Cashel	Hookway	Porterfield
Clark	Hoverson	Putnam
Davidson	Hughes	Talcott
Davis	Hyland	Thoreson
Duncan	Jacobsen	Trageton
Elken	Kretschmar	Turner
Ellingson	Leutz	Vail
Englund	Linde	Wartner
Ganssle	Loftsgaard	Williams

Mr. Young voted in the negative.

Absent and not voting, Mr. Steel.

Mr. Steel being excused.

So the bill passed and the title was agreed to.

#### FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 66.

A bill for an Act to amend and re-enact Section 181 of Chapter 266 of the Session Laws of the year 1911 of the State of North Dakota, relating to public schools.

Was read the first and second times and

Referred to the committee on cities and municipal corporations.

House Bill No. 190.

A bill for an Act repealing Chapter 199 of the Session Laws of 1907 and providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers, for the transportation of passengers and baggage, and providing a penalty for the violating thereof.

Was read the first and second times and

Referred to the committee on railroads.

House Bill No. 198.

A bill for an Act to amend Article 4, Chapter 30 of the Political Code of North Dakota of 1905, relating to powers of city council, as amended by Chapter 79 of the Session Laws of 1911.

Was read the first and second times and

Referred to the committee on cities and municipal corporations.

House Bill No. 80.

A bill providing closets or privies for the accommodation of the public at railroad stations and keeping them in a sanitary condition and penalty for violation thereof.

Was read the first and second times and

Referred to the committee on railroads.

There being no objection the Senate returned to the 9th order of business, and

Mr. McDowell asked the unanimous consent of the Senate to introduce a bill carrying an appropriation. Unanimous consent having been granted,

Mr. McDowell introduced

Senate Bill No. 247.

A bill for an Act to amend and re-enact Section 1129 of the Revised Codes of North Dakota for the year 1905 relating to the agricultural and geological survey and appropriation therefor.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Garden introduced

Senate Bill No. 248.

A bill for and Act to amend Section 281 of the Revised Codes of 1905 relative to the burial of the bodies of persons who have died from infectious and contagious diseases, and to provide for the disinfecting of such bodies.

Which was read the first and second times and

Referred to committee on public health.

The courtesies of the floor were extended to E. Smith Peterson, Park River, N. D., A. O. Messinger, Portal, N. D., H. L. Currier, Minot, N. D.

Mr. Vail moved

That the Senate do now adjourn.

Which motion prevailed and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

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THIRTY-SIXTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 11th, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Mr. Allen.

Who was excused.

REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the 35th day, have carefully examined the same and recommend that the same be corrected as follows:

On page 10, line 24 strike out the word "from" and insert the word "for."

On page 12, in line 5, strike out the word "line" and insert the word "lines."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Garden presented a petition signed by W. J. Walker and 19 others in behalf of woman suffrage.

Mr. Trageton presented a petition signed by P. G. Hanson and 29 others protesting against the passage of the measure providing for the cash payment of road taxes, also against the measure making it mandatory for the county commissioners to appoint a county commissioner of roads.

Mr. McBride presented a petition signed by Oscar Johnson and 44 others protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

Mr. Garden presented a similar petition signed by Stephen Catt and 51 others.

Mr. Overson presented a similar petition signed by Ole Svangston and 22 others.

Mr. Plain presented a similar petition signed by Joseph Fritz and 15 others.

Mr. Albrecht presented a petition signed by A. G. Smith and 23 others protesting against the altering or repealing of the present mechanics' lien law.

Mr. Duncan presented a similar petition signed by Emil Polinske and 12 others.

Mr. Wartner presented a similar petition signed by B. F. Whipple and 18 others.

Mr. Wartner presented a similar petition signed by Geo. Bohrer and 15 others.

Mr. Elken presented a similar petition signed by H. C. Jensen and 22 others.

Mr. Heckle presented a similar petition signed by O. Standal and 17 others.

Mr. Thoreson presented a similar petition signed by Geo. H. Buhrman and 15 others.

Mr. Hoverson presented a similar petition signed by A. H. Odell and 57 others.

Mr. Hughes presented a similar petition signed by Chas. L. Smith and 41 others.

Mr. McBride presented a similar petition signed by J. J. Fleck and 22 others.

Mr. Porterfield presented a similar petition signed by Fargo Foundry Co. and 98 others.

#### REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 52.

A bill for an Act concerning railroads, regulating the size of engines, motors and cars, and also the clearance of obstructions thereon.

Also,

Senate Bill No. 85.

A bill for an Act creating a teachers' insurance and retirement fund and providing for its maintenance and disbursement.

Also,

Senate Bill No. 104.

A bill for an Act to provide for the maintenance of inmates of the institution for the feeble minded, and to amend Section 1 of Chapter 165 of the Laws of 1911, relating thereto.

And find the same correceley engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on railroads made the following report:

*Mr. President:* .

Your committee on railroads to whom was referred  
Senate Bill No. 207.

A bill for an Act to amend Section 4309, Article 6, Chapter 12, of the Revised Codes of North Dakota of 1905, relating to the licensing of railroad ticket agents.

Have had the same under consideration and recommend that the printed bill be amended as follows:

In the title, in line 3 after the word railroad, insert the words, "and steamboat."

In Section 1, line 17, after the word dollars, insert "Which fee shall be turned over to the State Treasurer monthly."

And when so amended recommend the same do pass.

E. F. GILBERT,  
Chairman.

Mr. Gilbert moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on railroads to whom was referred  
Senate Bill No. 88.

A bill for an Act to promote the safety of employes and travelers upon railroads by compelling common carriers engaged in the transportation of passengers or property in this state to equip locomotives with electric headlights.

Have had the same under consideration and recommend that the printed bill be amended as follows:

In the title, in line 4, strike out the word "electric" and after the word headlight add "of not less than twelve hundred candle power and to provide a penalty for the violation of the same."

Section 1, lines 3 and 7, strike out the words "employes" and insert in lieu thereof the word "employees."

Section 2, line 1, strike out the word "electric." Line 2, strike out the word "January" and insert in lieu thereof the

word "July." In line 6, after the word "state" insert "in main line service." In line 7, strike out the words, "an electric" and insert in lieu thereof the word "a." In line 8, after the word "light" insert "when measured without the aid of a reflector." In line 10, strike out the words "an electric," and insert in lieu thereof the word "a." In line 11 after the word determine add, "*provided* that this Act shall not apply to any engine, the equipment of which shall have failed during the trip, if it is shown that the equipment was in efficient and effective working condition when the trip was begun."

And when so amended recommend the same do pass.

E. F. GILBERT,  
Chairman.

Mr. Gilbert moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 167.

A bill for an Act providing for the making of necessary repairs upon the executive mansion, and making appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the words "Section 1" of the printed bill and insert the following:

Repair of Executive Mansion.) Appropriation.) The Board of Trustees of Public Property is hereby authorized and empowered to make such repairs upon the executive mansion as may be found necessary, and to defray the expenses incurred in making such necessary repairs, there is hereby appropriated out of any moneys in the general fund of the state treasurer not otherwise appropriated, the sum of twenty-five hundred dollars or so much thereof as may be necessary.

Section 2. Emergency.) Whereas, certain repairs upon the executive mansion are urgently needed, an emergency

is hereby declared, and this Act shall take effect upon its passage and approval.

And when so amended recommend the same be re-referred to the committee on appropriations.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 94.

A bill for an Act to amend Chapter 213 of the Laws of 1909, relating to the inmates of the institution for the feeble minded.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the printed bill after the word "amend" insert "Section 1 of."

In Section 1, line 11, strike out the word "its" and insert the word "the," in the same line strike out the word "trustees" and insert the word "control."

On page 2 and line 1 of the printed bill strike out the words "Sec. 2. Who may be admitted," and before the word "any" insert the word "but." In the same line strike out the word "of" and insert in lieu thereof the words "who is." In line 2 strike out the words "such inoffensive" and insert in lieu thereof "offensive," after the word "inoffensive" strike out the remainder of line 2 and to the word "may" in line 3 insert in lieu thereof "to the public peace or to good morals and who is a proper subject for classification and discipline in the institution." In line 3 strike out the word "admitted" and insert the word "committed."

On page 2 strike out the words "Section 3," and insert in lieu thereof "Section 2." Then add "Section 3. Whereas an emergency exists in the fact that there is now no law for compulsory commitment of feeble minded persons obnox-

ious to the peace and good morals of the public; therefore this Act shall take effect and be in force from and after its passage and approval.

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred Senate Bill No. 135.

A bill for an Act to amend and re-enact Chapter 172 of the Laws of the State of North Dakota for 1907, relating to who may solemnize marriages and to marriage licenses.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on ways and means made the following report:

*Mr. President:*

Your committee on ways and means to whom was referred:

Senate Bill No. 156.

A bill for an Act establishing a state bonding department in the office of the state examiner; providing for the maintenance thereof; and creating a reserve therefor; prescribing the duties of officers connected therewith; providing for the payment of premiums and of indemnities for losses; and providing for the disposal of the surplus after said reserve has been created.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A Bill" and insert in lieu thereof the following:

"For an act establishing a state bonding department in the office of the commissioner of insurance, providing for the maintenance thereof and creating a reserve therefor; prescribing the duties of officers connected therewith; providing for the payment of premiums and of indemnities for losses, and providing for the disposal of the surplus after said reserve has been created.

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

Section 1. Establishing a State Bonding Department.) A bonding department of the State of North Dakota is hereby established under the management and supervision of the commissioner of insurance.

Sec. 2. Deputy and Clerks. Duties.) The commissioner of insurance shall have the authority to appoint a deputy and engage such clerks as he may find necessary to properly conduct the business of the state bonding department of his office, at a salary of not to exceed two hundred dollars per month for such deputy and seventy-five dollars per month for each clerk to be paid out of the bonding department fund hereinafter provided for. The appointment of such deputy and clerks shall have the approval of the state auditing board. The commissioner of insurance shall prepare and provide the necessary blanks, books, stationery and postage and cause the same to be delivered to the proper officers and persons. All expenses and salaries shall be audited and allowed by the state auditing board.

Section 3. Said bonding department shall bond counties, cities, towns, townships and school districts in any county in the state against loss by default of any officer upon the terms and in the manner hereinafter set forth, and the commissioner of insurance shall draw up with the assistance of the attorney general a standard form of surety bond, and only such form shall be used.

Sec. 4. What Officers to Furnish State Bonds.) Each county official (except justice of the peace and constables), every assessor required by law to furnish a bond, every city treasurer, every town treasurer, every school district treasurer and every township treasurer hereafter elected or appointed to an office and required to furnish a bond by law,

shall be bonded in and with the state bonding department; *provided*, however, that the state shall not bond any official for a greater amount than fifty thousand dollars, and any official required to be bonded in a greater sum than fifty thousand dollars, shall bond in the amount in excess of fifty thousand dollars with a responsible surety company or in any manner satisfactory to the proper authorities. *Provided*, further, that it shall be optional with any township or school district treasurer to be bonded in and with the state bonding department. The premiums for such bonds shall be paid out of the county, city, town, school district or township treasury, as the case may be, by the proper authorities.

Sec. 5. Premiums. To Whom Paid.) The premiums on such bonds shall be twenty-five cents per hundred dollars of bond per year on all bonds so issued. Such premiums shall be paid in advance by the proper authorities of each county, city, town, school district and township from its respective treasury, as provided by law, to the state treasurer who shall issue receipts therefor as hereinafter provided. The minimum premium on small and short term officers' bonds shall not be less than two dollars and fifty cents.

Sec. 6. Bonding Fund.) Whenever there is paid into the state treasury any money for premiums for bonding officials as prescribed in Section five of this Act, it shall be known as the state bonding department fund and shall be used as provided in this Act.

Sec. 7. State Treasurer. Duties of.) It shall be the duty of the state treasurer whenever there is any money paid into the state treasury for premiums on bonds, to at once issue quadruple receipts therefor; one he shall send to the county, city, town, school district or township paying the same; one he shall file with the state auditor; one he shall retain in his office and one he shall file with the commissioner of insurance. Such receipts must state the amount and date of bond, name of the official bonded, his official duty, postoffice address, and the county he resides in.

Sec. 8. Period of Bonds.) All bonds executed and furnished by the state bonding department shall be made to run until the expiration of the officers' term of office, and where such term is less than one year a full year's premium shall be charged.

Sec. 9. General Duties.) It shall be the duty of the commissioner of insurance to estimate at the beginning of each year the amount required for salaries and expenses of the bonding department for the current year, which estimated amount shall be reserved from the premiums paid in, and

the amount of premium receipts remaining shall be available for payment of losses. Losses shall be paid promptly and as soon as the amount shall be determined by the commissioner of insurance and a report thereof made as provided for in this Act. Any sum which remains unexpended at the end of any year shall remain in the state bonding fund, which fund shall be permitted to accumulate until it equals in amount \$100,000, after which the surplus in excess of \$100,000 shall be distributed to the various counties, municipalities and townships in proportion to the amount of premiums paid into the state bonding fund by the same; *provided*, that in case there should not be sufficient funds to meet the losses sustained after the reservation of expenses for the conduct of the department for the year, such losses shall be paid as funds are accumulated in the state bonding fund by the collection of premiums.

Sec. 10. Report to Make.) The commissioner of insurance shall, on or about the first day of January in each year, issue and publish in four newspapers of general circulation within the state, a concise statement of the work and condition of the bonding department during the preceding year and said commissioner of insurance shall also make a biennial report to the Governor and Legislative Assembly containing a detailed statement of the work and condition of said bonding department for the biennial period.

Sec. 11. Other Duties.) The commissioner of insurance shall require and obtain from the various officials bonded, statements annually, and as often as deemed necessary, of their receipts, bank accounts and disbursements, verified by the city auditor or county auditor, or clerk of the town, township or school district; and to verify such statements he shall communicate with each bank having such deposits, and he may also require such public official to furnish him with any information concerning the office with which such official is entrusted, and he shall file all such information in his office in a proper manner and such records shall at all times be open for inspection to the proper authorities. The commissioner of insurance shall supply each county and city auditor, township and school district clerk with a sufficient number of application blanks, and it shall be the duty of such auditors and clerks to furnish the officials required to be bonded with said application blanks. On the reverse of each blank there shall be printed sections 4, 5 and 7 of this Act. All applications for bonds under the provisions of this Act shall be made on said blanks. If in the opinion of the commissioner of insurance it is advisable for the safety of the state to reject an application for a bond, or

cancel the bond of any official bonded, it shall submit such application, also the persons name whose bond he proposes to cancel to the state auditing board together with his reasons for rejecting or cancelling the same, and if the auditing board rejects such application or cancels any bond, such official may bond in any manner satisfactory to the proper authorities of the city, village, school district, township or county, as the case may be. Provided, however, that when an application is rejected by the board, he shall notify such person by registered mail and before a bond is cancelled he shall also notify such person by registered mail, demanding from him a receipt thereof and upon the return of such receipt the board shall cancel such bond six days thereafter. When any default is reported it shall be the duty of the commissioner of insurance to carefully inquire into and investigate the same before the indemnity is paid thereon. Should any official default then it shall be the duty of the state examiner to examine and check the accounts of such defaulting official and file his report with the commissioner of insurance stating amount due upon said defaulting officer's bond, and for such services he shall be paid out of the state bonding fund.

Sec. 12. Repeal.) All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

Sec. 13. Shall Be in Effect January 1st, 1914.) This Act shall go into effect on January 1st, 1914.

And when so amended recommend the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred

House Bill No. 160.

A bill for an Act relating to the duties of clerks of courts or other officers in charge of such courts in cancelling and discharging judgments.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of title in printed bill after the word "discharging" insert the word "transcribed."

In line 3 of printed bill after the word "rendered" insert that word "or docketed."

Strike out in lines 4 and 5, the following "to the court wherein such judgment was originally rendered and."

In line 10 after the word "discharged" add the following: "and it is hereby made the duty of such clerk to carry out the provisions of this Act as to all such judgments heretofore satisfied."

Strike out all of Section 5.

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
House Bill No. 14.

A bill for an Act entitled, "An Act relating to the boundaries, terms of court and chambers of the district judge of the Seventh Judicial District amending Section 475 of the Revised Codes of 1905, as amended by Chapter 75, Laws of 1909.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of lines 20, 21, 22, 23 and 24 of the printed bill.

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 170.

A bill for an Act to amend and re-enact Section 3 of Chapter 78 of the Session Laws of North Dakota for the year 1909, entitled, "An Act to amend Section 8288 of the Revised Codes of 1905, of the State of North Dakota, relating to the increased jurisdiction of the county courts, and providing for abolishing the same."

Have had the same under consideration and recommend that the same be amended as follows:

Strike out after the word "debtor" in line 26 of printed bill everything to line 1 of Section 2 and insert in lieu thereof, the following: "to the same extent as judgments originally entered in the district courts."

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on public health made the following report:

*Mr. President:*

Your committee on public health to whom was referred  
House Bill No. 67.

A bill for an Act entitled, "An Act prohibiting and making it a misdemeanor to manufacture, sell, barter, exchange or give away cigarettes or cigarette paper."

Have had the same under consideration and recommend that the same do pass.

F. I. GRONVOLD,  
Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on education made the following report:

*Mr. President:*

Your committee on education to whom was referred  
Senate Bill No. 78.

A bill for an Act to amend Chapter 103, Laws of 1907, relating to depositories of school funds.

Have had the same under consideration and recommend that the same be amended as follows:

Amend line 1 of the title by inserting the word "for" before the word "an" and in the same line after the word "amend" insert the words "and re-enact Sections 926 and 928 of the Revised Codes of 1905 as amended by."

Following the enacting clause insert the following:

1. Amendment.) That Section 926 and 928 of the Revised Codes of 1905 as amended by Chapter 103 of the Session Laws of 1907 be and the same are hereby amended and re-enacted so as to read as follows:

In line 11 of the printed bill strike out the word "five" and insert the word "six" in lieu thereof. Also in same line strike out the word "three" and insert the word "four" in lieu thereof.

And when so amended recommend the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred  
Senate Bill No. 160.

A bill for an Act to amend Section 271 of Chapter 266 of the Session Laws of 1911, relating to branches to be taught in the public schools.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 11, page 1, strike out the figures "1914" and insert in lieu thereof the figures "1915."

And when so amended recommend the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred

Senate Bill No. 235.

A bill for an Act to provide for the submission and printing of the requests for appropriations and proposed legislation in advance of the meeting of the legislature.

Have had the same under consideration and recommend that the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred

Senate Bill No. 231.

A bill for an Act to amend Section 48 of Article 4 of Chap-

ter 266, Session Laws of 1911, relating to election of officers in common school districts.

Have had the same under consideration and recommend that the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred  
Senate Bill No. 216.

A bill for an Act to repeal Section 3 of Chapter 264 of the Session Laws of 1911, relating to reviews in high schools.

Have had the same under consideration and recommend that the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred  
Senate Bill No. 234.

A bill for an Act to amend Section 141 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to public schools.

Have had the same under consideration and recommend that the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved  
That the report be adopted.  
Which motion prevailed, and  
The report was adopted.  
Also,

*Mr. President:*

Your committee on education to whom was referred  
Senate Bill No. 124.

A bill for an Act to amend Section 8, Chapter 61 of the  
Session Laws of 1911, relating to the election of secretary of  
the state board of normal school trustees.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved  
That the report be adopted.  
Which motion prevailed and  
The report was adopted.  
Also,

*Mr. President:*

Your committee on education to whom was referred  
Senate Bill No. 225.

A bill for an Act to amend and re-enact Sections 6 and 8  
of Chapter 61 of the Session Laws of the State of North  
Dakota of 1911, relating to normal schools.

Have had the same under consideration and recommend  
that the same be amended as follows:

In Section 1, line 3, page 1, strike out the letter "s" in word  
"Boards."

In Section 1, line 3 page 1, after the word "The" insert  
the word "Normal;" strike out the word "Trustees" and  
substitute in lieu thereof the word "Control."

In Section 2, line 11, page 2, after the syllable "mine" in-  
sert the following words: "not to exceed two thousand dol-  
lars per annum."

And when so amended recommend the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on banks and banking made the following report:

*Mr. President:*

Your committee on banks and banking to whom was referred

Senate Bill No. 133.

A bill for an Act to amend and re-enact Section 4639 of the Revised Codes of 1905, relating to power of banking corporations.

Have had the same under consideration and recommend that the same be amended as follows:

That Section 8 read as follows: "No such association shall have or carry among its assets at any one time loans dependent wholly upon real estate security in any amount exceeding twenty-five per cent of total loans and discounts and then only upon first mortgages which shall not exceed forty per cent of the actual cash value of the property mortgaged. And in selling or disposing of said loans so made upon real estate security no such association shall have power to guarantee the payment or collection thereof, and any such guaranty made in violation of this provision shall not be binding upon such association, but shall be upon the person or officer making the same.

And when so amended recommend the same do pass.

S. N. PUTNAM,  
Chairman.

Mr. Putnam moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on banks and banking to whom was referred

Senate Bill No. 95.

A bill for an Act relative to payment of deposits in trust. Have had the same under consideration and recommend that the same be indefinitely postponed.

S. N. PUTNAM,  
Chairman.

Mr. Putnam moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on banks and banking to whom was referred

House Bill No. 28.

A bill for an Act, entitled, "An Act to amend and re-enact Chapter 54, Laws of 1911, relating to corporations having banking powers, defining what per cent of capital stock and surplus of such corporations may be used for banking house furniture and fixtures, defining its powers as to other real estate and repealing Section 4640 of the Revised Codes for the year 1905."

Have had the same under consideration and recommend that the same do pass.

S. N. PUTNAM,  
Chairman.

Mr. Putnam moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 11th, 1913.

*Mr. President:*

I have the honor to inform you that the House has concurred in the Senate concurrent resolution relating to freight rates on used automobiles.

Also,

*Mr. President:*

I have the honor to inform you that the House has concurred in the Senate concurrent resolution relating to memorial services of Chief Justice Morgan and Judge Templeton.

Also,

*Mr. President:*

I have the honor to inform you that the House has concurred in the Senate concurrent resolution relating to publishing of biographical sketches.

Also,

*Mr. President:*

I have the honor to transmit herewith

House Bill No. 248.

A bill for an Act to amend Section 26 of Chapter 62, Laws of 1911, relating to board of control and providing for the commitment of non-resident insane patients to the state hospital by county board of commissioners of insanity.

House Bill No. 188.

A bill for an Act to amend Section 1871 of the Revised Codes of 1905, relating to the purchase, sale and management of an asylum for the poor.

Which the House has passed and your favorable consideration is respectfully requested.

Also,

*Mr. President:*

I have the honor to return herewith

Also,

Senate Bill No. 55.

A bill for an Act to amend Section 157 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to the election of school officers.

Senate Bill No. 14.

For an Act to provide for the extermination of gophers, compensation therefor, and declaring the gopher pest a common nuisance.

Also,

Senate Bill No. 53.

A bill for an Act to re-enact Section 492 of the Revised Codes of North Dakota for the year 1905, relating to the State Board of Bar Examiners.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

### MOTIONS AND RESOLUTIONS.

Mr. Cashel offered the following resolution:

WHEREAS, It appears that an emergency exists in the fact that some of the inmates in the Hospital for the Insane have contracted and others are liable to contract fatal diseases for want of proper sanitary conditions which are caused mainly from the lack of funds to erect and equip suitable buildings for their care and maintenance, and,

WHEREAS, The revenues received are inadequate for the rapidly growing demands for the various departments of our state, including its many institutions all of which must be more or less maintained from direct taxation, which has been levied on the assessed valuations of our properties far below the legal requirements and insufficient for our rapidly growing demands, and

WHEREAS, Our state has large financial resources, but not available for general purposes, although there are avenues that may be opened from which to augment our revenues to assist in relieving the present tension, therefore,

*Be It Resolved*, That a special committee of three be appointed by the President of this Senate, whose duty it shall be to investigate and report its findings and recommendations of ways and means to open avenues through which the finances of this state may be augmented and made available to assist in meeting the present and future demands.

It shall be the duty of all officers, boards and commissioners to assist said committee in furnishing information in their possession.

Mr. Hyland moved

That the resolution be adopted.

Which motion prevailed and

The resolution was adopted.

The President appointed as such committee Messrs. Cashel, Plain and Wartner.

Mr. Overson moved

That House Bill No. 76 be re-referred to the committee on judiciary.

Which motion prevailed.

Mr. Davis moved

That Senate Bill No. 143 be recalled from the committee on state affairs and re-referred to the committee on judiciary.

Which motion prevailed.

The President pro tempore presiding.

#### INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Mr. Garden introduced

Senate Bill No. 249.

A bill for an Act to amend Section one of Chapter 108 of the Session Laws of 1909 of the State of North Dakota, relating to qualifications of embalmers.

Which was read the first and second times and

Referred to the committee on public health.

Mr. Kretschmar introduced

Senate Bill No. 250.

A bill for an Act to amend Section 155 of Chapter 4 of the Political Code of the State of North Dakota, and all Acts or parts amendatory thereof, providing for the investment in bonds and mortgages of all moneys belonging to the permanent funds of the common schools, University, School of Mines, Reform School, Agricultural College, Scientific School, School for the Deaf and Dumb, Industrial School, Normal Schools, Blind Asylum, Insane Asylum and Soldiers' Home.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Thoreson introduced

Senate Bill No. 251.

A bill for an Act to provide for the payment of family expenses.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Nelson introduced

Senate Bill No. 252.

A bill for an Act to amend and re-enact Section 2 and Section 6 of Chapter 44 of the Session Laws of 1911, relating to the State Tuberculosis Sanitarium at Dunseith.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Hanley introduced

Senate Bill No. 253.

A bill for an Act fixing the terms of court in the Twelfth Judicial District.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Englund introduced

Senate Bill No. 254.

A bill for an Act to amend and re-enact Section 4285 of Article 1, Chapter 12 of the Revised Codes of 1905, relating to the manner in which railroad companies may extend their lines into, or within this state.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Plain (by request) introduced

Senate Bill No. 255.

A bill for an Act to encourage the creation of Farmers' Clubs in order to further the interest of the farmers in this state educationally, socially and industrially.

Which was read the first and second times and

Referred to the committee on agriculture.

Mr. Gronvold introduced

Senate Bill No. 256.

A bill for an Act to require persons selling or disposing of second-hand furniture to disinfect the same before offering such furniture for sale or exchange.

Which was read the first and second times and

Referred to the committee on public health.

Mr. Overson introduced

Senate Bill No. 257.

A bill for an Act to provide for the payment of county and school warrants, when there is no money in the hands of the proper officer for the payment of such warrants, out of the funds on which they are drawn.

Which was read the first and second times and

Referred to the committee on state affairs.

The President presiding.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 85.

A bill for an Act creating a teachers' insurance and retirement fund and providing for its maintenance and disbursement.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 39 ayes, 7 nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—

Albrecht  
Barnes  
Bond  
Bonzer  
Bronson  
Carter  
Cashel  
Clark  
Davidson  
Davis  
Duncan  
Ellingson  
Englund

Messrs.—

Ganssle  
Garden  
Gilbert  
Gronvold  
Heckle  
Hookway  
Hoverson  
Hyland  
Jacobsen  
Linde  
McBride  
McDowell  
Mudgett

Messrs.—

Nelson  
Overson  
Plain  
Porterfield  
Putnam  
Steel  
Talcott  
Thoreson  
Trageton  
Turner  
Vail  
Wartner  
Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hanley	Kretschmar	Loftsgaard
Helgeland	Leutz	Young
Hughes		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Gibbens	McLean
Elken		

Mr. Allen being excused.

So the bill passed and the title was agreed to.

Mr. Bronson moved

That the vote by which Senate Bill No. 85 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 104.

A bill for an Act to amend Chapter 165 of the Laws of 1911 relating to the maintenance of inmates of the institution for the feeble minded.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 49 ayes, no nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McLean
Barnes	Gronvold	Mudgett
Bond	Hanley	Nelson
Bonzer	Heckle	Overson
Bronson	Helgeland	Plain
Carter	Hookway	Porterfield
Cashel	Hoverson	Putnam
Clark	Hughes	Steel
Davidson	Hyland	Talcott
Davis	Jacobsen	Thoreson
Duncan	Kretschmar	Trageton
Elken	Leutz	Turner
Ellingson	Linde	Vail
Englund	Loftsgaard	Wartner
Ganssle	McBride	Williams
Garden	McDowell	Young
Gibbens		

Absent and not voting, Mr. Allen,

Mr. Allen being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 52.

A bill for an Act concerning railroads, regulating the size of engines, motors and cars, and also the clearance of obstructions thereon.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, 6 nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Barnes	Gilbert	Nelson
Bond	Gronvold	Overson
Bonzer	Hanley	Plain
Bronson	Heckle	Porterfield
Carter	Helgeland	Putnam
Cashel	Hookway	Steel
Clark	Hoverson	Talcott
Davidson	Hyland	Thoreson
Davis	Linde	Trageton
Elken	Loftsgaard	Turner
Ellingson	McBride	Vail
Englund	McDowell	Wartner
Ganssle	McLean	Williams
Garden		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Duncan	Jacobsen	Leutz
Hughes	Kretschmar	Young

Absent and not voting, Mr. Allen.

Mr. Allen being excused.

So the bill passed and the title was agreed to.

Mr. Wartner moved

That the vote by which Senate Bill No. 52 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 248.

A bill for an Act to amend Section 26 of Chapter 62, Laws of 1911, relating to board of control and providing for the

commitment of non-resident insane patients to the state hospital by county board of commissioners of insanity.

Was read the first and second times and

Referred to the committee on state affairs.

House Bill No. 188.

A bill for an Act to amend Section 1871 of the Revised Codes of 1905, relating to the purchase, sale and management of an asylum for the poor.

Was read the first and second times and

Referred to the committee on state affairs.

The courtesies of the floor were extended to Judge F. W. Medbery, O. M. Kilen, W. C. Gibb, Ray O. Miller, Stanley, N. D.; F. O. Brewster, Harvey, N. D.; R. E. Nelson, Minot, N. D.; Geo. W. Fraine, Rugby, N. D.; Prof. F. Ladd, S. T. Knight, Fargo, N. D.; Prof. C. F. Eberly, McClusky, N. D.; H. G. Perske, A. D. McKinnon, A. Arens, Goodrich, N. D.; John T. Skokmo, Skogmo, N. D.; R. M. Rishworth, McClusky, N. D.; Geo. Thom, Jr., Wm. Albrecht, Denhoff, N. D.

Mr. Mudgett moved

That the Senate do now adjourn.

Which motion prevailed and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

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### THIRTY-EIGHTH DAY.

SENATE CHAMBER.

BISMARCK, NORTH DAKOTA,

February 13th, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll Call.

All members present.

#### REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the 36th day, have carefully examined the same and recommend that the same be corrected as follows:

On page 9, line 30, correct the spelling of the word "quadruple."

On page 10, line 40, correct the spelling of the word "application."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved  
That the report be adopted.  
Which motion prevailed and  
The report was adopted.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Jacobsen presented a petition signed by E. B. McFarland and 54 others protesting against the altering or repealing of the present mechanics' lien law.

Mr. Jacobsen presented a similar petition signed by W. J. Glenny and 31 others.

Mr. Putnam presented two similar petitions signed by C. R. Hume and 30 others.

Mr. Clark presented two similar petitions signed by J. Schoenig and 18 others.

Mr. Bonzer presented a similar petition signed by A. N. Wigtil and 6 others.

Mr. Hoverson presented a similar petition signed by C. P. Brownlee and 45 others.

Mr. Wartner presented a similar petition signed by Irvin Iverson and 14 others.

Mr. McDowell presented two similar petitions signed by H. D. Mack and 55 others.

Mr. Mudgett presented a similar petition signed by L. S. Platard and 56 others.

Mr. Davis presented a similar petition signed by F. W. Samels and 49 others.

Mr. Overson presented a similar petition signed by O. A. Houge and 22 others.

Mr. Allen presented a similar petition signed by L. Lewis and 50 others.

Mr. Leutz presented a similar petition signed by Henry R. Ringbein and 13 others.

Mr. Wartner presented a similar petition signed by John Brower and 21 others.

Mr. Duncan presented a similar petition signed by E. H. Lawrenz and 32 others.

Mr. Garden presented a petition signed by Otto Zetterberg and 152 others praying that the right of suffrage be granted to the women of this state.

Mr. McDowell presented a similar petition signed by S. Ernest Engle and 19 others.

Mr. Gibbens presented a petition signed by F. Kline and 35 others praying for the repeal of the lumber lien laws.

Mr. McBride presented six petitions signed by A. C. Hacke and 137 others praying that the right of suffrage be granted the women of this state, and stating that they were unanimous in the preference for Senate Bill No. 8 known as the Bronson bill.

Mr. Hoverson presented two petitions signed by R. E. Stephens and 31 others protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

Mr. Plain presented the following petition:

*To the Senate and House of Representatives of the State of North Dakota, in Session Assembled at Bismarck, North Dakota:*

We, the undersigned members of the Osnabrock Farmers' Club, and other citizens, do hereby memorialize and petition your honorable body that,

WHEREAS, This being pre-eminently an agricultural state, should therefore be considered as so being in the deliberations and law enactments of your honorable body, and

WHEREAS, Every government of republican form was instituted for the benefit of the people and not for that of powerful interests who are always well able to take care of themselves, and

WHEREAS, A very large majority of the people of this state are engaged in agricultural pursuits, and

WHEREAS, We believe that according to the Declaration of Independence and the terms of our Constitutions both

State and National, the farmer is and by every right should be considered as a free and independent citizen and properly protected in those rights, and

WHEREAS, His problems as a farmer are his own affairs and not that of anyone else, therefore he is the only one fitted, qualified or entitled to settle or adjust those problems, and

WHEREAS, He cannot do so without organization which, his environments his present scattered or isolated condition and his past history clearly indicates that he cannot secure, in pre-eminence by himself alone or without governmental aid and encouragement.

*Therefore, We earnestly petition your honorable body that you furnish him with temporary governmental cord or binding for such organization in the form of an enacted law which will provide for the dividing of the state into Farmers' Club Districts. Provide for a District Superintendent for each district whose duty shall be to organize and endeavor to maintain in active operation farmers' clubs throughout all parts of his district. And, provide for a State Supervisor to oversee and direct all such work and organization. Such officials and official position to be entirely separate and distinct from any and all other offices or institutions.*

This is the one and only kind of assistance we wish or desire.

JOSEPH PAULSON and 7 others.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 13th, 1913.

*Mr. President:*

I have the honor to transmit herewith  
House Bill No. 163.

A bill for an Act to provide for the preparing of a state budget.

Also,

House Bill No. 168.

A bill for an Act to regulate in certain class of cases the entry by county auditors of notations of prior taxes of land upon the tax lists for subsequent years; and when and how empowered to erase, cancel and annul any already entered and noted in cases of that same class.

Also,

House Bill No. 240.

A bill for an Act to amend and re-enact Section 3 of Chapter 264 of the Session Laws of 1911, relating to a thorough system of instruction in schools.

Also,

House Bill No. 4.

A bill for an Act to amend Sections 5510 and 5511 of the Revised Codes of North Dakota for the year 1905, prescribing lawful rates of interest for any legal indebtedness, defining usury, and providing that interest shall be computed from the date of the actual delivery of the principal.

Also,

House Bill No. 182.

A bill for an Act requiring the owners of contracts creating liens on or reserving title in grain to notify elevators of such liens or reservation of title.

Also,

House Bill No. 223.

A bill for an Act to prohibit the building of a public school house within less than 80 rods from a cemetery, and to prohibit the surveying, platting or laying out of a cemetery within less than 80 rods from a public school house.

Also,

House Bill No. 180.

A bill for an Act to amend Article 4, Chapter 30, of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to powers of city councils.

Also,

House Bill No. 197.

A bill for an Act to amend Section 4, Chapter 30 of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota for 1905, relating to powers of city councils.

Also,

House Bill No. 218.

A bill for an Act entitled "An Act amending Section 2693 of the Revised Codes of 1905, relating to cities."

Also,

House Bill No. 174.

A bill for an Act to amend and re-enact Chapter 208 of the Session Laws of 1911, relating to expenses of delegates to national conventions.

Which the House has passed and your favorable consideration is respectfully requested.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 100.

A bill for an Act to amend and re-enact Chapter 121 of the Session Laws of 1911, providing for the determination of heirs and the share of such heirs respectively in the claim to certain real estate by action in the district court.

Which the House has amended as follows:

“Section 1. Amendment.) Chapter 121 of the Session Laws of 1911 is hereby amended and re-enacted to read as follows:”

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 47.

A bill for an Act repealing Chapter 268 of the Session Laws of 1911, relating to school houses and sites.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

#### REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 78.

A bill for an Act to amend and re-enact Sections 926 and 928 of the Revised Codes of 1905, as amended by Chapter 103, Laws of 1907, relating to depositories of school funds.

Also,

Senate Bill No. 88.

A bill for an Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in transportation of passengers or property in this state to equip locomotives with headlights of not less than twelve hundred candle power and to provide a penalty for violation of the same.

Also,

Senate Bill No. 94.

A bill for an Act to amend Section 1 of Chapter 213 of the Laws of 1909, relating to the inmates of the institution for the feeble minded.

Also,

Senate Bill No. 133.

A bill for an Act to amend and re-enact Section 4639 of the Revised Codes of 1905, relating to power of banking corporations.

Also,

Senate Bill No. 135.

A bill for an Act to amend and re-enact Chapter 172 of the Laws of the State of North Dakota for 1907 relating to who may solemnize marriages and to marriage licenses.

Also,

Senate Bill No. 156.

A bill for an Act establishing a state bonding department in the office of the Commissioner or Insurance; providing for the maintenance thereof; and creating a reserve therefor; prescribing the duties of officers connected therewith; providing for the payment of premiums and of indemnities for losses; and providing for the disposal of the surplus after said reserve has been created.

Also,

Senate Bill No. 160.

A bill for an Act to amend Section 271 of Chapter 266 of the Session Laws of 1911, relating to branches to be taught in the public schools.

Also,

Senate Bill No. 170.

A bill for an Act to amend and re-enact Section 3 of Chapter 78 of the Session Laws of North Dakota for the year 1909, entitled, "An Act to amend Section 8288 of the Revised Codes of 1905, of the State of North Dakota, relating to the increased jurisdiction of the county courts, and providing for abolishing the same."

Also,

Senate Bill No. 207.

A bill for an Act to amend Section 4309, Article 6, Chapter 12, of the Revised Codes of North Dakota of 1905, relating to the licensing of railroad and steamboat ticket agents.

Also,

Senate Bill No. 216.

A bill for an Act to repeal Section 3 of Chapter 264 of the Session Laws of 1911, relating to reviews in high schools.

Also,

Senate Bill No. 225.

A bill for an Act to amend and re-enacting Sections 6 and 8 of Chapter 61 of the Session Laws of the State of North Dakota of 1911, relating to normal schools.

Also,

Senate Bill No. 231.

A bill for an Act to amend Section 48 of Article 4 of Chapter 266, Session Laws, 1911, relating to election of officers in common school districts.

Also,

Senate Bill No. 234.

A bill for an Act to amend Section 141 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to public schools.

Also,

Senate Bill No. 235.

A bill for an Act to provide for the submission and printing of the requests for appropriations and proposed legislation in advance of the meeting of the legislature.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on elections made the following report:

*Mr. President:*

Your committee on elections to whom was referred

Senate Bill No. 157.

A Concurrent Resolution for an amendment to the Constitution providing for the elective franchise.

Have had the same under consideration and recommend that the same do pass.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on elections to whom was referred

Senate Bill No. 128.

A Concurrent Resolution to further amend Section 121 of Article 5 of the Constitution of the State of North Dakota; being heretofore amended by Article 2, Amendments to the Constitution, pertaining to elective franchise.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the enacting clause and insert in lieu thereof the following:

“That the following amendment to the Constitution of the State of North Dakota be referred to the Legislative Assembly to be chosen at the next general election, be published and upon agreement, by the Legislative Assembly

so chosen next, as aforesaid, to be submitted to the people at the general election in the year 1916 for approval or rejection, in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota.

“Section 121 of Article 5 of the Constitution of the State of North Dakota as amended by Article 2 of the amendments to the said Constitution shall be and is hereby amended and re-enacted to read as follows:

“Section 121. Every person of the age of twenty-one years and upward, belonging to either the following classes, who shall have resided in the state one year and in the county three months and in the precinct sixty days next preceding any election shall be a qualified elector at such election; *provided*, women shall not have equal elective franchise with men until the question has been submitted to a vote of the women possessing the same qualifications as men voters at the general election to be held in 1918. Should a majority be against equal franchise, the question may be submitted to the women in the same manner at any subsequent general election by an Act of the Legislative Assembly.

“First. Citizens of the United States.

“Second. Civilized persons of Indian descent who have severed their tribal relations two years next preceding such election.”

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on elections to whom was referred

Senate Bill No. 8.

A bill for an Act to amend and to re-enact Section 605, of the Revised Codes of North Dakota for 1905, and Chapter 131 of the Session Laws of North Dakota for the year 1911, relating to who is entitled to vote, and providing for woman suffrage.

Have had the same under consideration and recommend that the same do pass.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on ways and means made the following report:

*Mr. President:*

Your committee on ways and means to whom was referred

Senate Bill No. 239.

A bill for an Act to authorize the public examiner to make examination of state offices.

Have had the same under consideration and recommend that the same be amended as follows:

In the title cut out the word "Public" and insert in its place the word "State."

In Section 1, in line 1, cut out the word "Public" and insert in its place the word "State."

In line 2 cut out the word "four" and insert in its place the word "two."

And when so amended recommend the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on public health made the following report:

*Mr. President:*

Your committee on public health to whom was referred

## House Bill No. 36.

A bill for an Act to amend Sections 6 and 10 of Chapter 135 of the Laws of 1907, as amended by Chapter 141, Laws of 1909.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 6, line 12 of printed bill after the word "Condition" strike out "and shall be heated in winter and lighted at all times."

In line 36 after "made" strike out "of moss, sea grass, excelsior, husks or shoddy" and insert "partly or wholly or husks or shoddy or wholly of moss, sea grass or excelsior."

In line 41 after the word "guests" strike out the rest of the line and all of lines 42 and 43 and insert "at all hours."

In line 45 after the word "hall" strike out the rest of the line and all of line 46.

And when so amended recommend the same do pass.

F. T. GRONVOLD,  
Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred

House Bill No. 5.

A Joint Resolution, ratifying amendment to the Constitution of the United States.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Cashel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 143.

A bill for an Act to amend and re-enact Section 4 of  
Chapter 275 of the Session Laws of 1911, relating to deputy  
sheriffs.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Cashel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was re-referred  
House Bill No. 76.

A bill for an Act to amend Section 4 of Chapter 275 of  
the Session Laws of the State of North Dakota for the year  
1911, relating to the office of sheriff and providing for deputies.

Have had the same under consideration and recommend  
that the same be amended as follows:

In the third line from the end of the typewritten bill  
strike out "twenty-five" and insert in lieu thereof "thirty-  
three."

After the word "month" in the last line of the typewritten  
bill add the following: "provided that the sheriff shall ap-  
point in each Commissioner District of his county, except  
in Commissioner Districts where a salaried deputy is locat-  
ed, at least one deputy whose compensation shall be such  
mileage and livery fees only as are now provided by law."

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on education made the following report:

*Mr. President:*

Your committee on education to whom was referred

Senate Bill No. 236.

A bill for an Act to create a State Board of Education and to amend Chapter 266 of the Session Laws of 1911, relating to State Board of Examiners, and to repeal Sections 243, 244 and 245 of Chapter 266; and to amend Chapter 265 of the Laws of 1911, relating to a State Agricultural and Training School Board, and to amend Chapter 65 of the Session Laws of 1911, relating to state aid to rural and consolidated schools.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, page 1, line 5 after the word "Schools" insert the words "the State High School Inspector."

In Section 1, page 2, lines 11 and 12, strike out the words "a superintendent of the city schools of the state."

In Section 2, page 2, lines 4 and 5, strike out the words "a superintendent of city schools."

And when so amended recommend the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred

Senate Bill No. 197.

A bill for an Act requiring front and rear exits in all

school houses having more than one schoolroom and requiring stationary fire escapes with proper landings and railings to be attached to the outside of all school houses above the first story of every school house having more than one story, and designating whose duty it shall be to provide such exits, fire escapes, landings and railings, prescribing a time within which said Act shall be done, and prescribing a punishment for the violation thereof.

Have had the same under consideration and recommend that the same be amended as follows:

In the first line of title strike out the words "requiring front and rear," and insert in lieu thereof the words "relating to."

In the sixth line of title after the word "exits" insert the word "and."

In the sixth and seventh lines of title strike out the words "landings and railings, prescribing a time within which said Act shall be done."

In the seventh and eighth lines of title strike out the word "punishment" and insert in lieu thereof the word "penalty."

In the eighth line of title strike out the word "thereof" and insert in lieu thereof the words "of the provisions of this Act."

In Section 1, page 1, line 1, strike out the words "front and rear" in the parenthesis.

In Section 1, page 1, lines 1, 2, 3, 4 and 5 strike out everything beginning with the words "A front" in line 1 and ending with the word "Dakota" in line 5, and substitute in lieu thereof the following: "All school houses having more than one school room shall have the doors in the exist opening outward, and it is hereby further provided that after the passage of this Act school houses of more than one room hereafter erected shall be provided with an exit not less than four feet six inches in width. All doors to be kept unlocked from 8:30 o'clock A. M. to 4:30 o'clock P. M. on school days."

In Section 2, page 1, lines 3 and 4 strike out the words "the outside of each one and every school room above the first story of each and every."

In Section 2, page 2, line 4 add the letter "s" to the word "house."

In Section 2, page 2, line 5, strike out the words "in the State of North Dakota."

In Section 2, page 2, lines 5 and 6, strike out the words "not less than six feet in length and four feet in width," and insert in lieu thereof the words "easily accessible from each school room above the first floor."

In Section 2, page 2, line 11, after the word "ground" insert the following: "*provided*, however, that the six-foot section immediately above the ground shall be hinged to the main escape so it may be swung out of the way when not in use; further *provided* that this section shall not effect school houses now constructed and provided with adequate fire escapes."

In Section 2, page 2, lines 13, 14 and 15, strike out everything beginning with the words "The entrance" in line 13 and ending with the word "days," in line 15.

In Section 3, page 2, lines 1 and 2 strike out the words "It shall be the duty of all persons having charge of such houses, including."

In Section 3, page 2, line 3, strike out the word "and," and following the word "education" insert the words "or any other person having charge of such school houses shall," and strike out the word "to" in same line.

In Sections 3, line 4, strike out the words "the last two sections" and insert in lieu thereof the words "this Act."

In Section 3, lines 4 and 5, strike out the words "the same shall take effect" and insert in lieu thereof the words "its passage and approval."

Strike out all of Section 5.

In Section 6, line 1, change the figure "6" to "5." and in same line strike out the word "this."

In Section 6, line 2, after the word "adequately" insert the words "provided with" and strike out the words "protected with," and following the words "exit" insert the word "and."

In Section 6, lines 3 and 4, strike out the words "landings and railings, and are in an unsafe condition against the danger of fire."

And when so amended recommend the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on taxes and tax laws made the following report:

*Mr. President:*

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 84.

A bill for an Act to amend and re-enact Section 1546 of the Revised Code of 1905, requiring a notation on tax receipts where real estate has been sold for taxes and not redeemed, and providing a penalty for failure therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In line 19 of the printed bill strike out the word "day" and insert in lieu thereof the word "month."

And when so amended recommend the same do pass.

HENRY J. LINDE,  
Chairman.

Mr. Linde moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Mr. Hoverson introduced

Senate Bill No. 258.

A bill for an Act to amend Chapter 90 of the Civil Code of the Revised Codes of 1905 known as the "Negotiable Instrument" law.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. McBride introduced

Senate Bill No. 259.

A concurrent resolution amending Section 216 of the Con-

stitution of the State of North Dakota, establishing and locating a State Normal School in the City of Dickinson, County of Stark.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Gibbens introduced

Senate Bill No. 260.

A bill for an Act entitled "An Act to amend Section 2 of Chapter 265 of the Session Laws of 1911, relating to establishment and maintenance, and improvements and equipment of a County Agricultural and Training School, and providing levies therefor.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Talcott introduced

Senate Bill No. 261.

A bill for an Act to amend and re-enact Section 455 of the Revised Codes of 1905, relating to official seal, and filing oath and bond of notary public.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Trageton introduced

Senate Bill No. 262.

A bill for an Act relating to appeals to the Supreme Court in defamation, personal injury, false imprisonment, and malicious prosecution cases.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Putnam introduced

Senate Bill No. 263.

A bill for an Act to amend Section 6245, Chapter 79, of the Revised Codes of North Dakota for 1905, relating to the enforcement of mechanics' liens.

Which was read the first and second times and

Referred to the committee on judiciary.

THIRD READING OF SENATE BILLS.

Senate Bill No. 88.

A bill for an Act to promote the safety of employes and travelers upon railroads by compelling common carriers engaged in the transportation of passengers or property in this state to equip locomotives with electric headlights.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, 3 nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gilbert	McLean
Barnes	Gronvold	Mudgett
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Davis	Kretschmar	Trageton
Duncan	Leutz	Turner
Elken	Linde	Vail
Ellingson	Loftsgaard	Wartner
Englund	McBride	Williams
Ganssle		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hughes	Nelson	Young

Absent and not voting, Mr. Garden.

So the bill passed and the title was agreed to.

Senate Bill No. 135.

For an Act to amend and re-enact Chapter 172 of the Laws of the State of North Dakota for 1907 relating to who may solemnize marriages and to marriage licenses.

Was read the third time.

Mr. Davis offered the following amendment to Senate Bill No. 135, and moved its adoption:

In line 3 of Section 1 of the printed bill strike out the figure "7" and insert in lieu thereof the figure "5."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 18 ayes, 30 nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Gilbert	Plain
Bond	Hyland	Putnam
Davidson	Jacobsen	Vail
Davis	McDowell	Wartner
Englund	Mudgett	Williams
Gibbens	Nelson	Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Loftsgaard
Allen	Gronvold	McBride
Bonzer	Hanley	McLean
Bronson	Heckle	Overson
Carter	Helgeland	Porterfield
Cashel	Hookway	Steel
Clark	Hoverson	Talcott
Duncan	Hughes	Thoreson
Elken	Leutz	Trageton
Ellingson	Linde	Turner

Absent and not voting, Messrs. Garden and Kretschmar.

So the bill was lost.

Mr. Hanley moved

That the vote by which Senate Bill No. 135 was lost, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 94.

A bill for an Act to amend Chapter 213 of the Laws of 1909, Relating to the Inmates of the Institution for the Feeble Minded.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hoverson	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Trageton
Davis	Leutz	Turner
Duncan	Linde	Vail
Elken	Loftsgaard	Wartner
Ellingson	McBride	Williams
Englund	McDowell	Young
Ganssle	McLean	

Absent and not voting, Messrs. Garden, Hookway and Hughes.

So the bill passed and the title was agreed to.

Senate Bill No. 156.

A bill for an Act establishing a state bonding department in the office of the Commissioner or Insurance; providing for the maintenance thereof; and creating a reserve therefor; prescribing the duties of officers connected therewith; providing for the payment of premiums and of indemnities for losses; and providing for the disposal of the surplus after said reserve has been created.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 47 ayes, 3 nays.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Barnes	Gilbert	Mudgett
Bond	Gronvold	Nelson
Bonzer	Hanley	Overson
Bronson	Heckle	Plain
Carter	Helgeland	Porterfield
Cashel	Hookway	Putnam
Clark	Hoverson	Steel
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Englund	Loftsgaard	Williams
Ganssle	McBride	Young
Garden	McDowell	

Those voting in the negative were:

Messrs.— Allen	Messrs.— Hughes	Messrs.— Talcott
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So the bill passed and the title was agreed to.

Mr. Gronvold moved

That the vote by which Senate Bill No. 156 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Talcott presiding.

Senate Bill No. 170.

A bill for an Act to amend and re-enact Section 3 of Chapter 78 of the Session Laws of North Dakota for the year 1909, entitled, "An Act to amend Section 8288 of the Revised Codes of 1905, of the State of North Dakota, relating to the increased jurisdiction of the county courts, and providing for abolishing the same."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 49 ayes, no nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.— Allen	Messrs.— Gibbens	Messrs.— Mudgett
Barnes	Gilbert	Nelson
Bond	Gronvold	Overson
Bonzer	Hanley	Plain
Bronson	Heckle	Porterfield
Carter	Helgeland	Putnam
Cashel	Hookway	Steel
Clark	Hoverson	Talcott
Davidson	Hughes	Thoreson
Davis	Hyland	Trageton
Duncan	Jacobsen	Turner
Elken	Kretschmar	Vail
Ellingson	Leutz	Wartner
Englund	Linde	Williams
Ganssle	Loftsgaard	Young
Garden	McDowell	
	McLean	

Absent and not voting, Mr. McBride.

So the bill passed and the title was agreed to.

## Senate Bill No. 78.

A bill for an Act to amend Chapter 103, Laws of 1907, relating to depositories of school funds.

Was read the third time.

Mr. Vail offered the following amendment to Senate Bill No. 78 and moved its adoption:

In line 4 of Section 1 of the printed bill strike out the word "two" and substitute in lieu thereof the word "five."

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 42 ayes, 7 nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	McBride
Allen	Gilbert	McDowell
Barnes	Gronvold	McLean
Bond	Hanley	Mudgett
Bonzer	Heckle	Overson
Bronson	Helgeland	Plain
Carter	Hookway	Porterfield
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Elken	Kretschmar	Turner
Ellingson	Leutz	Vail
Englund	Loftsgaard	Wartner

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Duncan	Nelson	Young
Garden	Putnam	
Linde	Williams	

Absent and not voting, Mr. Gibbens.

So the bill passed and the title was agreed to.

## Senate Bill No. 160.

A bill for an Act to amend Section 271 of Chapter 266 of the Session Laws of 1911, relating to branches to be taught in the public schools.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, 3 nays, 2 absent and not voting.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McDowell
Allen	Gronvold	McLean
Barnes	Hanley	Mudgett
Bond	Heckle	Nelson
Bonzer	Helgeland	Overson
Bronson	Hookway	Plain
Carter	Hoverson	Porterfield
Cashel	Hughes	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Davis	Kretschmar	Trageton
Duncan	Leutz	Turner
Elken	Linde	Vail
Englund	Loftsgaard	Wartner
Ganssle	McBride	Young

## Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Garden	Putnam	Williams

Absent and not voting, Messrs Ellingson and Gibbens.

So the bill passed and the title was agreed to.

The President presiding.

Senate Bill No. 235.

A bill for an Act to provide for the submission and printing of the requests for appropriations and proposed legislation in advance of the meeting of the legislature.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 48 ayes, no nays, 2 absent and not voting.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gilbert	McLean
Barnes	Gronvold	Mudgett
Bond	Hanley	Nelson
Bonzer	Heckle	Overson
Bronson	Helgeland	Plain
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Englund	Linde	Wartner
Ganssle	Loftsgaard	Williams
Garden	McBride	Young

Absent and not voting, Messrs. Ellingson and Porterfield.

So the bill passed and the title was agreed to.

Senate Bill No. 231.

A bill for an Act to amend Section 48 of Article 4 of Chapter 266, Session Laws, 1911, relating to election of officers in common school districts.

Was read the third time.

Mr. Linde offered the following amendment to Senate Bill No. 231 and moved its adoption:

“Strike out of same all of Section 2, emergency clause.

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 46 ayes, 1 nay, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Putnam
Carter	Hookway	Steel
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Davidson	Hyland	Trageton
Duncan	Jacobsen	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Englund	Loftsgaard	Williams
Ganssle	McBride	
Garden	McDowell	

Mr. Young voted in the negative.

Absent and not voting, Messrs. Davis, Kretschmar and Porterfield.

So the bill passed and the title was agreed to.

Senate Bill No. 216.

A bill for an Act to repeal Section 3 of Chapter 264 of the Session Laws of 1911, relating to reviews in high schools.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, 4 nays, 3 absent and not voting.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McLean
Allen	Gibbens	Mudgett
Barnes	Gilbert	Nelson
Bond	Gronvold	Plain
Bonzer	Hanley	Porterfield
Bronson	Heckle	Steel
Carter	Helgeland	Talcott
Cashel	Hookway	Thoreson
Clark	Hoverson	Trageton
Davidson	Hughes	Turner
Duncan	Hyland	Vail
Elken	Leutz	Wartner
Ellingson	Linde	Young
Englund	Loftsgaard	
Ganssle	McBride	

## Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Jacobsen	Overson	Williams
McDowell		

Absent and not voting, Messrs. Davis, Kretschmar and Putnam.

So the bill passed and the title was agreed to.

Senate Bill No. 225.

A bill for an Act to amend and re-enacting Sections 6 and 8 of Chapter 61 of the Session Laws of the State of North Dakota of 1911, relating to normal schools.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 49 ayes, no nays, 1 absent and not voting.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Davis	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Englund	Loftsgaard	Williams
Ganssle	McBride	Young
Garden	McDowell	
Gibbens	McLean	

Absent and not voting, Mr. Duncan.

So the bill passed and the title was agreed to.

Senate Bill No. 133.

A bill for an Act to amend and re-enact Section 4639 of the Revised Codes of 1905, relating to power of banking corporations.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 50 ayes, no nays.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Englund	Loftsgaard	Williams
Ganssle	McBride	Young
Garden	McDowell	

So the bill passed and the title was agreed to.

Senate Bill No. 234.

A bill for an Act to amend Section 141 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to Public Schools.

Was read the third time.

Mr. Bond offered the following amendment to Senate Bill No. 234 and moved its adoption:

In line 8 of Section 1 of the printed bill strike out the word "Secretary" and substitute in lieu thereof the word "Clerk."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 49 ayes, no nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Englund	Loftsgaard	Young
Ganssle	McBride	
Garden	McDowell	

Absent and not voting, Mr. Williams.

So the bill passed and the title was agreed to.

#### FIRST AND SECOND READING OF HOUSE BILLS.

##### House Bill No. 168.

A bill for an Act to regulate in certain class of cases the entry by county auditors of notations of prior taxes of land upon the tax lists for subsequent years; and when and how empowered to erase, cancel and annul any already entered upon and noted in cases of that same class.

Was read the first and second times and

Referred to the committee on state affairs.

##### House Bill No. 182.

A bill for an Act requiring the owners of contracts creating liens on or reserving title in grain to notify elevators of such liens or reservation of title.

Was read the first and second times and

Referred to the committee on judiciary.

##### House Bill No. 4.

A bill for an Act to amend Sections 5510 and 5511 of the Revised Codes of North Dakota for the year 1905, prescribing lawful rates of interest for any legal indebtedness, defining usury, and providing that interest shall be computed from the day of the actual delivery of the principal.

Was read the first and second times and

Referred to the committee on state affairs.

House Bill No. 240.

A bill for an Act to amend and re-enact Section 3 of Chapter 264 of the Session Laws of 1911, relating to a thorough system of instruction in schools.

Was read the first and second times and

Referred to the committee on education.

House Bill No. 163.

A bill for an Act to provide for the preparing of a state budget.

Was read the first and second times and

Referred to the committee on state affairs.

House Bill No. 223.

A bill for an act to prohibit the building of a public school house within less than 80 rods from a cemetery, and to prohibit the surveying, platting or laying out of a cemetery within less than 80 rods from a public school house.

Was read the first and second times and

Referred to the committee on education.

House Bill No. 180.

A bill for an Act to amend Article 4, Chapter 30, of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to powers of city councils.

Was read the first and second times and

Referred to the committee on cities and municipal corporations.

House Bill No. 197.

A bill for an Act to amend Article 4, Chapter 30 of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota for 1905, relating to powers of city councils.

Was read the first and second times and

Referred to the committee on cities and municipal corporations.

House Bill No. 218.

A bill for an Act entitled, "An Act amending Section 2693 of the Revised Codes of 1905, relating to cities."

Was read the first and second times and

Referred to the committee on cities and municipal corporations.

House Bill No. 174.

A bill for an Act to amend and re-enact Chapter 208 of the Session Laws of 1911, relating to expenses of delegates to national conventions.

Was read the first and second times and

Referred to the committee on elections.

### THIRD READING OF HOUSE BILLS.

House Bill No. 160.

A bill for an Act relating to the duties of clerks of courts or other officers in charge of such courts in cancelling and discharging judgments.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, no nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Cashel	Hoverson	Putnam
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Duncan	Jacobsen	Trageton
Ellingson	Leutz	Turner
Englund	Linde	Vail
Ganssle	Loftsgaard	Wartner
Garden	McBride	Williams
Gibbens	McLean	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Elken	McDowell
Carter	Hookway	Steel
Davis	Kretschmar	

So the bill passed and the title was agreed to.

## House Bill No. 14.

A bill for an Act entitled "An Act relating to the boundaries, terms of court and chambers of the district judge of the Seventh Judicial District amending Section 475 of the Revised Codes of 1905, as amended by Chapter 75, Laws of 1909.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	McBride
Allen	Garden	McLean
Barnes	Gilbert	Nelson
Bond	Gronvold	Overson
Bonzer	Hanley	Plain
Bronson	Heckle	Porterfield
Carter	Helgeland	Putnam
Cashei	Hookway	Talcott
Clark	Hoverson	Thoreson
Davidson	Hughes	Trageton
Davis	Hyland	Turner
Duncan	Jacobsen	Vail
Elken	Leutz	Wartner
Ellingson	Linde	Williams
Englund	Loftsgaard	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Gibbens	Mudgett	Steel
Kretschmar	McDowell	

So the bill passed and the title was agreed to.

Mr. Hanley moved

That further action on House Bill No. 67 be deferred until tomorrow.

Which motion was lost.

House Bill No. 67.

A bill for an Act entitled, "An Act prohibiting and making it a misdemeanor to manufacture, sell, barter, exchange or give away cigarettes, or cigarette paper."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 37 ayes, 11 nays, 2 absent and not voting:

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Garden	McLean
Barnes	Gibbens	Mudgett
Bond	Gilbert	Overson
Bronson	Gronvold	Plain
Carter	Heckle	Putnam
Cashel	Helgeland	Steel
Clark	Hookway	Talcott
Davidson	Hoverson	Thoreson
Davis	Hughes	Trageton
Duncan	Hyland	Turner
Elken	Jacobsen	Wartner
Ellingson	Linde	Williams
Englund		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs. -
Albrecht	Kretschmar	Porterfield
Bonzer	Leutz	Vail
Ganssle	Loftsgaard	Young
Hanley	McBride	

Absent and not voting, Messrs. McDowell and Nelson.

So the bill passed and the title was agreed to.

Mr. Garden moved

That the vote by which House Bill No. 67 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

Mr. Overson moved

That the vote by which House Bill No. 67 was passed be re-considered and the bill be re-referred to the committee on judiciary.

Which motion prevailed.

The courtesies of the floor were extended to H. P. Halvorson, Henry Holter, C. R. Wattles, S. W. Bond, Martin Jacobson, Dave Dennie, Wellington Irysh, Mott, Hettinger County, N. D.; Pres. Thos. Hillyer, S. H. Taylor, Mayville, N. D.; Chas. E. Fouts, McHenry County, N. D.; W. H. Lakey, Fargo, N. D.; H. L. Holmes, W. J. Burke, F. A. Wilson, John Manning, Bathgate, N. D.; D. J. Laxdal, Caviler, N. D.;

H. R. Evans, M. H. Aaen, Hans Anderson, F. B. Feetham,  
J. B. Wineman, Grand Forks, N. D.

Mr. Jacobsen moved

That the Senate do now adjourn.

Which motion prevailed and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

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THIRTY-NINTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 14th, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present.

REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the 38th day, have carefully examined the same and recommend that the same be corrected as follows:

On page 1, in line 15, correct the spelling of the word "follows."

On page 10, line 10, after the word "to" insert the word "either."

On page 10, line 37, after the word "code" insert the letter "s."

On page 20, line 29, after the figures "135" strike out the word "passed" and insert the words "was lost."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 13th, 1913.

*Mr. President:*

I have the honor to transmit herewith  
House Bill No. 290.

A bill for an Act to repeal Section 1503 of the Revised Codes of North Dakota of 1905, relating to the assignment of property of companies or associations and the listing of the same.

Also,

House Bill No. 294.

A bill for an Act repealing Chapter 233 of the Laws of North Dakota for the year 1911.

Also,

House Bill No. 249.

A bill for an Act prescribing the duties of the state engineer in connection with the construction of highway bridges and culverts.

Also,

House Bill No. 22.

A bill for an Act to amend and re-enact Section 6237 as amended by the Session Laws of North Dakota for 1909, and Sections 6238, 6240, 6242, 6244 and 6250 of Chapter 79 of the Revised Codes of North Dakota for the year 1905.

Also,

House Bill No. 90.

A bill for an Act relating to the printing of a proposed Constitutional Amendment.

Also,

House Bill No. 172.

A bill for an Act authorizing the cities to incur indebtedness and issue bonds for certain city purposes, when such proposition for issuing such bonds shall have been approved by a majority vote of the electors of such city, and fixing a limit to the indebtedness to be thereby incurred.

Also,

House Bill No. 242.

A bill for an Act to prohibit the soliciting or receiving of gratuities or tips by the patrons or employees of public places or public service corporations; and prohibiting the giving or tendering of tips or gratuities and providing a penalty for the violation of this Act.

Also,

House Bill No. 225.

A bill for an Act to amend Section 10 of Chapter 129, Laws of 1911, relating to charitable contributions by candidates.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Hoverson presented a petition signed by Geo. McClellan and 54 others protesting against the altering or repealing of the present mechanics' lien law.

Mr. Gilbert presented a similar petition signed by F. G. Lindstrom and 10 others.

Mr. Overson presented a similar petition signed by S. Charlson and 30 others.

Mr. McBride presented a similar petition signed by Mathias Bayer and 11 others.

Mr. Gibbens presented a similar petition signed by Albert Spillman and 19 others.

Mr. Garden presented a similar petition signed by H. J. Bahmer and 14 others.

Mr. Ganssle presented a petition signed by E. D. Brocker and 21 others praying that the right of suffrage be granted to the women of this state.

Mr. Mudgett presented a similar petition signed by N. C. McDonald and 33 others.

Mr. Porterfield presented a similar petition signed by F. H. Wilder and 34 others.

Mr. Vail presented a similar petition signed by A. E. Stevens and 19 others.

Mr. Helgeland presented a petition signed by E. J. Groseth and 43 others protesting against legislation requiring road tax to be paid in cash.

Mr. Garden presented a petition signed by A. Guimond and 25 others protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

Mr. Talcott presented the following petition which was ordered printed in the Journal.

*To the Legislative Assembly of North Dakota:*

The Fargo Teachers' Club, composed of 84 teachers of the public schools of that city direct the executive committee of that club to enter protest against the enactment of a law providing state adoption of uniform text books for this state, for the following reasons:

Therefore, we petition the members of the Legislative Assembly of North Dakota, now in session at Bismarck, to refer the question of state adoption of text books to the Educational Commission created by the 12th Legislative Assembly, with instruction to investigate the whole question and report its finding to the Legislative Assembly two years hence.

Respectfully submitted.

W. E. HOOVER and 9 others.

## REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 84.

A bill for an Act to amend and re-enact Section 1546 of the Revised Codes of 1905, requiring a notation on tax receipts where real estate has been sold for taxes and not redeemed, and providing a penalty for failure therefor.

Also,

Senate Bill No. 128.

A concurrent resolution to further amend Section 121 of Article 5 of the Constitution of the State of North Dakota; being heretofore amended by Article 2, amendments to the Constitution, pertaining to elective franchise.

Also,

Senate Bill No. 157.

A concurrent resolution for an amendment to the Constitution providing for the elective franchise.

Also,

Senate Bill No. 197.

A bill for an Act relating to exits in all schoolhouses having more than one schoolroom and requiring stationary fire escapes with proper landings and railings to be attached to the outside of all schoolhouses above the first story of every schoolhouse having more than one story, and designating whose duty it shall be to provide such exits and fire escapes, and prescribing a penalty for the violation of the provisions of this Act.

Also,

Senate Bill No. 236.

A bill for an Act to create a state board of education and to amend Chapter 266 of the Session Laws of 1911, relating to state board of examiners, and to repeal Sections 243, 244 and 245 of Chapter 266; and to amend Chapter 265 of the Laws of 1911, relating to a state agricultural and training

school board, and to amend Chapter 65 of the Session Laws of 1911, relating to state aid to rural and consolidated schools.

Also,

Senate Bill No. 239.

A bill for an Act to authorize the public examiner to make examination of state offices.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bill have examined:

Senate Bill No. 14.

A bill for an Act to provide for the extermination of gophers, compensation therefor, declaring the gopher pest a common nuisance, and defining the term "gopher."

Also,

Senate Bill No. 53.

A bill for an Act to amend and re-enact Section 492 of the Revised Codes of North Dakota for the year 1905, relating to the State Board of Bar Examiners.

Also,

Senate Bill No. 55.

A bill for an Act to amend Section 157 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to the election of school officers.

And find the same correctly enrolled.

W. R. BOND,  
Chairman,

Mr. Bond moved

That the report be adopted,

Which motion prevailed, and

The report was adopted.

The committee on ways and means made the following report:

*Mr. President:*

Your committee on ways and means to whom was referred:

Senate Bill No. 137.

A bill for an Act providing for a contract system of legislative clerical work and employment.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 3, after the word "for," before the word "bids," insert the word "specified."

In line 23, Section 1, strike out the word, "ten," and insert the word "fifteen" in lieu thereof.

In Section 2, line 2, after the word "Secretary" before the word "and," insert the following words: "two assistant secretaries, a bill clerk, a chief enrolling and engrossing clerk, a desk stenographer."

In line 2, Section 2, after the word "and," insert the letter "a."

In line 11, Section 2, after the word "clerk," insert the following words: "two assistant clerks, a bill clerk, a chief enrolling and engrossing clerk, a desk stenographer."

"In line 13, Section 2, strike out the word "and" and place a comma after the word "Secretary."

In line 13, Section 2, after the word "Sergeant-at-Arms," insert the words "and other elected officers."

In line 17, Section 2, strike out the word "six," and insert the word "seven" in lieu thereof.

In line 18, Section 2, after the word "Sergeant-at-Arms," strike out the word "of," and insert the following words: "and other members elected by."

In line 18, Section 2, after the word "day," insert the following words: "the Secretary of the Senate shall index the printed journal of the Senate and the Chief Clerk of the House shall index the Journal of the House without additional compensation."

In line 3, Section 3, after the word "duties," strike out the words "at the desk of," and insert the words "except as otherwise provided by."

In line 3, Section 3, after the word "and" strike out the word "of."

In Section 3, strike out all of lines 4, 5 and 6 to the word "stenographers."

In line 6, Section 3, strike out the last word, "official."

In Section 4, line 4, strike out the word "one," and insert the word "five," in lieu thereof.

And when so amended recommend the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on ways and means to whom was referred

Senate Bill No. 114.

A bill for an Act to amend Section 1337 of the Revised Codes of 1905 relating to the compensation of assessors for collecting agricultural statistics.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill, line 1, after the word "amend," insert the words "and re-enact."

In Section 1, line 2, after the word "amended," insert the words, "and re-enacted."

And when so amended recommend the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

Your committee on ways and means to whom was referred:

House Bill No. 154.

A bill for an Act requiring treasurers of fair associations to give a bond to the directors thereof.

Have had the same under consideration and recommend that the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on appropriations made the following report:

*Mr. President:*

Your committee on appropriations to whom was referred:

Senate Bill No. 121.

A bill for an Act to provide an appropriation for the current and contingent expenses, for the erection of necessary additional buildings, for other necessary improvements and repairs at the State Hospital for the Insane of North Dakota, at Jamestown, and for purchasing additional land for the use of such State Hospital.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 9, of the printed bill, strike out the figures "\$100,000.00" and in lieu thereof, insert the figures "\$65,000.00."

Strike out lines 14, 15, 17, 18, 19, 20 and 21.

Strike out Section 2—being the emergency clause.

In line 7, strike out the words "Four Hundred Nineteen Thousand Eight Hundred" and insert in lieu thereof the words "Three Hundred Forty Thousand."

In lines 7 and 8, strike out the figures "\$419,800.00" and insert in lieu thereof the figures "\$340,000.00."

Strike out the figures "\$419,800.00" in the sum total and insert in lieu thereof, the figures "\$340,000.00."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

*Mr. President:*

Your committee on judiciary to whom was referred:

House Bill No. 67.

A bill for an Act entitled, "An Act prohibiting and making it a misdemeanor to manufacture, sell, barter, exchange or give away cigarettes or cigarette papers.."

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the title of the bill and insert in lieu thereof the following:

"A bill for an Act prohibiting the sale, manufacture, bartering or giving away of any cigarettes or cigarette papers, and providing a penalty for the violation thereof."

Strike out all of Section 2, and insert in lieu thereof the following:

"Section 2. Any person violating any of the provisions of this Act shall be punishable by a fine of not less than ten dollars nor more than fifty dollars or by imprisonment in the county jail for a period of not more than thirty days or by both such fine and imprisonment."

And when so amended recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 228.

A bill for an Act prohibiting the waiver or release of a  
cause of action before the same shall actually have accrued.

Have had the same under consideration and recommend  
that the same be amended as follows:

After the word "action" and before the word "cannot" in  
line one of the printed bill insert the following "arising out  
of the sale of personal property."

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred:  
Senate Bill No. 227.

A bill for an Act relating to the sale of personal property  
and the warranty thereof; providing for a reasonable time in  
which to ascertain defects or breaches of warranty and the  
giving of notice of such defects or breaches of warranty.

Have had the same under consideration and recommend  
that the same be amended as follows:

After the word "warranty" in line 6 of the printed bill  
add the following "and the question of what is a reasonable  
time shall in all cases be a question of fact for the jury."

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on taxes and tax laws made the following report:

*Mr. President:*

Your committee on taxes and tax laws to whom was referred:

House Bill No. 129.

A bill for an Act entitled "An Act to amend Section 2478 of the Revised Codes of 1905, relating to partial payment of taxes.

Have had the same under consideration and recommend that the same do pass.

HENRY J. LINDE,  
Chairman.

Mr. Linde moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on taxes and tax laws to whom was referred:

Senate Bill No. 9.

A bill for an Act to amend Section 1571 of the Revised Codes of 1905, providing when real estate taxes shall become due and delinquent, and for penalty and interest in the event of delinquency thereof.

Have had the same under consideration and recommend that the same be amended as follows:

In the first line of the title insert after the word "amend" the word "and re-enact." In the same line of the title after the figure "5" insert the following: "As amended by Chapter 299 of the Laws of North Dakota for the year 1911."

In line 7 of the printed bill strike out the word "three" and insert in lieu thereof the word "five."

In line 8 strike the balance of the line after the word "also" and in line 9 strike out all of the line up to the word "and."

In line 10 strike out the word "three" and insert in lieu thereof the word "two."

In line 11 strike out the word "five" and insert in lieu thereof the word "three."

In line 18 after the word "following" add the following: "with interest at 6 per cent per annum from March 1st to date of payment."

And when so amended recommend the same do pass.

HENRY J. LINDE,  
Chairman.

Mr. Linde moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred:

Senate Bill No. 188.

A bill for an Act to amend and re-enact Section 3, Chapter 137 of the Session Laws of 1907, as amended by Chapter 155 of the Session Laws of 1911, relating to the payment of costs of treatment and board of patients in the insane hospital.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the of title of printed bill strike out the word "paymest" and insert in lieu thereof the word "payment."

In Section 3 and line 2 strike out the following: "trustees of the state hospital for the insane," and insert in lieu thereof: "the board of control of state institutions."

In line 4, after the word "patients insert "and upkeep of buildings and care of grounds."

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on public health made the following report:

*Mr. President:*

Your committee on public health to whom was referred Senate Bill No. 33.

A bill for an Act to prohibit the use of public drinking cups in the State of North Dakota.

Have had the same under consideration and recommend that the same do pass.

F. T. GRONVOLD,  
Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on irrigation and drainage made the following report:

*Mr. President:*

Your committee on irrigation and drainage to whom was referred:

Senate Bill No. 168.

A bill for an Act permitting farmers and land owners to drain their lands into road ditches and other depressions, when such ditch or depression is wholly upon the owner's land.

Have had the same under consideration and recommend that the same be amended as follows:

Amend the title by striking out the period following the last word, "land," then insert the following, "and providing methods of procedure in case of damage."

Add the following to Section 1, after striking out the period: "nor damage to the public highway."

Add Section 2, as follows:

"Section 2. In case the construction of any drain or drains will or may cause damage to real estate not owned by the person desiring to drain the lands as herein referred to, he may obtain the right to construct such drain upon a compliance with the provisions of Article 7 of Chapter 37 of the

Code of Civil Procedure of the Revised Codes of North Dakota. And the said Article 7 of Chapter 37 of the Revised Codes of North Dakota for 1905 shall be applicable so far as may be to the construction of drains under this Act.

And when so amended recommend the same do pass.

J. L. CASHEL,  
Chairman.

Mr. Cashel moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on temperance made the following report:

*Mr. President:*

Your committee on temperance to whom was referred  
House Bill No. 78.

A bill for an Act defining bootlegging, making it a crime, and fixing the punishment therefor.

Have had the same under consideration and recommend that the same do pass.

C. F. MUDGETT,  
Chairman.

Mr. Mudgett moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on corporations other than municipal made the following report:

*Mr. President:*

Your committee on corporations other than municipal to whom was referred:

Senate Bill No. 218.

A bill for an Act to amend Section 4190, Article 2 of Chapter 11 of the Revised Codes of the State of North Dakota of 1905, relating to the disposition of fees collected for the filing of the annual reports of corporations.

Have had the same under consideration and recommend that the same do pass.

H. P. JACOBSEN,  
Chairman.

Mr. Jacobsen moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on corporations other than municipal to whom was referred:

Senate Bill No. 164.

A bill for an Act to amend Section 4649, Chapter 21 of the Revised Code of the State of North Dakota for 1905 relating to qualification of directors.

Have had the same under consideration and recommend that the same be re-referred to the committee on banks and banking.

H. P. JACOBSEN,  
Chairman.

Mr. Jacobsen moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE.

Mr. Hanley moved

That the Senate do now concur in the House amendment to Senate Bill No. 100.

Which motion prevailed and

The amendment was concurred in.

Senate Bill No. 100.

A bill for an Act to amend and re-enact Chapter 121 of the Session Laws of 1911, providing for the determination of heirs and the share of such heirs respectively in the claims to certain real estate by action in the district court.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 43 ayes, 1 nay, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hookway	Steel
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Davidson	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Linde	Young
Englund	Loftsgaard	
Ganssle	McBride	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Hyland	Plain
Garden	McDowell	Williams

Mr. Wartner voted in the negative.

So the bill passed and the title was agreed to.

## INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Mr. Davidson introduced

Senate Bill No. 264.

A bill for an Act to amend and re-enact Chapter 301 of the Session Laws of 1911, relating to auditor's notice of tax sale.

Which was read the first and second times and

Referred to the committee on taxes and tax laws.

Mr. Nelson introduced

Senate Bill No. 265.

A bill for an Act taxing the occupation of auctioneers, regulating the licensing of persons engaged in such occupation, increasing the ordinary county revenue of such taxation, and prescribing penalties for violation of its provisions.

Which was read the first and second times and

Referred to the committee on ways and means.

Mr. Hughes introduced

Senate Bill No. 266.

A bill for an Act to amend Subdivision 74 of Section 48 of Chapter 77 of the Laws of 1911, relating to commission system of government.

Which was read the first and second times and

Referred to the committee on cities and municipal corporations.

Mr. McDowell introduced

Senate Bill No. 267.

A bill for an Act for the regulation and control of fraternal benefit societies.

Which was read the first and second times and

Referred to the committee on insurance.

Mr. Hyland moved

That the Senate do now take a recess of ten minutes.

Which motion prevailed and

The Senate took a recess.

#### AFTER RECESS.

Mr. Heckle introduced

Senate Bill No. 268.

A bill for an Act in reference to declaring churches and church societies extinct and disposing of the property of extinct church and church societies.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Williams introduced

Senate Bill No. 269.

A bill for an to enlarge the powers of state's attorneys.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Bond introduced

Senate Bill No. 270.

A bill for an Act to amend Section 2272 of the Revised Codes of the State of North Dakota for the year 1905, relating to the storage of unclaimed goods, wares and merchandise carried by railroads and transportation companies.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Englund introduced

Senate Bill No. 271.

A bill for an Act to amend and re-enact Section 4395 of the Revised Codes of North Dakota for 1905, as amended by Chapter 51, Session Laws of 1907, relating to the maximum freight rate on coal and briquettes, and defining the term briquettes.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Hanley introduced

Senate Bill No. 272.

A bill for an Act to provide that public records and files shall be open to inspection and examination.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Mudgett (by request) introduced

Senate Bill No. 273.

A concurrent resolution for an amendment to the Constitution of the State of North Dakota, providing for the apportionment of road taxes derived from railroad companies, express companies, freight line companies, car equipment companies, sleeping car companies, dining car companies, telegraph and telephone companies, equally among the civil townships of the various counties of the state.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Trageton (by request) introduced

Senate Bill No. 274.

A bill for an Act to fix and regulate obligations and liabilities as between hotel and inn keepers and their guests and boarders and those intending to become such with re-

spect to baggage and other property of such guests and boarders and the property belonging to or in use in any hotel, lodging house, boarding or eating house, defining and fixing the liability of hotel and inn keepers for loss of or injury to property of guests or boarders or persons intending to become such and giving to such hotel and inn keepers a lien upon the baggage and other property of guests and boarders for charges due.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Davis introduced

Senate Bill No. 275.

A bill for an Act to provide for state insurance on buildings of the state and of the counties of this state under the supervision of the commissioner of insurance.

Which was read the first and second times and

Referred to the committee on insurance.

### . THIRD READING OF SENATE BILLS.

Senate Bill No. 207.

A bill for an Act to amend Section 4309, Article 6, Chapter 12, of the Revised Codes of North Dakota of 1905, relating to the licensing of railroad and steamboat ticket agents.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Thoreson
Davis	Hyland	Trageton
Duncan	Jacobsen	Turner
Elken	Kretschmar	Wartner
Ellingson	Leutz	Williams
Englund	Loftsgaard	Young
Ganssle	McBride	
Garden	McDowell	

## Absent and not voting:

Messrs.—  
Davidson  
Linde

Messrs.—  
Talcott

Messrs.—  
Vail

So the bill passed and the title was agreed to.

## Senate Bill No. 8.

A bill for an Act to amend Section 605, Subdivision I, of the Revised Codes of North Dakota for 1905, and Chapter 131 of the Session Laws of North Dakota for the year 1911, relating to who is entitled to vote, and providing for woman suffrage.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 31 yeas, 19 nays.

Those voting in the affirmative were:

Messrs.—  
Allen  
Barnes  
Bronson  
Cashel  
Davidson  
Davis  
Duncan  
Ellingson  
Englund  
Garden  
Gibbens

Messrs.—  
Gilbert  
Gronvold  
Hanley  
Heckle  
Hoverson  
Hughes  
Hyland  
Loftsgaard  
McBride  
Mudgett  
Nelson

Messrs.—  
Plain  
Porterfield  
Putnam  
Steel  
Trageton  
Turner  
Vail  
Wartner  
Williams

Those voting in the negative were:

Messrs.—  
Albrecht  
Barnes  
Bonzer  
Carter  
Clark  
Elken  
Ganssle

Messrs.—  
Helgeland  
Hookway  
Jacobsen  
Kretschmar  
Leutz  
Linde  
McDowell

Messrs.—  
McLean  
Overson  
Talcott  
Thoreson  
Young

Messrs. Hanley and Hookway explained their votes.

So the bill passed and the title was agreed to.

Mr. Wartner moved

That the vote by which Senate Bill No. 8 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## Senate Bill No. 128.

A concurrent resolution to further amend Section 121 of Article 5 of the Constitution of the State of North Dakota; being heretofore amended by Article 2, amendments to the Constitution, pertaining to elective franchise.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, 9 nays.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McDowell
Allen	Gibbens	McLean
Barnes	Gronvold	Mudgett
Bond	Hanley	Nelson
Bonzer	Heckle	Overson
Bronson	Helgeland	Plain
Cashel	Hookway	Porterfield
Clark	Hoverson	Steel
Davidson	Hughes	Talcott
Duncan	Jacobsen	Thoreson
Elken	Leutz	Trageton
Ellingson	Linde	Turner
Englund	Loftsgaard	Wartner
Ganssle	McBride	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Carter	Hyland	Vail
Davis	Kretschmar	Williams
Gilbert	Putnam	Young

So the bill passed and the title was agreed to.

Mr. Cashel moved

That the vote by which Senate Bill No. 128 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## Senate Bill No. 157.

A concurrent resolution for an amendment to the Constitution providing for the elective franchise.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 27 ayes, 22 nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gibbens	Plain
Barnes	Gronvold	Porterfield
Bond	Heckle	Putnam
Bronson	Hookway	Steel
Cashel	Hoverson	Trageton
Davidson	Hyland	Turner
Duncan	Linde	Vail
Ellingson	Mudgett	Wartner
Garden	Nelson	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McDowell
Bonzer	Hanley	McLean
Carter	Helgeland	Overson
Clark	Jacobsen	Talcott
Davis	Kretschmar	Thoreson
Elken	Leutz	Young
Englund	Loftsgaard	
Ganssle	McBride	

Absent and not voting, Mr. Hughes.

So the bill passed and the title was agreed to.

Mr. Bronson moved

That the vote by which Senate Bill No. 157 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

Senate Bill No. 239.

A bill for an Act to authorize the public examiner to make examination of state offices.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 50 ayes, no nays.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Davidson	Gilbert
Allen	Davis	Gronvold
Barnes	Duncan	Hanley
Bond	Elken	Heckle
Bonzer	Ellingson	Helgeland
Bronson	Englund	Hookway
Carter	Ganssle	Hoverson
Cashel	Garden	Hughes
Clark	Gibbens	Hyland

Messrs.—	Messrs.—	Messrs.—
Jacobsen	McLean	Thoreson
Kretschmar	Nelson	Trageton
Loftsgaard	Overson	Turner
Linde	Plain	Vail
Leutz	Porterfield	Wartner
Mudgett	Putnam	Williams
McBride	Steel	Young
McDowell	Talcott	

So the bill passed and the title was agreed to.

Mr. Cashel presiding.

Senate Bill No. 197.

A bill for an Act relating to exits in all schoolhouses having more than one schoolroom and requiring stationary fire escapes with proper landings and railings to be attached to the outside of all schoolhouses above the first story of every schoolhouse having more than one story, and designating whose duty it shall be to provide such exits and fire escapes, and prescribing a penalty for the violation of the provisions of this Act.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Steel
Carter	Hoverson	Talcott
Cashel	Hughes	Thoreson
Clark	Hyland	Trageton
Davidson	Jacobsen	Turner
Duncan	Kretschmar	Vail
Elken	Linde	Wartner
Ellingson	Loftsgaard	Williams
Englund	McBride	Young
Ganssle	McDowell	
Gibbens	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Leutz	Putnam
Gilbert		

So the bill passed and the title was agreed to.

The President presiding.

FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 22,

Being a bill for an Act to amend and re-enact Section 6237 as amended by the Session Laws of North Dakota for 1909, and Sections 6238, 6240, 6242, 6244 and 6250 of Chapter 79 of the Revised Codes of North Dakota for the year 1905.

Was read the first and second times and

Referred to the committee on judiciary.

House Bill No. 90.

A bill for an Act relating to the printing of a proposed Constitutional Amendment.

Was read the first and second times and

Referred to the committee on elections.

House Bill No. 172.

A bill for an Act authorizing the cities to incur indebtedness and issue bonds for certain city purposes, when such proposition for issuing such bonds shall have been approved by a majority vote of the electors of such city, and fixing a limit to the indebtedness to be thereby incurred.

Was read the first and second times and

Referred to the committee on cities and municipal corporations.

House Bill No. 242.

A bill for an Act to prohibit the soliciting or receiving of gratuities or tips by the patron or employees of public places or public service corporations; and prohibiting the giving or tendering of tips or gratuities and providing a penalty for the violation of this Act.

Was read the first and second times and

Referred to the committee on state affairs.

House bill No. 225.

A bill for an Act to amend Section 10 of Chapter 129, Laws of 1911, relating to charitable contributions by candidates.

Was read the first and second times and

Referred to the committee on elections.

House Bill No. 290.

A bill for an Act to repeal Section 1503 of the Revised Codes of North Dakota of 1905, relating to the assessment of property of companies or associations and the listing of the same.

Was read the first and second times and

Referred to the committee on taxes and tax laws.

House Bill No. 294.

A bill for an Act repealing Chapter 233 of the Laws of North Dakota for the year 1911.

Was read the first and second times and

Referred to the committee on agriculture.

House Bill No. 249.

A bill for an Act prescribing the duties of the state engineer in connection with the construction of highway bridges and culverts.

Was read the first and second times and

Referred to the committee on highways and bridges.

The Secretary announced that the President was about to sign

Senate Bill No. 53.

A bill for an Act to re-enact Section 492 of the Revised Codes of North Dakota for the Year 1905, Relating to the State Board of Bar Examiners.

Also,

Senate Bill No. 55.

A bill for an Act to amend Section 157 of Article 9 of Chapter 266 of the Session Laws of 1911 relating to the election of school officers.

Also,

Senate Bill No. 14.

A bill for an Act to provide for the extermination of gophers, compensation therefor, declaring the gopher pest a common nuisance, and defining the term "gopher."

And the President signed the same in the presence of the Senate.

There being no objection the Senate returned to the sixth order of business, and

The committee on military affairs made the following report:

*Mr. President:*

Your committee on military affairs to whom was referred:

Senate Bill No. 162.

A bill for an Act to create a board to prepare and publish a history of North Dakota troops in the Spanish-American War and Philippine Insurrection and appropriating money to pay therefor.

Have had the same under consideration and recommend that the same do pass.

And that as to the appropriation provided therein the bill be re-referred to the committee on appropriations.

J. M. HANLEY,  
Chairman.

Mr. Hanley moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on public health made the following report:

*Mr. President:*

Your committee on public health to whom was referred:

Senate Bill No. 61.

A bill for an Act to regulate the itinerant vending of medicines, nostrums and appliances for the treatment of disease, injury or deformity.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A Bill" and insert in lieu thereof the following:

"For an Act to regulate the itinerant vending of medicines, nostrums and appliances for the treatment of disease, injury or deformity, in compliance with the pure food law.

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

Section 1. It shall be unlawful for any itinerant vender to sell or offer to sell, or to dispose of by gift, barter or exchange, in any county of this state, any drug, medicine, or preparation thereof, for the cure or mitigation of disease, injury or deformity either of man or beast, without first having obtained a license to do such business in such county as hereinafter provided.

Section 2. An itinerant vender within the meaning of this Act includes any person, firm or corporation that sells or offers to sell or dispose of by gift, barter or exchange, any goods, wares, merchandise, drug, medicine, book, appliance or any article whatsoever by peddling or by canvassing from house to house, on the streets and highways or by vending from valise, pack, wagon, or other vehicle.

Section 3. Any manufacturer or itinerant vender before engaging or attempting to dispose of by gift, barter or exchange, any drug, medicine, medicinal preparation or any apparatus, appliance or device for the treatment of disease, injury or deformity of man or beast, in any county of this state, shall make application to the Food Commissioner for a certificate that the products intended to be sold or offered for sale in the state are in conformity with the requirements of the Food and Drug Laws, and the said manufacturer or vender, unless a deposit of such sample or samples have previously been made and the applicant has the afore mentioned certificate therefor from the said food commissioner, shall deposit with the food commissioner a sample of each of the products for which he desires certificates in the original container and under the label, and description in which the said product is to be sold or offered for sale, and the said food commissioner shall make or cause to be made an examination or analysis of the products and when such examination or analysis has been made, shall issue a certificate of approval of this product if found to be in conformity with the requirements of the Food and Drug Law and the said manufacturer or vender shall present to the county auditor of such county, a written application for a license, which application shall state the name and residence of the applicant, and shall set forth the name and description of the drugs, medicines, medicinal preparations, apparatus, appliance or devices which the applicant intends to sell or dispose of; and the application shall be accompanied by the certificate from the food commissioner that such drugs, medicines or medi-

cial preparation conform with the Pure Food and Drug Law. Upon receiving such application and license fee hereinafter prescribed, the county auditor shall issue to the applicant a license to engage in such itinerant business for one year, which shall be valid in the county for which issued, and shall specify the date when the same expires.

Section 4. The applicant for such license shall pay, and the county auditor shall collect for such license for such license fee as already provided for by law. The county auditor shall immediately pay the license money so collected over to the county treasurer for the benefit of the county general fund.

Section 5. The county auditor shall keep a record of the licenses issued under the provisions of this Act, and such licenses shall be numbered consecutively.

Section 6. Any person may transmit original packages of any such articles or products to the State Food Commissioner for analysis; and the written report of such analysis, signed by the State Food Commissioner shall be admitted to all courts of this state as presumptive evidence that such analysis was properly and correctly made, and that the composition of the substance analysed was as shown by such report.

Section 7. It shall be unlawful for the holder of such license to sell, offer for sale or dispose of any other drugs, medicines, medicinal preparations, apparatus, appliances or devices for the treatment of disease, injury or deformity than those described in the application for such license, unless said licensee shall first file with the county auditor a statement supplementary to the original application describing such other and additional drugs, medicines or medicinal preparations or apparatus, appliances or devices, and also depositing samples of the drugs, medicines or medicinal preparations with the Food Commissioner at Fargo, and receiving a certificate of the compliance of the products with the Food and Drug Law.

Section 8. Any person, firm or corporation that knowingly presents or causes to be presented to the county auditor an application for a license under this Act together with any false statement or presents or causes to be presented any false certificate that violates any of the provisions of this Act, shall be guilty of a misdemeanor and punishable by a fine not to exceed fifty dollars, and such conviction shall operate to revoke the license of the person guilty of such violation.

Section 9. Nothing herein contained shall be so construed as to impair, interfere with or take away existing right or authority of incorporated cities, towns or villages to license and regulate peddlers or itinerant venders within their boundary, provided the same are not inconsistent with this Act, and such regulations and licenses shall be in addition to those imposed by this Act.

Section 10. All Acts or parts of Acts in conflict with this Act are hereby repealed.

F. T. GRONVOLD,  
Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

There being no objection the Senate returned to the 8th order of business, and

Mr. Overson moved

That the rules be suspended and that the vote by which Senate Bill No. 135 was lost be re-considered and the bill be re-referred to the committee on judiciary.

Which motion prevailed and

The bill was so re-referred.

### THIRD READING OF HOUSE BILLS.

House Bill No. 28.

A bill for an Act entitled, "An Act to amend and re-enact Chapter 54, Laws of 1911 relating to corporations having banking powers, defining what per cent of the capital stock and surplus of such corporation may be used for banking house furniture and fixtures, defining its powers as to other real estate and repealing Section 4640 of the Revised Code for the year 1905.

Was read the third time.

Mr. McDowell offered the following amendment to House Bill No. 28 and moved its adoption:

In Section 3, beginning with the word "provided" strike out all of the balance of said section.

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 37 ayes, 10 nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Gilbert	McLean
Bond	Gronvold	Nelson
Bonzer	Hanley	Plain
Carter	Heckle	Porterfield
Cashel	Helgeland	Putnam
Davidson	Hookway	Steel
Duncan	Hoverson	Talcott
Elken	Jacobsen	Thoreson
Ellingson	Kretschmar	Trageton
Englund	Leutz	Turne
Ganssle	Loftsgaard	Vail
Garden	McBride	
Gibbens	McDowell	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Hyland	Williams
Clark	Mudgett	Young
Davis	Overson	
Hughes	Wartner	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Allen	Linde

So the bill passed and the title was agreed to.

House Bill No. 5.

A joint resolution ratifying a proposed amendment to the Constitution of the United States.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Davidson	Gibbens
Barnes	Davis	Gilbert
Bond	Duncan	Gronvold
Bonzer	Elken	Heckle
Bronson	Ellingson	Helgeland
Carter	Englund	Hookway
Cashel	Ganssle	Hoverson
Clark	Garden	Hughes

Messrs.—

Hyland  
Jacobson  
Kretschmar  
Leutz  
Loftsgaard  
McBride  
McDowell  
McLean

Messrs.—

Mudgett  
Nelson  
Overson  
Plain  
Porterfield  
Putnam  
Steel  
Talcott

Messrs.—

Thoreson  
Trageton  
Turner  
Vail  
Wartner  
Williams  
Young

**Absent and not voting:**

Messrs.—

Allen

Messrs.—

Hanley

Messrs.—

Linde

So the bill passed and the title was agreed to.

There being no objection the Senate returned to the 9th order of business, and

Mr. Mudgett presented the following memorial:

February 12, 1913.

*To the Honorable Governor and Members of the Legislature of the State of North Dakota, Greeting:*

The undersigned members of the faculty and the student body of the State Normal School, of Valley City, North Dakota, assembled to celebrate the birthday of Abraham Lincoln, have the honor to present the following memorial: We desire to call to your attention a most excellent opportunity that is afforded the citizens of North Dakota permanently and appropriately to express their gratitude and friendliness to the citizens of a nation with which our state is especially bound by indissoluble ties of sympathy and brotherhood.

In 1914 there will be celebrated in Norway the one hundredth anniversary of the adoption of the Norwegian Constitution and the establishment of Norwegian liberty. This great centennial will be fittingly observed with a national home-coming of the citizens and former citizens of Norway and with an exposition which will especially relate to the splendid body of Norwegians who have emigrated to the United States.

The State of North Dakota is ever free to acknowledge its vast obligations to those Norwegian settlers and pioneers who have done so much to develop our state industrially, commercially and politically. We cannot but experience a feeling of sympathy and pride when we know that next year the centennial of Norwegian freedom, the citizens of Norway will celebrate in Christiania our own day of pat-

riotic and humanitarian rejoicing, the birthday of American independence, the Fourth of July.

The State of North Dakota can well afford formally to recognize the inestimable contributions Norway has made to our population and our prosperity. Certainly it should be our aim in all ways to foster and to intensify the good feeling existing between that nation and our state.

If any one American citizen fully sums up in his own life and character the ideals of human freedom and equality which Norway is to celebrate so elaborately in 1914, that man is Abraham Lincoln.

Among the citizens of North Dakota is numbered a gifted young sculptor, of Norwegian ancestry, Paul Fjelde, himself the son of a noted Norwegian sculptor and the product, in large measure, of North Dakota schooling and inspiration. This talented young man is at present working with Lorando Taft, the leading American sculptor, in whose studio and by another of whose pupils was designed the splendid statue of Sakakawea, which adores our State Capitol grounds.

In view of all these facts, the undersigned respectfully petition that the present Legislature of North Dakota authorize the preparation by the sculptor, Paul Fjelde, of a statue, not less than life-sized, of Abraham Lincoln; that two copies of the statue be cast in bronze; that on the Fourth of July, 1914, these two statues be unveiled simultaneously, one in the city of Christiana, Norway, and the other at Bismarck, North Dakota, the gifts of the State of North Dakota; that these unveiling be accompanied by patriotic and fraternal addresses by noted orators and with all appropriate ceremony.

And, in order to make this fitting expression of our friendship for the Norwegian people, we further petition that the present Legislature appropriate for the purpose the sum of seven thousand dollars wherewith to pay costs roughly estimated at \$1,000.00 to the sculptor; \$2,000.00 each for the two copies of the statue; \$1,000.00 for expenses of transportation and erection; and \$1,000.00 for proper pedestals and footings; and that the Legislature appoint such commission as it may deem advisable, to arrange for the execution and the presentation of these statues.

Signed by C. C. CURTISS and 733 others.

Mr. Overson moved

That the foregoing memorial be printed in the journal and be referred to the committee on appropriations.

Which motion prevailed.

House Bill No. 76.

A bill for an Act to amend Section 4, of Chapter 275 of the Session Laws of the State of North Dakota for the year 1911, relating to the office of sheriff and providing for deputies.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, 3 nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Nelson
Allen	Gibbens	Overson
Barnes	Gilbert	Plain
Bond	Gronvold	Porterfield
Bonzer	Hanley	Putnam
Bronson	Heckle	Steel
Carter	Helgeland	Talcott
Cashel	Hookway	Thoreson
Clark	Hoverson	Trageton
Davidson	Leutz	Turner
Duncan	Loftsgaard	Vail
Elken	McBride	Wartner
Ellingson	McDowell	Williams
Englund	McLean	Young
Ganssle	Mudgett	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hughes	Hyland	Jacobson

Absent and not voting, Messrs. Davis and Linde.

So the bill passed and the title was agreed to.

The courtesies of the floor were extended to Hon. Geo. A. Welch, Bismarck, N. D.; Ignatz Schile, Pierce County; J. L. Bordie, Dickinson, N. D.; J. C. Field, Williston, N. D.; Myron Johnson, Tolley, N. D.; E. L. Vervest, Finley, N. D.; Gilbert Mustad, Sherbrooke, N. D.; John Martin, Chaffee, N. D.; Seth N. Richardson, Aubrey Lawrence, Fargo, N. D.; Louis Larson, Bert Anderson, Peter Vanderhover, Messrs. Lokensgaard, Thomas and Fram, Minot, N. D.; H. A. Nelson, Nesson, N. D.; H. S. Westmiller, Washburn, N. D.; Alex Miller, Max, N. D.

Mr. Gibbens moved

That the Senate do now adjourn.

Which motion prevailed and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

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FORTIETH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 15th, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 15th, 1913.

*Mr. President:*

I have the honor to transmit herewith

House Bill No. 252.

A bill for an Act to amend Section 8 of Chapter 62 of the Session Laws of 1911, relating to institutions under jurisdiction of the board of control of state institutions.

Also,

House Bill No. 283.

A bill for an Act to prohibit false and misleading advertising of all kinds, and providing a penalty therefor.

Also,

House Bill No. 233.

A bill for an Act making an appropriation to meet the deficiency incurred by the state live stock sanitary board in carrying out the purposes of Chapter 169 of the Session Laws of 1907.

Also,

House Bill No. 287.

A bill for an Act entitled "An Act to appropriate \$578.35 out of the general fund in the state treasury not otherwise appropriated, to the County of Burke, State of North Dakota, for the purpose of reimbursing said county for moneys paid out of the county treasury on account of glandered horses.

Also,

House Bill No. 311.

A bill for an Act to amend Section 1217 of the Revised Codes of 1905, relating to funds of soldiers' home. How kept.

Also,

House Bill No. 297.

A bill for an Act to reimburse John Harold for work done under the direction of the capitol commission in grading Ninth Street to the State Capitol.

Also,

House Bill No. 321.

A bill for an Act to amend Section 2020 of the Revised Code of 1905, relating to registration fees and compensation of the state board of veterinary examiners, and the amendment thereto, Chapter 282, Session Laws of 1911.

Also,

House Bill No. 152.

A bill for an Act to provide for the making of improvements at the North Dakota School of Forestry and to assist in the maintenance thereof, and making appropriation therefor.

House No. 335.

A bill for an Act amending and re-enacting Section 1213, Chapter 278, of the Session Laws of 1911, relating to boards of trustees of the soldiers' home.

Also,

House Bill No. 147.

A bill for an Act to appropriate the sum of five thousand dollars for the biennial period for the purchase of books by the Public Library Commission with especial reference to the needs of farmers, school and community libraries.

Also,

House Bill No. 87.

A bill for an Act relating to the White Stone Hill memorial Park and making an appropriation therefor.

Also,

House Bill No. 211.

A bill for an Act to appropriate money for the maintenance, care and repair of the State Park at Fort Abercrombie, in Richland County, North Dakota.

Which the House has passed and your favorable consideration is respectfully requested.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 27.

A bill for an Act to amend Section 4493 of the Revised Codes of North Dakota for 1905 relating to county mutual insurance companies.

Also,

Senate Bill No. 36.

A bill for an Act entitled "An Act to amend Section 4331 of the Revised Codes of North Dakota of 1905, relating to the operation of railroads in this state, receiving and transporting passengers and property.

Also,

Senate Bill No. 138.

A bill for an Act to amend Sections 838, 839, 840 and 841,

Chapter 9, of the Political Code of the State of North Dakota, Revised Codes of 1905, relating to education, as amended by Chapter 107 of the Session Laws of 1907.

Which the House has passed unchanged.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 67.

A concurrent resolution amending Section 185 of the Constitution of the State of North Dakota, relating to state aid in the construction and improvement of public highways.

Which the House has indefinitely postponed.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

There being no objection, on request of Senator Plain the committee report on Senate Bill No. 121 was recalled for the purpose of correcting a clerical error.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. McBride presented a petition signed by George F. Stevens and 16 others protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

Mr. Gronvold presented a petition signed by A. G. Buer and 138 others praying that the right of suffrage be granted to the women of this state.

Mr. Cashel presented a similar petition signed by Dr. G. W. Glaspel and 87 others.

Mr. Albrecht presented the following communication:

The undersigned, whose names appeared on a petition protesting against any amendment or repeal of the Mechanics' Lien Law hereby inform you that the said petition was signed by them on the condition only that similar protection be granted merchants and other business men who extend credit to the farmers on the same basis as lum-

ber men and that the petition as signed by them should be understood as being qualified to that extent.

FRED CHAPEK and 20 others.

Mr. Hoverson presented a petition signed by W. A. Pennington and 24 others protesting against the altering or repealing of the present mechanics' lien law.

Mr. Gronvold presented a similar petition signed by Peter Larson and 32 others.

Mr. McBride presented a similar petition signed by Mathias Reuter and 60 others.

#### REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the 39th day have carefully examined the same and recommend that the same be corrected as follows:

On page 7, line 37, strike out the letter "s" in the word "Journals."

On page 22, on line 32, correct the spelling of the word "passed."

On page 33 transpose the words "There being no objection the Senate returned to the 9th order of business, and," and insert them on page 32 after line 13.

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

**Senate Bill No. 9.**

A bill for an Act to amend and re-enact Section 1571 of the Revised Codes of 1905, as amended by Chapter 299 of the Laws of North Dakota for the year 1911, providing when real estate taxes shall become due and delinquent, and for penalty and interest in the event of delinquency thereof.

Also,

**Senate Bill No. 33.**

A bill for an Act to prohibit the use of public drinking cups in the State of North Dakota.

Also,

**Senate Bill No. 61.**

A bill for an Act to regulate the itinerant vending of medicine, nostrums and appliances for the treatment of disease, injury or deformity in compliance with the Pure Food Laws.

Also,

**Senate Bill No. 114.**

A bill for an Act to amend and re-enact Section 1337 of the Revised Codes of 1905 relating to the compensation of assessors for collecting agricultural statistics.

Also,

**Senate Bill No. 137.**

A bill for an Act providing for a contract system of legislative clerical work and employment.

Also,

**Senate Bill No. 168.**

A bill for an Act permitting farmers and land owners to drain their lands into road ditches and other depressions, when such ditch or depression is wholly upon the owners' land, and providing methods of procedure in case of damage.

Also,

**Senate Bill No. 188.**

A bill for an Act to amend and re-enact Section 3 Chapter 137 of the Session Laws of 1907, as amended by Chap-

ter 155 of the Session Laws of 1911, relating to the payment of costs of treatment and board of patients in the insane hospital.

Also,

Senate Bill No. 218.

A bill for an Act to amend Section 4190, Article 2 of Chapter 11 of the Revised Codes of the State of North Dakota of 1905, relating to the disposition of fees collected for the filing of the annual reports of corporations.

Also,

Senate Bill No. 227.

A bill for an Act relating to the sale of personal property and the warranty thereof; providing for a reasonable time in which to ascertain defects or breaches of warranty and the giving of notice of such defects or breaches of warranty.

Also,

Senate Bill No. 228.

A bill for an Act prohibiting the waiver or release of a cause of action before the same shall actually have accrued.

Also,

Senate Bill No. 121|

A bill for an Act to provide an appropriation for the current and contingent expenses, for the erection of necessary additional buildings, for other necessary improvements and repairs at the State Hospital for the Insane of North Dakota, at Jamestown, and for purchasing additional land for the use of such State Hospital.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 47.

A bill for an Act repealing Chapter 268 of the Session Laws of 1911 relating to school houses and sites.

Also,

Senate Bill No. 100.

A bill for an Act to amend and re-enact Chapter 121 of the Session Laws of 1911, providing for the determination of heirs and the share of such heirs respectively in the claim to certain real estate by action in the district court.

And find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on elections made the following report:

*Mr. President:*

Your committee on elections to whom was referred:

House bill No. 174.

A bill for an Act to amend and re-enact Chapter 208 of the Session Laws of 1911 relating to expenses of delegates to national conventions.

Have had the same under consideration and recommend that the same do pass.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on appropriations made the following report:

*Mr. President:*

Your committee on appropriations to whom was referred:

## Senate Bill No. 121.

A bill for an Act to provide an appropriation for the current and contingent expenses, for the erection of necessary additional buildings, for the necessary improvements and repairs at the State Hospital for the Insane of North Dakota at Jamestown, and for purchasing additional land for the use of such State Hospital.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 9 of the printed bill, strike out the figures "\$100,000.00" and in lieu thereof insert the figures "\$65,000.00."

Strike out lines 14, 15, 17, 18, 19, 20 and 21.

Strike out Section 2—being the emergency clause.

In line 7, strike out the words "Four Hundred Nineteen Thousand Eight Hundred" and insert in lieu thereof the words "Three Hundred Forty Thousand."

In lines 7 and 8, strike out the figures "\$419,800.00" and insert in lieu thereof the figures "\$340,000.00."

Strike out the figures "\$419,800.00" in the sum total and insert in lieu thereof, the figures "\$340,000.00."

In line 10, strike out the figures "\$130,000.00" and insert the figures "\$100,000."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on railroads made the following report:

*Mr. President:*

Your committee on railroads to whom was referred:

House Bill No. 80.

A bill for an Act entitled, "An Act providing closets or privies for the accommodation of the public at railroad stations, and keeping them and waiting room in a sanitary

condition, and penalty for the violation thereof, and repealing Chapter 238 of the Session Laws of 1911.

Have had the same under consideration and recommend that the same be amended as follows:

In line 10 of Section 1, between the words "shall" and "have" insert the word "also."

And when so amended recommend the same do pass.

E. F. GILBERT,  
Chairman.

Mr. Gilbert moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on warehouse, grain and grain grading made the following report:

*Mr. President:*

Your committee on warehouse, grain and grain grading to whom was referred:

Senate Bill No. 212.

A bill for an Act to amend and re-enact Sections 2262, 2263 and 2264, Article 47, Chapter 24 of the Revised Codes of 1905, relating to the licensing and bonding of storage companies.

Have had the same under consideration and recommend that the same do pass.

MARTIN THORESON,  
Chairman.

Mr. Thoreson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on warehouse, grain and grain grading to whom was referred:

## Senate Bill No. 131.

A bill for an Act to require public warehouses to clean all grain handled by them before testing the same for grade, and providing a penalty for the violation of this Act.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of the title in printed bill and insert in lieu thereof, "For an Act to require public warehouses to first clean a sample of any grain before testing for the grade of such grain and providing a penalty for the violation of this Act."

In Section 1, line 6, after the word "matter" insert the following words, "such test shall be made by taking a fair sample of such grain and cleaning the same before testing for the grade of such grain."

And when so amended recommend the same do pass.

MARTIN THORESON,  
Chairman.

Mr. Thoreson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred Senate Bill No. 173.

A bill for an Act to amend Section 1972, Section 1973 as amended by Chapter 117 of the Laws of 1907, and Section 1974 of the Revised Codes of 1905, relating to notice of taking up estrays.

Have had the same under consideration and recommend that the same be amended as follows:

In line 10, page 2 of printed bill after the word "and" and before the word "the" insert the word "all."

In line 19 of page 2 of the printed bill, after the word "sent," insert the words, "to the said stray paper, to the commissioner of agriculture and labor, and to the county auditor."

In line 25, page 3 of the printed bill after the word "fees" insert the words "and shall be liable in civil damages for any loss or damage caused by his neglect."

In line 11, page 4 of the printed bill strike out the words "to the county auditor of any county in this state," and insert in lieu thereof the following, "as herein provided," in the same line strike out the word "shall."

In line 12, Section 3 of the printed bill strike out, "be punished as for a misdemeanor and."

In line 13 of Section 3 of the printed bill strike out the words, "from said county," and insert in lieu thereof the following: "and shall be liable in civil damages for any loss or damage caused by his neglect."

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

Have had the same under consideration and recommend that the same be amended as follows:

"Section 9. When charges are preferred against any of the officers mentioned in this Act are qualified electors other than the state's attorney, or attorney general as provided in Section 2, and upon the hearing it should appear that such charges were not reasonably sustained by the facts proven at such hearing, or that such charges were not preferred in good faith, then all of the costs of the proceedings under this Act, not exceeding in amount the sum of one hundred dollars, may in the discretion of the governor, be taxed to the persons making such charges.

“Section 10. If costs shall be taxed against the persons preferring charges against any of the officers mentioned in this Act, it shall be the duty of the governor to certify such costs to the State’s Attorney of the county affected and it shall then be the duty of such state’s attorney to proceed to put the same into judgment and to cause such judgment to be filed in the office of the clerk of the district court in such county; and such certificate of the governor shall be prima facie evidence of the amount of costs therein stated.

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred:  
Senate Bill No. 195.

A bill for an Act to provide additional Assistant Dairy Commissioners, defining their duties, salaries, expenses, and how same shall be paid.

Have had the same under consideration and recommend that the same do pass.

And recommend that the same be re-referred to the committee on appropriations.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred:  
Senate Bill No. 233.

A bill for an Act authorizing the boards of county commissioners to levy taxes for the promotion of diversified farming, agricultural development and extension of scientific agricultural work.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred:

Senate Bill No. 45.

A bill for an Act regulating marriages and the issuance of marriage licenses, prohibiting marriages in certain cases, providing penalties for the violation of the provisions of this Act and repealing all Acts or parts of Acts in conflict herewith.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all after Section 3 in the printed bill and insert in lieu thereof the following:

“Section 4. A license to marry shall not be issued to one under the influence of intoxicating liquor at the time of making application for license, and no marriage ceremony shall be performed when either or both of the contracting parties are under the influence of intoxicating liquor or any narcotic drug.

Section 5. For making an examination of either of the contracting parties to a marriage, and the affidavit required in this Act, a physician may charge a fee of not to exceed two dollars.

Section 6. Any person violating any of the provisions of this Act, or any person knowingly swearing falsely to any of the statements contained in the affidavits mentioned in this Act shall be punished by a fine of not less than fifty dollars or more than five hundred dollars, or by imprison-

ment in the county jail not over thirty days or by both such fine or imprisonment.

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred:

Senate Bill No. 198.

A bill for an Act to provide for the creation of a commission to have charge of the cataloguing of libraries in the state capitol, and providing an appropriation therefor.

Have had the same under consideration and recommend that the same do pass.

And recommend that same be re-referred to the committee on appropriations.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred:

Senate Bill No. 82.

A bill for an Act to amend Section 8363 of Chapter 3 of the Revised Codes of 1905 of the Laws of North Dakota, relating to the service of summons out of Justice Court and who is authorized to make such summons, and fees to be paid therefor. Also to amend Section 2887, of Article 7 of Chapter 31 of the Political Code of 1905 of North Dakota, relating to the powers of village marshals in the service of summons.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1 of title of printed bill strike out "of Chapter 3."

In line 3 of title in printed bill after the word "make" insert the words "service of."

In line 5 of title in printed bill, strike out "or Article 7 of Chapter 31. of the Political" and insert in lieu thereof the words "of the Revised."

In line 1 of printed bill strike out "Chapter 3."

In line 3 of printed bill, after the word "served" insert "any place within the county."

In line 4 of printed bill, after the word "police" insert the word "policeman."

In line 1 of page 2 of printed bill strike out "of Article 7 of Chapter 31," also the word "political."

At the end of the printed bill insert the following:

Emergency.) Whereas, an emergency exists in that there is no law providing for the service of summons issued out of Justice Court by chiefs of police, police officers, town marshals or village marshals, therefore, this Act shall take effect and be in force from and after its passage and approval.

And when so amended recommend the same do pass.

W., B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred:

Senate Bill No. 229.

A bill for an Act to amend Section 1 of Chapter 177 of the Session Laws of 1907, relating to attorneys's fees on foreclosures.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 230.

A bill for an Act to amend Section 7142 of the Revised Codes of North Dakota for 1905, relating to record of redemption.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred:  
Senate Bill No. 251.

A bill for an Act to provide for the payment of family expenses.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred:

Senate Bill No. 210.

A bill for an Act repealing Sections 2082, 2083, 2084 and 2085, also Chapter 41 of the Laws of 1907 and Chapter 50 of the Laws of 1909.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred:

House Bill No. 95.

A bill for an Act to amend and re-enact Section 2495 of the Revised Codes of North Dakota for the year 1905 relating to the duties of State's Attorneys and Attorney General.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted

Which motion prevailed and

The report was adopted.

The committee on railroads made the following report:

*Mr. President:*

A majority of your committee on railroads to whom was referred:

Senate Bill No. 222.

A bill for an Act to repeal Chapter 138 of the Session

Laws of 1911, and providing penalties for the wrongful use of any free pass, frank or special privilege.

Have had the same under consideration and recommend that the same do pass.

E. F. GILBERT, Chairman,  
E. A. HUGHES,  
JOHN YOUNG,  
J. A. ENGLUND,  
JAMES DUNCAN,  
W. L. CARTER,  
C. W. HOOKWAY,  
M. L. McBRIDE,  
H. P. JACOBSEN.

*Mr. President:*

The minority of your committee on railroads to whom was referred:

Senate Bill No. 222.

A bill for an Act to repeal Chapter 138 of the Session Laws of 1911, and providing penalties for the wrongful use of any free pass, frank or special privilege.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. L. ELKEN.

Mr. Gilbert moved

That the majority report on Senate Bill No. 222 be adopted.

Mr. Elken moved

As a substitute motion that the minority report on Senate Bill No. 222 be adopted.

Roll call demanded.

The question being on the adoption of the minority report.

The roll was called and there were 30 ayes, 20 nays.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Barnes  
Bond  
Bronson  
Cashel  
Clark

Messrs.—  
Davidson  
Davis  
Elken  
Ellingson  
Ganssle  
Garden

Messrs.—  
Gibbens  
Helgeland  
Hoverson  
Hyland  
McDowell  
McLean

Messrs.—	Messrs.—	Messrs.—
Mudgett	Steel	Turner
Plain	Talcott	Vail
Porterfield	Thoreson	Wartner
Putnam	Trageton	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Hanley	Linde
Bonzer	Heckle	Loftsgaard -
Carter	Hookway	McBride
Duncan	Hughes	Nelson
Englund	Jacobsen	Overson
Gilbert	Kretschmar	Young
Gronvold	Leutz	

So the minority report was adopted.

The committee on public health made the following report:

*Mr. President:*

Your committee on public health to whom was referred:

Senate Bill No. 245.

A bill for an Act to provide for the establishment, equipment and government of a cottage or cottages on the site at Dunseith of the State Tuberculosis Sanitarium by any Fraternal Corporation or Society, organized under the laws of this state or authorized to do business in this state, for the treatment of all members of such corporation or society or members of their families affected with pulmonary tuberculosis.

Have had the same under consideration and recommend that the same be amended as follows:

Line 9, Section 2 of printed bill, after the word "and" insert the word "to."

Line 5, Section 3, after the word "society" insert "except as otherwise provided in this Act."

In line 7, Section 3, after the word "the," strike out the remainder of the line; also strike out line 8, and insert in lieu thereof: "Board of Trustees of the State Tuberculosis Sanitarium."

And when so amended recommend the same do pass.

F. T. GRONVOLD,  
Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS.

Mr. Duncan introduced

Senate Bill No. 276.

A bill for an Act to amend Section 1974 of the Revised Codes of North Dakota for 1905 relating to the official stray papers.

Which was read the first and second times and

Referred to the committee on livestock.

Mr. Davis introduced

Senate Bill No. 277.

A bill for an Act to amend and re-enact Section 2390 of the Revised Codes of 1905, relating to term of office of county commissioners.

Which was read the first and second times and

Referred to the committee on counties.

Mr. Talcott introduced

Senate Bill No. 278.

A bill for an Act to amend Section 163 of Article 9 and Sections 222 and 227 of Article 14 of Chapter 266 of the Session Laws of 1911, relating to school district bonds.

Which was read the first and second times and

Referred to the committee on education.

Mr. Hookway introduced

Senate Bill No. 279.

A bill for an Act to promote forest tree culture and providing for a bounty for tree planting and the levy of a tax to pay such bounty.

Which was read the first and second times and

Referred to the committee on agriculture.

Mr. Hanley introduced

Senate Bill No. 280.

A bill for an Act defining minority as regards persons sentenced to the state reform school.

Which was read the first and second times and

Referred to the committee on state affairs.

Unanimous consent having been granted the following bills carrying appropriations of public funds, were introduced:

Mr. Bronson introduced

Senate Bill No. 281.

A bill for an Act to create a state bureau of labor and to provide for the conduct and maintenance thereof.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Overson introduced

Senate Bill No. 282.

A bill for an Act to provide for the collection, arrangement, and display of the products and resources of the State of North Dakota at the Centennial Exposition to be held at Christiania, Norway, in 1914, and providing for a board of commissioners therefor, and making an appropriation for such purpose.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Davis introduced

Senate Bill No. 283.

A bill for an Act to provide an annual contingency fund to be placed at the disposal of the commissioner of insurance.

Which was read the first and second times and

Referred to the committee on appropriations.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 236.

A bill for an Act to create a state board of education and

to amend Chapter 266 of the Session Laws of 1911, relating to state board of examiners, and to repeal Sections 243, 244 and 245 of Chapter 266; and to amend Chapter 265 of the Laws of 1911, relating to a state agricultural and training school board, and to amend Chapter 65 of the Ssession Laws of 1911, relating to state aid to rural and consolidated schools.

Was read the third time.

Mr. Wartner offered the following amendment to Senate Bill No. 236, and moved its adoption:

In line 12 of the printed bill strike out the word "male."

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 48 ayes, no nays, 2

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McDowell
Allen	Gilbert	McLean
Barnes	Gronvold	Mudgett
Bond	Hanley	Nelson
Bonzer	Heckle	Overson
Bronson	Helgeland	Plain
Carter	Hookway	Porterfield
Cashel	Hoverson	Putnam
Clark	Hughes	Steel
Davidson	Hyland	Talcott
Davis	Jacobsen	Thoreson
Duncan	Kretschmar	Trageton
Elken	Leutz	Turner
Ellingson	Linde	Vail
Englund	Loftsgaard	Wartner
Ganssle	McBride	Young

Absent and not voting, Messrs. Gibbens and Williams.

So the bill passed and the title was agreed to.

There being no objection Senate Bill No. 84 was recalled and re-referred to the committee on taxes and tax laws.

The President pro tempore presiding.

Senate Bill No. 121.

A bill for an Act to provide an appropriation for the current and contingent expenses, for the erection of necessary additional buildings, for other necessary improvements and repairs at the State Hospital for the Insane of North Dakota, at Jamestown, and for purchasing additional land for the use of such State Hospital.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 49 ayes, no nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Davis	Kretschmar	Turner
Duncan	Leutz	Vail
Elken	Linde	Wartner
Ellingson	Loftsgaard	Williams
Englund	McBride	Young
Ganssle	McDowell	
Garden	McLean	

Absent and not voting, Mr. Gibbens.

So the bill passed and the title was agreed to.

Senate Bill No. 137.

A bill for an Act providing for a contract system of legislative clerical work and employment.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, 9 nays.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	McDowell
Allen	Garden	Nelson
Bond	Gibbens	Overson
Bonzer	Gilbert	Plain
Bronson	Hanley	Putnam
Carter	Heckle	Steel
Cashel	Helgeland	Talcott
Clark	Hoverson	Thoreson
Davidson	Hughes	Trageton
Davis	Hyland	Turner
Duncan	Jacobsen	Vail
Elken	Kretschmar	Williams
Ellingson	Leutz	Young
Englund	McBride	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Linde	Mudgett
Gronvold	Loftsgaard	Porterfield
Hookway	McLean	Wartner

So the bill passed and the title was agreed to.

Senate Bill No. 114.

A bill for an Act to amend Section 1337 of the Revised Codes of 1905 relating to the compensation of assessors for collecting agricultural statistics.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, 4 nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McBride
Barnes	Gibbens	McDowell
Bond	Gilbert	McLean
Bonzer	Gronvold	Mudgett
Bronson	Hanley	Nelson
Carter	Heckle	Overson
Cashel	Helgeland	Plain
Clark	Hookway	Porterfield
Davidson	Hoverson	Putnam
Davis	Hyland	Steel
Duncan	Jacobsen	Talcott
Elken	Kretschmar	Turner
Ellingson	Leutz	Vail
Englund	Linde	Wartner
Ganssle	Loftsgaard	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hughes	Trageton	Young
Thoreson		

Absent and not voting, Mr. Allen.

So the bill passed and the title was agreed to.

Senate Bill No. 228.

A bill for an Act prohibiting the waiver or release of a cause of action before the same shall actually have accrued.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bonzer	Hanley	Plain
Bronson	Heckle	Porterfield
Carter	Helgeland	Putnam
Cashel	Hookway	Steel
Clark	Hoverson	Talcott
Davidson	Hughes	Thoreson
Davis	Hyland	Trageton
Duncan	Jacobsen	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Englund	Loftsgaard	Williams
Ganssle	McDowell	Young
Garden	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Kretschmar	McBride

So the bill passed and the title was agreed to.

The President presiding.

Senate Bill No. 227.

A bill for an Act relating to the sale of personal property and the warranty thereof; providing for a reasonable time in which to ascertain defects or breaches of warranty and the giving of notice of such defects or breaches of warranty.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Davis	Hanley
Allen	Duncan	Heckle
Barnes	Ellingson	Helgeland
Bonzer	Englund	Hookway
Bronson	Ganssle	Hoverson
Carter	Garden	Hughes
Cashel	Gibbens	Hyland
Clark	Gilbert	Jacobsen
Davidson	Gronvold	Kretschmar

Messrs.—	Messrs.—	Messrs.—
Linde	Overson	Trageton
Loftsgaard	Plain	Turner
McBride	Porterfield	Vail
McDowell	Putnam	Wartner
Mudgett	Steel	Williams
McLean	Talcott	Young
Nelson	Thoreson	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bond	Elken	Leutz

So the bill passed and the title was agreed to.

**Senate Bill No. 9.**

A bill for an Act to amend and re-enact Section 1571 of the Revised Codes of 1905, as amended by Chapter 299 of the Laws of North Dakota for the year 1911, providing when real estate taxes shall become due and delinquent, and for penalty and interest in the event of delinquency thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 17 ayes, 33 nays.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Heckle	Mudgett
Bonzer	Hookway	Nelson
Bronson	Hoverson	Overson
Elken	Leutz	Plain
Englund	Loftsgaard	Turner
Hanley	McBride	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Garden	McLean
Barnes	Gibbens	Porterfield
Bond	Gilbert	Putnam
Carter	Gronvold	Steel
Cashel	Helgeland	Talcott
Clark	Hughes	Thoreson
Davidson	Hyland	Trageton
Davis	Jacobsen	Vail
Duncan	Kretschmar	Wartner
Ellingson	Linde	Williams
Ganssle	McDowell	Young

So the bill was lost.

Mr. Gilbert moved

That the vote by which Senate Bill No. 9 was lost, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 188.

A bill for an Act to amend and re-enact Section 3, Chapter 137 of the Session Laws of 1907, as amended by Chapter 155 of the Session Laws of 1911, relating to the payment of costs of treatment and board of patients in the insane hospital.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 49 ayes, no nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Harley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Englund	Loftsgaard	Young
Ganssle	McBride	
Garden	McDowell	

Absent and not voting, Mr. Williams.

So the bill passed and the title was agreed to.

Senate Bill No. 33.

A bill for an Act to prohibit the use of public drinking cups in the State of North Dakota.

Was read the third time.

Mr. Trageton offered the following amendments to Senate Bill No. 33 and moved their adoption:

In Section 1, line 3 of the printed bill, and in Section 2, line 4, of the printed bill, after the word "institutions," insert the following: "and other public buildings."

Which motion prevailed, and

The Amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Haney	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Davidson	Hyland	Trageton
Duncan	Jacobsen	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Englund	Loftsgaard	Young
Ganssle	McBride	
Garden	McDowell	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Kretschmar	Steel

So the bill passed and the title was agreed to.

Senate Bill No. 168.

A bill for an Act permitting farmers and land owners to drain their lands into road ditches and other depressions, when such ditch or depression is wholly upon the owners' land.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 33 ayes, 11 nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	McBride
Allen	Gibbens	McLean
Barnes	Gilbert	Nelson
Bond	Gronvold	Overson
Bonzer	Heckle	Plain
Carter	Hookway	Porterfield
Cashel	Hoverson	Putnam
Clark	Jacobsen	Talcott
Elken	Leutz	Thoreson
Ellingson	Linde	Turner
Englund	Loftsgaard	Vail

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Helgeland	Wartner
Davidson	Hyland	Williams
Duncan	Mudgett	Young
Garden	Trageton	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Hughes	McDowell
Hanley	Kretschmar	Steel

So the bill passed and the title was agreed to.

Senate Bill No. 218.

A bill for an Act to amend Section 4190, Article 2 of Chapter 11 of the Revised Codes of the State of North Dakota of 1905, relating to the disposition of fees collected for the filing of the annual reports of corporations.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McLean
Allen	Gibbens	Mudgett
Barnes	Gilbert	Nelson
Bond	Gronvold	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Davis	Kretschmar	Turner
Duncan	Leutz	Vail
Elken	Linde	Wartner
Ellingson	Loftsgaard	Williams
Englund	McBride	Young
Ganssle	McDowell	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Hanley	Hughes	Steel

So the bill passed and the title was agreed to.

FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 211.

A bill for an Act to appropriate money for the maintenance, care and repair of the State Park at Fort Abercrombie, in Richland County, North Dakota.

Was read the first and second times and

Referred to the committee on appropriations.

House Bill No. 87.

A bill for an Act relating to the White Stone Hill memorial Park and making an appropriation therefor.

Was read the first and second times and

Referred to the committee on appropriations.

House Bill No. 147.

A bill for an Act to appropriate the sum of five thousand dollars for the biennial period for the purchase of books by the Public Library Commission with especial reference to the needs of farmers, school and community libraries.

Was read the first and second times and

Referred to the committee on appropriations.

House Bill No. 355.

A bill for an Act to provide for non-partisan municipal elections and method of making nominations for such officers.

Was read the first and second times and

Referred to the committee on military affairs.

House Bill No. 152.

A bill for an Act to provide for the making of improvements at the North Dakota School of Forestry and to assist in the maintenance thereof, and making appropriation therefor.

Was read the first and second times and

Referred to the committee on appropriations.

House Bill No. 321.

A bill for an Act to amend Section 2020 of the Revised Codes of 1905, relating to registration fees and compensation of the state board of veterinary examiners and the amendment thereto, Chapter 282, Session Laws of 1911.

Was read the first and second times and

Referred to the committee on ways and means.

House Bill No. 297.

A bill for an Act to reimburse John Harold for work done under the direction of the capitol commission in grading Ninth Street to the State Capitol.

Was read the first and second times and

Referred to the committee on appropriations.

House Bill No. 311.

A bill for an Act to amend Section 1217 of the Revised Codes of 1905, relating to funds of soldiers' home. How kept.

Was read the first and second times and

Referred to the committee on military affairs.

House Bill No. 287.

A bill for an Act entitled "An Act to appropriate \$578.35 out of the general fund in the state treasury not otherwise appropriated, to the County of Burke, State of North Dakota, for the purpose of reimbursing said county for moneys paid out of the county treasury on account of glandered horses.

Was read the first and second times and

Referred to the committee on appropriations.

House Bill No. 233.

A bill for an Act making an appropriation to meet the deficiency incurred by the state live stock sanitary board in carrying out the purposes of Chapter 169 of the Session Laws of 1907.

Was read the first and second times and

Referred to the committee on appropriations.

House Bill No. 283.

A bill for an Act to prohibit false and misleading advertising of all kinds, and providing a penalty therefor.

Was read the first and second times and

Referred to the committee on state affairs.

House Bill No. 252.

A bill for an Act to amend Section 8 of Chapter 62 of the Session Laws of 1911, relating to institutions under jurisdiction of the board of control of state institutions.

Was read the first and second times and

Referred to the committee on state affairs.

Mr. Overson moved

That the vote by which Senate Bill No. 137 was passed be reconsidered.

Which motion prevailed.

Senate Bill No. 137.

A bill for an Act providing for a contract system of legislative clerical work and employment.

Was read the third time.

Mr. Overson offered the following amendments to Senate Bill No. 137 and moved their adoption:

In Section 2 of the printed bill in line 2, after the word "secretary" and in line 11, after the word "clerk" insert the word "chaplain."

Which motion prevailed, and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 37 ayes, 6 nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Nelson
Barnes	Garden	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Putnam
Bronson	Helgeland	Talcott
Carter	Hoverson	Thoreson
Cashel	Hyland	Trageton
Clark	Jacobsen	Turner
Davidson	Kretschmar	Vail
Davis	Leutz	Williams
Duncan	McBride	Young
Elken	McDowell	
Ellingson	McLean	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Gronvold	Hughes	Loftsgaard
Hookway	Linde	Wartner

## Absent and not voting:

Messrs.—  
 Allen  
 Englund  
 Gibbens

Messrs.—  
 Gilbert  
 Mudgett  
 Porterfield

Messrs.—  
 Steel

So the bill passed and the title was agreed to.

There being no objection the Senate returned to the 11th order of business and

Mr. Overson introduced

Senate Bill No. 284.

A bill for an Act fixing the times and place for holding the general terms of the Supreme Court, providing for special terms in certain cases and fixing the time at which appeals shall be heard.

Which was read the first and second times and  
 Referred to the committee on judiciary.

Mr. Overson introduced

Senate Bill No. 285.

A bill for an Act to amend Sections 7205, Revised Codes 1905, and Section 10139, Revised Codes 1905, limiting time within which appeals from judgments and orders in cases, civil and criminal may be taken to the Supreme Court.

Which was read the first and second times and  
 Referred to the committee on judiciary.

The Judiciary Committee introduced

Senate Bill No. 286.

A bill for an Act authorizing the secretary of state to contract with the Lawyer's Co-operative Publishing Company of Rochester, New York, to publish a compiled edition of the laws of North Dakota.

Which was read the first and second times and  
 Referred to the committee on judiciary.

The Committee on Judiciary introduced

Senate Bill No. 287.

A bill for an Act entitled, "An Act to regulate the distribution of the laws of the State of North Dakota, and compilation and codification thereof."

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Overson introduced

Senate Bill No. 288.

A bill for an Act to amend and re-enact Sections 9987 and 10078 of the Revised Codes of North Dakota for 1905, relating to instructions in criminal cases and to repeal Section 9988 thereof.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Bond introduced

Senate Bill No. 289.

A bill for an Act entitled "An Act to provide a special tax levy for immigration," amending Section 2402 of the Revised Codes of 1905.

Which was read the first and second times and  
Referred to the committee on taxes and tax laws.

There being no objection the Senate returned to the 9th order of business, and

Mr. Gilbert offered the following concurrent resolution:

WHEREAS, The Independent Harvester Company, a corporation organized in the State of Maine and operating at Plano, in the State of Illinois, and authorized to do business in the State of North Dakota, is actively engaged through its agents in selling stock in the State of North Dakota, and,

WHEREAS, It appears that said company has sold in excess of six million dollars of its capital stock at and above par, and,

WHEREAS, It appears that all of said company's property, real and personal, except machinery at branch houses throughout the United States, is situated in the county of Kendall and state of Illinois, and,

WHEREAS, Wallace Farmer, a farm paper of January 3rd, 1913, gives an account of a committee of Iowa stockholders in the Independent Harvester Company of Plano, Illinois, sent to investigate the financial condition of said concern, and report that after several days of useless negotiations has a conference with the Harvester Company's attorney.

The committee report, however, that all they were able to draw from the attorney was beads of perspiration to his brow, and,

WHEREAS, It further appears that the total assessed valuation of all said property situated in said county of Kendall and state of Illinois, for the year 1912, aggregate one hundred and sixty-nine thousand four hundred and eighty-two (\$169,482.00) dollars, and no more, and

WHEREAS, There are current reports that some of the stockholders of this state have very grave doubts as to the value of said stock now owned and being sold in the state of North Dakota.

*Therefore, Be It Resolved by the Senate, the House of Representatives concurring,* That our committees having what is known as the Blue Sky Law, be asked to incorporate in said law some measure that will debar from this state companies that will not give a full and complete accounting of its financial condition, and,

*Be it Resolved Further,* That the Secretary of State be asked to make such investigation as he can as to the responsibility of the Independent Harvester Company of Plano, Illinois, forthwith, and to give publicity to the results of his investigation by publication and otherwise, and to take such other actions in regard to said corporations as he deems meet in the premises.

### THIRD READING OF HOUSE BILLS.

There being no objection the further consideration of House Bill No. 154 was deferred until Monday.

House Bill No. 67.

A bill for an Act entitled "An Act prohibiting and making it a misdemeanor to manufacture, sell, barter, exchange or give away cigarettes or cigarette paper."

Was read the third time.

Mr. Davis offered the following amendments to House Bill No. 67 and moved their adoption:

In the title of the bill after the word "away" insert the words, "cigars, tobacco" and in line 5 of the printed bill after the word "any" insert the words "cigars, tobacco."

The question being on the adoption of the amendments offered by Mr. Davis,

A roll call was demanded and

The question being on the adoption of the amendments offered by Mr. Davis.

The roll was called and there were 24 ayes, 24 nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	McBride
Bond	Hoverson	McLean
Bronson	Hughes	Plain
Carter	Jacobsen	Porterfield
Cashel	Kretschmar	Talcott
Davis	Leutz	Turner
Ganssle	Linde	Vail
Gronvold	Loftsgaard	Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Garden	Nelson
Barnes	Gilbert	Overson
Bronson	Heckle	Putnam
Clark	Helgeland	Steel
Davidson	Hookway	Thoreson
Duncan	Hyland	Trageton
Elken	McDowell	Wartner
Ellingson	Mudgett	Williams

Absent and not voting, Messrs Englund and Gibbens.

So the amendments were lost.

Mr. Hanley moved

That the vote by which the amendments offered by Mr. Davis to House Bill No. 67 were lost be reconsidered.

Which motion was lost.

Mr. Jacobsen offered the following amendment to House Bill No. 67.

In Section 1, in line 6 of the printed bill after the first word "cigarette" strike out all of the remainder of Section 1.

Which motion was lost.

Mr. Hanley moved

That further consideration of House Bill No. 67 be deferred until Monday.

Which motion was lost.

Mr. Hanley moved

That the Senate do now adjourn.

Which motion was lost.

Roll call demanded.

The question being on the motion to adjourn.

The roll was called and there were 21 ayes, 29 nays.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hughes	McLean
Bond	Jacobsen	Nelson
Carter	Kretschmar	Porterfield
Cashel	Leutz	Talcott
Davis	Linde	Turner
Hanley	Loftsgaard	Vail
Heckle	McBride	Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Ganssle	Mudgett
Barnes	Garden	Overson
Bonzer	Gibbens	Plain
Bronson	Gilbert	Putnam
Clark	Gronvold	Steel
Davidson	Helgeland	Thoreson
Duncan	Hookway	Trageton
Elken	Hoverson	Wartner
Ellingson	Hyland	Williams
Englund	McDowell	

So the motion was lost.

Mr. Talcott moved

That the Senate do now adjourn.

Which motion was lost.

Mr. Elken offered the following amendment to House Bill No. 67.

Strike out all of Section 3 of said bill.

Which amendment was adopted.

Mr. Davis moved

That the Senate do now adjourn.

Which motion was lost.

Mr. Talcott moved

That House Bill No. 67 be referred to a special committee of five to be appointed by the President and that they be

instructed to report same back on Monday and that the rules shall be suspended and this bill be put on its third reading and passage on Monday at 3:00 o'clock.

Roll call demanded.

The question being on the motion of Mr. Talcott.

The roll was called and there were 25 ayes, 25 nays.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hoverson	Nelson
Bond	Hughes	Overson
Bonzer	Jacobsen	Porterfield
Carter	Kretschmar	Talcott
Cashel	Leutz	Turner
Davis	Linde	Vail
Ganssle	Loftsgaard	Young
Hanley	McBride	
Heckle	McLean	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Garden	Plain
Barnes	Gibbens	Putnam
Bronson	Gilbert	Steel
Clark	Gronvold	Thoreson
Davidson	Helgeland	Trageton
Duncan	Hookway	Wartner
Elken	Hyland	Williams
Ellingson	McDowell	
Englund	Mudgett	

The vote being a tie, the President cast the deciding vote, voting aye, and

The motion prevailed.

The President appointed as such committee, Messrs. Overson, Hanley, Wartner, Davis and Talcott.

The courtesies of the floor were extended to Hon. Wesley Baker, Livona, N. D.; W. H. Francis, Velva, N. D.; Clarence Camp, Velva, N. D.

Mr. Talcott moved

That the Senate do now adjourn.

Which motion prevailed, and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

## FORTY-SECOND DAY.

SENATE CHAMBER,  
BISMARCK, NORTH, DAKOTA,  
February 17th, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Mr. Linde.

Who was excused.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 17th, 1913.

*Mr. President:*

I have the honor to transmit herewith.

House Bill No. 288.

A bill for an Act providing for the inspection of freight and express books and records by the state's attorney in the enforcement of the prohibition law.

Also,

House Bill No. 340.

A bill for an Act amending Section 2 of Chapter 128 of the Session Laws of North Dakota for 1905, being Section 8878 of the Revised Codes of North Dakota for 1905.

Also,

House Bill No. 206.

A bill for an Act to amend Chapter 201, Session Laws 1911, relating to transient merchants and peddlers.

Also,

House Bill No. 339.

A bill for an Act providing for the appointment of a township overseer of highways and his compensation, defining his duties and powers, and providing for the levying and collection of road taxes and their distribution.

Also,

House Bill No. 111.

A bill for an Act to provide for the non-partisan nomination and election of the state superintendent of public instruction and county superintendent of schools.

Also,

House Bill No. 10.

A bill for an Act to provide a method of voting at any general or primary election by electors absent or anticipating being absent on the day of such election, from the county in which they are electors.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

#### REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the fortieth day, have carefully examined the same and recommend that the same be corrected as follows:

On page 5, line 22, correct the spelling of "transpose."

On page 9, line 34, strike out the letters "ill" and insert the word "bill."

On page 15, line 10, insert the word "Mr. President," and strike out the word "also."

On page 15, line 12., strike out the words "Mr. President," and insert in lieu thereof the word "also."

On page 23, line 12, correct the spelling of "was."

On page 28, after line 3, insert the following: "Which motion prevailed."

On page 28, line 40, correct the spelling of the word "bill."

On page 36, line 24, correct the spelling of "corporations."

On page 39, line 29, correct the spelling of the word "being."

On page 18, after line 29, insert the following: "Mr. Over-son moved that the report be adopted, which motion prevailed, and the report was adopted."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Hoverson presented a petition signed by Paul Thorstenson and 16 others protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

Mr. Davidson presented a similar petition signed by Halvor Knutson and 24 others.

Mr. Allen presented a petition signed by W. L. Bales and 43 others praying that the right of suffrage be granted to the women of this state.

Mr. Helgeland presented a petition signed by K. O. Nesheim and 41 others protesting against the passage of any bill which is to amend or repeal the present mechanics' lien law.

Mr. Kretschmar presented a similar petition signed by Wm. Orth and 17 others.

REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

And find the same correctly re-engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 45.

A bill for an Act regulating marriages and the issuance of marriage licenses, prohibiting marriages in certain cases, providing penalties for the violation of the provisions of this Act and repealing all Acts or parts of Acts in conflict herewith.

Also,

Senate Bill No. 82.

A bill for an Act to amend Section 8363 of the Revised Codes of 1905 of the Laws of North Dakota, relating to the service of summons out of Justice Court and who is authorized to make service of such summons, and fees to be paid therefor; also to amend Section 2887 of the Revised Codes of 1905 of North Dakota, relating to the powers of village marshals in the service of summons.

Also,

Senate Bill No. 131.

A bill for an Act to require public warehouses to first clean a sample of any grain before testing for the grade of such grain, and providing a penalty for the violation of this Act.

Also,

Senate Bill No. 173.

A bill for an Act to amend Section 1972, Section 1973 as amended by Chapter 117 of the Laws of 1907, and Section 1974 of the Revised Codes of 1905, relating to notice of taking up estrays.

Also,

Senate Bill No. 198.

A bill for an Act to provide for the creation of a commission to have charge of the cataloguing of libraries in the state capitol, and providing an appropriation therefor.

Also,

Senate Bill No. 210.

A bill for an Act repealing Sections 2082, 2083, 2084 and 2085, also Chapter 41 of the Laws of 1907 and Chapter 50 of the Laws of 1909.

Also,

Senate Bill No. 212.

A bill for an Act to amend and re-enact Sections 2262, 2263 and 2264, Article 47, Chapter 24 of the Revised Codes of 1905, relating to the licensing and bonding of storage companies.

Also,

Senate Bill No. 233.

A bill for an Act authorizing the boards of county commissioners to levy taxes for the promotion of diversified farming, agricultural development and extension of scientific agricultural work.

Also,

Senate Bill No. 245.

A bill for an Act to provide for the establishment, equipment and government of a cottage or cottages on the site at Dunseith of the State Tuberculosis Sanitarium by any Fraternal Corporation or Society, organized under the laws

of this state or authorized to do business in this state, for the treatment of all members of such corporation or society or members of their families affected with pulmonary tuberculosis.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 27.

A bill for an Act to amend Section 4493 of the Revised Codes of North Dakota for 1905 relating to county mutual insurance companies.

Also,

Senate Bill No. 36.

A bill for an Act entitled "An Act to amend Section 4331 of the Revised Codes of North Dakota of 1905, relating to the operation of railroads in this state, receiving and transporting passengers and property.

Also,

Senate Bill No. 138.

A bill for an Act to amend Sections 838, 839, 840 and 841, Chapter 9, of the Political Code of the State of North Dakota, Revised Codes of 1905, relating to education, as amended by Chapter 107 of the Session Laws of 1907.

And find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred:

Senate Bill No. 96.

A bill for an Act giving mortgage on growing crop to secure payment of hail insurance premiums upon policies upon such crops priority over all other mortgages on such crops, excepting seed grain mortgages.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

House Bill No. 182.

A bill for an Act requiring the owners of contracts creating liens on or reserving title in grain to notify elevators of such lien or reservation of title.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on live stock made the following report:

*Mr. President:*

Your committee on live stock to whom was referred:

Senate Bill No. 91.

A bill for an Act to provide for the renewal of marks and brands.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. S. GIBBENS,  
Chairman.

Mr. Gibbens moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on live stock to whom was referred:

Senate Bill No. 139.

A bill for an Act providing for the cancellation of all North Dakota live stock brands or marks; providing for re-recording of same; notices to record owners; publication of notices; manner of re-recording and future recording; Fees; expenses; appropriation; repeal.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Section 6, page 4 of printed bill and in line 1 at the top of page 5 of printed bill, strike out the numeral "7" and insert in lieu thereof the numeral "6," and in line 1 of Section 8 of printed bill strike out the numeral "8" and insert in lieu thereof the numeral "7."

And when so amended recommend the same be re-referred to the committee on appropriations.

A. S. GIBBENS,  
Chairman.

Mr. Gibbens moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred:

Senate Bill No. 182.

A bill for an Act to amend Section 2623, Revised Codes of 1905, relating to the examination of records of certain public officers.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred:

Senate Bill No. 206.

A bill for an Act to amend and re-enact Section 11 of Chapter 210 of the Laws of North Dakota for 1909, relating to seed grain, contract for re-payment and delinquent payments extended on tax list.

Have had the same under consideration and recommend that the same do pass.

And recommend the same be re-referred to your committee on judiciary.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred:

Senate Bill No. 144.

A bill for an Act to amend and re-enact Section 3147 of the Revised Codes of North Dakota for the year 1905, relating to duties of township treasurers and the method of drawing township funds from the county treasurer.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out line 11 of the printed bill and the words "payment of interest" in line 12 and insert in lieu thereof: "that the township treasurer shall not be allowed 2 per cent."

In line 12 strike out the words "by the township treasurer."

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on ways and means made the following report:

*Mr. President:*

Your committee on ways and means to whom was referred

Senate Bill No. 193.

A bill for an Act authorizing the Governor of the State of North Dakota to employ chartered public accountants to examine, audit and check the accounts of the several departments of the state government, to list, examine and appraise the securities of all kinds in possession of any of the state officers, to make a complete appraisal on a date certain of all buildings and property of all kinds belonging to the state, to suggest improvements in bookkeeping and methods of handling the business of the state; extending the duties of the state examiner prescribed in Section 141 of Article 9 of the Political Code of 1905, to cover all examination of the books and accounts of auditor and treasurer of the cities of the State of North Dakota, and prescribing fees therefor; requiring the Governor to make report to the Legislature next succeeding any such examination of the result of such examination, credit and check of the several state departments of the state property by the chartered public accountants by him employed and appropriating money to carry out the provisions of this Act.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of printed bill after the words "A bill" and insert the following amendment:

A bill for an Act authorizing the governor of the State of North Dakota to employ chartered public accountants to examine, audit and check the accounts of the several departments of the state government, to list, examine and appraise the securities of all kinds in possession of any of the state officers, to make a complete appraisal on a date certain of all buildings and property of all kinds belonging to the state, to make a careful research into the business methods, system of accounting and bookkeeping, and making reports of the various state, county and city officers, and to install improvements in bookkeeping and methods of handling the business of the state, extending the duties of the state examiner prescribed in Section 141 of Article 9 of the Political Code of 1905, by amendment and re-enactment of said Section 141, to cover an examination of the books and accounts of city auditors and city treasurers, county clerks, county judges, register of deeds, county superintendent of schools, county auditors and sheriffs of the counties of the State of North Dakota, and prescribing fees therefor; requiring the governor to make report to the legislature next succeeding any such examination of the results of such examination, auditing and checking of the several state departments of the state property by the chartered public accountants by him employed and appropriating money to carry out the provisions of this Act.

*Be it Enacted by the Legislative Assembly of the State of*

*North Dakota:*

Section 1. The governor is hereby authorized to employ chartered public accountants to make a complete examination, audit and check of each and all of the departments of the state government, such examinations to be independent and not in conjunction with any other examination required by law or otherwise.

The report of such chartered public accountants shall be made to the governor and detail in full the findings of such chartered public accountants of the condition of each department of the state government; shall contain a list of the state securities, and their appraised value, in the possession of each department head.

The report of such chartered public accountants as shall be employed by the governor, shall include also an inventory on a date certain of all public property of the State of North Dakota, including the state house at Bismarck, all penal, charitable and educational institutions of the state

and all personal property belonging to the state, with a detailed appraisement of the value of such public property.

The governor is further authorized to have such chartered public accountants, as may be employed by him under provisions of this Act, to cause a careful research to be made of the business methods, system of accounts, bookkeeping and making of reports of the various state officers, and all penal, charitable and educational institutions of the state, also all city auditors, city treasurers and county officials, who, under the provisions of law now or hereafter are subject to examination by the state examiner, to confer and advise with the state examiner's office as to the best methods of bookkeeping of the state banks and financial institutions under the supervision of the state examiner's department and the best methods of making examinations and obtaining reports from said state officials, state banks and financial institutions to the end that economy be exercised in the administration of the state's affairs, and that full, complete and uniform reports and statistics be obtained, and the interests of the public protected.

To facilitate the research work herein provided for and on which to base a uniform system of accounting, an examination of the county offices of not less than two counties or more than four counties of the state, and offices of auditors and treasurers of not more than two cities, shall be made by the chartered public accountants employed under this Act in conjunction with the proper officials from the state examiner's department. When such research work and examinations shall have been made, the chartered public accountants employed by the governor under this Act shall make a report in detail to the governor of its work and formulate a system of uniform bookkeeping and accounting with blank forms for books and reports to be filed as a part of said report.

After due consideration of said report, the governor is hereby authorized and empowered to have a system of accounting, bookkeeping and reports installed in all of the offices designated in this Act, and where there is more than one official whose office is under supervision of the state the system in all respects shall be uniform. The use of said uniform system of accounting, bookkeeping and reports to begin at a certain future date to be fixed by the order of the governor. All officers whose duty it is to purchase blanks, account books and record books under the present system of accounts and laws governing the same, are hereby empowered and directed to procure blanks, books and records which shall become necessary to the uniform system which shall have been adopted.

Sec. 2. Any public officer or employee who neglects or refuses to make use of the uniform system of keeping accounts in the form prescribed shall be removed from office by the governor on proper hearing and a successor chosen as provided by law.

Sec. 3. Amendment.) Amending Section 141 of Article 9, Political Code of 1905, to be amended and re-enacted to read as follows:

Duties.) The duties of the state examiner are to examine at least once a year, the books and accounts of the secretary of state, state auditor, state treasurer, clerk of the Supreme Court, commissioner of insurance, commissioner of agriculture and labor, department of university and school lands, supply department of the national guard, city auditors, city treasurers, county treasurers, county clerks, county judges, register of deeds, county superintendents of schools, sheriffs and county auditors, fees for such examinations to be charged by the state examiner only for an examination of books and accounts of city auditor, city treasurer, county treasurer, county clerk, county judges, register of deeds, county superintendent of schools, sheriffs and county auditors, at the rate of ten dollars per day for the time actually employed by himself or his deputies in such examinations, such fees to be paid into the state treasury as provided by law for other fees collected by his office.

Sec. 4. The governor shall have an examination, audit and check of all departments of the state government made before January 1, 1914, as provided for in Section 1 of this Act, and once every two years thereafter. In case in the judgment of the governor it is necessary to protect the interests of the state, then an audit should be made of any department of the state government before the biennial examination, audit and check as provided for in Section 1 of this Act, authority is hereby given him to order the same to be done forthwith.

Sec. 5. The sum of twenty-five thousand dollars (\$25,000.00), or so much thereof as is necessary, is hereby appropriated out of any funds in the state treasury not otherwise appropriated for carrying out the provisions of this Act.

Sec. 6. All Acts or parts of Acts in conflict herewith are hereby repealed.

Sec. 7. Emergency.) Whereas, an emergency exists in that a complete examination, audit and check of the several departments of the state government has not been had in many years, nor a complete appraisal of the property of the

state at any given date at any time, and a uniform system of public accounting, bookkeeping and reports is essential to a proper administration of the state business affairs, this Act shall become operative immediately after its passage and approval.

And when so amended recommend the same do pass and be re-referred to committee on appropriations.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on ways and means to whom was referred:

Senate Bill No. 192.

A bill for an Act to amend and re-enact Section 1283 of the Revised Codes of 1905 for North Dakota, prohibiting excessive expenditures out of appropriations and providing for an emergency commission.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the printed bill after the word "commission" insert the words "and penalty."

Insert Section 2, consisting of the words "any persons violating the provisions of this Act shall be deemed guilty of a misdemeanor."

And when so amended recommend the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on highways and bridges made the following report:

*Mr. President:*

Your committee on highways and bridges to whom was referred

House Bill No. 73.

A bill for an Act to amend and re-enact Section 1372 of the Revised Codes of North Dakota of 1905, relating to county road funds.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, in line 6, in the printed bill after the word "there" strike out the word "may" and insert in lieu thereof the word "shall."

In Section 1, in line 7, after the word "one" insert the words "half of one." In the same line, strike out the last word "five" and insert in lieu thereof the word "four."

And when so amended recommend the same do pass.

CHAS. ELLINGSON,  
Chairman.

Mr. Ellingson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on highways and bridges to whom was referred:

Senate Bill No. 42.

A bill for an Act to require Road Supervisors, Street Commissioners or any person authorized to collect a road poll tax receipt, to file with the county auditor duplicate receipts, so that he may make the proper credits on the tax lists.

Have had the same under consideration and recommend that the same be re-referred to the committee on judiciary.

CHAS. ELLINGSON,  
Chairman.

Mr. Ellingson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on Indian affairs made the following report:

*Mr. President:*

Your committee on Indian affairs to whom was referred:

The Concurrent Resolution, by Mr. Hughes.

Have had the same under consideration and recommend that the same be adopted.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

#### REPORTS OF SPECIAL COMMITTEES.

February 14, 1913.

*To the President of the Senate:*

Your special committee appointed to devise ways and means to open avenues from which to augment the general fund of the state, to assist in meeting the demands on this Legislative Assembly for appropriations, beg leave to report as follows: Your committee found the various financial departments of the state, excepting the general fund, in excellent condition.

The general fund is depleted, due mainly to the increasing demands caused by the rapid development and growth of the various institutions and departments of the state, making it difficult to gauge the revenue accurately to meet the requirements.

Your committee found avenues that can be opened to materially increase the available funds to meet the requirements, but owing to the fact that, in such event, legislation would have to be enacted which would require more time than is allowed the appropriation committee to report its bills to this body, it was therefore deemed prudent not to recommend such legislation, in order not to embarrass the committee should it appropriate money on the strength of its passage and then fail to carry.

However, your committee, through its efforts, has the assurance that the revenues will be augmented sufficiently to warrant the appropriation committee in favorably considering amounts up to \$1,200,000 on the bill in its possession.

Respectfully submitted,

J. L. CASHEL,  
C. W. PLAIN,  
ALOYS WARTNER,

Mr. Cashel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The special committee on House Bill No. 67 made the following report:

*Mr. President:*

Your special committee to whom was referred

House Bill No. 67.

A bill for an Act entitled "An Act prohibiting and making it a misdemeanor to manufacture, sell, barter, exchange or give away cigarettes or cigarette paper."

Have had the same under consideration and report that said bill does not conflict with existing laws, this being the sole question upon which this bill was submitted to us.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

### COMMUNICATION FROM THE GOVERNOR.

STATE OF NORTH DAKOTA,  
EXECUTIVE OFFICE,  
BISMARCK.

February 17, 1913.

*To the Senate:*

Gentlemen: I have the honor to inform you that I have this day approved and filed with the secretary of state,

Senate Bill No. 14, to provide for the extermination of gophers, compensation therefor, declaring the gopher pest a common nuisance, and defining the term "gopher."

Also, Senate Bill No. 53, to amend and re-enact Section 492 of the Revised Codes of North Dakota for the year 1905, relating to the board of bar examiners.

Also, Senate Bill No. 55, to amend Section 157 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to the election of school officers.

I have the honor to be,

Respectfully,

L. B. HANNA,  
Governor.

#### MOTIONS AND RESOLUTIONS.

Mr. Carter introduced the following concurrent resolution:

A concurrent resolution relating to the survey of the Red River of the North.

WHEREAS, An Act passed by the Sixty-second Congress of the United States at its second session, H. R. 21477, making appropriation for the construction, repair and preservation of certain public works on rivers and harbors, and for other purposes, directs the secretary of war of the United States to cause a preliminary examination to be made of the Red River of the North from Wahpeton, North Dakota, and Breckenridge, Minnesota, to the International Boundary line with a view to its improvement by the construction of locks and dams or otherwise, and authorize him to order complete detailed surveys and estimates to be made if the improvement be deemed advisable; and,

WHEREAS, The secretary of war has not as yet made allotment for the expense of such a complete survey; and,

WHEREAS, If navigation on said Red River of the North could be assured by the maintenance of a uniform stage of water during the open season, it would enable the farmers resident in the country tributary to the river to market their produce with a shorter haul by wagon and less expense, thereby increasing the value of all the tributary territory; and,

WHEREAS, In the fall of the year the farmers need every possible means for marketing their grain with the least delay and expense; and,

WHEREAS, The transportation facilities of the Red River, instead of increasing with the development of the region, have been practically destroyed by the uncertainty as to an assured navigable stage of water that has followed upon the agricultural development of the surrounding region; and,

WHEREAS, The Canadian government has during the past year finished a detail survey of the entire length of the Red River from the International Boundary to Lake Winnipeg, and have already built the first of the contemplated improvements, namely, the St. Andrews lock and dam, which gives a permanent stage of water along thirty miles of the valley, and has determined to build the next lock and dam immediately; and,

WHEREAS, This survey was made on the understanding and expectation that similar work would be done on the portion of the river on this side of the International Boundary; and,

WHEREAS, The legislature of the State of North Dakota deems it advisable and to the interests of the state that the Red River of the North be improved by the construction of locks and dams or otherwise so that it will be always navigable during the open season; and,

WHEREAS, The legislature of the State of North Dakota favors the plan of improvement by locks and dams as the only feasible plan whereby a constant stage of water can be established with sufficient depth so that navigation will be assured with certainty.

*Now, Therefore, Be it Resolved* by the Senate of the State of North Dakota, the House concurring, That we respectfully petition the secretary of war of the United States that he cause a complete detailed survey to be made as above mentioned, and that he order an allotment of sufficient funds for the work of such complete survey, as contemplated and authorized in the said Act, H. R. 21477.

*Be it Further Resolved*, That the secretary of state be and hereby is directed to transmit a copy of this resolution to the secretary of war of the United States.

Mr. Carter moved

That the resolution be referred to the committee on state affairs.

Which motion prevailed, and

The resolution was so referred.

Mr. Englund offered the following resolution:

WHEREAS, Chapter 153 of the Session Laws of 1909 expresses the public policies of this state relative to the employment of children under the age of sixteen years, and prohibits such employment; and,

WHEREAS, There are now several boys under the age of sixteen years employed as pages in the Thirteenth Legislative Assembly of this state, notwithstanding the provisions of the aforesaid chapter.

*Therefore, Be it Resolved* by the Senate of the State of North Dakota, the House of Representatives concurring, That it is the sense of this Legislative Assembly to disapprove of the custom of employing boys under the age of sixteen years as pages, or in any capacity by the State of North Dakota; and,

*Be it Further Resolved*, That hereafter, no persons, the employment of whom is prohibited by any law existing on our statute books, shall be engaged or employed in any capacity by any Legislative Assembly, or any official or officials of this state.

Mr. Vail moved

That the foregoing resolution be adopted.

Mr. Williams moved

As a substitute that the resolution be referred to the committee on state affairs.

Which motion prevailed, and

The resolution was so referred.

## INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Mr. Jacobsen introduced

Senate Bill No. 290.

A bill for an Act extending the powers of the board of trustees of incorporated villages, relative to sidewalks, sewers, paving and water mains.

Which was read the first and second times, and

Referred to the committee on cities and municipal corporations.

Mr. Porterfield introduced

Senate Bill No. 291.

A bill for an Act entitled "An Act to amend Chapter 56 of the laws passed by the Tenth Legislative Assembly of the State of North Dakota, being Chapter 56 of the Session Laws of 1907, relating to building and loan associations."

Which was read the first and second times and

Referred to the committee on corporations other than municipal.

Mr. Hoverson introduced

Senate Bill No. 292.

A bill for an Act to amend Section 1, Chapter 168 of the Session Laws of 1911, relating to the Tenth Judicial District.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Williams introduced

Senate Bill No. 293.

A bill for an Act to provide for the preparing of an annual county budget.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Plain introduced

Senate Bill No. 294.

A bill for an Act to amend Sections 8, 9 and 10 of Chapter 137 of the Session Laws of 1907, relating to the time and manner of levying taxes in each county in order to raise funds to pay the amount chargeable to the county for the care, board and treatment of patients in the hospital for the insane, and fixing the time when such payments shall be made into the state treasury, and providing a penalty for failure to make such payments.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Garden introduced

House Bill No. 295.

A bill for an Act to amend Section 9544 of the Revised Codes for 1905, relating to the disposition of fines, forfeitures and pecuniary penalties.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. McLean introduced

Senate Bill No. 296.

A bill for an Act to enlarge the power of state's attorneys.  
Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Bronson moved

That further consideration of Senate Bill No. 61 be indefinitely postponed.

Which motion was lost.

Mr. Wartner moved

That the word "itinerant" be stricken out of Senate Bill No. 61 wherever found.

Mr. Davidson moved

As a substitute motion that Senate Bill No. 61 be re-referred to the committee on public health.

Which motion prevailed.

Mr. Talcott moved

That the Senate do now take a recess of ten minutes.

Which motion prevailed, and

The Senate took a recess.

#### AFTER RECESS.

Mr. Overson moved

That the rules be suspended and Houes Bill No. 67 be placed on its third reading and final passage.

Which motion prevailed.

#### THIRD READING OF SENATE BILLS.

House Bill No. 67.

A bill for an Act entitled "An Act prohibiting and making it a misdemeanor to manufacture, sell, barter, exchange or give away cigarettes or cigarette paper."

Was read the third time.

Mr. Englund offered the following amendment to House Bill No. 67, and moved its adoption.

Section —. Cumulative, No Repeal.) Nothing in this Act shall be construed as repealing or in any manner altering any other Act or parts of Acts heretofore adopted by the Legislative Assembly of this state.

Which motion was lost.

Mr. Hookway offered the following amendments to House Bill No. 67 and moved their adoption:

In Section 1 strike out the word "etc." wherever it appears and insert after the word "sale" in line 1, Section 1, the words "and giving away."

Which motion prevailed, and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 31 ayes, 18 nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Englund	Overson
Barnes	Garden	Putnam
Bond	Gibbens	Steel
Bronson	Gilbert	Talcott
Carter	Gronvold	Thoreson
Cashel	Helgeland	Trageton
Clark	Hookway	Vail
Davidson	Hyland	Wartner
Duncan	McDowell	Williams
Elken	Mudgett	
Ellingson	Nelson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hoverson	McBride
Bonzer	Hughes	Nelson
Davis	Jacobsen	Plain
Ganssle	Kretschmar	Porterfield
Hanley	Leutz	Turner
Heckle	Loftsgaard	Young

Absent and not voting: Mr. Linde, who was excused.

Mr. Vail explained his vote.

So the bill passed and the title was agreed to.

Mr. Englund moved

That the vote by which House Bill No. 67 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 212.

A bill for an Act to amend and re-enact Sections 2262, 2263 and 2264, Article 47, Chapter 24 of the Revised Codes of 1905, relating to the licensing and bonding of storage companies.

Was read the third time.

Mr. Davis offered the following amendment to Senate Bill No. 212 and moved its adoption:

In Section 1 insert after the figures "24" the words "of the Revised Codes of 1905."

Which motion prevailed, and

The amendment was adopted.

Mr. Gilbert offered the following amendment to Senate Bill No. 212 and moved its adoption.

In the last line of Section 2262 strike out the word "school" and insert the word "general."

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 48 ayes, no nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
 Albrecht  
 Allen  
 Barnes  
 Bond  
 Bonzer  
 Bronson  
 Carter  
 Cashel  
 Clark

Messrs.—  
 Davidson  
 Davis  
 Duncan  
 Elken  
 Ellingson  
 Englund  
 Ganssle  
 Garden  
 Gibbens

Messrs.—  
 Gilbert  
 Gronvold  
 Heckle  
 Helgeland  
 Hookway  
 Hoverson  
 Hughes  
 Hyland  
 Jacobsen

Messrs.—

Kretschmar  
Leutz  
Loftsgaard  
McBride  
McDowell  
McLean  
Mudgett

Messrs.—

Nelson  
Overson  
Plain  
Porterfield  
Putnam  
Steel  
Talcott

Messrs.—

Thoreson  
Trageton  
Turner  
Vail  
Wartner  
Williams  
Young

Absent and not voting: Messrs. Hanley and Linde.

Mr. Linde being excused.

So the bill passed and the title was agreed to.

The Secretary announced that the President was about to sign:

House Bill No. 5.

A joint resolution ratifying amendment to the Constitution of the United States.

House Bill No. 47,

A bill for an Act to amend and re-enact Section 6187, Revised Code of 1905 of the State of North Dakota, relating to chattel mortgage.

House Bill No. 20.

A bill for an Act validating certain execution sales heretofore made and limiting the time within which the same may be attached.

And the President signed the same in the presence of the Senate.

Senate Bill No. 131.

A bill for an Act to require public warehouses to clean all grain handled by them before testing the same for grade, and providing a penalty for the violation of this Act.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 49 ayes, no nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—

Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson

Messrs.—

Carter  
Cashel  
Clark  
Davidson  
Davis  
Duncan

Messrs.—

Elken  
Ellingson  
Englund  
Ganssle  
Garden  
Gibbens

Messrs.—	Messrs.—	Messrs.—
Gilbert	Leutz	Steel
Gronvold	Loftsgaard	Talcott
Hanley	McBride	Thoreson
Heckle	McDowell	Trageton
Helgeland	McLean	Turner
Hookway	Mudgett	Vail
Hoverson	Nelson	Wartner
Hughes	Overson	Williams
Hyland	Plain	Young
Jacobsen	Porterfield	
Kretschmar	Putnam	

Absent and not voting, Mr. Linde, who was excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

Bismarck, N. D., February 17, 1913.

*Mr. President:*

I have the honor to transmit herewith  
House Bill No. 193.

A bill for an Act making appropriation for the deficit, covering the support and maintenance during the last biennial period of the Agricultural Sub-experiment Station located at Hettinger.

Also,

House Bill No. 270.

A bill for an Act to appropriate money for the maintenance, care and repair of the Old Settlers' and Historical Park at Walhalla, in Pembina County, North Dakota.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

The Secretary announced that the President was about to sign:

Senate Bill No. 47.

A bill for an Act repealing Chapter 268 of the Session Laws of 1911, relating to school houses and sites.

Senate Bill No. 100.

A bill for an Act to amend Chapter 121 of the Session Laws of 1907, providing for the determination of heir and

the share of such heirs respectively in the claims to certain real estate by action in the district court.

Senate Bill No. 27.

A bill for an Act to amend Section 4493 of the Revised Codes of North Dakota for 1905 relating to county mutual insurance companies.

Senate Bill No. 36.

A bill for an Act entitled "An Act to amend Section 4331 of the Revised Codes of North Dakota of 1905, relating to the operation of railroads in this state, receiving and transporting passengers and property."

Senate Bill No. 138.

A bill for an Act to amend Sections 838, 839, 840 and 841, Chapter 9, of the Political Code of the State of North Dakota, Revised Codes of 1905, relating to education, as amended by Chapter 107 of the Session Laws of 1907.

And the President signed the same in the presence of the Senate.

Senate Bill No. 173.

A bill for an Act to amend Section 1972, Section 1973 as amended by Chapter 117 of the Laws of 1907, and Section 1974 of the Revised Codes of 1905, relating to notice of taking up estrays.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 48 ayes, no nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McLean
Allen	Gibbens	Mudgett
Barnes	Gilbert	Nelson
Bond	Gronvold	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Loftsgaard	Wartner
Englund	McBride	Williams
Ganssle	McDowell	Young

Absent and not voting, Messrs. Hanley and Linde.

Mr. Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

Was read the third time.

Mr. Gilbert moved

That the further consideration of Senate Bill No. 103 be deferred until tomorrow.

Which motion prevailed.

Senate Bill No. 233.

A bill for an Act authorizing the boards of county commissioners to levy taxes for the promotion of diversified farming, agricultural development and extension of scientific agricultural work.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gilbert	McLean
Barnes	Gronvold	Mudgett
Bond	Hanley	Nelson
Bonzer	Heckle	Overson
Bronson	Helgeland	Plain
Carter	Hookway	Porterfield
Cashel	Hoverson	Putnam
Clark	Hughes	Steel
Davidson	Hyland	Thoreson
Duncan	Jacobsen	Turner
Elken	Kretschmar	Vail
Ellingson	Leutz	Wartner
Englund	Loftsgaard	Williams
Ganssle	McBride	Young

Absent and not voting, Messrs. Davis, Garden, Linde, Talcott and Trageton.

Mr. Linde being excused.

So the bill passed and the title was agreed to.

The President pro tempore presiding.

## Senate Bill No. 45.

A bill for an Act regulating marriages and the issuance of marriage licenses, prohibiting marriages in certain cases, providing penalties for the violation of the provisions of this Act and repealing all Acts or parts of Acts in conflict herewith.

Was read the third time.

Mr. Overson offered the following amendment to Senate Bill No. 45 and moved its adoption:

In the last line of Section 6 strike out the word "or" and insert in lieu thereof the word "and."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 44 ayes, 3 nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	McLean
Allen	Garden	Mudgett
Barnes	Gibbens	Nelson
Bond	Gilbert	Overson
Bonzer	Gronvold	Plain
Bronson	Hanley	Porterfield
Carter	Heckle	Putnam
Cashel	Helgeland	Steel
Clark	Hoverson	Thoreson
Davidson	Hughes	Trageton
<b>Davis</b>	Hyland	Turner
Duncan	Kretschmar	Vail
Elken	Leutz	Wartner
Ellingson	McBride	Williams
Englund	McDowell	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hookway	Loftsgaard	Young

Absent and not voting, Messrs. Jacobsen, Linde and Talcott.

Mr. Linde being excused.

So the bill passed.

Mr. Overson moved

That the title of Senate Bill No. 45 be amended as follows:

Strike out all of the title after the word "Act."

Which motion prevailed and

The amendment was adopted.

And so the title as amended was agreed to.

Senate Bill No. 82.

A bill for an Act to amend Section 8363 of Chapter 3 of the Revised Codes of 1905 of the Laws of North Dakota, relating to the service of summons out of Justice Court and who is authorized to make such summons, and fees to be paid therefor.

Was read the third time.

Mr. Overson offered the following amendment to Senate Bill No. 82 and moved its adoption.

In the last line of the bill insert the words "passage and" between the word "its" and the word "approval."

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 48 ayes, no nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McDowell
Allen	Gibbens	McLean
Barnes	Gilbert	Mudgett
Bond	Gronvold	Nelson
Bonzer	Hanley	Overson
Bronson	Heckle	Plain
Carter	Helgeland	Porterfield
Cashel	Hookway	Putnam
Clark	Hoverson	Steel
Davidson	Hughes	Thoreson
Davis	Hyland	Trageton
Duncan	Jacobsen	Turner
Elken	Kretschmar	Vail
Ellingson	Leutz	Wartner
Englund	Loftsgaard	Williams
Ganssle	McBride	Young

Absent and not voting, Messrs. Linde and Talcott.

Mr. Linde being excused.

So the bill passed and the title was agreed to.

## Senate Bill No. 210.

A bill for an Act repealing Sections 2082, 2083, 2084 and 2085, also Chapter 41 of the Laws of 1907 and Chapter 50 of the Laws of 1909.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 32 ayes, 14 nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Porterfield
Allen	Gronvold	Steel
Barnes	Hughes	Talcott
Bond	Jacobsen	Thoreson
Bonzer	Kretschmar	Trageton
Bronson	McDowell	Turner
Carter	McLean	Vail
Cashel	Mudgett	Wartner
Duncan	Nelson	Williams
Elken	Overson	Young
Ganssle	Plain	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Clark	Gibbens	Leutz
Davidson	Heckle	Loftsgaard
Ellingson	Helgeland	McBride
Englund	Hoverson	Putnam
Garden	Hyland	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Hookway	Linde
Hanley		

Mr. Linde being excused.

So the bill passed and the title was agreed to.

The President presiding.

## Senate Bill No. 245.

A bill for an Act to provide for the establishment, equipment and government of a cottage or cottages on the site at Dunseith of the State Tuberculosis Sanitarium by any Fraternal Corporation or Society, organized under the laws of this state or authorized to do business in this state, for the treatment of all members of such corporation or society or members of their families affected with pulmonary tuberculosis.

Was read the third time.

Mr. Nelson offered the following amendments to Senate Bill No. 245 and moved their adoption:

In line 4, on page 2 of printed bill after the word "Dunseith," insert the following words: "or other governing board."

In line 7, on page 2 of printed bill, after the word "trustees," insert the following words: "or other governing board."

In line 13, page 2 of printed bill, after the word "trustees," insert the following words: "or other governing board."

At the end of Section 3, as amended, add the following words: "or other governing board."

Which motion prevailed, and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Loftsgaard	Wartner
Englund	McBride	Williams
Ganssle	McDowell	Young
Garden	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Gilbert	Linde

Mr. Linde being excused.

So the bill passed and the title was agreed to.

## FIRST AND SECOND READING OF HOUSE BILLS.

## House Bill No. 288.

A bill for an Act providing for the inspection of freight and express books and records by the state's attorney in the enforcement of the prohibition law.

Was read the first and second times and

Referred to the committee on judiciary.

## House Bill No. 340.

A bill for an Act amending Section 2 of Chapter 128 of the Session Laws of North Dakota for 1905, being Section 8878 of the Revised Codes of North Dakota for 1905.

Was read the first and second times and

Referred to the committee on judiciary.

## House Bill No. 206.

A bill for an Act to amend Chapter 201, Session Laws 1911, relating to transient merchants and peddlers.

Was read the first and second times and

Referred to the committee on ways and means.

## House Bill No. 339.

A bill for an Act providing for the appointment of a township overseer of highways and his compensation, defining his duties and powers, and providing for the levying and collection of road taxes and their distribution.

Was read the first and second times and

Referred to the committee on highways and bridges.

## House Bill No. 111.

A bill for an Act to provide for the non-partisan nomination and election of the state superintendent of public instruction and county superintendent of schools.

Was read the first and second times and

Referred to the committee on elections.

## House Bill No. 10.

A bill for an Act to provide a method of voting at any general or primary election by electors absent or anticipating being absent on the day of such election, from the county in which they are electors.

Was read the first and second times and

Referred to the committee on elections.

House Bill No. 270.

A bill for an Act to appropriate money for the maintenance, care and repair of the Old Settlers' and Historical Park at Walhalla, in Pembina County, North Dakota.

Was read the first and second times and

Referred to the committee on appropriations.

House Bill No. 193.

A bill for an Act making appropriation for the deficit, covering the support and maintenance during the last biennial period of the Agricultural Sub-experiment Station located at Hettinger.

Was read the first and second times and

Referred to the committee on appropriations.

THIRD READING OF HOUSE BILLS.

House Bill No. 154.

A bill for an Act requiring treasurers of fair associations to give a bond to the directors thereof.

Was read the third time.

Mr. McLean offered the following amendment to House Bill No. 154 and moved its adoption.

In line 4 of Section 1, after the word "treasurer" add the following: "*Provided*, however, that the provisions of this Act shall not apply to the directors of the State Fair Association and county fairs held in connection therewith or upon state fair grounds."

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 19 ayes, 20 nays, 11 absent and not voting.

Those voting in the affirmative were:

Messrs.—

Barnes  
Bond  
Bonzer  
Cashel  
Clark  
Davidson  
Ellingson

Messrs.—

Englund  
Ganssle  
Gilbert  
Heckle  
Helgeland  
Loftsgaard  
McLean

Messrs.—

Plain  
Porterfield  
Talcott  
Vail  
Wartner

## Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Hoverson	Mudgett
Carter	Hughes	Nelson
Duncan	Hyland	Overson
Elken	Jacobsen	Putnam
Garden	Kretschmar	Williams
Grosvold	Leutz	Young
Hookway	McBride	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	Thoreson
Allen	Linde	Trageton
Davis	McDowell	Turner
Gibbens	Steel	

Mr. Linde being excused.

So the bill was lost.

House Bill No. 129.

A bill for an Act entitled "An Act to amend Section 2478 of the Revised Codes of 1905, relating to partial payment of taxes.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, 1 nay, 5 absent and not voting.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gilbert	McLean
Barnes	Gronvold	Mudgett
Bond	Hanley	Nelson
Bonzer	Heckle	Overson
Bronson	Helgeland	Plain
Carter	Hookway	Porterfield
Cashel	Hoverson	Putnam
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Duncan	Jacobsen	Trageton
Elken	Kretschmar	Turner
Ellingson	Leutz	Vail
Englund	Loftsgaard	Wartner
Ganssle	McBride	Williams
Garden	McDowell	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Steel
Davis	Linde	

Mr. Young voted in the negative.

Mr. Linde being excused.

So the bill passed and the title was agreed to.

House Bill No. 78.

A bill for an Act defining bootlegging, making it a crime and fixing the punishment therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, 1 nay, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Garden	McLean
Barnes	Gilbert	Mudgett
Bond	Gronvold	Nelson
Bonzer	Hanley	Overson
Bronson	Heckle	Plain
Carter	Helgeland	Porterfield
Cashel	Hookway	Putnam
Clark	Hoverson	Talcott
Davidson	Hughes	Thoreson
Davis	Hyland	Trageton
Duncan	Jacobsen	Turner
Elken	Kretschmar	Vail
Ellingson	Leutz	Wartner
Englund	Loftsgaard	Williams
Ganssle	McDowell	Young

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Albrecht	Linde	Steel
Gibbens		

Mr. McBride voted in the negative.

Mr. Linde being excused.

So the bill passed and the title was agreed to.

There being no objection the further consideration of House Bill No. 36 was deferred until tomorrow.

There being no objection House Bill No. 174 was re-referred to the committee on elections.

Mr. Putnam moved

That the Senate do now go into executive session.

Which motion prevailed, and

The Senate went into executive session.

#### OPEN SESSION.

The courtesies of the floor were extended to H. L. Loomis, W. H. Shure, Fargo, N. D.; J. J. Coyle, F. S. Goddard, B. R. Crabtree, C. C. Williams, Minot, N. D.; H. S. Westmiller, Washburn, N. D.; F. C. Malloy, Max, N. D.; C. W. McGray, Underwood, N. D.; Hon. L. J. Palda, Minot, N. D.; Geo. H. Markeley, Chas. Markeley, Pleasant Lake, N. D.; Frank Kilzer, Richardton, N. D.; Peter Braun, George Wolf, Dickinson, N. D.

Mr. Gilbert moved

That the Senate do now adjourn.

Which motion prevailed, and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

FORTY-THIRD DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 18th, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 18th, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 6.

A bill for an Act to re-enact Section 16, Chapter 6 of the Laws of North Dakota for the year 1911 relating to motor license and road regulations.

Which the House has indefinitely postponed.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 49.

A bill for an Act for preventing the manufacture, sale or transportation of adulterated insecticides and fungicides, and for regulating traffic therein and fixing penalties for the violation of this Act.

Also,

Senate Bill No. 166.

A bill for an Act reinstating and validating the charters of corporations that have been cancelled for failure to make and file with the Secretary of State reports as required by and under Section 4186 of the Revised Codes of 1905.

Also,

Senate Bill No. 141.

A bill for an Act to amend and re-enact Section 4974 of the Revised Codes of 1905, providing for the confirmation of the conveyance of the family homestead in any case in which the same has been deeded by both husband and wife in separate instruments where said deeds purport to convey the land to the same person or his grantee, and validating such deeds.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to transmit herewith

House Bill No. 212.

A bill for an Act to amend and re-enact Section 408 of the Revised Codes of 1905, relating to the bonds of county, township, city, village or school district officers and repealing Section 405 of the Revised Codes of 1905, relating to official bonds of county treasurers.

Also,

House Bill No. 253.

A bill for an Act to provide that portions of the grounds belonging to the state tuberculosis sanitarium may be leased to individuals, firms, corporations, associations or societies for the purpose of erecting cottages for patients afflicted with tuberculosis when such property is used exclusively for charitable purposes.

Also,

House Bill No. 342.

A bill for an Act to prevent procreation of confirmed criminals, insane, idiots, defectives and rapists; providing for a board of medical examiners and making provision for carrying out the same.

Also,

House Bill No. 155.

A bill for an Act permitting counties to appropriate money to prevent the spread of tuberculosis in this state.

Also,

House Bill No. 318.

A bill for an Act creating a state board of chiropractic examiners to regulate the practice of chiropractic in the State of North Dakota; defining chiropractic and to provide for licensing chiropractors and to prescribe penalties for the violation of this Act.

Also,

House Bill No. 234.

A bill for an Act to amend Section 19 of Chapter 169 of the Laws of 1907, entitled "An Act to establish the live stock sanitary board of North Dakota and to provide for the suppression and control of dangerous, contagious and infectious diseases of domestic animals," and the amendment thereto, Chapter 37, Session Laws of 1909.

Also,

House Bill No. 261.

A bill for an Act to amend Section 7459 of the Revised Codes of 1905, relating to publication of notice of foreclosure and publisher's affidavit of publication.

Also,

House Bill No. 337.

A concurrent resolution amending Section 45 of Article 2 of the Constitution of the State of North Dakota, relating to the compensation of the members of the Legislative Assembly.

Also,

House Bill No. 246.

A bill for an Act providing for the construction, maintenance and repair of wire fences along public highways, and providing for penalties for violations of the provisions of this Act.

Also,

House Bill No. 28.

A bill for an Act to amend and re-enact Chapter 54, Laws 1911, relating to corporations having banking powers, defining what per cent of the capital stock and surplus of such corporation may be used for banking house furniture and fixtures, defining its powers as to other real estate and repealing Section 4640 of the Revised Code for the year 1905.

Also,

House Bill No. 170.

A bill for an Act providing for physical connections and joint rates between telephone companies, defining the same and giving the state board of railroad commissioners certain powers in connection therewith.

Also,

House Bill No. 93.

A bill for an Act to amend Section 1787 of the Revised Codes of the State of North Dakota for 1905.

Also,

House Bill No. 357.

A bill for an Act to amend and re-enact Section 1189 of the Revised Codes of North Dakota for 1905.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

## REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the forty-second day, have carefully examined the same and recommend that the same be corrected as follows:

On page 1, in line 11, correct the spelling of the word "members."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted

Which motion prevailed and

The report was adopted.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Hoverson presented a petition signed by C. P. Brownlee and 45 others protesting against the passage of any bill seeking to amend or repeal the present mechanics' lien laws.

Mr. McBride presented a similar petition signed by A. B. Rosendahl and 35 others.

Mr. Carter presented a similar petition signed by W. H. Schultz and 55 others.

Mr. Helgeland presented a petition signed by H. E. Aline and 19 others protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

## REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 144.

A bill for an Act to amend and re-enact Section 3147 of the Revised Codes of North Dakota for the year 1905, relating to duties of township treasurers and the method of drawing township funds from the county treasurer.

Also,

Senate Bill No. 182.

A bill for an Act to amend Section 2623, Revised Codes of 1905, relating to the examination of records of certain public officers.

Also,

Senate Bill No. 192.

A bill for an Act to amend and re-enact Section 1283 of the Revised Codes of 1905 for North Dakota, prohibiting excessive expenditures out of appropriations, and providing for an emergency commission, and penalty.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted

Which motion prevailed and

The report was adopted.

The committee on education made the following report:

*Mr. President:*

Your committee on education to whom was referred:

House Bill No. 223.

A bill for an Act to prohibit the building of a public school house within less than 80 rods from a cemetery, and to prohibit the surveying, platting or laying out of a cemetery within less than 80 rods from a public school house.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred:

House Bill No. 240.

A bill for an Act to amend and re-enact Section 3 of Chapter 264 of the Session Laws of 1911, relating to a thorough system of instruction in schools.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred:

Senate Bill No. 244.

A bill for an Act to amend Section 1 of Chapter 266 of the Session Laws of 1911 in order to raise the qualifications of the State Superintendent of Public Instruction to that degree that the present salary would justify.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 2, line 1, strike out the figure "2" and insert in lieu thereof the figure "1."

In Section 2, line 4, strike out the words "twenty-five," and insert in lieu thereof the word "thirty."

And when so amended recommend the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on temperance made the following report:

*Mr. President:*

Your committee on temperance to whom was referred:

Senate Bill No. 181.

A bill for an Act providing for the inspection of freight and express books and records by the state's attorney in the enforcement of the Prohibition Law.

Have had the same under consideration and recommend that the same be amended as follows:

In the title, after the word "attorney" insert "attorney general or his assistants."

In Section 1, line 7 of the original bill, after the word "attorney," insert "attorney general or his assistants."

In Section 2, after the word "attorneys" insert "attorney general or his assistants."

And when so amended recommend the same do pass.

C. F. MUDGETT,  
Chairman.

Mr. Mudgett moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on elections made the following report:

*Mr. President:*

Your committee on elections to whom was referred:

Senate Bill No. 73.

A Concurrent Resolution amending the Constitution of the State of North Dakota, providing for future amendments thereof.

Have had the same under consideration and recommend that the same be referred to a committee of the whole Senate, and that it be made a special order for 3 o'clock P. M., Monday, February 24th.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on elections to whom was referred:

Senate Bill No. 122.

A Concurrent Resolution for an amendment to the Constitution of the State of North Dakota, providing for the recall of public officers.

Have had the same under consideration and recommend that the same be referred to a committee of the whole Senate, and that it be made a special order for 3 o'clock P. M., Monday, February 24th.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on elections to whom was referred:

House Bill No. 133,

Being a concurrent resolution providing for the initiative and referendum and the provisions thereof, the recall of public officers and future amendments to the Constitution.

Have had the same under consideration and recommend that the same be referred to a committee of the whole Senate, and that it be made a special order for 3 o'clock P. M., Monday, February 24th.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on elections to whom was referred:

Senate Bill No. 32.

A bill for an Act amending the Constitution of the State of North Dakota, providing for the initiative and referendum.

Have had the same under consideration and recommend that the same be referred to a committee of the whole Senate, and that it be made a special order for 3 o'clock P. M., Monday, February 24th.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on elections to whom was referred:

Senate Bill No. 153.

A Concurrent Resolution for an amendment to the Constitution of the State of North Dakota, relating to the Legislative Department and providing for direct legislation; the proposing of Constitutional Amendments, and reference of laws.

Have had the same under consideration and recommend that the same be referred to a committee of the whole Senate, and that it be made a special order for 3 o'clock P. M., Monday, February 24th.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on elections to whom was referred:

Senate Bill No. 17.

A bill amending the Constitution of the State of North Dakota providing for the recall of public officials by the people.

Have had the same under consideration and recommend that the same be referred to a committee of the whole Senate, and that it be made a special order for 3 o'clock P. M., Monday, February 24th.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted

Which motion prevailed and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred

Senate Bill No. 261.

A bill for an Act to amend and re-enact Section 544 of the Revised Codes of 1905, relating to official seal, and filing oath and bond of notary public.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved  
That the report be adopted  
Which motion prevailed and  
The report was adopted.

Also,

*Mr. President:*

Senate Bill No. 258.

A bill for an Act to amend Chapter 90 of the Civil Code of the Revised Codes of 1905, known as the "Negotiable Instruments" Law.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved  
That the report be adopted  
Which motion prevailed and  
The report was adopted.

The committee on state affairs made the following report:

Your committee on state affairs to whom was referred  
Senate Bill No. 175.

A bill for an Act to amend Section 73 of the Revised Codes of 1905, relating to reports of officers, departments, boards, commissions and state institutions by law required to be made to the governor and the Legislative Assembly of the state, requiring the person or persons having contracts for printing with the state to execute a bond, providing a penalty for failure to make, transmit and print such reports at the time required, and repealing all existing provisions of law inconsistent herewith.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 3, page 3, and in line 5 of the printed bill, strike out the words "one dollar" and insert in lieu thereof

“five dollars”; and on page 4, line 17, strike out the words “one dollar” and insert in lieu thereof “ten dollars.”

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted

Which motion prevailed and

The report was adopted.

The committee on cities and municipal corporations made the following report:

*Mr. President:*

Your committee on cities and municipal corporations to whom was referred

Senate Bill No. 29.

A bill for an Act to amend Section 2864 of the Revised Codes of North Dakota for 1905, as amended by Chapter 186 of the Session Laws of 1905, and re-amended by Chapter 268 of the Session Laws of 1907, relating to the general powers of the boards of trustees of incorporated villages.

Have had the same under consideration and recommend that the same be amended as follows:

That in line 113 on page 6 of the printed bill the word “ten” be changed to read “twenty.”

And when so amended recommend the same do pass.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on municipal corporations to whom was referred:

House Bill No. 66.

A bill for an Act to amend and re-enact Section 181 of Chapter 266 of the Session Laws of the year 1911 of the State of North Dakota, relating to public schools.

Have had the same under consideration and recommend that the same do pass without amendment.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report be adopted

Which motion prevailed and

The report was adopted.

The committee on highways and bridges made the following report:

*Mr. President:*

Your committee on highways and bridges to whom was referred

House Bill No. 249.

A bill for an Act prescribing the duties of the state engineer in connection with the construction of highway bridges and culverts.

Have had the same under consideration and recommend that the same be amended as follows:

In the printed bill amend Section 2, line 7, after the word "treasurer," add the word "monthly."

And when so amended recommend the same do pass.

CHAS. ELLINGSON,  
Chairman.

Mr. Ellingson moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on highways and bridges to whom was referred:

House Bill No. 339.

A bill for an Act providing for the appointment of a township overseer of highways and his compensation, defining his duties and powers, and providing for the levying and collection of road taxes and their distribution.

Have had the same under consideration and recommend that the same do pass.

CHAS. ELLINGSON,  
Chairman.

Mr. Ellingson moved

That the report be adopted

Which motion prevailed and

The report was adopted.

The Secretary announced that the President was about to sign:

House Bill No. 14.

A bill for an Act entitled "An Act relating to the boundaries, terms of court and chambers of the Seventh Judicial District, amending Section 475 of the Revised Codes of 1905, as amended by Chapter 75, Laws of 1909."

House Bill No. 160.

Being a bill for an Act relating to the duties of clerks of courts or other officers in charge of such courts in cancelling and discharging judgments.

And the President signed the same in the presence of the Senate.

#### MOTIONS AND RESOLUTIONS.

Mr. Talcott moved

That the Secretary of the Senate be instructed to ask the House for the return of Senate Bill No. 236 for the purpose of making an amendment.

Which motion prevailed.

Mr. Davis moved

That Senate Bill No. 150 be recalled from the committee on state affairs and be re-referred to the committee on judiciary.

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS.

Mr. Bond (by request) introduced  
Senate Bill No. 297.

A bill for an Act providing for the payment by the county to the public administrator of the costs of administration in estate not having sufficient funds to pay the same.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Davidson introduced  
Senate Bill No. 298.

A bill for an Act to amend Section 1573 of the Revised Codes of North Dakota for 1905, relating to the duties of the county treasurer, and the return of tax list to the county auditor.

Which was read the first and second times and  
Referred to the committee on ways and means.

Mr. Steele (by request) introduced  
Senate Bill No. 299.

A bill for an Act to amend Section 43, Chapter 266, Laws of 1911, entitled "An Act to provide a system of free public schools for the State of North Dakota."

Which was read the first and second times and  
Referred to the committee on education.

Mr. Ganssle (by request) introduced  
Senate Bill No. 300.

A bill for an Act to amend Chapter 218 of the Session Laws of 1911, relating to the salaries of judges of county courts.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Davidson introduced  
Senate Bill No. 301.

A bill for an Act to amend and re-enact Section 1541 of the Revised Codes of 1905, as amended by Chapter 112 of

the 1911 Session Laws, relating to tax lists made out by county auditors.

Which was read the first and second times and

Referred to committee on ways and means.

Mr. Overson introduced

Senate Bill No. 302.

A bill for an Act to prevent unnecessary delay in appeals from the district court to the Supreme Court, arising from delay in making transcripts of testimony and proceedings, and limiting time within which and prescribing proceedings under which court stenographers must prepare and deliver transcripts ordered, and providing for appointment, qualification and removal of court stenographers and deputy stenographers.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Plain introduced

Senate Bill No. 303.

A bill for an Act providing for the construction and maintenance of sidetracks by railways at points near the International boundary.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Leutz introduced

Senate Bill No. 304.

A bill for an Act providing for the creation of the office of an inspector of weights and measures, for the appointment of an inspector, prescribing his powers and duties, and prescribing fees to be charged and salary paid.

Which was read the first and second times and

Referred to the committee on ways and means.

### THIRD READING OF SENATE BILLS.

There being no objection the further consideration of Senate Bill No. 103 was deferred until next Tuesday.

Senate Bill No. 182.

A bill for an Act to amend Section 2623, Revised Codes of 1905, relating to the examination of records of certain public officers.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bonzer	Hanley	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Leutz	Turner
Elken	Linde	Wartner
Ellingson	Loftsgaard	Williams
Englund	McBride	Young
Ganssle	McDowell	
Garden	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Kretschmar	Vail
Heckle		

So the bill passed and the title was agreed to.

Senate Bill No. 144.

A bill for an Act to amend and re-enact Section 3147 of the Revised Codes of North Dakota for the year 1905, relating to duties of township treasurers and the method of drawing township funds from the county treasurer.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, 1 nay, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Bronson	Davidson
Allen	Carter	Davis
Barnes	Cashel	Duncan
Bonzer	Clark	Elken

Messrs.—	Messrs.—	Messrs.—
Ellingson	Hyland	Plain
Englund	Jacobsen	Porterfield
Garden	Kretschmar	Putnam
Gibbens	Leutz	Steel
Gilbert	Linde	Talcott
Gronvold	Loftsgaard	Thoreson
Hanley	McBride	Trageton
Heckle	McDowell	Turner
Hookway	McLean	Wartner
Hoverson	Nelson	Williams
Hughes	Overson	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Mudgett	Vail

Mr. Helgeland voted in the negative.

So the bill passed and the title was agreed to.

Senate Bill No. 192.

A bill for an Act to amend and re-enact Section 1283 of the Revised Codes of 1905 for North Dakota, prohibiting excessive expenditures out of appropriations and providing for an emergency commission.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 48 ayes, no nays, 2 absent and not voting.

Those voting in the affirmative were:

Albrecht	Gibbens	McDowell
Allen	Gilbert	McLean
Barnes	Gronvold	Mudgett
Bonzer	Hanley	Nelson
Bronson	Heckle	Overson
Carter	Helgeland	Plain
Cashel	Hookway	Porterfield
Clark	Hoverson	Putnam
Davidson	Hughes	Steel
Davis	Hyland	Talcott
Duncan	Jacobsen	Thoreson
Elken	Kretschmar	Trageton
Ellingson	Leutz	Turner
Englund	Linde	Wartner
Ganssle	Loftsgaard	Williams
Garden	McBride	Young

Absent and not voting, Messrs Bond and Vail.

So the bill passed and the title was agreed to.

## FIRST AND SECOND READING OF HOUSE BILLS.

## House Bill No. 234.

A bill for an Act to amend Section 19 of Chapter 169 of the Laws of 1907, entitled "An Act to establish the live stock sanitary board of North Dakota and to provide for the suppression and control of dangerous, contagious and infectious diseases of domestic animals," and the amendment thereto, Chapter 37, Session Laws of 1909.

Was read the first and second times and

Referred to the committee on live stock.

## House Bill No. 261.

A bill for an Act to amend Section 7459 of the Revised Code of 1905, relating to publication of notice of foreclosure and publisher's affidavit of publication.

Was read the first and second times and

Referred to the committee on public printing.

## House Bill No. 337.

A concurrent resolution amending Section 45 of Article 2 of the Constitution of the State of North Dakota, relating to the compensation of the members of the Legislative Assembly.

Was read the first and second times and

Referred to the committee on judiciary.

## House Bill No. 246.

A bill for an Act providing for the construction, maintenance and repair of wire fences along public highways, and providing for penalties for violations of the provisions of this Act.

Was read the first and second times and

Referred to the committee on highways and bridges.

## House Bill No. 318.

A bill for an Act creating a state board of chiropractic examiners to regulate the practice of chiropractic in the State of North Dakota; defining chiropractic and to provide for licensing chiropractors and to prescribe penalties for the violation of this Act.

Was read the first and second times and

Referred to the committee on ways and means.

House Bill No. 253.

A bill for an Act to provide that portions of the grounds belonging to the state tuberculosis sanitarium may be leased to individuals, firms, corporations, associations or societies for the purpose of erecting cottages for patients afflicted with tuberculosis when such property is used exclusively for charitable purposes.

Was read the first and second times and

Referred to the committee on state affairs.

House Bill No. 212.

A bill for an Act to amend and re-enact Section 408 of the Revised Codes of 1905, relating to the bonds of county, township, city, village or school district officers and repealing Section 405 of the Revised Codes of 1905, relating to official bonds of county treasurers.

Was read the first and second times and

Referred to the committee on ways and means.

House Bill No. 155.

A bill for an Act permitting counties to appropriate money to prevent the spread of tuberculosis in this state.

Was read the first and second times and

Referred to the committee on public health.

House Bill No. 342.

A bill for an Act to prevent procreation of confirmed criminals, insane, idiots, defectives and rapists; providing for a board of medical examiners and making provision for carrying out the same.

Was read the first and second times and

Referred to the committee on public health.

House Bill No. 170.

A bill for an Act providing for physical connections and joint rates between telephone companies, defining the same and giving the state board of railroad commissioners certain powers in connection therewith.

Was read the first and second times and

Referred to the committee on ways and means.

House Bill No. 93.

A bill for an Act to amend Section 1787 of the Revised Codes of the State of North Dakota for 1905.

Was read the first and second times and

Referred to the committee on appropriations.

House Bill No. 357.

A bill for an Act to amend and re-enact Section 1189 of the Revised Codes of North Dakota for 1905.

Was read the first and second times and

Referred to the committee on state affairs.

House Bill No. 28.

A bill for an Act to amend and re-enact Chapter 54, Laws 1911, relating to corporations having banking powers, defining what per cent of the capital stock and surplus of such corporation may be used for banking house furniture and fixtures, defining its powers as to other real estate and repealing Section 4640 of the Revised Codes for the year 1905.

Was read the first and second times and

Referred to the committee on banks and banking.

### THIRD READING OF HOUSE BILLS.

House Bill No. 36.

A bill for an Act to amend Sections 6 and 10 of Chapter 135 of the Laws of 1907 as amended by Chapter 141, Laws of 1909.

Was read the third time.

Mr. Garden offered the following amendment and moved its adoption:

In lines 36 and 37 of Section 1 of the printed bill strike out the words "of moss, sea grass, excelsior, husks or shoddy" and insert in lieu thereof the words "any mattress of a lower grade than that commonly known to the trade as cotton felt combination."

Which motion prevailed and

The amendment was adopted.

Mr. Wartner offered the following amendment and moved its adoption:

In line 40 of Section 1 of the printed bill insert after the word "towels" the words "or paper toweling."

Which motion prevailed and

The amendment was adopted.

Mr. Davidson offered the following amendment and moved its adoption:

In lines 12 and 13 of Section 1 of the printed bill re-insert the words "and shall be heated in winter and lighted at all times."

Which motion was lost.

Mr. Jacobsen moved that the further consideration of House Bill No. 36 be indefinitely postponed.

Which motion was lost.

Mr. Jacobsen offered the following amendment and moved its adoption:

That House Bill No. 36 be amended as follows: in Section 6 of the printed bill after the word "hotel" in line 4 thereof, strike out all down to and including the word "principals" in line 6.

Which motion was lost.

Mr. Jacobsen offered the following amendment and moved its adoption.

Also in Section 10 of the printed bill, strike out the word "provided" in line 7 thereof and everything down to and including the word "and" in line 11 of the printed bill. Also after the word "provided" in line 11 of Section 10 of the printed bill strike out the word "further."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 36 ayes, 13 nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Englund	Mudgett
Allen	Ganssle	Overson
Barnes	Garden	Plain
Bond	Gilbert	Porterfield
Bonzer	Gronvold	Putnam
Bronson	Hanley	Steel
Carter	Heckle	Talcott
Cashel	Helgeland	Trageton
Clark	Hyland	Turner
Davidson	Loftsgaard	Vail
Elken	McDowell	Wartner
Ellingson	McLean	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Davidson	Jacobsen	Nelson
Duncan	Kretschmar	Thoreson
Gibbens	Leutz	Young
Hoverson	Linde	
Hughes	McBride	

Absent and not voting, Mr. Hookway.

So the bill passed and the title was agreed to.

Mr. Garden moved

That the vote by which House Bill No. 36 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 80.

A bill for an Act providing closets or privies for the accommodation of the public at railroad stations and keeping them in a sanitary condition and penalty for violation thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Carter	Ellingson
Allen	Cashel	Englund
Barnes	Clark	Ganssle
Bond	Davidson	Garden
Bonzer	Duncan	Gibbens
Bronson	Elken	Gilbert

Messrs.—	Messrs.—	Messrs.—
Gronvold	Loftsgaard	Talcott
Hanley	McBride	Thoreson
Heckle	McDowell	Trageton
Helgeland	McLean	Turner
Hoverson	Mudgett	Vail
Hyland	Nelson	Wartner
Jacobsen	Plain	Williams
Kretschmar	Porterfield	Young
Leutz	Putnam	
Linde	Steel	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Hughes	Overson
Hookway		

So the bill passed and the title was agreed to.

## House Bill No. 73.

A bill for an Act to amend and re-enact Section 1372 of the Revised Codes of North Dakota for 1905, relating to county road funds.

Was read the third time.

Mr. Ellingson offered the following amendment to House Bill No. 73 and moved its adoption.

In Section 1372, line 7 of the printed bill, strike out the word "one" and insert in lieu thereof the words "one-fourth of one."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 48 ayes, 1 nay, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ellingson	Hughes
Allen	Englund	Hyland
Barnes	Ganssle	Jacobsen
Bonzer	Garden	Kretschmar
Bronson	Gibbens	Leutz
Carter	Gilbert	Linde
Cashel	Gronvold	Loftsgaard
Clark	Hanley	McBride
Davidson	Heckle	McDowell
Davis	Helgeland	McLean
Duncan	Hookway	Mudgett
Elken	Hoverson	Nelson

Messrs.—  
 Overson  
 Plain  
 Porterfield  
 Putnam

Messrs.—  
 Steel  
 Talcott  
 Thoreson  
 Turner

Messrs.—  
 Vail  
 Wartner  
 Williams  
 Young

Mr. Trageton voted in the negative.

Absent and not voting, Mr. Bond.

So the bill passed and the title was agreed to.

Mr. Hyland moved

That the vote by which House Bill No. 73 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Bronson moved

That the vote by which House Bill No. 154 was lost be reconsidered.

Which motion prevailed.

Mr. Talcott moved

That the amendments adopted by the Senate to House Bill No. 154 be stricken out of the bill.

Which motion prevailed.

Mr. Putnam moved

That the Senate do now go into executive session.

Which motion prevailed, and

The Senate went into executive session.

#### OPEN SESSION.

The courtesies of the floor were extended to James H. Cramer, Marmarth; C. M. Branson, Billings County; Carl Mildahl, Torger Bergen, Sharon; A. Stienecker, J. S. Wiedman, Venturia; Amos Olson; Ed. Knapton, J. A. Johnson, Dogden; W. C. Holland, J. A. Corrigan, Stanley; L. J. Palda, Jr., Minot; E. C. Ruble, Driscoll.

Mr. Davidson moved

That the Senate do now adjourn.

Which motion prevailed and

The Senate adjourned.

W. D. AUSTIN,  
 Secretary.

FORTY-FOURTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 19th, 1913.

The Senate convened at 2 o'clock P. M.,

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Mr. Garden.

Who was excused.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 18th, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 59.

A bill for an Act for the registration of farm names.

Which the House has amended as follows:

In Section 2, line 3 of the engrossed bill, strike out the word "five" and insert in lieu thereof the word "one" and in the word "dollars" strike out the letter "s."

Which the House has passed as amended.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to transmit herewith

House Bill No. 94.

A bill for an Act making an appropriation for a mess house on the Rock Island Military Wood Reservation near Devils Lake, North Dakota, and a stand of colors.

Also,

House Bill No. 309.

A bill for an Act to amend Section 6295 of the Revised Codes of North Dakota for 1905, as amended by Chapter 168 of the Laws of 1907, providing for a lien for repairs upon personal property.

Also,

House Bill No. 31.

A bill for an Act to amend and re-enact Article 3, Chapter 30 of the Code of Civil Procedure of the Revised Codes of the state of North Dakota of 1905, relating to cancellation of land contracts.

Also,

House Bill No. 267.

A bill for an Act to amend Sections 1, 2, 3 and 5 of Chapter 279 of the Session Laws of 1911, entitled "An Act to amend Sections 1, 3, 5, 8 and 13 of Chapter 161 of the Session Laws of 1909."

Also,

House Bill No. 396.

A bill for an Act to provide that notice of foreclosure of mortgages upon personal property shall be given to the county.

Also,

House Bill No. 392.

A bill for an Act to amend Sections 20 and 38 of Chapter 77 of the Laws of 1911, entitled "An Act to provide for a commission system of government in cities which shall adopt the provisions of this Act."

Also,

House Bill No. 229.

A bill for an Act creating park districts for villages and providing for the government thereof, creating a board of park commissioners, and specifying the power and authority of such commissioners.

Also,

House Bill No. 358.

A bill for an Act regulating the rules of practice in District, County and Supreme Courts.

Also,

House Bill No. 376.

A bill for an Act providing for the condemnation of school and institution lands for public purposes.

Also,

House Bill No. 177.

A bill for an Act entitled "An Act to amend and re-enact Section 1546 of the Revised Codes of North Dakota of 1905, relating to duties of county treasurer."

Also,

House Bill No. 312.

A bill for an Act to amend Sections 2294 and 2296 and re-enacting Section 2295 of the Revised Codes of 1905, relating to the publication of constitutional amendments.

Also,

House Bill No. 307.

A bill for an Act to amend and re-enact Section 2231 of the Revised Codes of North Dakota as amended by Chapter 1 of the 1907 Session Laws, relating to abstracters of title, and to repeal Chapter 329 of the Session Laws of 1911, relating to abstracters of title.

Also,

House Bill No. 341.

A bill for an Act to amend Section 8 of Chapter 177, Session Laws of 1911, relating to dependent and neglected children.

Which the House has passed and your favorable consideration is respectfully requested.

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 236.

A bill for an Act to create a state board of education and to amend Chapter 266 of the Session Laws of 1911, relating to state board of examiners, and to repeal Sections 243, 244 and 245 of Chapter 266; and to amend Chapter 265 of the Laws of 1911, relating to a state agricultural and training school board, and to amend Chapter 65 of the Session Laws of 1911, relating to state aid to rural and consolidated schools.

In accordance with your request.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

The House requests the return of Senate Bill No. 67 for re-consideration.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Hanley moved

That the request of the House to have Senate Bill No. 67 returned to the House, be granted.

Which motion prevailed.

#### REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the forty-third day, have carefully examined the same and recommend that the same be corrected as follows:

On page 19, line 7 strike out the word Trageton and insert the word Thoreson.

And when so amended recommend the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted

Which motion prevailed and

The report was adopted.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Barnes presented a petition signed by John McClellan and 8 others, protesting against the passage of any bill intending to amend or repeal the present mechanics' lien laws.

Mr. Hoverson presented a petition signed by Hjalmar Nystrom and 67 others protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

A communication was received from the Joint Protective Board of the Brotherhood of Locomotive Firemen and Enginemen representing about 1,400 firemen and engineers employed on the Great Northern Railroad, including those in North Dakota, denouncing House Bill No. 153 and requesting that the legislative body give careful consideration to said bill, and setting forth that it is a matter of great importance both to the railroads and firemen in this state.

Mr. Gilbert moved

That the aforesaid communication be referred to the committee on railroads.

Which motion prevailed and

The communication was so referred.

Mr. Gibbens presented a petition signed by Albert Spillman and 94 others, praying that a bill be drafted and supported creating a special committee to investigate whether denatured alcohol can be safely, legally and economically manufactured by the state and if found feasible, recom-

mend that the state enter in the manufacture of denatured alcohol.

Mr. Hanley moved

That the Senate do now go into executive session.

Which motion prevailed and

The Senate went into executive session.

#### OPEN SESSION.

In open session announcement was made of confirmation of the following appointments as members of the Board of Control:

R. S. Lewis of Fargo, N. D.

J. W. Jackson of Williston, N. D.

Also that the Senate declined to confirm the appointment of A. D. Grant of Jamestown, N. D. as member of the Board of Control.

#### REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 245.

A bill for an Act to provide for the establishment, equipment and government of a cottage or cottages on the site at Dunseith of the State Tuberculosis Sanitarium by any Fraternal Corporation or Society, organized under the laws of this state or authorized to do business in this state, for the treatment of all members of such corporation or society or members of their families affected with pulmonary tuberculosis.

And find the same correctly re-engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 29.

A bill for an Act to amend Section 2864 of the Revised Codes of North Dakota for 1905, as amended by Chapter 186 of the Session Laws of 1905, and re-amended by Chapter 268 of the Session Laws of 1907, relating to the general powers of the boards of trustees of incorporated villages.

Also,

Senate Bill No. 175.

A bill for an Act to amend Section 73 of the Revised Codes of 1905 relating to reports of officers, departments, boards, commissions and state institutions by law required to be made to the Governor and the Legislative Assembly of the State, requiring the person or persons, having contracts for printing with the state to execute a bond, providing a penalty for failure to make, transmit and print such reports at the time required, and repealing all existing provisions of law inconsistent herewith.

Also,

Senate Bill No. 181.

A bill for an Act providing for the inspection of freight and express books and records by the state's attorney in the enforcement of the Prohibition Law.

Also,

Senate Bill No. 244.

A bill for an Act to amend Section 1 of Chapter 266 of the Session Laws of 1911 in order to raise the qualifications of the State Superintendent of Public Instruction to that degree that the present salary would justify.

Also,

Senate Bill No. 261.

A bill for an Act to amend and re-enact Section 544 of the Revised Codes of 1905, relating to official seal, and filing oath and bond of notary public.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on corporations other than municipal made the following report:

Senate Bill No. 291.

A bill for an Act to amend and re-enact Section 4610 of the Revised Codes of 1905, as amended by Chapter 56 of the Session Laws of 1907, relating to building and loan associations.

Have had the same under consideration and recommend that the same be amended as follows:

That the title of the bill be amended as follows:

“For an Act to amend and re-enact Section 4610 of the Revised Codes of 1905, as amended by Chapter 56 of the Session Laws of 1907, relating to building and loan associations.

Also, that Section 1 be amended as follows:

“Section 1. Amendment.) Section 4610 of the Revised Codes of 1905, as amended by Chapter 56 of the Session Laws of 1907, be amended and re-enacted so as to read as follows:”

Also, that Section 11, in line 5 of the printed bill, be stricken out and the following inserted in lieu thereof:  
“4610. How Formed.)”

And when so amended recommend the same do pass.

H. P. JACOBSEN,

Mr. Jacobsen moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on public health made the following report:

*Mr. President:*

Your committee on public health to whom was referred  
Senate Bill No. 256.

A bill for an Act to require persons selling or disposing of second-hand furniture to disinfect the same before offering such furniture for sale or exchange.

Have had the same under consideration and recommend that the same be amended as follows:

That Section 1, line 2, after the word "corporation" insert "dealing in second-hand furniture before," and in lines 3 and 4 of the same Section that the words "in any city, town or village" be stricken out. That Section 2 be stricken out and Section 3 be numbered Section 2.

And when so amended recommend the same do pass.

F. T. GRONVOLD,  
Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on railroads made the following report:

*Mr. President:*

Your committee on railroads to whom was refererd  
Senate Bill No. 161.

A bill for an Act requiring railroad companies to line and cooper cars tendered for grain shippers.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the title, strike out the word "for" and insert in lieu thereof the word "to" and add the words "or to reimburse shippers therefor." In Section 1, lines 8 and 9, strike out the words "for containing the grain to be so shipped." In line 11 strike out the words "for receiving such grain." Section 2, line 3, after the figures "1913" insert the words "many such cars may require such repairs," and after the word "its" insert "passage and."

In line 4 strike out "and passage by the Governor."

And when so amended recommend the same do pass.

E. F. GILBERT,  
Chairman.

Mr. Gilbert moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on railroads to whom was referred  
Senate Bill No. 271.

A bill for an Act to amend and re-enact Section 4395 of the Revised Codes of North Dakota for 1905, as amended by Chapter 51, Session Laws of 1907, relating to the maximum freight rate on coal and briquettes, and defining the term briquettes.

Have had the same under consideration and recommend that the same do pass.

E. F. GILBERT,  
Chairman.

Mr. Gilbert moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on railroads to whom was referred  
Senate Bill No. 270.

A bill for an Act to amend Section 2272 of the Revised Codes of the State of North Dakota for the year 1905, relating to the storage of unclaimed goods, wares and merchandise carried by railroads and transportation companies.

Have had the same under consideration and recommend that the printed bill be amended as follows:

In Section 1, line 10, strike out the word "twenty" and insert in lieu thereof the word "thirty." In lines 13, 16 and 20 before the word "storage" insert the word "bonded."

Section 3, line 4, after the word "Act" insert the word "shall."

And when so amended recommend the same do pass.

E. F. GILBERT,  
Chairman.

Mr. Gilbert moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on railroads to whom was referred

House Bill No. 190.

A bill for an Act repealing Chapter 199 of the Session Laws of 1907 and providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers, for the transportation of passengers and baggage, and providing a penalty for the violation thereof.

Have had the same under consideration and recommend that the same do pass.

E. F. GILBERT,  
Chairman.

Mr. Gilbert moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### MOTIONS AND RESOLUTIONS.

Mr. Duncan moved

That the Senate do now concur in the House amendments to Senate Bill No. 59.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—

Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson  
Carter  
Cashel

Messrs.—

Clark  
Davidson  
Duncan  
Elken  
Ellingson  
Englund  
Ganssle  
Gibbens

Messrs.—

Gilbert  
Gronvold  
Hanley  
Heckle  
Helgeland  
Hookway  
Hoverson  
Hughes

Messrs.—

Hyland  
Jacobsen  
Kretschmar  
Linde  
Loftsgaard  
McBride  
McDowell  
McLean

Messrs.—

Mudgett  
Nelson  
Overson  
Plain  
Porterfield  
Putnam  
Steel  
Talcott

Messrs.—

Thoreson  
Trageton  
Turner  
Vail  
Wartner  
Williams  
Young

**Absent and not voting:**

Messrs.—

Davis

Messrs.—

Garden

Messrs.—

Leutz

Mr. Garden being excused.

So the bill passed and the title was agreed to.

Mr. Talcott moved

That House Bill No. 154 be put on its third reading and final passage.

Which motion prevailed.

House Bill No. 154.

A bill for an Act requiring treasurers of fair associations to give a bond to the directors thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 33 ayes, 12 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—

Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Cashel  
Clark  
Duncan  
Elken  
Ellingson  
Englund

Messrs.—

Ganssle  
Gibbens  
Gilbert  
Gronvold  
Hanley  
Heckle  
Helgeland  
Hookway  
Hoverson  
Hyland  
Kretschmar

Messrs.—

McBride  
McLean  
Overson  
Plain  
Porterfield  
Steel  
Talcott  
Thoreson  
Trageton  
Turner  
Vail

Those voting in the negative were:

Messrs.—

Bronson  
Carter  
Hughes  
Linde

Messrs.—

Loftsgaard  
McDowell  
Mudgett  
Nelson

Messrs.—

Putnam  
Wartner  
Williams  
Young

Absent and not voting:

Messrs.—  
Davidson  
Davis

Messrs.—  
Garden  
Jacobsen

Messrs.—  
Leutz

Mr. Garden being excused.

So the bill passed and the title was agreed to.

INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS.

Mr. Wartner introduced

Senate Bill No. 305.

A bill for an Act providing for the appointment of short-hand reporters by referees, coroners, and committing magistrates, and providing for their compensation.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Heckle introduced

Senate Bill No. 306.

A bill for an Act to provide for the appointment of clerks for county courts and fixing their compensation.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Trageton introduced

Senate Bill No. 307.

A bill for an Act to repeal Section 3013 of the Revised Codes of 1905 relating to bridge tax in certain cities or municipalities.

Which was read the first and second times and

Referred to the committee on highways and bridges.

THIRD READING OF SENATE BILLS.

Senate Bill No. 244.

A bill for an Act to amend Section 1 of Chapter 266 of the Session Laws of 1911 in order to raise the qualifications of the State Superintendent of Public Instruction to that degree that the present salary would justify.

Was read the third time.

Mr. McDowell offered the following amendment to Senate Bill No. 244: By striking out the words "administering schools" and substituting in lieu thereof the words "school administration."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 40 ayes, 4 nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Nelson
Barnes	Gibbens	Overson
Bond	Gilbert	Plain
Bonzer	Gronvold	Porterfield
Bronson	Heckle	Putnam
Carter	Helgeland	Steel
Cashel	Hookway	Thoreson
Clark	Hoverson	Trageton
Davidson	Hyland	Turner
Davis	Linde	Vail
Duncan	Loftsgaard	Wartner
Elken	McBride	Williams
Ellingson	McDowell	
Englund	McLean	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Mudgett	Young
Hughes		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Garden	Jacobsen	Leutz
Hanley	Kretschmar	Talcott

Mr. Garden being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved

That the vote by which Senate Bill No. 244 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 181.

A bill for an Act providing for the inspection of freight and express books and records by the state's attorney in the enforcement of the Prohibition Law.

Was read the third time.

Mr. Wartner offered the following amendment to Senate Bill No. 181 and moved its adoption:

Strike out the emergency clause.

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 40 ayes, 4 nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Mudgett
Barnes	Gibbens	Nelson
Bond	Gilbert	Overson
Bonzer	Gronvold	Plain
Bronson	Hanley	Porterfield
Carter	Heckle	Putnam
Cashel	Helgeland	Steel
Clark	Hoverson	Thoreson
Davidson	Hyland	Turner
Davis	Jacobsen	Vail
Duncan	Loftsgaard	Wartner
Elken	McBride	Williams
Ellingson	McDowell	
Englund	McLean	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Linde	Young
Hughes		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Garden	Kretschmar	Talcott
Hookway	Leutz	Trageton

Mr. Garden being excused.

So the bill passed and the title was agreed to.

Mr. Duncan moved

That the vote by which Senate Bill No. 181 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 175.

A bill for an Act to amend Section 73 of the Revised Codes of 1905 relating to reports of officers, departments, boards, commissions and state institutions by law required to be made to the Governor and the Legislative Assembly of the state, requiring the person or persons, having contracts for printing with the state to execute a bond, providing a penalty for failure to make, transmit and print such reports at the time required, and repealing all existing provisions of law inconsistent herewith.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Nelson
Allen	Gilbert	Overson
Barnes	Gronvold	Plain
Bond	Heckle	Porterfield
Bonzer	Helgeland	Putnam
Bronson	Hoverson	Steel
Carter	Hughes	Talcott
Cashel	Hyland	Thoreson
Clark	Jacobsen	Trageton
Davidson	Kretschmar	Turner
Davis	Linde	Vail
Duncan	Loftsgaard	Wartner
Elken	McBride	Williams
Ellingson	McDowell	Young
Englund	McLean	
Ganssle	Mudgett	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Garden	Hookway	Leutz
Hanley		

Mr. Garden being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 261.

A bill for an Act to amend and re-enact Section 544 of the Revised Codes of 1905, relating to official seal, and filing oath and bond of notary public.

Was read the third time.

Mr. Bronson offered the following amendment to Senate Bill No. 261 and moved its adoption.

In line 4, Section 1 of the printed bill after the word "public" insert the words "hereinafter appointed."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Nelson
Allen	Gronvold	Overson
Barnes	Hanley	Plain
Bond	Heckle	Porterfield
Bonzer	Helgeland	Putnam
Bronson	Hoverson	Steel
Carter	Hughes	Talcott
Cashel	Hyland	Thoreson
Clark	Jacobsen	Trageton
Davidson	Kretschmar	Turner
Duncan	Linde	Vail
Elken	Loftsgaard	Wartner
Ellingson	McBride	Williams
Englund	McDowell	Young
Ganssle	McLean	
Gibbens	Mudgett	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Hookway	Leutz
Garden		

Mr. Garden being excused.

So the bill passed and the title was agreed to.

#### FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 392.

A bill for an Act to amend Sections 20 and 38 of Chapter 77 of the Laws of 1911, entitled "An Act to provide for a commission system of government in cities which shall adopt the provisions of this Act."

Was read the first and second times and

Referred to the committee on cities and municipal corporations.

House Bill No. 94.

A bill for an Act making an appropriation for a mess house on the Rock Island Military Wood Reservation near Devils Lake, North Dakota, and a stand of colors.

Was read the first and second times and  
Referred to the committee on appropriations.

House Bill No. 309.

A bill for an Act to amend Section 6295 of the Revised Codes of North Dakota for 1905, as amended by Chapter 168 of the Laws of 1907, providing for a lien for repairs upon personal property.

Was read the first and second times and  
Referred to the committee on judiciary.

House Bill No. 31.

A bill for an Act to amend and re-enact Article 3, Chapter 30 of the Code of Civil Procedure of the Revised Code of the State of North Dakota of 1905, relating to cancellation of land contracts.

Was read the first and second times and  
Referred to the committee on judiciary.

House Bill No. 267.

A bill for an Act to amend Sections 1, 2, 3 and 5 of Chapter 279 of the Session Laws of 1911, entitled "An Act to amend Sections 1, 3, 5, 8 and 13 of Chapter 161 of the Session Laws of 1909."

Was read the first and second times and  
Referred to the committee on live stock.

House Bill No. 229.

A bill for an Act creating park districts for villages and providing for the government thereof, creating a board of park commissioners, and specifying the power and authority of such commissioners.

Was read the first and second times and  
Referred to the committee on cities and municipal corporations.

House Bill No. 358.

A bill for an Act regulating the rules of practice in District, County and Supreme Courts.

Was read the first and second times and  
Referred to the committee on judiciary.

House Bill No. 376.

A bill for an Act providing for the condemnation of school and institution lands for public purposes.

Was read the first and second times and

Referred to the committee on state affairs.

House Bill No. 177.

A bill for an Act entitled "An Act to amend and re-enact Section 1546 of the Revised Codes of North Dakota of 1905, relating to duties of county treasurer."

Was read the first and second times and

Referred to the committee on state affairs.

House Bill No. 312.

A bill for an Act to amend Sections 2294 and 2296 and re-enacting Section 2295 of the Revised Codes of 1905, relating to the publication of constitutional amendments.

Was read the first and second times and

Referred to the committee on judiciary.

House Bill No. 307.

A bill for an Act to amend and re-enact Section 2231 of the Revised Codes of North Dakota as amended by Chapter 1 of the 1907 Session Laws, relating to abstracters of title, and to repeal Chapter 329 of the Session Laws of 1911, relating to abstracters of title.

Was read the first and second times and

Referred to the committee on state affairs.

House Bill No. 341.

A bill for an Act to amend Section 8 of Chapter 177, Session Laws of 1911, relating to dependent and neglected children.

Was read the first and second times and

Referred to the committee on state affairs.

House Bill No. 396.

A bill for an Act to provide that notice of foreclosure of mortgages upon personal property shall be given to the county.

Was read the first and second times and

Referred to the committee and cities and municipal corporations.

### THIRD READING OF HOUSE BILLS.

The President pro tempore presiding.

House Bill No. 66.

A bill for an Act to amend and re-enact Section 181 or Chapter 266 of the Session Laws of the year 1911 of the State of North Dakota, relating to public schools.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, no nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	Nelson
Allen	Hanley	Overson
Barnes	Heckle	Plain
Bond	Helgeland	Porterfield
Bonzer	Hoverson	Putnam
Bronson	Hughes	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Trageton
Elken	Linde	Turner
Ellingson	Loftsgaard	Vail
Englund	McBride	Wartner
Ganssle	McDowell	Williams
Gibbens	McLean	Young
Gilbert	Mudgett	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Duncan	Hookway
Davis	Garden	Leutz

Mr. Garden being excused.

So the bill passed and the title was agreed to.

House Bill No. 249.

A bill for an Act prescribing the duties of the state engineer in connection with the construction of highway bridges and culverts.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 42 ayes, no nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Cashel	Englund
Allen	Clark	Ganssle
Barnes	Davidson	Gilbert
Bond	Davis	Gronvold
Bonzer	Elken	Hanley
Bronson	Ellingson	Heckle

Messrs.—  
 Helgeland  
 Hoverson  
 Hughes  
 Hyland  
 Jacobsen  
 Kretschmar  
 Linde  
 Loftsgaard

Messrs.—  
 McBride  
 McDowell  
 McLean  
 Mudgett  
 Nelson  
 Overson  
 Plain  
 Porterfield

Messrs.—  
 Putnam  
 Steel  
 Talcott  
 Thoreson  
 Trageton  
 Turner  
 Williams  
 Young

Absent and not voting.

Messrs.—  
 Carter  
 Duncan  
 Garden

Messrs.—  
 Gibbens  
 Hookway  
 Leutz

Messrs.—  
 Vail  
 Wartner

Mr. Garden being excused.

So the bill passed and the title was agreed to.

Mr. Davidson moved

That the vote by which the report of the committee on education indefinitely postponing House Bill No. 223 was adopted be reconsidered.

Which motion prevailed.

Mr. Davidson moved

That House Bill No. 223 be re-referred to the committee on education.

Which motion prevailed.

Mr. Talcott moved that the vote by which Senate Bill No. 236 was passed be reconsidered.

Which motion prevailed.

Mr. Talcott moved

That Senate Bill No. 236 be put upon its third reading and final passage.

Which motion prevailed.

Senate Bill No. 236.

A bill for an Act to create a state board of education and to amend Chapter 266 of the Session Laws of 1911, relating to state board of examiners, and to repeal Sections 243, 244 and 245 of Chapter 266; and to amend Chapter 265 of the Laws of 1911, relating to a state agricultural and training school board, and to amend Chapter 65 of the Session Laws of 1911, relating to state aid to rural and consolidated schools.

Was read the third time.

Mr. Talcott offered the following amendments and moved their adoption:

In the title, 7th line, after the word "Schools" insert a comma, and follow with the words "Chapter 267. Relating to State High School Board."

In Section 4, page 3, line 8, after the word "year" insert the following: "The State Superintendent of Public Instruction shall be the president of the board, and his deputy shall be secretary with such compensation as the board may determine."

In Section 5, page 4, line 17, after the word "duties" insert the following: "The duties of the State High School Board, as defined in Chapter 267 of the Session Laws of 1911, are also hereby transferred to the state board of education and made a part of its duties. The rules and regulations for classification of state, rural, graded and consolidated schools, as provided for by law, shall be made by the state board of education. *Provided*, also, that the classification of those schools and apportioning of the funds, as provided by law, shall be under the control of."

Also in line 17 insert the word "and" after the word "education."

In Section 7, page 5, line 3, after the word "Instruction" insert the words "state consolidated, graded and."

Which motion prevailed and

The amendments were adopted.

Mr. Gilbert moved

That the Senate do now go into social session for the purpose of listening to an address by Dr. Hotchkiss of Jamestown.

Which motion prevailed and

The Senate went into social session.

#### SOCIAL SESSION.

Mr. Hanley presiding, and

Dr. Hotchkiss addressed the Senate.

Mr. Gilbert moved

That the Senate extend a vote of thanks to Dr. Hotchkiss for his address.

Which motion prevailed by rising vote.

OPEN SESSION.

The President presiding.

Mr. Plain moved

That the rules be suspended and two days extra time be allowed the committee on appropriations for reporting appropriation bills.

Which motion prevailed.

The courtesies of the floor were extended to F. E. Funk, Washburn, N. D.; Rev. J. W. Mahin, Cathay, N. D.; A. B. Dill, Minot, N. D.

Mr. Talcott moved

That the Senate do now adjourn.

Which motion prevailed and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

FORTY-FIFTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 20, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., February 20, 1913.

*Mr. President:*

I have the honor to transmit herewith  
House Bill No. 245.

A bill for an Act to amend Section 7575 of the Revised Codes of North Dakota for A. D. 1905 and prescribing the instances where the right of eminent domain may be exercised for public uses.

Also,

House Bill No. 179.

A bill for an Act appropriating money for the maintenance and protection of the Military Wood Reservation in Ramsey County, North Dakota.

Also,

House Bill No. 37.

A bill for an Act making an appropriation for the Dickinson Experiment Station, located in the city of Dickinson.

Also,

House Bill No. 343.

A bill for the relief of Company L, First Regiment, North Dakota National Guard Training School, a corporation.

Also,

House Bill No. 380.

A bill for an Act entitled "An Act authorizing private associations or organizations to work upon and improve the public roads at their own expense and to name said roads under the authority and with the approval of the county commissioners of the various counties.

Also,

House Bill No. 395.

A bill for an Act to provide that notice of foreclosure of mortgages upon personal property shall be given to the county.

Also,

House Bill No. 410.

A bill for an Act to amend and re-enact Section 7119 of the Revised Codes of North Dakota for 1905, relating to exemptions.

Also,

House Bill No. 255.

A bill for an Act to amend and re-enact Chapter 41 of the Session Laws of 1907, Chapter 308 of the Session Laws of 1911 and Section 2083 of the Revised Codes of 1905, relating to the planting of trees and providing a bounty for the encouragement of same.

Also,

House Bill No. 256.

A bill for an Act providing for a bounty for and defining shelter hedges.

Also,

House Bill No. 119.

A bill for an Act authorizing the court or judge to remove officers for misfeasance, malfeasance or nonfeasance in office, and providing the method of procedure therefor.

Also,

House Bill No. 350.

A bill for an Act to avoid the expense of selling land or lots for a trivial tax.

Also,

House Bill No. 264.

A bill for an Act providing for failure to close gates on private roadways.

ALSO,

House Bill No. 329.

A bill for an Act providing for the proper identification of persons charged with the commission of a public offense.

Also,

House Bill No. 282.

A bill for an Act to amend Sections 921, 923, 924, 925, 928 and 933 of the Revised Codes of the State of North Dakota of 1905, relating to city and school depositories.

Also,

House Bill No. 159.

A bill for an Act to amend Section 2607 of the Revised Codes of North Dakota for 1905, relating to coroner fees.

Also,

House Bill No. 226.

A bill for an Act authorizing the Supreme Court of North Dakota to direct the Bar Association of North Dakota to institute legal proceedings for the disbarment, or other discipline, of practicing attorneys of the State of North Dakota, providing for the payment of counsel in the conduct of such disbarment proceedings and authorizing the Supreme Court to fix the amount and direct the payment thereof.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 67.

A Concurrent Resolution amending Section 185 of the Constitution of the State of North Dakota, relating to state aid in the construction and improvement of public high-ways.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to inform you that the House requests the return of House Bills Nos. 28 and 261.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

#### REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the forty-fourth day, have carefully examined the same and recommend that the same be corrected as follows:

On page 2, line 17, insert the letter "s" after the word "Code."

On page 3, line 27, correct the spelling of the word "bill."

On page 8, line 14, strike out the word "or" and insert in lieu thereof the word "of."

On page 13, after line 4, insert the words "Mr. Garden being excused."

On page 13, line 15, strike out the whole line.

On page 14, line 2, strike out the word "administrating" and insert in lieu thereof the word "administering."

On page 22, strike out all of line 24 and insert in lieu thereof the words "the amendments were adopted."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### PETITIONS AND COMMUNICATIONS.

Mr. Helgeland presented a petition signed by Nels Berg and 21 others protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

Mr. Bond presented a similar petition signed by Carl A. Sundre and 46 others.

Mr. Hoverson presented a similar petition signed by C. F. Sadler and 14 others.

Mr. Davidson presented a similar petition signed by Joseph Ness and 61 others.

Mr. Garden presented a similar petition signed by Luther Leckman and 17 others.

Mr. Helgeland presented a petition signed by C. E. Fodness and 28 others, protesting against the passage of any bill intending to amend or repeal the present mechanics' lien laws.

Mr. Garden presented a similar petition signed by W. A. Middaugh and 15 others.

The following communication was received from the Governor:

STATE OF NORTH DAKOTA,  
EXECUTIVE OFFICE,  
Bismarck, February 19, 1913.

*To the Senate:*

Gentlemen: I have the honor to inform you that I have this day approved and filed with the Secretary of State:

Senate Bill No. 27.

A bill for an Act to amend Section 4493 of the Revised Codes of North Dakota for 1905, relating to county mutual insurance companies.

Also,

Senate Bill No. 36.

A bill for an Act to amend Section 4331 of the Revised Codes of North Dakota of 1905, relating to the operation of railroads in this state, receiving and transporting passengers and property.

Also,

Senate Bill No. 47.

A bill for an Act repealing Chapter 268 of the Session Laws of 1911, relating to school houses and sites.

Also,

Senate Bill No. 100.

A bill for an Act to amend and re-enact Chapter 121 of the Session Laws of 1911, providing for the determination of heirs and the share of such heirs respectively in the claim to certain real estate by action in the district court.

Also,

Senate Bill No. 138.

A bill for an Act to amend Sections 838, 839, 840, 841, Chapter 9, of the Political Code of the State of North Dakota, Revised Codes of 1905, relating to education, as amended by Chapter 107 of the Session Laws of 1907.

I have the honor to be,

Respectfully,

L. B. HANNA,  
Governor.

A communication was received from W. J. Mozley, of Dickinson, N. D., requesting the legislature to enact Senate Bill No. 195 into a law.

A communication was received from the Co-operative Exchange of the American Society of Equity, transmitting the following resolution adopted by said exchange at its state convention held at Velva, N. D.

*Resolved*, That we hereby recommend that House Bill No. 133, introduced by Representatives Ployhar of Valley City, and Blakemore, of Fargo, providing for the initiative,

referendum and recall, be passed by the 1913 Legislative Assembly and referred to the vote of the people at the next general election for their approval or rejection."

The following resolutions adopted at the annual meeting of the North Dakota Enforcement League, held at Bismarck on February 19, 1913, were received:

"Assistant Attorney General F. C. Heffron has been an indispensable ally of our superintendent especially west of the river and in the Capital City. For four years he has rendered his service to this cause at the call of the state through the Attorney General, and the Legislature thus far has neglected to allow any compensation for this time and service in criminal cases. And we urge in the name of law and order, fairness, justice and the honor of our Commonwealth, that the Legislative Assembly pass the bill appropriating reasonable compensation for his services."

"We earnestly desire the passage of the liquor inspection House Bill No. 284, and representing thousands of constituents we respectfully petition favorable action thereon on the part of the members of the Legislative Assembly."

"We recognize that the present Legislative Assembly is largely made up of members who are willing to pass laws looking to the strengthening and better enforcement of our constitutional prohibition of the manufacture and sale of intoxicating liquor, and we bespeak the earnest and united effort of such members to the end that the best results may be attained; and we ask similar favorable action on all measures looking to moral betterment."

"*Resolved*, That we favor votes for women the same as for men and that we petition the Legislative Assembly to take such action at the present session as will most speedily extend the right of suffrage to all adult citizens without regard to sex."

Signed by R. B. Griffith, President,  
Chas. A. McNamara, Secretary.

#### REPORT OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No, 181.

A bill for an Act providing for the inspection of freight and express books and records by the state's attorney, attorney general or his assistants, in the enforcement of the prohibition law.

Also,

Senate Bill No. 244.

A bill for an Act to amend Section 1 of Chapter 266 of the Session Laws of 1911, in order to raise the qualifications of the state superintendent of public instruction to that degree that the present salary would justify.

Also,

Senate Bill No. 261.

A bill for an Act to amend and re-enact Section 544 of the Revised Codes of 1905, relating to official seal, and filing oath and bond of notary public.

And find the same correctly re-engrossed.

F. T. GRONVOLD,  
Acting Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 161.

A bill for an Act requiring railroad companies to line and cooper cars tendered to grain shippers, or to reimburse shippers therefor.

Also,

Senate Bill No. 256.

A bill for an Act to require persons selling or disposing of second-hand furniture to disinfect the same before offering such furniture for sale or exchange.

Also,

Senate Bill No. 270.

A bill for an Act to amend Section 2272 of the Revised

Codes of the State of North Dakota for the year 1905, relating to the storage of unclaimed goods, wares and merchandise carried by railroads and transportation companies.

Also,

Senate Bill No. 271.

A bill for an Act to amend and re-enact Section 4395 of the Revised Codes of North Dakota for 1905, as amended by chapter 51, Section 51, Session Laws of 1907, relating to the maximum freight rate on coal and briquettes, and defining the term briquettes.

Also,

Senate Bill No. 291.

A bill for an Act to amend and re-enact Section 4610 of the Revised Codes of 1905, as amended by Chapter 56 of the Session Laws of 1907, relating to building and loan associations.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 49.

A bill for an Act for preventing the manufacture, sale or transportation of adulterated insecticides and fungicides, and for regulating traffic therein and fixing penalties for the violation of this Act.

Also,

Senate Bill No. 59.

A bill for an Act providing for the registration of farm names.

Also,

Senate Bill No. 141.

A bill for an Act to amend and re-enact Section 4974 of the Revised Codes of 1905, providing for the confirmation of the conveyance of the family homestead in any case in which the same has been deeded by both husband and wife in separate instruments where said deeds purport to convey the land to the same person or his grantees, and validating such deeds.

Also,

Senate Bill No. 166.

A bill for an Act re-instating and validating the charters of corporations that have been cancelled for failure to make and file with the secretary of state reports as required by and under Section 4186 of the Revised Codes of 1905.

And find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on ways and means made the following report:

*Mr. President:*

Your committee on ways and means to whom was referred

House Bill No. 206.

A bill for an Act to amend Chapter 201, Session Laws, 1911, relating to transcient merchants and peddlers.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the printed bill, after the word "amend," insert the words, "and re-enact Section 1 of."

In Section 1, line 1, after the word "one," insert the words, "of Chapter 201 of the Session Laws of 1911."

In Section 1, line 1, after the word, "amended," insert the words, "and re-enacted."

In Section 1, line 31, after the word, "and," insert the words, "which bond shall be enforced in case of a breach thereof by the."

Strike out all of Section 2 of the printed bill.

In Section 3, line 1 of printed bill, strike out the the figure "3" and insert the figure "2," in lieu thereof.

And when so amended recommend the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Gibbens moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on Agriculture made the following report:

*Mr. President:*

Your committee on agriculture to whom was referred  
House Bill No. 294.

A bill for an Act repealing Chapter 233 of the Laws of  
North Dakota for the year 1911.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

JAMES DUNCAN,  
Chairman.

Mr. Duncan moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on agriculture to whom was referred  
Senate Bill No. 255.

A bill for an Act to encourage the creation of Farmers'  
Clubs in order to further the interest of the farmers in this  
state educationally, socially and industrially.

Have had the same under consideration and recommend  
that the same be amended as follows:

In line 13 of printed bill strike out the word "Three" and  
insert the word "Ten" at the end of Section 2 all the follow-  
ing:

"Such bills for postage, stationery and office supplies shall  
be made out and sworn to by the State Organizer of Farm-  
ers' Clubs and filed with the State Auditor. All bills so made  
out and filed with the State Auditor shall be presented to

the State Auditing Board for action at its next succeeding meeting, and when approved by said board shall be paid by warrant drawn upon the State Treasurer."

And when so amended recommend the same do pass.

JAMES DUNCAN,  
Chairman

Mr. Duncan moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on insurance made the following report:

*Mr. President:*

Your committee on insurance to whom was referred

Senate Bill No. 220.

A bill for an Act to require a re-insurance reserve for mutual fire insurance companies.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN E. WILLIAMS,  
Chairman.

Mr. Williams moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on public health made the following report:

*Mr. President:*

Your committee on public health to whom was referred

Senate Bill No. 61.

A bill for an Act to regulate the itinerant vending of medicines, nostrums and appliances for the treatment of disease, injury or deformity in compliance with the Pure Food Law.

Have had the same under consideration and recommend that the same be amended as follows:

That on page 2, Section 3, line 14, the words "hereinafter prescribed" be stricken out and in lieu thereof the words "as otherwise provided by law" inserted.

And when so amended recommend the same do pass.

F. T. GRONVOLD,  
Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on public health to whom was referred  
House Bill No. 342.

A bill for an Act to prevent procreation of confirmed  
criminals, insane, idiots, defectives and rapists; providing  
for a board of medical examiners, and making provisions  
for carrying out of same.

Have had the same under consideration and recommend  
that the same be re-referred to committee on state affairs.

F. T. GRONVOLD,  
Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on public health to whom was referred  
House Bill No. 155.

A bill for an Act permitting counties to appropriate  
money to prevent the spread of tuberculosis in this state.

Have had the same under consideration and recommend  
that the same do pass.

F. T. GRONVOLD,  
Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The Secretary announced that the President was about  
to sign

Senate Bill No. 49.

A bill for an Act for preventing the manufacture, sale of  
transportation of adulterated insecticides and fungicides,

and for regulating traffic therein and fixing penalties for the violation of this Act.

Senate Bill No. 59.

A bill for an Act providing for the registration of farm names.

Senate Bill No. 141.

A bill for an Act to amend and re-enact Section 4974 of the Revised Codes of 1905, providing for the confirmation of the conveyance of the family homestead in any case in which the same has been or may be deeded by both husband and wife in separate instruments where said deeds purport to convey the land to the same person or his grantees, and validating such deeds.

Senate Bill No. 166.

A bill for an Act re-instating and validating the charters of corporations that have been cancelled for failure to make and file with the secretary of state reports as required by and under Section 4186 of the Revised Codes of 1905.

And the President signed the same in the presence of the Senate.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred:

Senate Bill No. 213.

A bill for an Act to amend and re-enact Sections 2198, 2200, 2201 and 2202, Article 41, Chapter 24 of the Revised Codes of 1905, relating to the bonding and licensing of commission merchants.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1 and line 12 of the printed bill strike out the word "ten" and insert in lieu thereof "twenty."

On page 2, line 14, strike out the words "one surety" and insert in lieu thereof "two sureties or a surety company."

In line 26 strike out the word "he" and insert in lieu thereof "it."

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 202.

A bill for an Act to amend and re-enact Section 2171 of the Revised Codes of North Dakota for 1905 relating to automobiles.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 102.

A bill for an Act providing for the inspection of refined petroleum, illuminating oils, gasolines and other low flash test petroleum products, defining the ports of entry, appointment of oil inspectors and deputies, and fixing the salaries of the same.

Have had the same under consideration and recommend that the same be amended as follows:

Amend title of bill by striking out all after the word "of" in line 4, and insert in lieu thereof the following: "State Inspector of oils and deputies and fixing the salaries of the same, defining chemical tests and providing appropriations therefor."

Amend bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. Oil Inspector. Appointment of Deputies. Salaries.) The governor shall by and with the advice and consent of the Senate, appoint a suitable person, a citizen of this state who is not engaged directly or indirectly in the manufacturing, dealing or vending of petroleum, illuminating oils, gasolines or other petroleum products hereinafter mentioned, whose title shall be state inspector of oils and whose term of office shall be two years, commencing on the first Tuesday in April succeeding his appointment or until his successor shall be appointed and shall qualify. Said state inspector shall appoint a deputy inspector at all points designated as ports of entry, whose salary shall be as hereinafter provided. The said state inspector of oils and his deputies shall have the right and it shall be his duty to enter into or upon the premises of any manufacturer, dealer, vender of these refined petroleum oils or gasolines at any time for the inspection of such oils and gasolines, and to inspect any books or papers of such manufacturers, dealers or transportation companies pertaining to the shipment or sale of such oils or gasoline and all receptacles in which such oils or gasoline are or may be contained. Such state inspector of oils shall receive an annual salary of two thousand five hundred dollars, payable monthly on the first day of each calendar month, and each and all of such deputies shall receive salaries payable monthly on the first day of each calendar month unless otherwise ordered by the state inspector of oils, as follows:

At ports of entry where the total number of barrels inspected is in excess of eight thousand per annum, the salary shall be fifty dollars per month.

At ports of entry where the total number of barrels is in excess of fifteen thousand per annum, the salary shall be seventy-five dollars per month.

At ports of entry where the total number of barrels is in excess of twenty-five thousand per annum, the salary of deputy oil inspectors shall be one hundred dollars per month; provided, that the salary of the deputy oil inspectors at the designated points of entry shall be based upon the last annual report of the state oil inspector as to the amount of barrels of oil inspected. All other deputies shall receive a salary of not less than ten dollars per month nor more than thirty dollars per month as in the judgment of the state inspector of oils is just compensation for services performed. The state inspector of oils shall make and file

with the state auditor on or before the 5th day of each month, monthly statements, under oath, of all inspections made by himself and his deputies under the provisions of this article.

Sec. 2. State Auditor's Duties.) It shall be the duty of the state auditor to furnish the state treasurer with a summary of inspection fees due the State of North Dakota, designating the name and address of consignors and the amount of inspection fees, on or before the tenth day of each month.

Sec. 3. State Treasurer's Duties.) It shall be the duty of the state treasurer to promptly send to the state inspector of oils the name and address of any person, firm or corporation failing to pay inspection fees as provided in this article. The said state inspector of oils or his deputies shall on receipt of said notice from the state treasurer hold any or all future shipments of petroleum, illuminating oils, gasolines or other petroleum products consigned by such person, firm or corporation until all delinquent inspection fees have been paid according to the provisions of this article.

Sec. 4. Payment of Fees.) The inspection fees due to the State of North Dakota, as provided in this article, must be paid by the consignor of the said petroleum, illuminating oils, gasolines or other petroleum products directly to the state treasurer on or before the fifteenth day of each calendar month.

Sec. 5. Oath. Bond.) The state inspector of oils and his deputies shall each, before entering upon the discharge of his duties, take oath or affirmation, according to the Constitution of this state, and the laws thereof, and shall file the same with the secretary of state. The said state inspector of oils shall execute a bond to the State of North Dakota in the penal sum of five thousand dollars, with such surety as shall be approved by the governor of the state, conditioned for the faithful performance of the duties herein imposed, which bond shall be for the use of the State of North Dakota and of all persons aggrieved by the act or failure of act of the state inspector of oils, and the same shall be filed with the secretary of state. Each such deputy inspector of oils shall, before entering upon the discharge of his duties, execute a bond to the State of North Dakota in the penal sum of not less than one thousand dollars nor more than five thousand dollars, as the state inspector of oils shall prescribe, which bond shall be approved by the governor and filed with the secretary of state; and such

bond shall be conditioned for the faithful performance of the duties herein imposed and shall be for the use of the State of North Dakota and all persons aggrieved by the act or failure of act of such deputy inspector of oils.

Sec. 6. Oil Companies Shall Execute Bond to Guarantee Payment of Fees.) Any person, firm or corporation shipping into the state petroleum, illuminating oils, gasolines or other petroleum products, for sale or manufacturing within the state such petroleum, illuminating oils, gasolines or other petroleum products, shall execute a bond to the State of North Dakota in the penal sum of not less than five hundred dollars. In case the inspection fees of any person, firm or corporation exceed the amount of five hundred dollars for any calendar month, such person, firm or corporation shall execute a bond to the State of North Dakota for twice the amount of the maximum fees paid by such person, firm or corporation for any month of the preceding calendar year, with such surety as shall be approved by the governor of the state, conditioned for the faithful payment of inspection fees herein imposed, which bond shall be for the use of the State of North Dakota and shall be filed with the secretary of state not later than May first, 1913. Provided, that any person, firm or corporation not doing business in the state at the time of the taking effect of this Act, shall file such bond not more than thirty days after shipment of the first consignment into the state.

Sec. 7. Inspector to Furnish Apparatus.) The state inspector of oils shall, immediately upon the appointment and qualification of the deputies named in Section one, procure and furnish to such deputies such apparatus as may be necessary to carry out the provisions of this article. He may also purchase from time to time the apparatus for making tests of petroleum, illuminating oils, gasoline and other petroleum products as hereinafter provided, and pay the necessary travel and other expenses of the department.

Sec. 8. Inspectors Duties.) All illuminating Oils, the product of petroleum or into which petroleum or any product of petroleum enters or is found as a constituent, whether manufactured in this state or not, shall be inspected as provided in this article before being sold or offered for sale or used for illuminating purposes in this state. It shall be the duty of the state inspector of oils or his deputies to examine and test within this state all such oils held or offered for sale or sold by any manufacturer, vender, person, firm or corporation in this state for illuminating purposes and if upon such tests and examination, said illuminating oils shall meet the requirements hereinafter speci-

fied, he shall affix to the receptacle containing the same, his brand showing the date of his inspection, his name, and the words "Approved, flash test not less than one hundred (100) degrees, fire test not less than one hundred and twenty-five (125) degrees." But if such illuminating oils, so tested, shall not meet said requirements, hereinafter specified, the words "Rejected for illuminating purposes," shall be marked in plain letters upon the receptacle containing the same.

All oils, the product of petroleum or into which petroleum or any product of petroleum enters or is found as a constituent, sold or offered for sale or used in this state for illuminating purposes, shall conform to the following requirements: The color shall be water white when viewed by transmitted light through a layer of oil four inches deep. It shall not give a flash test below one hundred (100) degrees, closed cup test, Elliott cup, and shall not have a fire test below one hundred and twenty-five (125) degrees Fahrenheit, Elliott cup.

State state inspector of oils or his deputies shall also examine and test, within this state, all such illuminating oils held or offered for sale or sold for illuminating purposes, by any manufacturer, vendor or by any person, firm or corporation in this state, for gravity. The gravity of said illuminating oils shall be determined by the Tagliabue standard, registered hydrometer, Beaume scale, at a temperature of sixty (60) degrees Fahrenheit, and every manufacturer, vendor, or dealer in said illuminating oils in this state shall stencil on each barrel or package containing said illuminating oils, the words "Gravity test not less than . . . . degrees Beaume," inserting in the blank space left therefor a Beaume gravity not higher than the actual Beaume gravity of the contents at a temperature of sixty (60) degrees Fahrenheit.

Every person, firm or corporation selling or delivering said illuminating oil in bulk by means of portable tanks or tank wagons, or at retail, shall, in lieu of the stamp or brand above provided for, furnish and deliver to the purchaser a certificate covering each delivery therefor in the following words, figures and terms:

"This is to certify that the illuminating oil covered by this sale has a gravity test of not less than . . . . . degrees, Beamue, and a flash test of not less than one hundred (100) degrees, and a fire test of not less than one hundred and twenty-five (125) degrees, and has been inspected and approved by the state oil inspector and complies with North Dakota chemical tests."

Inserting in the blank space left therefor a Beaume gravity not higher than the actual Beaume gravity of the oil covered by the sale at a temperature of sixty (60) degrees Fahrenheit; provided, so-called fuel oils and other petroleum products test forty (40) degrees Beaume or lower at a temperature of sixty degrees Fahrenheit, shall be inspected as in this Act provided and the same shall be labeled "fuel oil" or "distillate," as the case may be, and the fee for inspection and branding or labeling the same shall be twenty-five (25c) cents per barrel. It is not the intent of this provision to include lubricating oils.

Sec. 8½. Duty of Seller. Penalty.) All oils the product of petroleum or into which petroleum or any product of petroleum enters or is found as a constituent, sold or offered for sale or used in this state for illuminating purposes shall likewise conform to the following, which shall be known as chemical tests, to-wit: (a) Such illuminating oils shall not contain water or tar-like matter, nor shall they contain more than a trace of any sulphur compound. (b) It shall be the duty of the state inspector of oils, or his deputy, to at least once in each ninety days have a chemical test made at the state university and the state agricultural college, demonstrating whether or not such oils contain more than four per cent residue after being distilled at a temperature of five hundred and seventy (570) degrees Fahrenheit and shall not contain more than six per cent of oil distilling at three hundred and ten (310) degrees Fahrenheit, when one hundred (100) cubic centimeters of the oil are distilled from a side-neck distilling flask two and three-fourths inches in diameter, the length of the neck between the body of the flask and the side tube being two and one-half inches, said flask to be covered with a closely adhering jacket of asbestos paper; also a determination of the amount of sulphur compounds in said oils, together with such burning tests as may be necessary to determine the photometric value of the oils, which shall not, in the photometric test, when burning under normal conditions, show a fall of more than twenty-five per cent in candlepower in a test of not less than six nor more than eight hours duration, consuming ninety-five per cent of the oil. The result of such chemical tests shall be included in the annual report of the state inspector of oils to the governor. The failure of the state inspector of oils to have the above tests made shall render him liable to a fine of one hundred dollars for each offense. In case any corporation, company or individual, manufacturer or vendor, has or offers for sale for illuminating purposes oils which do not comply with the hereinbefore prescribed

chemical tests, the state inspector of oils shall reject such oils for illuminating purposes and the offending officer of any such corporation or company or the manufacturer, vendor or individual having or offering for sale for illuminating purposes such oils shall be deemed guilty of a misdemeanor.

Sec. 9. Duty of Seller. Penalty.) All gasolines and all petroleum products having a flash test of less than one hundred (100) degrees Fahrenheit, closed cup test, Elliott cup, whether manufactured in this state or not, shall be inspected as provided in this article before being sold or offered for sale or used in this state. It shall be the duty of the state inspector of oils or his deputies to examine and test within this state all such gasolines and petroleum products of less than one hundred (100) degrees Fahrenheit, flash test, held or offered for sale or sold by any manufacturer, vendor, person, firm or corporation in this state for gravity. The gravity of said gasolines and said petroleum products of less than one hundred (100) degrees Fahrenheit, flash test, shall be determined by the Tagliabue standard registered hydrometer, Beume scale at a temperature of sixty (60) degrees Fahrenheit. After making said examination and test, he shall affix to the receptacle containing the same, his brand showing the date of inspection, his name and the words "inspected."

Every person, firm or corporation selling or delivering any of the said gasolines or petroleum products of less than one hundred (100) degrees Fahrenheit, flash test, in this state, in barrels or packages, shall plainly stencil or label on each barrel or package containing the same, the words "Gravity not less than . . . . . degrees, Beume. Unsafe for illuminating purposes. For power purposes only," inserting in the blank space left therefor a Beume gravity not higher than the actual Beume gravity of the contents of said barrel or package, at a temperature of sixty (60) degrees Fahrenheit. Every person, firm or corporation selling or delivering said gasoline or petroleum products of less than one hundred (100) degrees Fahrenheit, flash test, by means of portable tanks or tank wagons, or at retail, shall, in lieu of the stamp, brand or label hereinbefore provided for, furnish and deliver to the purchaser a certificate covering each delivery of the same in the following words, figures and terms:

"This is to certify that the gasoline or petroleum product of less than one hundred (100) degrees Fahrenheit, flash test, covered by this sale is unsafe for illuminating purposes, has a gravity test of not less than . . . . . degrees

Beaume, and has been inspected by the state inspector of oils. For power purposes only."

Inserting in the blank space left therefor a Beaume gravity not higher than the actual Beaume gravity, at a temperature of sixty (60) degrees Fahrenheit, of the gasoline or petroleum products of less than one hundred (100) degrees Fahrenheit, flash test, covered by said sale. Provided, nevertheless, that all gasolines sold or offered for sale in this state for household purposes, shall, when one hundred cubic centimeters are subjected to distillation in a flask as described for distilling oil, show not less than three per cent distilling at one hundred and fifty-eight (158) degrees Fahrenheit, and there shall not be more than six per cent residue at two hundred and eighty-four (284) degrees Fahrenheit, which shall be known as the chemical test for gasoline sold or offered for sale in this state for household purposes.

Every person, firm or corporation selling or delivering any such gasoline in barrels or packages shall plainly stencil or label on each barrel or package containing the same, the words:

"Gravity not less than . . . . . degrees Beaume. Unsafe for illuminating purposes. Sold for household purposes."

Every person, firm or corporation selling or delivering such gasoline in bulk by means of portable tanks or tank wagons, or at retail, shall, in lieu of the stamp or brand hereinbefore provided for, furnish and deliver to the purchaser a certificate covering each delivery thereof in the following words, figures and terms:

"This is to certify that the gasoline or petroleum product of less than one hundred degrees Fahrenheit, flash test, covered by this sale, is unsafe for illuminating purposes; has a gravity test of not less than . . . . . degrees Beaume; has been inspected by the state inspector of oils and complies with the North Dakota chemical test for gasoline for household purposes."

Inserting in the blank space left therefor a Beaume gravity not higher than the Beaume gravity of the gasoline or petroleum product of less than one hundred degrees (100) Fahrenheit, flash test, covered by said sale, at a temperature of sixty (60) degrees Fahrenheit.

Any person, firm or corporation selling or offering to sell within this state gasoline for household purposes which do not comply with the foregoing requirements shall be guilty of a misdemeanor.

Sec. 10. Providing Appropriations for Chemical Tests.) For the purpose of employing chemists and the purchase of apparatus and materials and to cover any other expenses incident to the making of chemical tests as above provided, there shall be set aside from the general funds four thousand dollars annually, which sum shall be divided equally between the state university and the state agricultural college, and shall be paid quarterly of each year to the treasurers of said institutions in July, October, January and April. It shall be the duty of the chemists of the state university and the agricultural college, having in charge the testing of oils, to make tests of such lubricating oils as are submitted to them to determine the lubricating value of the oils submitted to be tested.

Sec. 11. Brand to be Stamped on Containers.) Every person, firm or corporation offering for sale or selling or manufacturing within the state, such illuminating oils, gasolines or petroleum products of less than one hundred (100) degrees Fahrenheit, flash test, shall stamp or brand every package, barrel or cask containing the same with the name of brand contained in such package, cask or barrel. Every package, cask, or barrel which contains gasoline or any petroleum product of less than one hundred (100) degrees Fahrenheit, flash test, shall be branded before being shipped into the state, "Unsafe for Illuminating Purposes."

Sec. 12. Duty of Inspector, of Transportation Company. Penalty.) It shall be the duty of the state inspector of oils to forward to each of the transportation companies whose lines enter the state, and to the state auditor a list of the ports of entry which have been created, at once upon entering upon the duties of his office, and to report to such companies and state auditor new ports of entry as they may be established, together with the names of the deputies at each port, and the transportation company bringing petroleum, illuminating oils, gasolines, petroleum products of less than one hundred (100) degrees Fahrenheit, flash test, into the state, subject to inspection as herein provided, shall stop and hold for inspection at points designated as ports of entry, all consignments of such goods, and a failure to do so will be a misdemeanor on the part of the transportation company and its representative in charge, and punishable by a fine not to exceed one hundred and fifty dollars, or by imprisonment not to exceed thirty days, or both. Any person, firm, corporation or individual bringing into the state such goods in same manner are subject to same regulations and penalties, except as to notifications of ports of entry and deputies and for

their notification, notices shall be posted at every transportation company's station in each port of entry.

Sec. 13. Inspector's Fees.) Each and every inspector and deputy inspector who shall inspect any consignment of illuminating oils or gasoline or petroleum products of less than one hundred (100) degrees Fahrenheit, flash test, as provided in this Article, shall charge the consignor of such goods, the sum of twenty-five cents for testing a barrel or less quantity. Fifty gallons shall constitute a barrel. Every such inspector and deputy inspector shall keep an accurate record of all such goods inspected, rejected, branded, or certified to by him, which record shall state the date of such inspection; the number of packages, barrels, casks, or tanks approved; the number rejected; the name of the persons for whom inspected; the name of the person to whom consigned with his address; the sum of money charged for such inspection, and such records shall be open to all persons interested. The state inspector of oils shall, in the month of January, in each year, make and deliver to the governor a report of his acts, and those of his deputies during the year preceding, together with remarks and suggestions for the benefit of the service, which shall include a copy and summary of the report submitted by said deputies as provided in this Section.

Sec. 14. Inspection Reports.) A record of all inspections shall be made in quadruplicate in a carbon copy book; one copy shall be retained at the port of entry where inspection is made. On the date of inspection one copy of the report shall be forwarded to the consignor, one copy to the state inspector of oils and one copy to the state auditor either on the date of inspection or on or before the fifth day of the succeeding month, at the discretion of the state inspector of oils. On the first day of each month each deputy shall also furnish to the state inspector of oils and state auditor a summary of any and all inspections made by him during the month preceding including the name and address of every consignor and the amount of inspection fees due. One copy of the monthly summary shall be retained at each port of entry.

Sec. 15. Inspector and Deputies Shall Not Deal in Petroleum Products. Penalty.) It shall be unlawful for the state inspector of oils or his deputies, to directly or indirectly, while in office, traffic in any of the illuminating oils, gasoline or other petroleum products which he has been appointed to inspect. Any person violating the provisions of this Section shall be subject to a penalty of not

exceeding five hundred dollars and be removed from office.

Sec. 16. State's Attorney Shall Prosecute in Certain Cases.) It shall be the duty of the state inspector of oils or any of his deputies, or any person having cognizance of any violation of the provisions of this Article, to forthwith make complaint to the state's attorney for the county in which the offense is alleged to have been committed against the person or persons so offending, and it is hereby made the duty of such state's attorney to represent and prosecute on behalf of the people in this county all cases of offense arising under the provisions of this Article. Any inspector or state's attorney who wilfully refuses or neglects to carry out the provisions of this Section, shall be deemed guilty of a misdemeanor and shall upon conviction thereof, be removed from office.

Sec. 17. False Brand. Adulteration. Penalty.) It shall be unlawful for any person, firm or corporation, whether vendor, dealer, or manufacturer to knowingly have, use, sell, attempt to sell or deliver to any person in this state for illuminating purposes any of the illuminating oils hereinbefore mentioned, until the same shall have been inspected and approved, and branded, labeled or certified, according to the provisions of this Act. It shall be unlawful for any person, firm, corporation, whether vendor, dealer or manufacturer, to knowingly have, use, sell, attempt to sell, or deliver to any person in this state, any of the gasolines or petroleum products of less than one hundred (100) degrees Fahrenheit, flash test, until the same shall have been inspected and branded, labeled or certified, according to the provisions of this Act. It shall be unlawful for any person to falsely brand and label any package, barrel or cask, or falsely certify to the contents of any tank car, tank or tank wagon containing said illuminating oils or said gasolines or said petroleum products of less than one hundred (100) degrees Fahrenheit, flash test, or to deliver therefrom, for the purpose of deceiving the purchaser thereof in any manner, as to the contents of the same. It shall be unlawful for any person to dispose of any empty barrel, cask, or package that has once been used for said illuminating oils or gasolines or petroleum products of less than one hundred (100) degrees Fahrenheit, flash test, and has been branded or labeled in accordance with this act, before thoroughly cancelling, removing or effacing the inspection brand on the same.

It shall be unlawful for any person, firm or corporation

to adulterate with paraffin or other substance for the purpose of sale or use, any of the illuminating oils specified in this Article nor shall any person knowingly use or sell or offer for sale for illuminating purposes, oil which shall emit a combustible vapor at a temperature of less than one hundred (100) degrees Fahrenheit, according to the test herein described.

Any person violating any of the provisions of this Section shall be deemed guilty of a misdemeanor and shall be subject to a penalty not to exceed five hundred dollars fine, or imprisonment in the state penitentiary not exceeding one year, or both such fine and imprisonment.

Sec. 18. Containers. Penalty.) It shall be unlawful for any person, firm or corporation to keep for sale or use, or to sell any gasoline or petroleum products of less than one hundred (100) degrees Fahrenheit, flash test, in any barrel, cask, package, can or receptacle, unless the same is painted red, or to keep for sale or use or to sell, any petroleum, illuminating oils, in any barrel, cask, package, can or receptacle, if the same is painted red, *provided*, however, that in the case of gasoline, benzine, or naphtha being sold in bottles for cleaning and similar purposes, it shall be deemed sufficient if the contents are so designated by red label securely pasted or attached thereto bearing the words "Gasoline," "Benzine" or "Naphtha" as the case may be, *provided*, however, that the provisions of this Act shall not apply to any barrel, cask, package, can or other receptacle, the capacity of which is over sixty gallons.

Any person, firm or corporation violating any of the provisions of this Section shall be punished by a fine of not more than twenty-five dollars or by imprisonment in the county jail not to exceed sixty days, or both.

Sec. 19. Penalty.) Whoever shall knowingly use, sell or cause to be sold unlawfully for illuminating purposes, any of the illuminating oils specified in this Article which are below one hundred (100) degrees Fahrenheit, flash test, as tested by the official test as herein described, shall be liable to any person purchasing such oil or to any person injured thereby for any damage to any person or property arising from an explosion thereof.

Sec. 20. Removed From Office in Certain Cases.) It shall be the duty of the governor, whenever he shall find that the state inspector of oils is guilty of refusal or neglect to dis-

charge any of the duties enjoined upon him by this Article, to promptly remove him from office. It shall be the duty of the state inspector of oils, to promptly remove from office any of his deputies who shall prove to be unfaithful or dishonest in the discharge of his duties.

Sec. 21. Ports of Entry Designated. How.) The state inspector of oils is hereby authorized to designate as ports of entry points where public necessity requires inspections should be made. For making inspection other than at points designated as ports of entry the state inspector of oils or his deputy shall be entitled, in addition to the fees prescribed, to actual traveling expenses, such expenses to be paid by the party for whom the inspection is made.

Sec. 22. Expenses Paid Out of General Fund.) All expenses other than salaries shall be paid out of the general fund on the order of the state inspector of oils.

Sec. 23. Nothing in this Act shall be construed to exempt from inspection and payment of fees any illuminating oils, gasoline, power oils or distillates.

Sec. 24. Repeal.) Chapter 171 of the Session Laws of North Dakota for the year 1909, and all Acts or parts of Acts in conflict herewith, are hereby repealed.

Sec. 25. Emergency.) Whereas, an injunction against the state inspector of oils is now pending in court, forbidding him to exclude from the state certain petroleum products, an emergency exists, therefore this Act shall take effect and be in force from and after its passage and approval.

And when so amended recommend the same be re-referred to your committee on appropriations.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on taxes and tax laws made the following report:

*Mr. President:*

Your committee on taxes and tax laws to whom was referred

House Bill No. 116.

A concurrent resolution amending the Constitution of the State of North Dakota, relating to the uniformity of taxation and permitting the classification of property for the purpose of taxation and relating further to the assessment and taxation of certain public utility companies.

Have had the same under consideration and recommend that the same do pass.

HENRY J. LINDE,  
Chairman.

Mr. Linde moved

That the report be adopted

Which motion prevailed and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred

House Bill No. 1,

A bill for an Act to amend Sections 525 and 527 of the Revised Codes of 1905, relating to the summoning of jurors.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

Senate Bill No. 287.

A bill for an Act entitled, "An Act to regulate the distribution of the Laws of the State of North Dakota, and compilation and codification thereof."

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

Senate Bill No. 184.

A bill for an Act to provide for the payment of costs and expenses in extradition cases brought under the Laws of the United States on application of the governor of this state.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the emergency clause.

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

Senate Bill No. 286.

A bil for an Act authorizing the Secretary of State to contract with the Lawyer's Co-operative Publishing Company of Rochester, New York, to publish a compiled edition of the Laws of North Dakota.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

Senate Bill No. 117.

A bill for an Act relating to the enforcement of liens for storage of personal property and charges thereon.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A Bill," and insert in lieu thereof the following:

For an act relating to the enforcement of liens for storage of personal property and charges thereon.

*Be it Enacted by the Legislative Assembly of the State of*

*North Dakota:*

Section 1. Enforcement of Lien.) If the sum secured by any lien held by any storage company or warehouseman, under the laws of this state, for storing, keeping, caring for or insuring personal property, or for charges advanced and legal interest thereon, is not paid within four months after it becomes due, the lienholder may advertise and sell the

property held, at public auction, to the highest bidder, for cash. Notice of such sale shall be given by publication once, at least fifteen days prior to the day of sale, in a newspaper published at the place of sale, if there is one. Otherwise in any newspaper published in the county in which the sale is to be made, and if no newspaper is published in such county, notice shall be given by posting the same in five public places in such county for at least fifteen days prior to the day of sale. The lienholder shall also cause a copy of such notice to be personally served upon the owner, or person from whose possession such property was received, if he reside within the county, at least fifteen days before the day of sale. In lieu of such personal service the lienholder may, and in all cases where the depositor does not reside within the county, he shall make service of such notice by sending a copy thereof by registered mail directed to the depositor at the address given by him to the lienholder at the time the property to be sold was deposited at least fifteen days before the day of sale and the registry receipt so obtained, shall be filed with the report of sale herein provided.

Sec. 2. Contents of Notice.) Such notice shall specify the name of the depositor, the time, terms, place of sale, description of the property to be sold, the amount which will be due at the date of sale, exclusive of costs, and the basis of the lien.

Sec. 3. Sale.) The property shall be sold at the place designated by the board of county commissioners for the sale of chattels as provided by Chapter 127, Laws of 1909, and no more shall be sold than is necessary to pay the charges due thereon, together with the costs of sale.

Sec. 4. Proceeds of Sale.) Out of the proceeds of the sale there shall be paid, first, the expenses of the sale, including publication fees and costs of service, if any, and, second, the total indebtedness then secured by the lien. The remainder, if any, shall be paid to the person entitled thereto.

Sec. 5. Report of Sale.) Within ten days after the sale of any property as herein provided, the person making the sale shall make out in writing a full report under oath of all the proceedings of such sale, specifying particularly the property sold, the amount received therefor, the amount of the costs and expenses, itemized and the disposition made by him of the proceeds of the sale and shall file the same in the office of the register of deeds of the county where the property was deposited and sold, which report, shall be receiv-

ed in all courts as prima facie evidence of the facts therein stated.

Sec. 6. Emergency.) Whereas, there is now no adequate provision for the enforcement of liens for storage of goods, an emergency exists, and this Act shall take effect and be in force from and after its passage and approval.

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

Senate Bill No. 232.

A bill for an Act to amend Section 7497 of the Revised Codes of North Dakota for the year 1905, relating to the time allowed and specifying the mode of cancelling land contracts.

Have had the same under consideration and recommend that the same be amended as follows:

In line 14 of the printed bill after the word "terminated" add the following: "and the right, title and interest of such vendee, purchaser or his assigns in the land involved shall thereupon cease."

Strike out the last three words of line 20 and all of lines 21, 22 and 23 of the printed bill.

Strike out all of Section 2 of the printed bill and insert in lieu thereof the following:

"Section 2. A copy of the notice with proof of service thereof, and an affidavit of the vendor, his agent or attorney, showing that the purchaser has not complied with the terms of the notice, may be recorded with the Register of Deeds, and shall be prima facie evidence of the facts therein stated."

Strike out Section 3 and insert in lieu thereof the following:

“Section 3. All Acts or parts of Acts in conflict with this Act are hereby repealed.”

And when so amended recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 253.

A bill for an Act fixing the terms of Court in the Twelfth  
Judicial District.

Have had the same under consideration and recommend  
that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 292.

A bill for an Act to amend and re-enact Chapter 168 of  
the Session Laws of 1911 relating to the Tenth Judicial Dis-  
trict.

Have had the same under consideration and recommend  
that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and  
The report was adopted.

INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS.

Mr. Jacobsen introduced

Senate Bill No. 308.

A bill for an Act to amend and re-enact Section 273 of Chapter 266 of the Session Laws of 1911, relating to teachers' institutes and training schools.

Which was read the first and second times and  
Referred to the committee on education.

Mr. Duncan introduced

Senate Bill No. 309.

A bill for an Act to legalize acts and proceedings of county commissioners in calling and giving notices of general or special elections and to legalize such general or special elections attempted held pursuant to such calls and notices, under the provisions of Chapter 265 of the Session Laws of 1911.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Albrecht introduced

Senate Bill No. 310.

A bill for an Act to amend and re-enact Sections 232 and 269 of Chapter 266 of the Session Laws of 1911, relating to school age, who exempt from compulsory attendance, and teachers' register, what to contain.

Which was read the first and second times and  
Referred to the committee on education.

Mr. Overson introduced

Senate Bill No. 311.

A bill for an Act declaring the island situated in the Missouri River south of the city of Williston, and all islands that may appear in said river within five miles of said city, state parks.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Hookway introduced

Senate Bill No. 312.

A bill for an Act to amend and re-enact Section 3 of Chapter 76 of the Session Laws of the State of North Dakota for the year 1909, relating to terms of court in the Ninth Judicial District.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Englund introduced

Senate Bill No. 313.

A bill for an Act to require express companies and other common carriers to keep displayed printed schedules of rates and charges and amendments thereto, prohibiting excessive charges, and providing penalty for violations thereof.

Which was read the first and second times and  
Referred to the committee on railroads.

Mr. Overson introduced

Senate Bill No. 314.

A bill for an Act legalizing the action of register of deeds and county commissioners in paying or authorizing the payment of extra clerk hire in register of deeds' office when said payment was made in good faith.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Bonzer introduced

Senate Bill No. 315.

A bill for an Act providing for the labeling of meats from animals affected with contagious or infectious disease and prescribing a penalty for violations thereof.

Which was read the first and second times and  
Referred to the committee on public health.

Mr. Davis introduced

Senate Bill No. 316.

A bill for an Act to amend Section 1531, Chapter 20, of the Revised Codes of 1905, entitled "State Board of equalization, how constituted. Meetings. Rules."

Which was read the first and second times and  
Referred to the committee on state affairs.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 29.

A bill for an Act to amend Section 2864 of the Revised Codes of North Dakota for 1905, as amended by Chapter 186 of the Session Laws of 1905, and re-amended by Chapter 268 of the Session Laws of 1907, relating to the general powers of the boards of trustees of incorporated villages.

Was read the third time.

Mr. Bronson offered the following amendment to Senate Bill No. 29 and moved its adoption.

At the end of Section 20, after the word "same," add the following: "provided, however, that all franchises granted pursuant to the provisions of this Act shall not be deemed exclusive or irrevocable, but subject to the regulatory powers of the board of trustees herein."

Which motion prevailed and  
The amendment was adopted.

Mr. Hyland offered the following amendment to Senate Bill No. 29 and moved its adoption:

On page 5, line 97 of the printed bill, insert after the word "bicycles" the words "motorcycles, automobiles."

Which motion was lost.

The question being on the final passage of the bill as amended.

The roll was called and there were 49 ayes, no nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Carter	Ellingson
Allen	Cashel	Englund
Barnes	Clark	Ganssle
Bond	Davidson	Garden
Bonzer	Duncan	Gilbens
Bronson	Elken	Gilbert

Messrs.—  
 Gronvold  
 Hanley  
 Heckle  
 Helgeland  
 Hookway  
 Hoverson  
 Hughes  
 Hyland  
 Jacobsen  
 Kretschmar  
 Leutz

Messrs.—  
 Linde  
 Loftsgaard  
 McBride  
 McDowell  
 McLean  
 Mudgett  
 Nelson  
 Overson  
 Plain  
 Porterfield  
 Putnam

Messrs.—  
 Steel  
 Talcott  
 Thoreson  
 Trageton  
 Turner  
 Vail  
 Wartner  
 Williams  
 Young

Absent and not voting, Mr. Davis.

So the bill passed and the title was agreed to.

There being no objection, the Senate returned to the eighth order of business and

Mr. Talcott moved

That House Bills Nos. 28 and 261 be returned to the House as per request thereof.

Which motion prevailed.

Senate Bill No. 236.

A bill for an Act to create a state board of education and to amend Chapter 266 of the Session Laws of 1911, relating to state board of examiners, and to repeal Sections 243, 244 and 245 of Chapter 266; and to amend Chapter 265 of the Laws of 1911, relating to a state agricultural and training school board, and to amend Chapter 65 of the Session Laws of 1911, relating to state aid to rural and consolidated schools.

Was read the third time.

Mr. Hoverson offered the following amendments to Senate Bill No. 236 and moved their adoption:

In Section 4, page 3, line 3, after the word "at" strike out the words "one of the."

In Section 4, page 3, line 4, strike out the four first words: "state educational institutions, at" and comma.

In Section 4, page 3, line 4, strike out the four last words: "or at such place."

In Section 4, page 3, line 5, strike out the first words, "as the board may determine."

In Section 4, page 3, line 7, after the word "given," strike out the comma and the words "and which may be held at any place within the."

In Section 4, page 3, line 8, strike out the first word, "state."

Which motion was lost.

Mr. Carter offered the following amendment to Senate Bill No. 236, and moved its adoption:

In line 15 of the committee amendment strike out the comma between the word "state" and the word "rural."

Which motion prevailed and

The amendment was adopted.

At the request of Mr. Carter, Mr. Talcott, chairman of the committee on education, made the following statement in regard to the committee's amendment to Senate Bill No. 236:

"There has been no mention made at the meetings of the educational committee, nor to my knowledge is there any intent in inserting this amendment into the proposed state educational bill, that the board of education if this bill becomes a law, has any supervision whatsoever over the curriculum of the state institutions and further, your educational committee is not putting jokers into the educational legislation that comes before it."

Mr. Talcott offered the following amendment to Senate Bill No. 236, and moved its adoption:

In line 2, page 2, Section 3 of the printed bill, after the word "from" insert the words "the state, county, or."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Duncan	Hookway
Allen	Elken	Hoverson
Barnes	Ellingson	Hughes
Bond	Ganssle	Hyland
Bonzer	Garden	Jacobsen
Bronson	Gilbert	Kretschmar
Carter	Gronvold	Leutz
Cashel	Hanley	Linde
Clark	Heckle	Loftsgaard
Davidson	Helgeland	McBride

Messrs.—  
 McDowell  
 McLean  
 Mudgett  
 Nelson  
 Overson  
 Plain

Messrs.—  
 Porterfield  
 Putnam  
 Steel  
 Talcott  
 Thoreson  
 Trageton

Messrs.—  
 Turner  
 Vail  
 Wartner  
 Williams  
 Young

Absent and not voting:

Messrs.—  
 Davis

Messrs.—  
 Englund

Messrs.—  
 Gibbens

So the bill passed and the title was agreed to.

Mr. Talcott moved

That the vote by which Senate Bill No. 236 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Secretary announced that the President was about to sign:

House Bill No. 78.

A bill defining bootlegging, making it a crime, and fixing the punishment therefor.

House Bill No. 129.

A bill for an Act to amend Section 2478 of the Revised Codes of 1905, relating to partial payment of taxes.

And the President signed the same in the presence of the Senate.

The President pro tempore presiding.

Senate Bill No. 291.

A bill for an Act to amend and re-enact Section 4610 of the Revised Codes of 1905, as amended by Chapter 56 of the Session Laws of 1907, relating to building and loan associations.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	Nelson
Allen	Heckle	Overson
Barnes	Helgeland	Plain
Bond	Hookway	Porterfield
Bonzer	Hoverson	Putnam
Bronson	Hughes	Steel
Carter	Hyland	Talcott
Cashel	Jacobsen	Thoreson
Clark	Kretschmar	Trageton
Davidson	Leutz	Turner
Duncan	Linde	Vail
Elken	Loftsgaard	Wartner
Ellingson	McBride	Williams
Ganssle	McDowell	Young
Garden	McLean	
Gilbert	Mudgett	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Davis	Gibbens	Gronvold
Englund		

So the bill passed and the title was agreed to.

Mr. Jacobsen moved

That the vote by which Senate Bill No. 291 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 256.

A bill for an Act to require persons selling or disposing of second-hand furniture to disinfect the same before offering such furniture for sale or exchange.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 40 ayes, 4 nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Duncan	Hanley
Barnes	Ellingson	Heckle
Bonzer	Ganssle	Helgeland
Bronson	Garden	Hookway
Carter	Gibbens	Hoverson
Cashel	Gilbert	Hyland
Davis	Gronvold	Jacobsen

Messrs.— Leutz Linde Loftsgaard McBride McDowell McLean Mudgett	Messrs.— Nelson Overson Plain Porterfield Putnam Talcott Thoreson	Messrs.— Frageton Turner Vail Wartner Williams
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Those voting in the negative were:

Messrs.— Bond Clark	Messrs.— Davidson	Messrs.— Young
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Absent and not voting:

Messrs.— Albrecht Elken	Messrs.— Englund Hughes	Messrs.— Kretschmar Steel
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So the bill passed.

Mr. Garden moved

That the title to Senate Bill No. 256 be amended to read as follows:

“For an Act to require dealers selling or disposing of second-hand furniture or wearing apparel to disinfect same before offering same for sale.”

Which motion prevailed and

The amendment was adopted.

So the title as amended was agreed to.

Senate Bill No. 161.

A bill for an Act requiring railroad companies to line and cooper cars tendered for grain shippers.

Was read the third time.

Mr. Vail offered the following amendments to Senate Bill No. 161 and moved their adoption:

In Section 1, line 3 of the printed bill, after the word “grain,” insert the words “flour or flour mill products.”

In Section 1, line 5, of the printed bill, after the word “grain,” insert the words “flour or flour mill products.”

In Section 1, line 8 of the printed bill, after the word “grain,” insert the words “flour or flour mill products.”

In Section 1, line 11 of the printed bill, after the word “grain,” insert the words “flour or flour mill products.”

Which motion prevailed and  
The amendments were adopted.

The question being on the final passage of the bill, as amended.

The roll was called and there were 45 ayes, 1 nay, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gibbens	McLean
Barnes	Gilbert	Mudgett
Bond	Gronvold	Nelson
Bonzer	Hanley	Overson
Bronson	Heckle	Plain
Carter	Helgeland	Porterfield
Cashel	Hoverson	Putnam
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Duncan	Jacobsen	Trageton
Elken	Leutz	Turner
Ellingson	Linde	Vail
Englund	Loftsgaard	Wartner
Ganssle	McBride	Williams
Garden	McDowell	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Kretschmar	Steel
Davis		

Mr. Hookway voted in the negative.  
So the bill passed.

Mr. Vail moved

That the title to Senate Bill No. 161 be amended as follows:

After the words "grain shippers" insert the words "and shippers of flour and flour mill products."

Which motion prevailed and

The amendment was adopted.

So the title as amended was agreed to.

The President presiding.

Senate Bill No. 270.

A bill for an Act to amend Section 2272 of the Revised Codes of the State of North Dakota for the year 1905, relating to the storage of unclaimed goods, wares and merchandise carried by railroads and transportation companies.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gibbens	Mudgett
Barnes	Gilbert	Nelson
Bond	Gronvold	Overson
Bonzer	Hanley	Plain
Bronson	Heckle	Porterfield
Carter	Helgeland	Putnam
Cashel	Hookway	Steel
Clark	Hoverson	Talcott
Davidson	Hughes	Thoreson
Davis	Hyland	Trageton
Duncan	Jacobsen	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Englund	Loftsgaard	Williams
Ganssle	McDowell	Young
Garden	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Kretschmar	McBride

So the bill passed and the title was agreed to.

There being no objection, the Senate returned to the sixth order of business, and

A majority of the committee on railroads made the following report:

*Mr. President:*

A majority of your committee on railroads to whom was referred

Senate Bill No. 99.

A bill for an Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. F. GILBERT,  
 E. A. HUGHES,  
 N. O. YOUNG,  
 JAMES DUNCAN,  
 H. P. JACOBSEN,  
 W. L. CARTER,  
 J. A. ENGLUND,  
 HENRY MCLEAN,

A minority of the committee on railroads made the following report:

*Mr. President:*

A minority of your committee on railroads to whom was referred

Senate Bill No. 99.

A bill for an Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains.

Have had the same under consideration and recommend that the same do pass:

C. W. HOOKWAY,  
MARTIN THORESON,  
M. L. MCBRIDE,

Mr. Gilbert moved

That the majority report of the committee on railroads to indefinitely postpone Senate Bill No. 99 be adopted.

Mr. Hookway moved

As a substitute that the minority report of the committee on railroads to pass Senate Bill No. 99 be adopted.

Roll call demanded, and

The question being on the adoption of the minority report.

The roll was called and there were 32 ayes, 15 nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gronvold	Porterfield
Barnes	Heckle	Putnam
Bond	Helgeland	Steel
Bonzer	Hookway	Talcott
Bronson	Hoverson	Thoreson
Cashel	Hyland	Trageton
Clark	Loftsgaard	Turner
Davis	McBride	Vail
Elken	McDowell	Wartner
Ellingson	Mudgett	Williams
Garden	Nelson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Carter	Duncan	Gibbens
Davidson	Ganssle	Gilbert

Messrs.—  
Hanley  
Hughes  
Jacobsen

Messrs.—  
Leutz  
Linde  
McLean

Messrs.—  
Overson  
Plain  
Young

Absent and not voting:

Messrs.—  
Albrecht

Messrs.—  
Englund

Messrs.—  
Kretschmar

So the minority report was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., February 20, 1913.

*Mr. President:*

I have the honor to inform you that the House requests the return of House Bill No. 318.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Overson moved

That the request of the House asking for the return of House Bill No. 318 be granted.

Which motion prevailed.

Mr. Linde moved

That Senate Bill No. 84 be recalled from the committee on taxes and tax laws and re-referred to the committee on ways and means.

Which motion prevailed and

The bill was so re-referred.

Mr. Linde moved

That Senate Bill No. 264 be recalled from the committee on taxes and tax laws and re-referred to the committee on ways and means.

Which motion prevailed and

The bill was so re-referred.

FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 119.

A bill for an Act authorizing the court or judge to re-

move officers for misfeasance, malfeasance or nonfeasance in office, and providing the method of procedure therefor.

Was read the first and second time and

Referred to the committee on judiciary.

House Bill No. 159.

A bill for an Act to amend Section 2607 of the Revised Codes of North Dakota for 1905, relating to coroner fees.

Was read the first and second time and

Referred to the committee on state affairs.

House Bill No. 282.

A bill for an Act to amend Sections 921, 923, 924, 925, 928 and 933 of the Revised Codes of the State of North Dakota of 1905, relating to city and school depositories.

Was read the first and second time and

Referred to the committee on education.

House Bill No. 350.

A bill for an Act to avoid the expense of selling land or lots for a trivial tax.

Was read the first and second time and

Referred to the committee on ways and means.

House Bill No. 329.

A bill for an Act providing for the proper identification of persons charged with the commission of a public offense.

Was read the first and second time and

Referred to the committee on state affairs.

House Bill No. 264.

A bill for an Act providing for failure to close gates on private roadways.

Was read the first and second time and

Referred to the committee on ways and means.

House Bill No. 395.

A bill for an Act to provide that notice of foreclosure of mortgages upon personal property shall be given to the county.

Was read the first and second time and  
Referred to the committee on judiciary.

House Bill No. 380.

A bill for an Act entitled "An Act authorizing private associations or organizations to work upon and improve the public roads at their own expense and to name said roads under the authority and with the approval of the county commissioners of the various counties.

Was read the first and second time and  
Referred to the committee on highways and bridges.

House Bill No. 410.

A bill for an Act to amend and re-enact Section 7119 of the Revised Codes of North Dakota for 1905, relating to exemptions.

Was read the first and second time and  
Referred to the committee on judiciary.

House Bill No. 245.

A bill for an Act to amend Section 7575 of the Revised Codes of North Dakota for A. D. 1905 and prescribing the instances where the right of eminent domain may be exercised for public uses.

Was read the first and second time and  
Referred to the committee on judiciary.

House Bill No. 256.

A bill for an Act providing for a bounty for and defining shelter hedges.

Was read the first and second time and  
Referred to the committee on agriculture.

House Bill No. 343.

A bill for the relief of Company L, First Regiment, North Dakota National Guard Training School, a corporation.

Was read the first and second time and  
Referred to the committee on military affairs.

House Bill No. 37.

A bill for an Act making an appropriation for the Dick-

inson Experiment Station, located in the city of Dickinson.

Was read the first and second time and

Referred to the committee on appropriations.

House Bill No. 179.

A bill for an Act appropriating money for the maintenance and protection of the Military Wood Reservation in Ramsey County, North Dakota.

Was read the first and second time and

Referred to the committee on appropriations.

House Bill No. 255.

A bill for an Act to amend and re-enact Chapter 41 of the Session Laws of 1907, Chapter 308 of the Session Laws of 1911 and Section 2083 of the Revised Codes of 1905, relating to the planting of trees and providing a bounty for the encouragement of same.

Was read the first and second time and

Referred to the committee on agriculture.

House Bill No. 226.

A bill for an Act authorizing the Supreme Court of North Dakota to direct the Bar Association of North Dakota to institute legal proceedings for the disbarment, or other discipline, of practicing attorneys of the State of North Dakota, providing for the payment of counsel in the conduct of such disbarment proceedings and authorizing the Supreme Court to fix the amount and direct the payment thereof.

Was read the first and second time and

Referred to the committee on judiciary.

House Bill No. 339.

A bill for an Act providing for the appointment of a township overseer of highways and his compensation, defining his duties and powers, and providing for the levying and collection of road taxes and their distribution.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, 1 nay, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gibbens	McLean
Barnes	Gilbert	Mudgett
Bonzer	Gronvold	Nelson
Bronson	Hanley	Overson
Carter	Heckle	Porterfield
Cashel	Helgeland	Putnam
Clark	Hookway	Talcott
Davidson	Hoverson	Thoreson
Duncan	Hughes	Trageton
Elken	Hyland	Turner
Ellingson	Jacobsen	Wartner
Englund	Kretschmar	Williams
Ganssle	Leutz	Young
Garden	McBride	

Mr. Loftsgaard voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Linde	Steel
Bond	McDowell	Vail
Davis	McLean	

So the bill passed and the title was agreed to.

Mr. Hyland moved

That the vote by which House Bill No. 339 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The courtesies of the floor were extended to W. H. Wright, H. L. Turner, H. H. Aaker, Hon. T. Twichell, Fargo, N. D.; B. Olson, Ole Bratvold, Fargo, N. D.; O. S. Aaker, Minnewaukon, N. D.; T. F. Fuglestad, Cooperstown, N. D.; John H. Mantz, Anamoose, N. D.; C. F. Brindly, M. R. Wittrup, John L. Kraft, Turtle Lake, N. D.; S. F. Bateman, Park River, N. D.; A. M. Shemo, S. M. Evander, G. O. Hangan, O. S. Aaker, Benson County, N. D.; C. E. Best, W. J. Loomis,

Mr. Thoreson moved

That the Senate do now adjourn.

Which motion prevailed, and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

## FORTY-SIXTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 21, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Elken and Mudgett, who were excused.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., February 21, 1913.

*Mr. President:*

I have the honor to transmit herewith

House Bill No. 408.

A bill for an Act to repeal Section 9202 of the Revised Codes of 1905, as amended by Chapter 43 of the Session Laws of 1907, and Section 9203 of the Revised Codes of 1905.

Also,

House Bill No. 433.

A bill for an Act to amend Section 2548 of the Revised Codes of North Dakota for 1905, relating to the compensation of the public administrator.

Also,

House Bill No. 250.

A bill for an Act making an appropriation to pay F. O. Hellstrom for the use of land for the state penitentiary for the years 1907, 1908, 1909, 1910, 1911, 1912.

Also,

House Bill No. 260.

A bill for an Act making an appropriation for the Williston Experimental Station located at Williston, in Williams County, North Dakota.

Also,

House Bill No. 49.

A bill for an Act making appropriation for the current and contingent expenses of the state penitentiary, and for making permanent improvements and additions thereto.

Also,

House Bill No. 17.

A bill for an Act to provide for the erection of an industrial building and necessary improvements at the school for the deaf and dumb at Devils Lake, N. D., and making an appropriation therefor.

Also,

House Bill No. 184.

A bill for an Act to provide an appropriation for the current and contingent expenses and for the permanent improvements for the state school of science at Wahpeton.

Also,

House Bill No. 300.

A bill for an Act making an appropriation for the mining sub-station at Hebron, Morton County, for the purpose of perfecting the process or formula used in the manufacturing of briquettes.

Also,

House Bill No. 194.

A bill for an Act making an appropriation annually for the support and maintenance of the agricultural sub-experiment station, located at Hettinger, Adams County.

Also,

House Bill No. 374.

A bill for an Act to amend Section 2770 of the Revised Codes of 1905, amended by Chapter 46 of the Laws of North Dakota, A. D. 1907, relating to sidewalk special assessment funds.

Also,

House Bill No. 214.

A bill for an Act to amend Section 1508 of the Revised

Codes of North Dakota of 1905, relating to the assessment of bank stock, and to provide a method for reviewing the same, and to repeal inconsistent provisions.

Also,

House Bill No. 187.

A bill for an Act to amend and re-enact Section 1597 of the Revised Codes of 1905, as amended by Chapter 202, Laws of 1911, relating to duty of county auditor, and requirements of taxes and deeds.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

#### REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the forty-fifth day, have carefully examined the same and recommend that the same be corrected as follows:

On page 13, line 9, correct spelling of the word "prevent."

On page 27, line 6, correct spelling of the word "ports."

On page 38, line 15, correct the spelling of the words "there any."

On page 38, line 17, strike out the words "committee, nor to my knowledge is there any," and insert in lieu thereof "bill, that the board of education if this bill."

On page 45, line 21, correct spelling of word "school."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved  
That the report be adopted.  
Which motion prevailed, and  
The report was adopted.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Hoverson presented a petition signed by H. Franzen and 16 others, protesting against the passage of any bill intending to amend or repeal the present mechanics' lien laws.

Mr. Hoverson presented a petition signed by J. F. Konitzer and 39 others, protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

A petition asking for the passage of Senate Bills Nos. 194 and 195 was received from the North Dakota Dairymen's Association.

#### REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 61.

A bill for an Act to regulate the itinerant vending of medicine, nostrums and appliances for the treatment of disease, injury or deformity in compliance with the pure food law.

And find the same correctly re-engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved  
That the report be adopted.  
Which motion prevailed, and  
The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 67.

A concurrent resolution amending Section 185 of the Constitution of the State of North Dakota, relating to state aid in the construction and improvement of public highways.

And find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The President pro tempore presiding.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 99.

A bill for an Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains.

Also,

Senate Bill No. 117.

A bill for an Act relating to the enforcement of liens for storage of personal property and charges thereon.

Also,

Senate Bill No. 184.

A bill for an Act to provide for the payment of costs and expenses in extradition cases brought under the laws of the United States on application of the governor of this state.

Also,

Senate Bill No. 202.

A bill for an Act to amend and re-enact Section 2171 of the Revised Codes of North Dakota for 1905, relating to automobiles.

Also,

Senate Bill No. 213.

A bill for an Act to amend and re-enact Sections 2198, 2200, 2201 and 2202, Article 41, Chapter 24, of the Revised Codes of 1905, relating to the bonding and licensing of commission merchants.

Also,

Senate Bill No. 232.

A bill for an Act to amend Section 7497 of the Revised Codes of North Dakota for the year 1905, relating to the time allowed, and specifying the mode of cancellation of land contracts.

Also,

Senate Bill No. 253.

A bill for an Act fixing the terms of court in the Twelfth Judicial District.

Also,

Senate Bill No. 255.

A bill for an Act to encourage the creation of farmers' clubs, in order to further the interest of the farmers of this state, educationally, socially and industrially.

Also,

Senate Bill No. 286.

A bill for an Act authorizing the Secretary of State to contract with the Lawyers' Co-operative Publishing Company of Rochester, New York, to publish a compiled edition of the Laws of North Dakota.

Also,

Senate Bill No. 287.

A bill for an Act entitled, "An Act to regulate the distribution of the Laws of the State of North Dakota and compilations and codification thereof."

Also,

Senate Bill No. 292.

A bill for an Act to amend and re-enact Chapter 168 of the Session Laws of 1911, relating to the Tenth Judicial District.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on education made the following report:

*Mr. President:*

Your committee on education to whom was referred House Bill No. 223.

A bill for an act to prohibit the building of a public school house within less than 80 rods from a cemetery, and to prohibit the surveying, platting or laying out of a cemetery within less than 80 rods from a public school house.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. S. TALCOTT,  
Secretary.

Mr. Jacobsen moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred Senate Bill No. 209.

A bill for an Act prohibiting dancing in any elementary, grade or high school building in the State of North Dakota under the public school system of the State of North Dakota, and providing a penalty for the violation thereof.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 2, lines 3 and 4, strike out the words "deemed guilty of a misdemeanor and shall be punished by a fine of," and insert in lieu thereof the word "fined."

Strike out all of Section 4.

And when so amended recommend the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Jacobsen moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 89.

A bill for an Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 7, after the word "stocks" insert the words "or investment."

After the word "or" in the same line, strike out everything to the word "other" in line 8 and insert in lieu thereof the following: "Investment certificates of any corporation foreign or domestic."

In line 10, after "North Dakota," strike out everything to the word "to" in line 11.

In Section 2, line 1, after the word "stocks" insert "or investment."

In line 2, strike out "other securities" and insert in lieu thereof "investment certificates."

In line 3, after the word "persons" add the word "or."

In line 7, strike out the word "bank" and insert in lieu thereof the word "state."

In lines 9 and 10 strike out "two dollars and fifty cents," and insert in lieu thereof "fifteen dollars."

In lines 17, 19, 23 and 27, strike out the words "bank" and insert in lieu thereof the word "state."

In Section 4, line 11, strike out the words "a member" and insert in lieu thereof the words "all the members."

In Section 5, lines 1, 2, 12, 15, 18, 20, 34 and 42, strike out the word "bank" and insert in lieu thereof the word "state."

In line 7 strike out the first word "or" and insert in lieu thereof the word "of."

In line 22 strike out the word "provisions" and insert in lieu thereof the word "provision."

In line 25 strike out the word "and" and insert in lieu thereof the word "or."

In line 26 strike out the second word "and" and insert in lieu thereof the word "or."

In Section 6, in lines 8, 17 and 19, strike out the word "bank" and insert in lieu thereof the word "state."

In Section 7, in lines 4, 5, 9 and 10, strike out the word "bank" and insert in lieu thereof the word "state."

In line 7, after the word "agent" insert the word "until."

In Section 8, in line 9, strike out the word "conditional" and insert in lieu thereof the word "conditioned."

In Section 9, in lines 3, 7 and 10, strike out the word "bank" and insert in lieu thereof the word "state."

In line 13, after the word "year" add the word "or."

In Section 10, in line 9, after the word "stocks" add the word "investment."

In line 10 strike out "other securities" and insert in lieu thereof the words "investment certificates."

Strike out the word "bank" in same line and insert in lieu thereof the word "state."

In Section 11, in lines 1, 5, 6, 8, 13 and 17 strike out the word "bank" and insert in lieu thereof the word "state."

In line 12 strike out the word "five" and insert in lieu thereof the word "fifteen."

In Section 12, in lines 1 and 9 strike out the word "bank" and insert in lieu thereof the word "state."

In line 6, after the word "stocks" insert the word "invest-

ment," strike out "other securities" in same line and insert in lieu thereof "investment certificates."

In line 11, strike out "to the Supreme Court or to the" and insert in lieu thereof the word "to any."

In lines 12 and 13 strike out "where such company is located or is doing business or to a judge of either of said courts" and insert in lieu thereof the following "or a judge thereof."

In Section 13, in line 7, after the word "stocks" insert the word "investment" strike out "other securities" and insert in lieu thereof "investment certificates."

In line 10, strike out the word "and" and insert in lieu thereof the word "or."

In line 12, after the word "penitentiary" add the following: "or by both such fine and imprisonment."

In Section 14, in line 2, after the word "stock" insert the word "investment," strike out "other securities" and insert in lieu thereof "investment certificates."

In line 3, after the word "stock" insert the word "investment," strike out "other securities" in line 4 and insert in lieu thereof "investment certificates."

In line 15, strike out the word "or" and insert in lieu thereof the word "and."

In line 16, after "ninety days" strike out everything to end of section.

In Section 15, in lines 2 and 5, strike out the word "bank" and insert in lieu thereof the word "state."

In line 4, strike out "as hereinafter" and insert in lieu thereof the word "herein."

In line 6, strike out everything after the word "expenses" to the end of the Section and insert in lieu thereof the following: "On duties performed under this Act, shall be audited as other claims against the state and paid out of the special fund herein created."

And when so amended recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on highways and bridges made the following report:

*Mr. President:*

Your committee on highways and bridges to whom was referred

House Bill No. 246.

A bill for an Act providing for the construction, maintenance and repair of wire fences along public highways, and providing for penalties for violations of the provisions of this Act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CHAS. ELLINGSON,  
Chairman.

Mr. Ellingson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on insurance made the following report:

*Mr. President:*

Your committee on insurance to whom was referred

Senate Bill No. 115.

A bill for an Act fixing the time when policies of hail insurance companies shall take effect.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the words "A bill" and insert in lieu thereof the following:

For an Act fixing the time when policies of hail insurance companies shall take effect.

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

Section 1. Every insurance company engaged in the business of insuring against loss by hail in this state, shall be bound, and the insurance shall take effect from and after twenty-four hours from the day and hour the application for such insurance has been taken by the authorized local

agent of said company, and if the company shall decline to write the insurance upon receipt of the application, it shall forthwith notify the applicant and agent who took the application, by registered letter, and in that event, the insurance shall not become effective. *Provided*, that nothing in this Act shall prevent the company from issuing a policy on such application and putting the insurance in force prior to the expiration of said twenty-four hours.

Section 2. No provision herein, however, shall apply to the State Hail Insurance Department.

Section 3. Repeal.) All Acts and parts of Acts in conflict herewith are hereby repealed.

And when so amended recommend the same do pass.

JOHN E. WILLIAMS,  
Chairman.

Mr. Williams moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on agriculture made the following report:

*Mr. President:*

Your committee on agriculture to whom was referred  
Senate Bill No. 279.

A bill for an Act to promote forest tree culture and providing for a bounty for tree planting and the levy of a tax to pay such bounty.

Have had the same under consideration and recommend that the same be amended as follows:

That the word "two" in line 5 of Section 5, be stricken out and the word "one" substituted therefor, and the letter "s" in the word "mills" in the same line and Section be stricken out.

And when so amended recommend the same do pass.

JAMES DUNCAN,  
Chairman.

Mr. Duncan moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS.

Mr. Gronvold introduced

Senate Bill No. 317.

A bill for an Act to establish a legislative drafting bureau in connection with the legislative reference department of the state library commission.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Bronson introduced

Senate Bill No. 318.

A bill for an Act authorizing county drainage boards to refund illegal penalties and interest, prior to the passage of this Act paid on delinquent drainage assessments levied prior to July 1, 1911.

Which was read the first and second times and

Referred to the committee on irrigation and drainage.

The Committee on State Affairs introduced

Senate Bill No. 319.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the establishment and location of a state hospital for the insane and institution for the feeble-minded in connection therewith.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Englund introduced

Senate Bill No. 320.

A bill for an Act providing for one-half merchandise rates to be charged for the transportation of machinery and repairs or parts for machinery and prescribing a penalty for the violation thereof.

Which was read the first and second times and

Referred to the committee on railroads.

A communication recommending the enactment into law of Senate Bill No. 4 was received from the volunteer fire department of the city of Larimore, and on motion of Mr. Trageton was referred to the committee on insurance.

Mr. Trageton presented a petition from stallion owners of the Fifth Legislative District favoring and recommending the proposed legislation offered by the State Stallion Registration Board.

### THIRD READING OF SENATE BILLS.

#### Senate Bill No. 271.

A bill for an Act to amend and re-enact Sections 4395 of the Revised Codes of North Dakota for 1905, as amended by chapter 51, Section 51, Session Laws of 1907, relating to the maximum freight rate on coal and briquettes, and defining the term briquettes.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gilbert	McLean
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Thoreson
Davis	Hyland	Trageton
Duncan	Jacobsen	Turner
Ellingson	Kretschmar	Vail
Englund	Leutz	Wartner
Ganssle	Loftsgaard	Williams
Garden	McBride	Young

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Davidson	Linde	Talcott
Elken	Mudgett	

Messrs. Elken and Mudgett being excused.

So the bill passed and the title was agreed to.

#### Senate Bill No. 255.

A bill for an Act to encourage the creation of Farmers' Clubs in order to further the interest of the farmers in this state educationally, socially and industrially.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hookway	Steel
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Davidson	Hyland	Trageton
Davis	Jacobsen	Turner
Duncan	Kretschmar	Vail
Ellingson	Leutz	Wartner
Englund	Loftsgaard	Williams
Ganssle	McBride	Young
Garden	McDowell	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Elken	Linde	Mudgett

Messrs. Elken and Mudgett being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 61.

A bill for an Act to regulate the itinerant vending of medicines, nostrums and appliances for the treatment of disease, injury or deformity in compliance with the Pure Food Law.

Was read the third time.

Mr. Wartner offered the following amendment to Senate Bill No. 61 and moved its adoption:

Strike out the word "itinerant" wherever the same may occur in the bill.

Which motion was lost.

Mr. Bronson offered the following amendment to Senate Bill No. 61 and moved its adoption:

Strike out all of Section 2 of the bill.

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 24 ayes, 20 nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bond	Garden	McDowell
Carter	Gilbert	Nelson
Cashel	Gronvold	Overson
Clark	Heckle	Porterfield
Davis	Helgeland	Steel
Ellingson	Hookway	Talcott
Ganssle	Leutz	Trageton
	McBride	Vail

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gibbens	Putnam
Barnes	Hanley	Thoreson
Bortzer	Hoverson	Turner
Bronson	Hyland	Wartner
Davidson	Loftsgaard	Williams
Duncan	McLean	Young
Englund	Plain	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Elken	Jacobsen	Linde
Hughes	Kretschmar	Mudgett

Messrs. Elken and Mudgett being excused.

So the bill was lost.

Mr. Hanley gave notice that on Monday he would move for a reconsideration of the vote by which Senate Bill No. 61 was lost.

Mr. Wartner moved

That the Senate do now go into executive session.  
Which motion prevailed and

The Senate went into executive session.

#### OPEN SESSION.

Mr. Plain presiding.

There being no objection the Senate returned to the eighth order of business, and

Mr. Talcott moved

That House Bill No. 294, messaged to the House, on the report of the committee for indefinite postponement, be returned to the Senate.

Which motion prevailed.

Which motion prevailed.

Senate Bill No. 213.

A bill for an Act to amend and re-enact Sections 2198, 2200, 2201 and 2202, Article 41, Chapter 24 of the Revised Codes of 1905, relating to the bonding and licensing of commission merchants.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Thoreson
Clark	Hyland	Trageton
Davidson	Jacobsen	Turner
Davis	Kretschmar	Vail
Duncan	Linde	Wartner
Ellingson	Linde	Williams
Englund	Loftsgaard	Young
Ganssle	McBride	
Garden	McDowell	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Elken	Mudgett	Talcott
Gilbert		

Messrs. Elken and Mudgett being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 202.

A bill for an Act to amend and re-enact Section 2171 of the Revised Codes of North Dakota for 1905 relating to automobiles.

Was read the third time.

Mr. Jacobsen offered the following amendment to Senate Bill No. 202 and moved its adoption:

In line 11 of the printed bill, after the word "forward," strike out the words "and at least one lighted lamp in the

rear so as to show a red light visible in the reverse direction."

Which motion was lost.

Mr. Hanley offered the following amendment to Senate Bill No. 202 and moved its adoption:

Strike out the word "white" at the end of line 10 of the printed bill.

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 38 ayes, 9 nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gibbens	Overson
Barnes	Gilbert	Plain
Bond	Hanley	Porterfield
Bonzer	Heckle	Putnam
Bronson	Helgeland	Steel
Cashel	Hoverson	Talcott
Clark	Hyland	Thoreson
Davidson	Kretschmar	Trageton
Davis	Loftsgaard	Turner
Duncan	McBride	Vail
Ellingson	McDowell	Wartner
Ganssle	McLean	Williams
Garden	Nelson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hookway	Leutz
Carter	Hughes	Linde
Gronvold	Jacobsen	Young

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Elken	Englund	Mudgett

Messrs. Elken and Mudgett being excused.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., February 21, 1913.

*Mr. President:*

I have the honor to return House Bill No. 294, as requested by the Senate.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Talcott moved that the vote by which the report of the committee on House Bill No. 294 was adopted be reconsidered.

Which motion prevailed.

Mr. Talcott moved

That House Bill No. 294 be re-referred to the committee on agriculture.

Which motion prevailed, and

The bill was so re-referred.

Senate Bill No. 286.

A bill for an Act authorizing the Secretary of State to contract with the Lawyer's Co-operative Publishing Company of Rochester, New York, to publish a compiled edition of the Laws of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, no nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Overson
Allen	Gronvold	Plain
Barnes	Heckle	Porterfield
Bond	Helgeland	Putnam
Bonzer	Hookway	Steel
Bronson	Hoverson	Talcott
Carter	Hughes	Thoreson
Cashei	Hyland	Trageton
Clark	Jacobsen	Turner
Davidson	Kretschmar	Vail
Davis	Leutz	Wartner
Duncan	Linde	Williams
Englund	Loftsgaard	Young
Ganssle	McDowell	
Garden	McLean	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Elken	Hanley	Nelson
Ellingson	McBride	
Gibbens	Mudgett	

Messrs. Elken and Mudgett being excused.

So the bill passed and the title was agreed to.

Mr. Overson moved

That Senate Bill No. 287 be now placed on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 287.

A bill for an Act entitled, "An Act to regulate the distribution of the Laws of the State of North Dakota, and compilation and codification thereof."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, no nays, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McLean
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hookway	Talcott
Cashel	Hoverson	Thoreson
Clark	Hyland	Trageton
Davidson	Jacobsen	Turner
Duncan	Kretschmar	Vail
Ellingson	Leutz	Wartner
Englund	Linde	Williams
Ganssle	Loftsgaard	Young
Garden	McDowell	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Allen	Gibbens	Mudgett
Davis	Hughes	Nelson
Elken	McBride	Steel

Messrs. Elken and Mudgett being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 184.

A bill for an Act to provide for the payment of costs and expenses in extradition cases brought under the laws of the United States on application of the Governor of this state.

Was read the third time.

Mr. Hookway offered the following amendment to Senate Bill No. 184 and moved its adoption:

In line 1 of Section 1 of the printed bill strike out the words "which have been or" and insert in lieu thereof the word "that."

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, 2 nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Overson
Allen	Gronvold	Plain
Barnes	Heckle	Porterfield
Bond	Helgeland	Putnam
Bonzer	Hoverson	Talcott
Bronson	Hughes	Thoreson
Carter	Hyland	Trageton
Cashel	Jacobsen	Turner
Clark	Kretschmar	Vail
Duncan	Leutz	Wartner
Ellingson	Loftsgaard	Williams
Englund	McBride	Young
Ganssle	McDowell	Nelson
Garden	McLean	

Messrs. Hookway and Linde voted in the negative.

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Davidson	Gibbens	Mudgett
Davis	Hanley	
Elken	Steel	

Messrs. Elken and Mudgett being excused.

So the bill passed and the title was agreed to.

The President pro tempore presiding.

Senate Bill No. 117.

A bill for an act relating to the enforcement of liens for storage of personal property and charges thereon.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 40 ayes, no nays, 10 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	McLean
Allen	Heckle	Nelson
Barnes	Helgeland	Overson
Bond	Hookway	Steel
Bonzer	Hoverson	Talcott
Bronson	Hughes	Thoreson
Carter	Hyland	Trageton
Cashel	Jacobsen	Turner
Clark	Kretschmar	Vail
Davidson	Leutz	Wartner
Duncan	Linde	Williams
Ganssle	Loftsgaard	Young
Gilbert	McBride	
Gronvold	McDowell	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Davis	Garden	Porterfield
Elken	Gibbens	Putnam
Ellingson	Mudgett	
Englund	Plain	

Messrs. Elken and Mudgett being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 232.

A bill for an Act to amend Section 7497 of the Revised Codes of North Dakota for the year 1905, relating to the time allowed and specifying the mode of cancellation of land contracts.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, no nays, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	McDowell
Allen	Hanley	McLean
Barnes	Heckle	Overson
Bond	Helgeland	Plain
Bonzer	Hookway	Steel
Bronson	Hoverson	Talcott
Carter	Hughes	Thoreson
Cashel	Hyland	Trageton
Clark	Jacobsen	Turner
Davidson	Kretschmar	Vail
Duncan	Leutz	Wartner
Ganssle	Linde	Williams
Gibbens	Loftsgaard	Young
Gilbert	McBride	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Davis	Englund	Nelson
Elken	Garden	Porterfield
Ellingson	Mudgett	Putnam

Messrs. Elken and Mudgett being-excused.

So the bill passed and the title was agreed to.

Senate Bill No. 253.

A bill for an Act fixing the terms of Court in the Twelfth Judicial District.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McDowell
Allen	Gronvold	McLean
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Englund	Leutz	Vail
Ganssle	Linde	Wartner
Garden	Loftsgaard	Williams
Gibbens	McBride	Young

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Davis	Ellingson	Nelson
Elken	Mudgett	

Messrs. Elken and Mudgett being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 99.

A bill for an Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains.

Was read the third time.

Mr. Jacobsen offered the following amendment to Senate Bill No. 99 and moved its adoption:

Strike out all of Section 1 of the bill.

Which motion was lost.

Mr. Jacobsen offered the following amendments to Senate Bill No. 99 and moved their adoption:

In Section 1, lines 9 and 10 of the printed bill, also in Section 2, lines 9 and 10 of the printed bill, and in Section 3, lines 8 and 9 of the printed bill, strike out the words "such flagman to have at least one year's experience in train service."

Which motion prevailed, and

The amendments were adopted.

The question being on the final passage of the bill.

The roll was called and there were 22 ayes, 24 nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Hanley	Talcott
Barnes	Heckle	Thoreson
Bond	Helgeland	Trageton
Bronson	Hookway	Turner
Clark	Hyland	Wartner
Ellingson	McBride	Williams
Garden	Porterfield	
Gronvold	Steel	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Carter	Gilbert	McLean
Cashel	Hoverson	Nelson
Davidson	Hughes	Overson
Davis	Jacobsen	Plain
Duncan	Leutz	Putnam
Englund	Linde	Vail
Ganssle	Loftsgaard	Young

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Bonzer	Kretschmar	Mudgett
Elken		

Messrs. Elken and Mudgett being excused.

So the bill was lost.

Mr. Hughes moved

That the vote by which Senate Bill No. 99 was lost, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

There being no objection the Senate returned to the sixth order of business, and

The committee on appropriations made the following report:

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 178.

A bill for an Act making an appropriation for carrying out provisions of law relating to the duties of the commissioner of agriculture and labor.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3, Section 0, page 3, of the printed bill, strike out the word "fifty" and insert in lieu thereof the word "fifteen."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 158.

A bill for an Act to repeal Chapters 132 and 133 of the Session Laws of 1907, and Chapter 139 of the Session Laws of 1909, relating to the Historical Society of North Dakota and making an appropriation.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the emergency clause.

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred  
Senate Bill No. 167.

A bill for an Act providing for the making of necessary  
repairs upon the executive mansion and making appro-  
priation therefor.

Have had the same under consideration and recommend  
that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred  
Senate Bill No. 119.

A bill for an Act to provide for the maintenance of free  
employment offices under the supervision of the commis-  
sioner of agriculture and labor, during the months of July,  
August and September of each year.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 169.

A bill for an Act appropriating the sum of \$2,500 for the Billings County Fair to be held at Beach, North Dakota, in the fall of 1913.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 193.

A bill for an Act authorizing the governor of the State of North Dakota to employ chartered public accountants to examine, audit and check the accounts of the several departments of the state government, etc.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of Section 4, page 13 of the Journal of the forty-second day, change "July 1st, 1913" to "July 1st, 1914."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 44.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 of Chapter 35 of the Session Laws of the year 1911, of the State of North Dakota, being an Act to encourage elementary education in North Dakota, and appropriate money therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In line 17, Section 6, page 7, strike out the amended word "twelve" and insert in lieu thereof the word "fifteen." Line 34, page 8, after the word "month" strike out the rest of the Section. Line 9, Section 12, page 12, strike out the words "and assistant." Line 10, strike out amended words "forty-three" and insert in lieu thereof the words "two thousand." Line 10, strike out the amended figures "\$4,300" and insert in lieu thereof the figures "\$2,000." Line 11, strike out last word. Line 12, strike out the words "the assistants," also amended word "twenty-two" and insert in lieu thereof the word "fifteen." Line 12, strike out amended figures "\$2,200" and insert the figures "\$1,500."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 51.

A bill for an Act to amend and re-enact Sections 1031, 1032, 1033, 1034, 1035, 1036, 1037 of the Revised Codes of

1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907 and Chapter 267 of the General Laws of 1911; and to amend Sections 1, 2, 3, 4, 5 of Chapter 40 of the General Laws of 1911, and to repeal Sections 6, 7, 8, 9, 10, 11, of Chapter 40 of the General Laws of 1911.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3, Section 4, page 4, after the words "two thousand" strike out the amended word "five hundred."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 282.

A bill for an Act to provide for the collection, arrangement and display of the products and resources of the State of North Dakota at the Centennial Exposition to be held in Christiania, Norway, in 1914, and providing for a board of commissioners therefor, and making an appropriation for such purpose.

Have had the same under consideration and recommend that the same be amended as follows:  
such purpose.

In line 3, Section 1, after "1914" strike out "and to induce." Strike out line 4 and first four letters in line 5. Strike out Section 8. In line 2, Section 5, strike out the word "twenty-five" and insert in lieu thereof the word "fifteen." Insert the following in Section 5, page 3, line 4, after the word "Act," "and nothing in this Act shall be so construed as to authorize any greater amount." Strike out Section 9.

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred  
Senate Bill No. 16.

A bill for an Act appropriating money for the current  
and contingent expenses of the State Tuberculosis Sanatarium  
at Dunseith.

Have had the same under consideration and recommend  
that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred  
Senate Bill No. 72.

A bill for an Act to appropriate money to reimburse the  
citizens of Mandan, North Dakota, for moneys advanced by  
them for the purchase of certain lands in Morton County,  
North Dakota, to be deeded to the board of trustees of the  
North Dakota Agricultural College, and to be used in con-  
nection with the experiment station established by Act of  
Congress, and located near Mandan, North Dakota.

Have had the same under consideration and recommend  
that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred

Senate Bill No. 50.

A bill for an Act making an appropriation for the Dickinson Experiment Station located in the City of Dickinson.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman,

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred

Senate Bill No. 171.

A bill for an Act to provide an appropriation for the purpose of expenses incurred as a part of and during the Twelfth Legislative Assembly of the State of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 7, of the printed bill, strike out the figures "\$493" and insert in lieu thereof the figures "\$245."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 139.

A bill for an Act providing for the cancellation of all North Dakota live stock brands or marks; providing for re-recording of same; notices to record owners; publication of notices; manner of re-recording and future recording; fees; expenses; appropriation; repeal.

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 102.

A bill for an Act providing for the inspection of refined petroleum, illuminating oils, gasolines and other low flash test petroleum products, defining the ports of entry, appointment of oil inspectors and deputies, and fixing the salaries of the same.

Have had the same under consideration and recommend that the same do pass as amended in Journal of the forty-fifth day.

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred

Senate Bill No. 205.

A bill for an Act making an appropriation to compensate F. C. Heffron for services as assistant attorney general, especially authorized to enforce the prohibitory law of this state.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred

Senate Bill No. 10.

A bill for an Act making an appropriation of a sum sufficient to complete payment for the silver service to be donated by the State of North Dakota to the Battleship North Dakota.

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred

Senate Bill No. 11.

A bill for an Act appropriating an annual sum of money for the use of the government experiment station at Fargo for conducting demonstration farms and for furnishing samples of seed grain and otherwise co-operating with farmers; for publishing reports and bulletins, for analyses of fertilizers and stock foods, for complying with the provisions of the pure paint, paris green and formaldehyde laws, and for making other experiments.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred

Senate Bill No. 15.

A bill for an Act authorizing the appointment of two delegates from this state as members of a commission which is to investigate European systems of rural credits and report thereon, and making an appropriation therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred

## Senate Bill No. 199.

A bill for an Act amending Section 461 of the Revised Codes of the State of North Dakota for 1905, relating to the salary of the Supreme Court reporter.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred

Senate Bill No. 189.

A bill for an Act to provide for the purchase of 10,000 copies of Professor Thomas Shaw's book entitled "Dry Farming" at thirty cents per copy, provided 10,000 copies are purchased.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred

Senate Bill No. 25.

A bill for an Act to appropriate the sum of Sixty Thousand Dollars, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Have had the same under consideration and recommend that the same be amended as follows:

After the heading "A bill" strike out the words "appropriations for glandered horses." In Section 1, line 2, of the printed bill, strike out the word "sixty" and insert in lieu thereof the word "thirty." In lines 8 and 9, strike out the words "House Bill numbered two hundred twenty-five" and insert in lieu thereof the words "Chapter 170 of the Session Laws of 1907."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 198.

A bill for an Act to provide for the creation of a commission to have charge of the cataloguing libraries in the state capitol, and providing an appropriation therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 283.

A bill for an Act to provide an annual contingency fund

to be placed at the disposal of the commissioner of insurance.

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 247.

A bill for an Act to amend and re-enact Section 1129 of the Revised Codes of North Dakota for the year 1905, relating to the agricultural and geological survey and appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In line 6 of Section 1, strike out the word "twenty-five" and insert in lieu thereof the word "twenty."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 185.

A bill for an Act for an appropriation to reimburse Professor E. F. Ladd for disbursements and expenses incurred in the enforcement of the pure food laws.

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 180.

A bill for an Act to amend Section 1319 of the Revised Codes for 1905, making an appropriation for Farmers' Institutes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 39.

A bill for an Act to appropriate money for the maintenance of the Department of Agricultural, Manual Training and Domestic Economy in the High School at Beach, Grafton, Velva, Carrington and LaMoure.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and  
The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred  
Senate Bill No. 203.

A bill for an Act appropriating the sum of twenty thousand dollars for investigation and experimentation concerning the manufacture of flax fibre and the utilization of flax straw therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred  
Senate Bill No. 97.

A bill for an Act amending Section 1307 of the Revised Codes of North Dakota for the year 1905, relating to state affairs.

Have had the same under consideration and recommend that the same be amended as follows:

Line 6, Section 1, strike out the word "twenty-five" and insert in lieu thereof the word "fifteen." Line 8 of printed bill, after the word "follows" insert "for premiums in the way of live stock, poultry and agricultural products." Strike out lines 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20.

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 172.

A bill for an Act to provide a nappropriation to reimburse Richard Heyward, state high school inspector, for expenses incurred in attending the North Central Association of Colleges and Secondary Schools at Chicago, Illinois, in March, 1912, by direction of the state high school board.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 201.

A bill for an Act amending Section 1070 of the Revised Codes of North Dakota for 1905, and making an appropriation to meet the necessary expenses of the state geological survey.

Have had the same under consideration and recommend that the same be amended as follows:

In line 4, Section 1 of printed bill, strike out the word "five" and insert in lieu thereof the word "two." Line 5, change figures "\$5,000" to "\$2,000." Insert the following: "Section 2. Repeal.) All Acts and parts of Acts in conflict herewith are hereby repealed."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on public health made the following report:

*Mr. President:*

Your committee on public health to whom was referred Senate Bill No. 196.

A bill for an Act to provide for the establishment, organization, regulation and management of a State Board of Health, County Boards of Health, Township Boards of Health and Village Boards of Health, and making an appropriation for the expenses of the State Board of Health, and to repeal Sections 252 to 287, inclusive, of Article 10, Chapter 4, Revised Codes of 1905.

Have had the same under consideration and recommend that the same be amended as follows:

In the title, line 2, after the word "health" strike out the words "County Boards of Health, Township Boards of Health and Village Boards of Health."

In the title, line 5, strike out the number "287" and insert "258."

In Section 1, line 2, strike out the word "seven" and insert the word "six." In the same line, strike out the word "five," and insert the word "three."

In Section 1, line 3, after the word "residents" insert the following: "of the state. One of such members shall be a legally qualified medical practitioner and who is."

In Section 1, line 4, after the word "state" insert the following: "One other member shall be a competent engineer versed in sanitary science, and the third member shall be a layman."

In Section 1, line 5, the fourth word, change to read "two." In the same line strike out the word "two" and insert the word "four." In the same line after the word "years" insert the word "and." In the same line, strike out the word "three" and insert the word "six."

In Section 1, lines 5 and 6, strike out the words "one for four years and one for five years."

In Section 1, line 7, after the word "every" insert the words "odd numbered."

In Section 1, line 8, strike out the word "five" and insert the word "six."

In Section 1, line 11, after the word "board" insert the following: "as hereinafter provided, the Attorney General."

In Section 1, line 11, in the word "directors" strike out the letter "s."

In Section 2, line 8, after the word "quorum" insert the following: "provided that at least two of the appointive members are present."

In Section 4, line 4, after the word "board" insert the following: "He shall establish and maintain at the State Capitol a bureau of vital statistics, as provided for in Chapter 270, Session Laws of 1907, and shall at all times faithfully enforce the provisions of the vital statistics law."

In Section 4, line 7, after the word "make" insert the word "a."

In Section 6, line 2, after the word "board" insert the following: "but said salary shall not exceed three thousand dollars (\$3,000.00)." In the same line, after the word "board" strike out the word "and."

In Section 6, line 3, the word "in" to begin with a capital "I."

Sections 10 to 44 inclusive to be struck out and replaced by the following three sections:

Section 10. Jurisdiction Over Water Supplies, Sewerage, Garbage Disposal and Manufacturing Plants.) No city, village, public institution, corporation or person shall provide or install for public use a water supply or sewerage system, or purification works for a water supply or sewerage, of a municipal corporation or public institution, or make a change in the water supply, waterworks intake, water purification works of a municipal corporation or a public institution, until the plans therefor have been submitted to and approved by the State Board of Health. No city, village, corporation or person shall establish a garbage disposal or manufacturing plant having a liquid waste which may enter any stream in North Dakota until the location of such garbage or manufacturing plant, including plans for disposing of such liquid waste, is approved by the State Board of Health. If in any case any order of the State Board of Health, and made in pursuance to the provisions of this Act,

is not acceptable to any city, village, corporation or owner affected thereby, such city, village, corporation or owner shall have the right of appeal as follows, to-wit: The necessity for and reasonableness of such order may be submitted to two reputable and experienced sanitary engineers, one to be chosen by the city, village, corporation or owner to which such order of the State Board of Health applies and the other chosen by the State Board of Health and who shall act as referee engineers. If the engineers so chosen are unable to agree, then they shall choose a third engineer of like standing and the vote of the majority shall be final and binding. The referee engineers, herewith provided for, shall have power to affirm, modify, or reject, the order of the State Board of Health submitted to them, and their decision as reported in writing, which shall be rendered within a reasonable time, shall be accepted by the State Board of Health, and shall be enforced by said board in the manner provided for in this Act. The fees and expenses of said engineer shall be equally divided between the city, village, corporation or owner requesting such reference and the State board of Health.

Section 11. Neglect of Duty. Violation of Provisions. Penalty.) Any health officer, superintendent of public health, or any member of any local board of health, who shall neglect or refuse to perform any of the duties required to be performed by him under the provisions of this Act, and any person who fails to comply with, or violates any of the provisions of this Act, or neglects or refuses to obey or conform to or violates any rules, regulations or measures adopted, promulgated or published by any board of health in the manner provided by this Act or which shall come to his knowledge, or refuses or neglects promptly to obey any orders, directions or instructions given to him by such board of health, or by any health officer having jurisdiction in the premises, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$10.00 nor more than \$100.00, or by imprisonment in the county jail not exceeding thirty days, or by both.

Section 12. Repeal.) Sections 252 to 258 inclusive, of Article 10, Chapter 4, Revised Codes of 1905, are hereby repealed.

And when so amended recommend the same to be re-referred to the committee on appropriations.

F. T. GRONVOLD,  
Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on live stock made the following report:

*Mr. President:*

Your committee on live stock to whom was referred

House Bill No. 13.

A bill for an Act to amend Chapter 170 of the Laws of 1907, entitled 'an Act indemnifying owners for animals killed or destroyed according to law for being affected with the disease known as glanders.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the words "A bill" and insert in lieu thereof the following:

For an Act to amend and re-enact Chapter 170 of the Laws of 1907, entitled, "An Act indemnifying owners for animals killed or destroyed according to law for being affected with the disease known as glanders."

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

Section 1. Amendment.) Sections 1, 2, 3, and 4, Chapter 170, Session Laws of 1907 are hereby amended and re-enacted to read as follows:

Sec. 1. Appraisal. How Made.) Whenever the State Live Stock Sanitary Board, or any of its authorized agents shall deem the slaughter of a horse, gelding, mare, ass or mule necessary under the provisions of Section 10, Chapter 169, Session Laws 1907, the actual value of said animal at the time of appraisal shall be determined by the State Live Stock Sanitary Board or its agent within twenty-four hours after the killing or destruction is ordered; *provided*, that if the owner or keeper is aggrieved by such appraisal he may cause a board of appraisers to be appointed according to Section 2 of this Act; *provided*, the provisions of this Section shall not prevent the owner or keeper of animals condemned and ordered destroyed by the Live Stock Sanitary Board for the right of protest and examination as provided for in Section 10 of Chapter 169, Session Laws of 1907.

Sec. 2. Appraisers. How Appointed.) In case the owner, or his agent, of the animal or animals to be destroyed under the provisions of this Act is not satisfied with the appraisal made by the State Live Stock Sanitary Board or its agents, he may protest against the same, whereupon a board of three appraisers is to be formed of which one member shall be the agent of the State Live Stock Sanitary Board, one member shall be selected by the owner of the animal or animals involved and a third member shall be selected by the first two members as herein provided. Whereupon an appraisal of the animal or animals involved shall be made by such board according to Section 3 of this Act and in case all three appraisers or any two of them agree upon a certain valuation, this appraisal shall be regarded as final.

Sec. 3. Maximum Valuation.) In making the appraisalment the value put upon the animal or animals shall be the amount that such animal or animals would be worth had they not been affected with glanders; *provided*, however, that in no case shall the appraised value of any one animal exceed one hundred dollars to be paid by the state as hereinafter provided.

Sec. 4. Procedure of Destruction and Certification.) It shall be the duty of the State Live Stock Sanitary Board or its authorized agent, who ordered the destruction of the animal or animals involved and who made the appraisal or took part in the same to give notice of said facts in writing to the owner or keeper of said animal or animals, and to certify to such facts in writing to a justice of the peace of the county in which the said animal or animals are located, describing in said notice the diseased animal or animals with a reasonable degree of certainty, stating the name of the animal when known.

Sec. 5. Duty of Owners.) It shall be the duty of the owner or keeper of an animal or animals to be destroyed, to destroy the same or cause the same to be destroyed and to dispose of the carcass or carcasses or cause the same to be disposed of before two witnesses, or before the agent of the State Live Stock Sanitary Board in accordance with Section 12, Chapter 169, Session Laws of 1907, and to make proper affidavit of such facts which shall be sworn to by such witnesses, or the agent of the State Live Stock Sanitary Board before the justice of peace to whom the certification provided for in Section 4 of this Act was made, within five days after the destruction notice was served upon him.

Sec. 6. Compensation for Animals Killed.) It shall be the duty of the justice of the peace to file with the executive

officer of the State Live Stock Sanitary Board, the certification of the State Live Stock Sanitary Board or its authorized agent and the affidavits of the owner or keeper sworn to according to Section 5 of this Act that the animal or animals have been killed and buried in accordance with Section 12, Chapter 169, Session Laws of 1907. The executive officer of the State Live Stock Sanitary Board, after recording the same upon his docket, shall examine the same and if found correct, file the same with the state auditor, who shall issue a warrant on the state treasurer for one-half of the sum named in the appraisers' return.

Sec. 7. Duty of Justice of the Peace.) When the owner or keeper of animals ordered destroyed by the agent of the Live Stock Sanitary Board fails to comply with such order and to file with the justice of the peace the affidavit herein required, the justice of the peace to whom the notice of the destruction of an animal or animals ordered to be destroyed was made, must notify the sheriff or any constable within the county that the order of the State Live Stock Sanitary Board, or its authorized agent has not been complied with, or that the animal or animals have not been killed and buried as provided for in Section 12, Chapter 169, Session Laws of 1907, failure to make affidavit as provided for in Section 5 of this Act to be construed as non-compliance with the provisions of this Act.

Section 8. Duty of Sheriff.) It shall be the duty of the sheriff or constable of the county, immediately after receiving notice from the justice of the peace to proceed to destroy the animal or animals ordered to be destroyed by the State Live Stock Sanitary Board or its authorized agent, and the officer performing such duty shall receive compensation therefor as is prescribed by law for like services and shall be paid therefor in like manner.

Sec. 9. Proceedings, How Conducted. Fees.) The justice of the peace to whom certification is made shall enter upon his docket a record of all proceedings and allow and tax all costs of justice, officers, and appraisers other than the authorized agent or agents of the State Live Stock Sanitary Board, which costs and fees shall be certified by him to the board of county commissioners and shall be audited and paid out of the general fund of such county, the same as costs in criminal actions before justices of the peace; *provided*, however, that if it shall appear in any such proceeding that the animal or animals destroyed, have not been kept within the county where the proceedings are had for at least sixty days immediately prior to such order of destruction, then the cost of all proceedings hereunder shall be

certified by the county auditor of the county wherein the proceedings took place to the state auditor, who shall issue a warrant to the state treasurer for the amount of the cost to be paid out of the general fund of the state.

Sec. 10. Payments, When Not Made.) The right of indemnity shall not exist and payment shall not be made in the following cases:

1st. For animals belonging to the United States or the State of North Dakota, or any city, county, township or village in the state.

2nd. When the owner or claimant at the time of coming into possession of the animal or animals knew such animal or animals to be diseased with glanders or exposed to such disease.

3rd. When the owner, his agent or claimant failed to make affidavit of the destruction and disposal of the carcass or carcasses before the justice of the peace as provided for in Section 5 of this Act.

4th. For animals found to have been diseased at the time of their arrival in this state.

5th. For animals that are brought into the state to do contract work.

6th. When the animal or animals at the time of their destruction have been in the state less than six months.

7th. When the owner or owners shall have been guilty of negligence or wilfully exposing his, or their animal or animals to be influence of infected or contaminated surroundings.

8th. When the owner or claimant is not a resident of the State of North Dakota.

Sec. 11. Repeal.) All Acts or parts of Acts in conflict with this Act are hereby repealed.

And when so amended recommend the same do pass.

A. S. GIBBENS,  
Chairman.

Mr. Garden moved

That the vote by which the report of the committee on appropriations on Senate Bill No. 205 was adopted be reconsidered.

Which motion was lost.

FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 250.

A bill for an Act making an appropriation to pay F. O. Hellstrom for the use of land for the state penitentiary for the years 1907, 1908, 1909, 1910, 1911, 1912.

Was read the first and second times and

Referred to the committee on appropriations.

House Bill No. 260.

A bill for an Act making an appropriation for the Williston Experimental Station located at Williston, in Williams County, North Dakota.

Was read the first and second times and

Referred to the committee on appropriations.

House Bill No. 49.

A bill for an Act making appropriation for the current and contingent expenses of the state penitentiary, and for making permanent improvements and additions thereto.

Was read the first and second times and

Referred to the committee on appropriations.

House Bill No. 17.

A bill for an Act to provide for the erection of an industrial building and necessary improvements at the school for the deaf and dumb at Devils Lake, N. D., and making an appropriation therefor.

Was read the first and second times and

Referred to the committee on appropriations.

House Bill No. 184.

A bill for an Act to provide an appropriation for the current and contingent expenses and for the permanent improvements for the state school of science at Wahpeton.

Was read the first and second times and

Referred to the committee on appropriations.

House Bill No. 300.

A bill for an Act making an appropriation for the mining sub-station at Hebron, Morton County, for the purpose of perfecting the process or formula used in the manufacturing of briquettes,

Was read the first and second times and  
Referred to the committee on appropriations.

House Bill No. 194.

A bill for an Act making an appropriation annually for the support and maintenance of the agricultural sub-experiment station, located at Hettinger, Adams County.

Was read the first and second times and  
Referred to the committee on appropriations.

House Bill No. 374.

A bill for an Act to amend Section 2770 of the Revised Codes of 1905, amended by Chapter 46 of the Laws of North Dakota, A. D. 1907, relating to sidewalk special assessment funds.

Was read the first and second times and  
Referred to the committee on taxes and tax laws.

House Bill No. 214.

A bill for an Act to amend Section 1508 of the Revised Codes of North Dakota of 1905, relating to the assessment of bank stock, and to provide a method for reviewing the same, and to repeal inconsistent provisions.

Was read the first and second times and  
Referred to the committee on taxes and tax laws.

House Bill No. 187.

A bill for an Act to amend and re-enact Section 1597 of the Revised Codes of 1905, as amended by Chapter 302, Laws of 1911, relating to duty of county auditor, and requirements of taxes and deeds.

Was read the first and second times and  
Referred to the committee on taxes and tax laws.

House Bill No. 408.

A bill for an Act to repeal Section 9202 of the Revised Codes of 1905, as amended by Chapter 43 of the Session Laws of 1907, and Section 9203 of the Revised Codes of 1905.

Was read the first and second times and  
Referred to the committee on ways and means.

## House Bill No. 433.

A bill for an Act to amend Section 2548 of the Revised Codes of North Dakota for 1905, relating to the compensation of the public administrator.

Was read the first and second times and

Referred to the committee on ways and means.

## THIRD READING OF HOUSE BILLS.

## House Bill No. 155.

A bill for an Act permitting counties to appropriate money to prevent the spread of tuberculosis in this state.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hookway	Steel
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Davidson	Hyland	Trageton
Duncan	Jacobsen	Turner
Ellingson	Kretschmar	Vail
Englund	Leutz	Wartner
Ganssle	Loftsgaard	Williams
Garden	McBride	Young

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Davis	Linde	Mudgett
Elken	McDowell	

Messrs. Elken and Mudgett being excused.

So the bill passed and the title was agreed to.

## House Bill No. 116.

A concurrent resolution amending the Constitution of the State of North Dakota, relating to the uniformity of taxation and permitting the classification of property for the

purpose of taxation and relating further to the assessment and taxation of certain public utility companies.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 42 ayes, 3 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gilbert	McLean
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Ellingson	Kretschmar	Turner
Englund	Leutz	Wartner
Ganssle	Loftsgaard	Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Garden	Vail	Williams

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Duncan	Linde	Mudgett
Elken	McBride	

Messrs. Elken and Mudgett being excused.

So the bill passed and the title was agreed to.

House Bill No. 1.

A bill for an Act to amend Sections 525, 527 of the Revised Codes of 1905, relating to the summoning of jurors.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, 5 nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Bronson	Duncan
Barnes	Carter	Ellingson
Bond	Cashel	Englund
Bonzer	Clark	Ganssle

Messrs.—	Messrs.—	Messrs.—
Garden	Leutz	Steel
Gibbens	Loftsgaard	Talcott
Gilbert	McBride	Thoreson
Gronvold	McDowell	Trageton
Hanley	McLean	Turner
Heckle	Nelson	Vail
Hoverson	Overson	Wartner
Hughes	Plain	Williams
Hyland	Porterfield	Young
Jacobsen	Putnam	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Helgeland	Kretschmar
Davidson	Hookway	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Davis	Linde	Mudgett
Elken		

Messrs. Elken and Mudgett being excused.

So the bill passed and the title was agreed to.

The courtesies of the floor were extended to Andrew Catherwood of Park River, N. D.; Hon. Aug. E. Johnson, P. G. Wahl, Washburn, N. D.; W. K. Brewster, Underwood, N. D.

Mr. Trageton moved

That the Senate do now adjourn.

Which motion prevailed, and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

## FORTY-SEVENTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 22, 1913.

The Senate convened at 2 o'clock P. M.

The President pro tempore presiding.

A committee from the House announced that the House was waiting to receive the Senate in joint session.

Mr. Bronson moved

That the Senate do now proceed to the House for the purpose of attending the joint memorial exercises in memory of the late Chief Justice David E. Morgan and the late Judge Chas. F. Templeton, and that at the conclusion of such joint session the Senate stand adjourned.

Which motion prevailed.

W. D. AUSTIN,  
Secretary.

FORTY-NINTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 24, 1913.

The Senate convened at 2 o'clock P. M.

The President pro tempore presiding.

Prayer by the chaplain.

Roll call.

All members present.

REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the forty-sixth day, have carefully examined the same and find the same correct.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., February 24, 1913.

*Mr. President:*

I have the honor to transmit herewith

House Bill No. 319.

A bill for an Act to amend Section 3 of Chapter 129 of the Session Laws of 1911, relating to rates for state officers in the publicity pamphlet.

Also,

House Bill No. 143.

A bill for an Act providing for taxation and fixing the rate of taxation on inheritances, devises, bequests, legacies and gifts and providing for the manner of payment as well as the manner of enforcing the payment thereof.

Also,

House Bill No. 15.

A bill for an Act to amend Section 12 of House Bill No. 210 of the Laws of 1911, to encourage elementary education.

Also,

House Bill No. 21.

A bill for an Act making appropriation for the erection of a new building and other necessary improvements, and for the current and contingent expenses of the reform school of North Dakota at Mandan, N. D.

Also,

House Bill No. 45.

A bill for an Act appropriating money for experiments to determine the milling value of cereals, the baking and other chemical properties of the flours produced therefrom and the chemical composition thereof, and providing for the publication of the information thereby obtained and making an appropriation for such work.

Also,

House Bill No. 145.

A bill for an Act entitled "An Act to amend and re-enact Section 15 of Chapter 137 of the Session Laws of 1907, re-

lating to the payment of costs of treatment and board of patients in the insane hospital."

Also,

House Bill No. 486.

A bill for an Act to amend Section 1575 of Chapter 20 of the Revised Codes of 1905, as amended by Chapter 298, Laws of 1911, relating to the disposition of penalty and interest.

Also,

House Bill No. 328.

A bill for an Act to regulate the certification of public accountants and the practicing of the profession of accountancy in North Dakota.

Also,

House Bill No. 427.

A bill for an Act to amend Chapter 161 of the Session Laws of 1907, as amended by Chapter 76 of the Session Laws of 1907 of the State of North Dakota, relating to the boundaries of and terms of court in the Ninth Judicial District.

Also,

House Bill No. 426.

A bill for an Act to amend Section 473 of the Revised Codes of North Dakota for the year 1905, as amended by Chapter 74 of the Session Laws 1909, relating to the boundaries of and terms of court in the Fifth Judicial District.

Also,

House Bill No. 421.

A bill for an Act to amend Section 474 of the Revised Codes, 1905, as amended by Chapter 171 of the Laws of 1911, relating to the boundaries and terms of court in the Sixth Judicial District.

Also,

House Bill No. 420.

A bill for an Act to amend Section 470 of the Revised Codes of 1905 of the State of North Dakota, as amended by Chapter 172 of the Session Laws of 1911 of the State of North Dakota, relating to the boundaries of, and terms of court in, the Second Judicial District.

Also,

House Bill No. 393.

A bill for an Act providing for the satisfaction of judgments pending an appeal therefrom to the Supreme Court.

Also,

House Bill No. 369.

A bill for an Act to provide for suspension or modification of sentence of persons convicted of misdemeanors.

Also,

House Bill No. 416.

A bill for an Act to compensate persons who have been wrongfully and innocently incarcerated and imprisoned in the state penitentiary.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to inform you that the House requests the return of House Bill No. 32.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Overson presented a petition signed by Anton J. Lee and 28 others, requesting the regulation of committees in the matter of acting on bills introduced.

Mr. Overson presented a petition signed by Fred W. Dinger and 28 others, urging the creation of a state banking institution.

Mr. Ellingson presented a petition signed by E. E. Dodd and 10 others, urging the passage of legislation favorable to practitioners of chiropractic.

Mr. Overson presented a petition signed by Anton J. Lee and others, urging the passage of legislation amending the interest and usury laws.

Mr. Helgeland presented a petition signed by Elias Olson and 43 others, protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

Mr. Overson presented a petition from the Williston Commercial Club, urging the passage of House Bill No. 271, an Act to establish a state publicity and immigration commission.

Mr. Ellingson presented a petition signed by Duea Bros. and 119 others, protecting against the passage of any bill intending to amend or repeal the present mechanics' lien laws.

Mr. Bonzer presented a similar petition signed by L. V. Madsen and 27 others.

Mr. Garden presented a similar petition signed by C. F. Kretschmer and 40 others.

#### REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 44.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 of Chapter 35 of the Session Laws of the year 1911, of the State of North Dakota, being an Act to encourage elementary education in North Dakota, and appropriating money therefor.

Also,

Senate Bill No. 51.

A bill for an Act to amend and re-enact Sections 1031, 1032, 1033, 1034, 1035, 1036, 1037 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907 and Chapter 267 of the General

Laws of 1911; and to amend Sections 1, 2, 3, 4, 5, of Chapter 40 of the General Laws of 1911, and to repeal Sections 6, 7, 8, 9, 10, 11, of Chapter 40 of the General Laws of 1911.

And find the same correctly re-engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 29.

A bill for an Act to amend Section 2864 of the Revised Codes of North Dakota for 1905, as amended by Chapter 186 of the Session Laws of 1905, and reamended by Chapter 268 of the Session Laws of 1907, relating to the general powers of the boards of trustees of incorporated villages.

Also,

Senate Bill No. 161.

A bill for an Act requiring railroad companies to line and cooper cars tendered to grain shippers and shippers of flour and flour mill products or to reimburse shippers therefor.

Also,

Senate Bill No. 236.

A bill for an Act to create a state board of education and to amend Chapter 266 of the Session Laws of 1911, relating to state board of examiners, and to repeal Sections 243, 244 and 245 of Chapter 266; and to amend Chapter 265 of the Laws of 1911, relating to a state agricultural and training schools.

Also,

Senate Bill No. 256.

A bill for an Act to require dealers selling or disposing of

second-hand furniture or wearing apparel to disinfect same before offering same for sale.

And find the same correctly re-engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 10.

A bill for an Act making an appropriation of a sum sufficient to complete payment for the silver service to be donated by the State of North Dakota to the Battleship North Dakota.

Also,

Senate Bill No. 16.

A bill for an Act appropriating money for the current and contingent expenses of the state tuberculosis sanitarium at Dunseith.

Also,

Senate Bill No. 25.

A bill for an Act to appropriate the sum of thirty thousand dollars, or as much thereof as may be necessary, to indemnify persons who have lost animals from the disease known as glanders.

Also,

Senate Bill No. 72.

A bill for an Act to appropriate money to reimburse the citizens of Mandan, North Dakota, for moneys advanced by them for the purchase of certain lands in Morton County, North Dakota to be deeded to the Board of Trustees of the North Dakota Agricultural College and to be used in connection with the Experiment Station established by Act of Congress and located near Mandan, North Dakota.

Also,

Senate Bill No. 89.

A bill for an Act to provide for the regulation and supervision of investment companies, and providing penalties for the violation thereof.

Also,

Senate Bill No. 97.

A bill for an Act amending Section 1307 of the Revised Codes of North Dakota for the year 1905, relating to state fairs.

Also,

Senate Bill No. 102.

A bill for an Act providing for the inspection of refined petroleum, illuminating oils, gasolines and other low flash test petroleum products, defining the ports of entry, appointment of state inspector of oils and deputies, and fixing the salaries of the same; defining chemical tests, and providing appropriations therefor.

Also,

Senate Bill No. 115.

A bill for an Act fixing the time when policies of hail insurance companies shall take effect.

Also,

Senate Bill No. 139.

A bill for an Act providing for the cancellation of all North Dakota live stock brands or marks; providing for re-recording of same; notices to record owners, publication of notices; manner of re-recording and future recording; fees; expenses; appropriation; repeal.

Also,

Senate Bill No. 158.

A bill for an Act to repeal Chapters 132 and 133 of the Session Laws of 1907, and Chapter 139 of the Session Laws of 1909, relating to the historical society of North Dakota, and making an appropriation.

Also,

Senate Bill No. 167.

A bill for an Act providing for the making of necessary repairs upon the executive mansion, and making appropriation therefor.

Also,

Senate Bill No. 171.

A bill for an Act to provide an appropriation for the purpose of expenses incurred as a part of and during the Twelfth Legislative Assembly of the State of North Dakota.

Also,

Senate Bill No. 178.

A bill for an Act making an appropriation for carrying out provisions of law relating to the duties of the commission of agriculture and labor.

Also,

Senate Bill No. 185.

A bill for an Act for an appropriation to reimburse Professor E. F. Ladd for disbursements and expenses incurred in the enforcement of the pure food laws.

Also,

Senate Bill No. 193.

A bill for an Act authorizing the governor of the State of North Dakota to employ chartered public accountants to examine, audit and check the accounts of the several departments of the state government, etc.

Also,

Senate Bill No. 201.

A bill for an Act amending Section 1070 of the Revised Codes of North Dakota for 1905, and making an appropriation to meet the necessary expenses of the state geological survey.

Also,

Senate Bill No. 209.

A bill for an Act prohibiting dancing in any elementary, grade or high school building in the State of North Dakota, under the public school system of the State of North Dakota, and providing a penalty for the violation thereof.

Also,

Senate Bill No. 247.

A bill for an Act to amend and re-enact Section 1129 of the Revised Codes of North Dakota for the year 1905 relating to the agricultural and geological survey and appropriation therefor.

Also,

Senate Bill No. 279.

A bill for an Act to promote forest tree culture and providing for a bounty for tree planting and the levy of a tax to pay such bounty.

Also,

Senate Bill No. 282.

A bill for an Act to provide for the collection, arrangement, and display of the products and resources of the State of North Dakota at the Centennial Exposition to be held at Christiania, Norway, in 1914, and providing for a board of commissioners therefor, and making an appropriation for such purpose.

Also,

Senate Bill No. 283.

A bill for an Act to provide an annual contingency fund to be placed at the disposal of the commissioner of insurance.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on appropriations made the following report:

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 147.

A bill for an Act to provide for making permanent improvements at the state tuberculosis sanitarium at Dunseith,

to assist in the maintenance thereof, and for other purposes, and making appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 8, of the printed bill, strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$2,500.00." In line 9, strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$1,000.00." In line 10, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,200.00." Strike out lines 11 and 13. In line 14, strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$3,000.00." In line 15, strike out the figures "\$21,000.00" and insert in lieu thereof the figures "\$15,000.00." Change total from "\$50,000.00" to "\$35,700.00" and strike out the emergency clause.

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 162.

A bill for an Act to create a board to prepare and publish a history of North Dakota troops in the Spanish-American War and Philippine Insurrection and appropriating money to pay therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In line 9 of Section 1, change figures "2,000" to "10,000."

In line 3, Section 2, after the word "each," insert "and every."

In line 3, Section 4, change "\$2,500" to "\$2,000."

Strike out emergency clause.

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred  
Senate Bill No. 7.

A bill for an Act to appropriate money for maintenance,  
equipment and permanent improvements at the State Uni-  
versity and School of Mines of North Dakota.

Have had the same under consideration and recommend  
that the same be amended as follows:

Strike out lines 5 and 6, Section 1, page 1, of the printed  
bill.

Change figures in line 13 from "\$6,000" to "\$4,000."

Change figures in line 16 from "\$5,000" to "\$2,000."

Change figures in line 17 from "\$1,800" to "\$1,500."

Change figures in line 19 from "\$5,000" to "\$2,500."

Strike out line 18.

Strike out line 21.

Change total figures from "\$307,300" to "\$93,300."

Strike out emergency clause.

Strike out lines 7 and 8.

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred

Senate Bill No. 120.

A bill for an Act to provide for and the making of improvements at the North Dakota school of forestry to assist in the maintenance thereof and making appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 5, of the printed bill, strike out the figures "\$15,000.00" and insert in lieu thereof the figures "\$12,500.00." Strike out Section 2.

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred

Senate Bill No. 125.

A bill for an Act making an appropriation for the state normal school located at Mayville, North Dakota, for a demonstration rural school, improvement of campus, an additional storage room for fuel, a greenhouse, a barn, horses and wagon, a system of automatic temperature regulation in the main building, completing the ventilation system in the main building, and rewiring the main building.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out item 8, in line 11, of the printed bill.

Strike out the figures "\$15,000.00" in the sum total and insert in lieu thereof the figures "\$14,000.00."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 106.

A bill for an Act to appropriate moneys for maintenance, equipment and permanent improvements at the Ellendale state normal and industrial school.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out lines 5 and 6 on page 1 of the printed bill.

In line 7, change the word "economis" to "economics."

Strike out lines 9, 10, 11, 12 and 13.

In line 15, page 2, change the figures "\$34,500" to "\$10,000."

In line 16, change the figures from "\$6,500" to "\$5,000."

In line 19, change the figures from "\$5,000" to "\$3,000."

Change figures in line 20 from "\$3,000" to "\$1,000."

Strike out line 22. Strike out emergency clause.

Change figures in total from "\$54,300" to "\$29,300."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 70.

A bill for an Act to provide for the erection of an industrial building at the school for the deaf and dumb at Devils Lake, North Dakota, and making an appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows:

Lines 3 and 4, Section 1, strike out the words "twenty-six thousand ninety-four" and insert in lieu thereof the words "twenty-five thousand."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 30.

A bill for an Act to provide an appropriation for the current and contingent expense, and for permanent improvements for the Institution for Feeble Minded, at Grafton, North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In line 9 of Section 1, page 1 of the printed bill, change figures "\$6,000" to "\$4,500." Line 10, change "\$15,000" to "\$13,000." Line 11, change "\$1,700" to "\$1,200." Line 12, change "\$1,200" to "\$1,000." Line 13, change "\$1,000" to "\$500." Change line 14 to read "for repairs and plumbing." Strike out lines 15, 17, 18, 19 and 20. Line 21, change "\$1,000" to "\$500." Change line 22 to read "for farm implements and machinery and cows" and change figures "\$225" to "\$500." Strike out lines 23 and 24. Change line 25 to read "and condenser"; also change word "fraft" to "draft." Strike out line 26. Line 27, change "\$1,500" to "\$500." Strike out lines 28, 30, 32, 33, 34 and 35. In line 31, change figures "\$260" to "\$200." Strike out emergency clause. In lines 6 and 7 of Section 1 of the printed bill, strike out the words "sixty thousand three hundred eighty-five dol-

lars" and insert in lieu thereof the words "twenty-eight thousand dollars." Also change figures "\$60,385.00" to "\$28,000.00."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 41.

A bill for an Act making appropriation for the current and contingent expenses of the State Penitentiary, and for making permanent improvements and additions thereto.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 6 of the printed bill, after the words "warden's salary" insert the words "and expenses."

In line 13, strike out the figures "\$45,000.00" and insert in lieu thereof the figures "\$35,000.00." In line 14, strike out the figures "\$17,000.00" and insert in lieu thereof the figures "\$13,000.00." In line 15, strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$4,000.00." In line 16, strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$1,000.00." In line 17, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$2,000.00." In line 18, strike out the figures "\$4,000.00" and insert in lieu thereof the figures "\$3,000.00." Strike out the second line 18. In line 20, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$800.00." In line 22, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$2,000.00." Strike out lines 23, 24, 25 and 26. Change the figures in the sum total from "\$143,100.00" to "\$100,400.00." Strike out the emergency clause.

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 145.

A bill for an Act to provide an appropriation for the current and contingent expenses and for the permanent improvements for the state school of science at Wahpeton.

Have had the same under consideration and recommend that the same be amended as follows:

Change figures in line 14, page 2, from "\$15,000.00" to "\$10,000.00." Strike out lines 11 and 12, on page 1, of the printed bill. Change figures from "\$14,000.00" to "\$4,000.00" in line 16. Strike out line 17. Change figures in total from "\$113,985.12" to "\$33,985.12."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 43.

A bill for an Act to authorize the Superintendent of Public Instruction to publish the report of the State Inspector of Rural and Graded Schools for 1912 and to appropriate money to defray the expense of the same and to meet the deficiency in the expenses of the State Inspector of Rural and Graded Schools.

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred  
Senate Bill No. 66.

A bill for an Act to provide for making improvements for  
the North Dakota Blind Asylum at Bathgate, and making an  
appropriation therefor.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred  
Senate Bill No. 40.

A bill for an Act making an appropriation for the erec-  
tion of a new building, and other necessary improvements,  
and for the current and contingent expenses of the reform  
school of North Dakota, located at Mandan, N. D.

Have had the same under consideration and recommend  
that the same be amended as follows:

Strike out line 9 in Section 1 in the printed bill. Change  
figures in the total from "\$15,500.00" to "\$13,500.00" in line  
11.

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 130.

A bill for an Act to provide for the representation of the State of North Dakota at the Panama-Pacific Exposition at San Francisco, California, and at the Panama-California Exposition at San Diego, California, celebrating the opening and commercial use of the Panama Canal and making an appropriation therefor.

Have had the same under consideration and recommend that the same be reported back without recommendation.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the above report be made a special order for tomorrow at 3 o'clock.

Which motion prevailed.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 113.

A bill for an Act making an appropriation for the experimental station of the school of mines and the mining substation at Hebron, Morton County.

Have had the same under consideration and recommend that the same be amended as follows:

In line 15, after the word "appropriated," insert "for the years 1913 and 1914."

In line 17, after the word "dollars," strike out all the printed matted up to and including line 22.

In line 17, strike out the words "fifteen thousand" and insert in lieu thereof the words "twelve thousand five hundred."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 136.

A bill for an Act to provide for increased maintenance and contingent expenses, for establishing and maintaining an agricultural department and for an agricultural building and other permanent improvements and repairs for the North Dakota agricultural college.

Have had the same under consideration and recommend that the same be amended as follows:

In line 10, page 1, after the word "college," insert the words "for 1913 and 1914. Insert the same words in line 19, after the word "state." In lines 5 and 6 of Section 1, strike out the words "and for the erection and equipment of a building for giving instruction in agriculture, dairying and horticulture." Change the figures in line 19, page 2, from "\$25,000.00" to "\$20,000.00." In line 20, page 2, of the printed bill, after the word "repairs," strike out "annually after the year 1913."

Strike out lines 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33.

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 140.

A bill for an Act making an appropriation for a suitable building and an experimental mine at the mining experiment sub-station at Hebron, Morton County.

Have had the same under consideration and recommend that the same be amended as follows:

In the title, strike out the words "and an experimental mine." In line 5, Section 1, after the word "state," strike out the balance of the printed matter in the line. In line 6, strike out the printed matter before the word "at." In line 8, strike out the word "eighteen" and insert in lieu thereof the word "five." In line 9, after the word "dollars," strike out the balance of the printed matter in the line. Strike out line 10. In line 11, before the word "emergency," insert "Section 2."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 107.

A bill for an Act to provide for the making of permanent improvements at the state normal at Valley City, to assist in the maintenance thereof and for other purposes and make an appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In line 7, Section 1 of the printed bill, change figures "\$50,000.00" to "\$45,000.00."

Strike out lines 8, 9, 10 and 11.

In line 12, page 2 of the printed bill, change figures "\$3,500.00" to "\$2,500.00."

In line 13, change figures "\$2,500.00" to "\$1,000.00."

In line 17, strike out the printed matter and insert in lieu thereof "for purchase of athletic field and land for teaching elementary agriculture."

Change the total from "\$184,625.00" to "\$66,500.00."

Strike out emergency clause.

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred  
Senate Bill No. 154.

A bill for an Act making an appropriation for the normal school at Minot to meet an expenditure for the erection of buildings and permanent improvements necessary in connection therewith, and for furnishing, equipment and maintenance.

Have had the same under consideration and recommend that the same be amended as follows:

In line 9, Section 1 of the printed bill change figures from "\$30,000.00" to "\$20,000.00."

Strike out lines 10, 11 and 12.

Change figures in line 14 from "\$15,000.00" to "\$10,000.00."

Change figures in line 16 from "\$9,000.00" to "\$1,000.00."

Change figures in line 21 from "\$65,000.00" to "\$5,000.00."

After the words "completion of" in line 22, strike out the words "main building to provide for manual training and domestic science," and substitute the word "dormitory."

Change figures in line 23 to read "\$30,000.00."

In line 24, strike out the words "the same" and substitute "domestic science and manual training."

Change figures in line 24 to read "\$2,000.00."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred  
Senate Bill No. 142.

A bill for an Act to incorporate and establish the Des  
Lacs and Mouse River Valley Agricultural and Fair Assoc-  
iation and making an appropriation therefor.

Have had the same under consideration and recommend  
that the same be amended as follows:

In line 3, Section 6, page 5 of the printed bill, strike out  
the word "two" and insert in lieu thereof the word "one."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred  
Senate Bill No. 146.

A bill for an Act relating to the fish hatchery at Devils  
Lake and Fish Lake in Rolette County, and making appro-  
priation therefor.

Have had the same under consideration and recommend  
that the same be amended as follows:

In line 2, Section 1, and in line 1, strike out the word  
"annually."

Strike out lines 6, 7, 8, 11 and 12.

Change figures in the total, in line 13, from "\$4,000.00" to "\$600.00."

In the title, strike out the words "Devils Lake and."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 93.

A bill for an Act to amend Section 1787 of the Revised Codes of the State of North Dakota for 1905.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 94.

A bill for an Act making an appropriation for a stand of colors.

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 196.

A bill for an Act to provide for the establishment, organization, regulation and management of a state board of health, township boards of health and village boards of health, and making an appropriation for the expenses of the state board of health, and to repeal Sections 252 to 287 inclusive, of Article 10, Chapter 4, Revised Codes of 1905.

Have had the same under consideration and recommend that the same be amended as follows:

In line 21, Section 6, page 4 of the printed bill, strike out the word "twelve" and insert in lieu thereof the word "six."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Your committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs, to whom was referred Senate Bill No. 221.

A bill for an Act to amend Sections 6, 7 and 8, and to repeal Section 14 of Chapter 303 of the Session Laws of 1911, relating to the organization and expenses of the state tax commissioner.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Plain moved  
 That the report be adopted.  
 Which motion prevailed and  
 The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
 Senate Bill No. 219.

A bill for a concurrent resolution to amend Section 216  
 of the Constitution of the State of North Dakota, pertaining  
 to public institutions.

Have had the same under consideration and recommend  
 that the same be indefinitely postponed.

J. E. DAVIS,  
 Chairman.

Mr. Talcott moved  
 That the report be adopted.  
 Which motion prevailed and  
 The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
 Senate Bill No. 260.

A bill for an Act entitled "An Act to amend Section 2 of  
 Chapter 265 of the Session Laws of 1911, relating to estab-  
 lishment and maintenance, and improvements and equip-  
 ment of a County Agricultural and Training School, and  
 providing levies therefor.

Have had the same under consideration and recommend  
 that the same do pass.

J. E. DAVIS,  
 Chairman.

Mr. Talcott moved  
 That the report be adopted.  
 Which motion prevailed and  
 The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 263.

A bill for an Act to amend Section 6245, Chapter 79, of the Revised Codes of North Dakota for 1905, relating to the enforcement of mechanics' liens.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 42.

A bill for an Act to require Road Supervisors, Street Commissioners or any person authorized to collect a road poll tax receipt, to file with the county auditor duplicate receipts, so that he may make the proper credits on the tax lists.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
House Bill No. 337.

A concurrent resolution amending Section 45, of Article 2, of the Constitution of the State of North Dakota, relating to the compensation of the members of the Legislative Assembly.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The majority of the committee on elections made the following report:

*Mr. President:*

The committee on elections to whom was referred House Bill No. 174.

A bill for an Act to amend and re-enact Chapter 208 of the Session Laws of 1911, relating to expenses of delegates to national conventions.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. L. GARDEN,  
J. L. CASHEL,  
C. O. HECKLE,  
JAMES TURNER,  
ALOYS WARTNER.

The minority of the committee on elections made the following report:

*Mr. President:*

Your committee on elections to whom was referred House Bill No. 174.

A bill for an Act to amend and re-enact Chapter 208 of the Session Laws of 1911, relating to expenses of delegates to national conventions.

Have had the same under consideration and recommend that the same do pass.

A. S. GIBBENS,  
W. R. BOND,  
J. A. ENGLUND,  
E. A. HUGHES.

Mr. Garden moved

That the majority report of the election committee to indefinitely postpone House Bill No. 174 be adopted.

Mr. Gibbens moved

As a substitute that the minority report of the election committee to pass House Bill No. 174 be adopted.

Which substitute motion was lost.

The question being on the original motion.

The same prevailed and

The majority report of the committee was adopted.

The committee on education made the following report:

*Mr. President:*

Your committee on education to whom was referred Senate Bill No. 149.

A bill for an Act relating to uniform text books and to amend Section 285 of Chapter 266 of the Session Laws of 1911.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred Senate Bill No. 240.

A bill for an Act to abolish the collection of tuition fees from North Dakota students entering the state educational institutions.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred  
Senate Bill No. 242.

A bill for an Act to prohibit presidents and teachers regularly employed at state educational institutions from charging fees for lectures delivered at State Teachers' Summer Training Schools and Teachers' State Institutes, and other state assemblages of educators or directors.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred  
Senate Bill No. 278.

A bill for an Act to amend Section 163 of Article 9 and Sections 222 and 227 of Article 14 of Chapter 266 of the 1911 Session Laws, relating to school district bonds.

Have had the same under consideration and recommend that the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred  
Senate Bill No. 299.

A bil for an Act to amend Section 43, Chapter 266, Laws of 1911, entitled "An Act to provide a system of free public schools for the State of North Dakota."

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on highways and bridges made the following report:

*Mr. President:*

Your committee on highways and bridges to whom was referred

Senate Bill No. 217.

A bill for an Act to amend Sections 5, 8 and 14 of Chapter 6, of the Session Laws of the State of North Dakota, of 1911, being an Act to license motor and other vehicles and defining the good roads regulations of such vehicles, providing that the funds received from such licenses shall be expended on the maintenance of public highways and making it a misdemeanor to take and remove motor and other vehicles from any warehouse, garage or building without the knowledge and consent of the owner, and repealing Section 2169 of the Revised Codes of North Dakota for the year 1905.

Have had the same under consideration and recommend the following amendments to the printed bill:

In the title of the bill after the word "amend" insert "and re-enact."

In Section 1, line 2, after the word "amended" insert the words re-enacted."

Line 10, after the word "fee" strike out the word "of" and insert the word "for." Strike out all of line 10 after the word "registration" and also all of line 11.

In line 12, after the word "certificate" insert "or tags."

In line 13, after the word "vehicle" strike out the words "may obtain" and insert "shall present."

In line 14, strike out the word "from" and insert the word "to." In same line after the word "face" insert the following: "of such loss, mutilation or destruction," and after the word "and" in the same line insert the word "on."

In line 15, after the word "dollar" strike out the word "for each" and insert the words "receive a." In the same line after the word "duplicates" strike out "period," and insert the following words: "tags of registration," also strike out the final "s" in the word "duplicates."

Section 2. line 2, after the words "amended" insert the words "and re-enacted."

Section 3, strike out all of Section after line three and insert the following:

"The Secretary of State shall deduct from each license fee of three dollars provided for in Section 7 of this Act, and from each duplicate registration fee of one dollar, which is provided for in Section 5 of this Act, and from each transfer fee of one dollar provided for in Section 3 of this Act, the sum of fifty cents to cover the cost of tags, the cost of postage or other means of transportation in the delivery of the same to applicants for licenses and the necessary clerk hire required to properly conduct the business entailed upon the office of the Secretary of State by the provisions of this Act.

After deducting such expense fees of fifty cents for each license fee, each duplicate registration fee and each transfer fee as above provided, the Secretary of State shall daily deposit with the treasurer of North Dakota, all sums of money coming into his possession by virtue of this Act, and the same shall be kept by the treasurer of the state in a fund separate from all other funds in his possession.

On the last business day of each calendar month, it is hereby made the duty of the Secretary of State to furnish the treasurer of North Dakota with a statement of the sums to be paid to each county of the state, and a list of the owners of motor vehicles, who have obtained licenses in the current month in said county. These statements of

funds and list of licenses shall be sent by the treasurer of North Dakota on the first day of the calendar month succeeding its receipt from the office of the Secretary of State to the several county auditors of the state, with a draft on some state depository covering the amount shown as being due said county by the statement of the Secretary of State; said draft to be payable to the treasurer of the county to which payment is being made.

The county auditor shall file in his office the list of license of motor vehicles and deliver the draft to the county treasurer to be credited to the special road maintenance fund as herein provided.

At the close of each year the Secretary of State shall make a statement of the expenses incurred in the purchase of tags, delivery of same to licensees, and the necessary clerk hire entailed in performing the duties required by this Act and any sum remaining in his hands from the fifty cents expense fee reserved for his office, as provided for herein, shall be paid into the state treasury and be distributed by the state treasurer at his first monthly distribution thereafter among the counties of the state, of motor vehicle license fees provided for in this Act.

Section 4, strike out everything after the word "emergency," and insert the following: "In that the present law does not provide for a prompt distribution of funds accumulated in the hands of the Secretary of State by the provisions of this Act, the same shall take effect on and after its passage and approval."

And when so amended recommend the same do pass.

CHAS. ELLINGSON,  
Chairman.

Mr. Ellingson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on highways and bridges to whom was referred

House Bill No. 380.

A bill for an Act entitled "An Act authorizing private as-

sociations or organizations to work upon and improve the public roads at thier own expense and to name said roads under the authority and with the approval of the county commissioners of the various counties.

Have had the same under consideration and recommend that the same do pass.

CHAS. ELLINGSON,  
Chairman.

Mr. Ellingson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on game and fish made the following report:

*Mr. President:*

Your committee on game and fish to whom was referred Senate Bill No. 148.

A bill for an Act to amend Sections 2 and 36 of Chapter 128 of the Laws of 1909, and Sections 4, 6 and 10 of Chapter 141 of the Laws of 1911, relating to fish and game; providing for the removal of beavers causing damage to property and making an appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows:

Amend the title to read as follows:

“For an Act to amend Section 36 of Chapter 128 of the Laws of 1909, and Sections 8, 35 and 45 of Chapter 128, Laws of 1909 as amended by Chapter 141 of the Laws of 1911 relating to fish and game; providing for the removal of beavers causing damage to property.

Strike out all of Sections 1 and 2.

Amend title of Section 3 to read as follows:

“Section 1.) Section 8 of Chapter 128 of the Laws of 1909 as amended by Chapter 141, Laws of 1911, is hereby amended to read as follows:”

Amend title of Section 4 to read as follows:

“Section 2.) Section 35 of Chapter 128 of Laws of 1909

as amended by Chapter 141, Laws of 1911 is hereby amended to read as follows:"

Also in same Section of the printed bill in line 8, correct the word "Pinnock" to "Pinnated."

Also in line 12 of the same Section change the words "Wild Goose" to "Crane."

Also in line 13, correct the word "Pinnock" to "Pinnated."

Also in line 17, strike out the word "Crane" and insert "Wild Goose of any variety."

Also in line 22, change the last word "of" to "for."

Also in line 23, change the first "or" to "nor."

Amend the title of Section 5 to read as follows:

"Section 3.) Section 45 of Chapter 128 of the Laws of 1909, as amended by Chapter 141, Laws of 1911, is hereby amended to read as follows"

Change Section 6 to Section 4.

In line 3 of the same Section, after the figures "36," insert "Deer. Season for Killing."

In line 5, change the figures "1918" to "1916."

In line 6, change the figures "1918" to "1916."

Also in same line after the word "deer" insert the following: "And it shall be unlawful to hunt, shoot, catch, kill, trap or in any way destroy any male deer, except from November 10th until November 30th, both inclusive.

In line 8, strike out the words "not less than."

In line 9, strike out the words "twenty-five" and insert "one hundred."

Also in same line strike out the words "nor more than fifty dollars."

In line 10, strike out the word "and" and insert the word "or."

In line 11, strike out the word "twenty" and insert the word "thirty."

Also in same line strike out the word "thirty" and insert the word "sixty."

Change Section 7 to Section 5.

Strike out all of Section 8.

And when so amended recommend the same do pass.

HENRY McLEAN,  
Chairman.

Mr. McLean moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on game and fish to whom was referred  
Senate Bill No. 60.

A bill for an Act to provide for the protection of the deer.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

HENRY McLEAN,  
Chairman.

Mr. McLean moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on game and fish to whom was referred  
Senate Bill No. 93.

A bill for an Act to Amend Section 10 of Chapter 141 of  
the Session Laws of 1911 relating to the protection of  
game.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

HENRY McLEAN,  
Chairman.

Mr. McLean moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on counties made the following report:

*Mr. President:*

Your committee on counties to whom was referred  
Senate Bill No. 243.

A bill for an Act to amend Section 2485 of the Revised Codes of North Dakota for 1905, relating to the annual statement of the county auditor and treasurer.

Have had the same under consideration and recommend that the same be amended as follows:

In line 17, strike out the word "three" and insert the word "official."

In line 18, after the word "county" strike out all of the line.

Strike out all of line 19, and insert "on or before January 15th following."

And when so amended recommend the same do pass.

C. GANSSLE,  
Chairman.

Mr. Ganssle moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on counties to whom was referred

House Bill No. 105.

A bill for an Act to amend Section 3048 of the Revised Codes of North Dakota for 1905, relating to the organization of townships.

Have had the same under consideration and recommend that the same do pass.

C. GANSSLE,  
Chairman.

Mr. Ganssle moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

## COMMUNICATION FROM THE GOVERNOR.

EXECUTIVE OFFICE,  
BISMARCK, NORTH DAKOTA,  
February 20, 1913.

*To the Senate:*

Gentlemen: I have the honor to inform you that I have this day approved and filed with the Secretary of State,

Senate Bill No. 49.

A bill for an Act preventing the manufacture, sale or transportation of adulterated insecticides and fungicides, and for regulating traffic therein and fixing penalties for the violation of this Act.

Also,

Senate Bill No. 59.

A bill for an Act providing for the registration of farm names.

Senate Bill No. 141.

A bill for an Act to amend and re-enact Section 4974 of the Revised Codes of 1905, providing for the confirmation of the conveyance of the family homestead in any case in which the same has been or may be deeded by both husband and wife in separate instruments where said deeds purport to convey the land to the same person or his grantees, and validating such deeds.

Also,

Senate Bill No. 166.

A bill for an Act re-instating and validating the charters of corporations that have been cancelled for failure to make and file with the secretary of state reports as required by and under Section 4186 of the Revised Codes of 1905.

I have the honor to be,

Respectfully,

L. B. HANNA,  
Governor.

Mr. Bond moved

That the Senate do now go into executive session.

Which motion prevailed and

The Senate went into executive session.

OPEN SESSION.

In open session announcement was made of the confirmation of the following executive appointment:

For appointment as member of the Board of Control: Fred O. Brewster of Harvey, Wells County, North Dakota.

Mr. Talcott moved

That the special order of business set for today at 3:00 o'clock P. M., be put over until tomorrow at 4:00 o'clock P. M.

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS.

Mr. Bond (by request) introduced

Senate Bill No. 321.

A bill for an Act requiring corporations, associations and firms engaged in furnishing heat, light or power within any city or village in this state to maintain its principal place of business in this state with all its records of every kind, requiring a majority of the board of directors, its secretary, treasurer and president to be residents of this state.

Which was read the first and second times and

Referred to the committee on cities and municipal corporations.

Mr. Heckle introduced

Senate Bill No. 322.

A bill for an Act pertaining to verdicts and findings and abolishing special verdicts in civil and criminal actions.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Bonzer introduced

Senate Bill No. 323.

A bill for an Act requiring auctioneers to notify county treasurers of sales of personal property by public auction prior to such sales, providing for penalty for failure to so notify and making it the duty of the county treasurer to collect such tax.

Which was read the first and second times and  
Referred to the committee on taxes and tax laws.

Mr. Barnes introduced

Senate Bill No. 324.

A bill for an Act to provide that graduates of certain courses in the industrial school and school of manual training at Ellendale, North Dakota, shall be qualified to teach such courses in any high school in the state.

Which was read the first and second times and  
Referred to the committee on education.

The Committee on Education introduced

Senate Bill No. 325.

A bill for an Act to provide for a state board of industrial school trustees, the organization, meetings and compensation of such board, and the purpose, maintenance and government of the state industrial school and school for manual training at Ellendale, the academy of science at Wahpeton and the school of forestry at Bottineau, and repealing Sections 1092 to 1099, 1172 to 1176, 1231 to 1236 of the Revised Codes of North Dakota of 1905, as amended by Sections 1092 and 1231 of Chapters 100 and 241 of the Session Laws of North Dakota of 1907.

Which was read the first and second times and  
Referred to the committee on education.

Mr. Hughes introduced

Senate Bill No. 326.

A bill for an Act to regulate the construction of telephone lines and exchanges, to provide for physical connections and joint rates between telephone companies, defining the same and defining the duties and powers of the state board of railroad commissioners in connection therewith.

Which was read the first and second times and  
Referred to the committee on railroads.

Mr. Talcott introduced

Senate Bill No. 327.

A concurrent resolution to amend Section 154 of the Constitution of the State of North Dakota, relating to the ap

portioning of the interest and income derived from the permanent fund of the common schools.

Which was read the first and second times and

Referred to the committee on education.

Mr. Garden introduced

Senate Bill No. 328.

A bill for an Act to amend Chapter 229 of the Laws of 1911, prohibiting the introduction of intoxicating liquors, narcotics or other habit-forming drugs into any of the buildings or upon the premises of any of the penal or charitable institutions of the state, or of any county, city or village in the state.

Which was read the first and second times and

Referred to the committee on temperance.

Mr. Garden introduced

Senate Bill No. 329.

A bill for an Act to repeal Sections 2180, 2181, 2182, 2183, 2185 and 2187 of the Revised Codes of North Dakota for 1905, relating to the inspection of weights and measures.

Which was read the first and second times and

Referred to the committee on state affairs.

There being no objection, the following bills carrying appropriations of public funds were introduced by Mr. Vail:

Mr. Vail introduced

Senate Bill No. 330.

A bill for an Act to amend Section 35 of the Revised Codes of 1905 for North Dakota.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Vail introduced

Senate Bill No. 331.

A bill for an Act to appropriate \$45,000 or so much thereof as may be found necessary to reimburse the Permanent Fund and Interest Fund and Income Fund of the Capitol Building for moneys expended for a trolley line, sinking of

wells and building a standpipe on the Capitol grounds, the purchase of furniture, building of sewer and water mains, and such other expenditures as have been wrongfully charged against the fund mentioned, and prescribing the duties of the state auditor and the state auditing board in connection therewith.

Which was read the first and second times and  
Referred to the committee on appropriations.

Mr. Vail introduced

Senate Bill No. 332.

A bill for an Act to repeal Chapter 49 of the 1907 Session Laws of North Dakota.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Hyland introduced

Senate Bill No. 333.

A bill for an Act creating a state highway commission, defining their duties and powers.

Which was read the first and second times and  
Referred to the committee on highways and bridges.

Mr. McBride introduced

Senate Bill No. 334.

A bill for an Act to protect the lives and property of the traveling public, and the employees of the railroads in the State of North Dakota, by providing for full crews on trains.

Which was read the first and second times and  
Referred to the committee on railroads.

Mr. Bond introduced

Senate Bill No. 335.

A bill for an Act to re-enact and amend Section 22, Chapter 62 of the Session Laws of 1911, relating to the appointment of a state architect and pertaining to his duties and salary. Emergency.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Talcott introduced

Senate Bill No. 336.

A bill for an Act to amend Section 133 of Chapter 266 of the Session Laws of 1911, relating to the annexation of adjacent territory to special school districts.

Which was read the first and second times and

Referred to the committee on education.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 292.

A bill for an Act to amend and re-enact Chapter 168 of the Session Laws of 1911 relating to the Tenth Judicial District.

Was read the third time.

Mr. Hoverson offered the following amendments to Senate Bill No. 292 and moved their adoption:

That the title of the printed bill be amended by striking out all after the figures "1911," and inserting in lieu thereof the following:

"Defining the Tenth Judicial District, and providing for holding terms of court therein," also that Section 1, lines 1 and 2 of the printed bill be amended so as to read as follows:

"Section 1, Chapter 168 of the Session Laws of 1911 is hereby amended and re-enacted so as to read as follows;" also in line 11 of the printed bill, strike out the word "second" and insert in lieu thereof the word "first." Also in line 29 of the printed bill, strike out "second Tuesday in November" and insert in lieu thereof "first Tuesday in October," also in line 33 of the printed bill, strike out "fourth Tuesday in October" and insert in lieu thereof, "second Tuesday in November," also in line 37 of the printed bill, strike out "second Tuesday in October" and insert in lieu thereof "third Tuesday in October."

Which motion prevailed, and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 44 ayes, no nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	McLean
Allen	Gibbens	Mudgett
Barnes	Gilbert	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hoverson	Putnam
Cashel	Hughes	Steel
Clark	Jacobsen	Talcott
Davidson	Kretschmar	Thoreson
Davis	Leutz	Trageton
Duncan	Linde	Turner
Elken	Loftsgaard	Vail
Ellingson	McBride	Young
Englund	McDowell	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Garden	Hookway	Wartner
Gronvold	Hyland	Williams

So the bill passed and the title was agreed to.

Mr. Overson presiding.

Senate Bill No. 209.

A bill for an Act prohibiting dancing in any elementary, grade or high school building in the State of North Dakota under the public school system of the State of North Dakota, and providing a penalty for the violation thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 25 ayes, 24 nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Ellingson	Kretschmar
Barnes	Ganssle	Leutz
Bond	Garden	Loftsgaard
Bonzer	Gibbens	McLean
Cashel	Gronvold	Thoreson
Davidson	Helgeland	Trageton
Davis	Hoverson	Williams
Duncan	Hyland	
Elken	Jacobsen	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Hughes	Porterfield
Carter	Linde	Putnam
Clark	McBride	Steel
Englund	McDowell	Talcott
Gilbert	Mudgett	Turner
Hanley	Nelson	Vail
Heckle	Overson	Wartner
Hookway	Plain	Young

Absent and not voting, Mr. Albrecht.

So the bill was lost.

Mr. Hughes moved

That the vote by which Senate Bill No. 209 was lost, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 89.

A bill for an Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Was read the third time.

Mr. McDowell offered the following amendment to Senate Bill No. 89 and moved its adoption:

After Section 16 of the bill add the following:

“Section 17. Emergency.) Whereas, an emergency exists in this that there is no law in this state on this subject, therefore this bill shall be in full force and effect immediately upon its passage and approval.

Which motion prevailed and  
the amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 49 ayes, no nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Davis	Kretschmar	Turner
Duncan	Leutz	Vail
Elken	Linde	Wartner
Ellingson	Loftsgaard	Williams
Englund	McBride	Young
Ganssle	McDowell	
Garden	McLean	

Absent and not voting, Mr. Hookway.

So the bill passed and the title was agreed to.

Senate Bill No. 279.

A bill for an Act to promote forest tree culture and providing for a bounty for tree planting and the levy of a tax to pay such bounty.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 30 ayes, 15 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Ganssle	McBride
Barnes	Gilbert	McDowell
Bond	Gronvold	Nelson
Bonzer	Heckle	Overson
Carter	Hoverson	Porterfield
Cashel	Hughes	Putnam
Clark	Hyland	Talcott
Duncan	Jacobsen	Thoreson
Ellingson	Kretschmar	Vail
Englund	Linde	Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Helgeland	Plain
Bronson	Leutz	Steel
Davidson	Loftsgaard	Trageton
Elken	McLean	Turner
Hanley	Mudgett	Wartner

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Davis	Gibbens	Williams
Garden	Hookway	

Messrs. Davidson and Hanley explained their votes.

So the bill passed without the emergency clause and the title was agreed to.

Mr. Duncan moved

That the vote by which Senate Bill No. 279 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The President pro tempore presiding.

Senate Bill No. 167.

A bill for an Act providing for the making of necessary repairs upon the executive mansion, and making appropriation therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

**Those voting in the affirmative were:**

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hoverson	Putnam
Carter	Hughes	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Trageton
Davis	Leutz	Turner
Duncan	Linde	Vail
Elken	Loftsgaard	Wartner
Ellingson	McBride	Williams
Englund	McDowell	Young
Ganssle	Nelson	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Garden	Gibbens	Hookway

So the bill passed and the title was agreed to.

Senate Bill No. 158.

A bill for an Act to repeal Chapters 132 and 133 of the Session Laws of 1907, and Chapter 139 of the Session Laws of 1909, relating to the Historical Society of North Dakota, and making an appropriation.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hoverson	Putnam
Carter	Hughes	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Trageton
Davis	Leutz	Turner
Duncan	Linde	Vail
Elken	Loftsgaard	Wartner
Ellingson	McBride	Williams
Englund	McDowell	Young
Ganssle	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Garden	Gibbens	Hookway

So the bill passed and the title was agreed to.

Senate Bill No. 193.

A bill for an Act authorizing the governor of the State of North Dakota to employ chartered public accountants to examine, audit and check the accounts of the several departments of the state government, etc.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, no nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Heckle	Overson
Barnes	Helgeland	Plain
Bonzer	Hoverson	Porterfield
Bronson	Hughes	Steel
Carter	Hyland	Talcott
Cashel	Jacobsen	Thoreson
Clark	Kretschmar	Trageton
Davidson	Leutz	Turner
Davis	Linde	Vail
Elken	Loftsgaard	Wartner
Ellingson	McBride	Williams
Englund	McDowell	Young
Ganssle	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Duncan	Gibbens	Hookway
Garden	Hanley	Putnam

So the bill passed and the title was agreed to.

Senate Bill No. 115.

A bill for an Act fixing the time when policies of hail insurance companies shall take effect.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, 1 nay, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gibbens	Mudgett
Barnes	Gilbert	Overson
Bond	Gronvold	Plain
Bonzer	Hanley	Porterfield
Bronson	Helgeland	Putnam
Carter	Hoverson	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Trageton
Davis	Leutz	Turner
Duncan	Linde	Vail
Elken	Loftsgaard	Wartner
Ellingson	McBride	Williams
Englund	McDowell	Young
Ganssle	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Garden	Hookway	Nelson
Heckle	Hughes	

Mr. Allen voted in the negative.

So the bill passed and the title was agreed to.

Mr. Hanley moved

That the vote by which Senate Bill No. 115 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 282.

A bill for an Act to provide for the collection, arrangement and display of the products and resources of the State of North Dakota at the Centennial Exposition to be held in Christiania, Norway, in 1914, and providing for a board of commissioners therefor, and making an appropriation for such purpose.

Was read the third time.

Mr. Plain offered the following amendment to Senate Bill No. 282 and moved its adoption.

In Section 3, line 3, after the word "transportation" strike out the balance of Section 3.

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 43 ayes, 2 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	McDowell
Allen	Garden	McLean
Barnes	Gibbens	Mudgett
Bond	Gilbert	Nelson
Bonzer	Gronvold	Overson
Bronson	Hanley	Plain
Carter	Heckle	Porterfield
Cashel	Helgeland	Putnam
Clark	Hoverson	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Linde	Vail
Ellingson	Loftsgaard	Williams
Englund	McBride	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Hookway	Leutz	Wartner
Hughes	Steel	

Messrs Bronson and Young voted in the negative.

So the bill passed and the title was agreed to.

Senate Bill No. 44.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 of Chapter 35 of the Session Laws of the year 1911, of the State of North Dakota, being an Act to encourage elementary education in North Dakota, and appropriate money therefor.

Was read the third time.

Mr. Talcott offered the following amendments to Senate Bill No. 44, and moved their adoption:

In Section 3, page 3, line 21, strike out the words "superintendent of public instruction," and insert in lieu thereof, the words "board of education."

In Section 3, page 4, lines 39 and 40, strike out the words, "superintendent of public instruction," and insert in lieu thereof the words "Board of Education."

In Section 4, page 5, lines 19 and 20, strike out the words, "superintendent of public instruction," and insert in lieu thereof the words "Board of Education."

In Section 4, page 5, lines 37 and 38, strike out the words "superintendent of public instruction," and insert in lieu thereof the words "Board of Education."

In Section 5, page 6, lines 14 and 15, strike out the words "superintendent of public instruction," and insert in lieu thereof the words "board of education."

In Section 6, page 7, line 12, after the word "years" insert the words "provided that such appointment must be confirmed by the State Board of Education."

In Section 7, page 8, lines 2 and 3, strike out the words "superintendent of public instruction," and insert in lieu thereof the words "Board of Education."

In Section 7, page 8, line 6, strike out the word "him," and insert in lieu thereof the words "the board."

In Section 7, page 9, line 12, strike out the word "him," and insert in lieu thereof the words "the board."

In Section 9, page 10, lines 5 and 6, strike out the word "superintendent," and insert in lieu thereof the words "board of education."

In Section 10, page 10, line 8, strike out the words "high school," and insert in lieu thereof the words "Board of Education."

In Section 10, page 10, line 10, strike out the words "high school."

In Section 10, page 11, line 19, strike out the words "superintendent of public instruction," and insert in lieu thereof the words "Board of Education."

In Section 10, page 11, line 20, strike out the words "state superintendent of public instruction," and insert in lieu thereof the word "board."

In Section 10, page 11, line 22, strike out the word "superintendent," and insert in lieu thereof the word "board."

Which motion prevailed and

The amendments were adopted.

Mr. Plain offered the following amendments to Senate Bill No. 44, and moved their adoption:

On page 12, Section 12, line 6 of the printed bill, strike out the word "twenty" and insert in lieu thereof the word "fifteen."

In line 7 of Section 12 of the printed bill strike out the figures "20,000.00" and insert in lieu thereof the figures "15,000.00."

In line 8 of Section 12 of the printed bill strike out the word "forty" and insert in lieu thereof the word "ten," and strike out the figures "40,000.00" and insert in lieu thereof the figures "10,000.00."

Which motion prevailed and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson

Messrs.—  
Carter  
Cashel  
Clark  
Davidson  
Davis  
Duncan

Messrs.—  
Elken  
Ellingson  
Englund  
Ganssle  
Garden  
Gibbens

Messrs.—	Messrs.—	Messrs.—
Gilbert	Kretschmar	Porterfield
Gronvold	Leutz	Putnam
Hanley	Linde	Talcott
Heckle	Loftsgaard	Thoreson
Helgeland	McBride	Trageton
Hoverson	McDowell	Turner
Hughes	McLean	Vail
Hyland	Mudgett	Young
Jacobsen	Nelson	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Hookway	Wartner	Williams
Steel		

So the bill passed and the title was agreed to.

**Senate Bill No. 51.**

A bill for an Act to amend and re-enact Sections 1031, 1032, 1033, 1034, 1035, 1036, 1037 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907 and Chapter 267 of the General Laws of 1911; and to amend Sections 1, 2, 3, 4, 5, of Chapter 40 of the General Laws of 1911, and to repeal Sections 6, 7, 8, 9, 10, 11, of Chapter 40 of the General Laws of 1911.

Was read the third time.

Mr. Talcott offered the following amendment to Senate Bill No. 51 and moved its adoption:

In Section 7, line 6 of the printed bill strike out the word "five" and insert in lieu thereof the word "three."

In Section 8, line 4 of the printed bill after the word "the" strike out the balance of line 4 and all of lines 5, 6, 7 and 8, and insert in lieu thereof the following: "Board shall hold a regular meeting in the months of July, September, November, January, March and May of each year."

Which motion prevailed and

The amendments were adopted.

Mr. Cashel offered the following amendments to Senate Bill No. 51 and moved their adoption.

On page 6, line 49 of the printed bill insert the word "a" after the word "having," and on page 2, Section 2, line 5, of the printed bill, insert the word "which" after the word "system,"

Which motion prevailed and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	McDowell
Allen	Garden	McLean
Barnes	Gibbens	Mudgett
Bond	Gilbert	Nelson
Bonzer	Gronvold	Overson
Bronson	Hanley	Plain
Carter	Heckle	Porterfield
Cashel	Hoverson	Putnam
Clark	Hughes	Steel
Davidson	Hyland	Talcott
Davis	Jacobsen	Thoreson
Duncan	Kretschmar	Trageton
Elken	Linde	Turner
Ellingson	Loftsgaard	Wartner
Englund	McBride	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Helgeland	Leutz	Williams
Hookway	Vail	

So the bill passed and the title was agreed to.

Mr. Talcott presiding.

Senate Bill No. 16.

A bill for an Act appropriating money for the current and contingent expenses of the State Tuberculosis Sanatorium at Dunseith.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, no nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Carter	Ellingson
Allen	Cashel	Englund
Barnes	Clark	Ganssle
Bond	Davidson	Garden
Bonzer	Davis	Gibbens
Bronson	Duncan	Gilbert

Messrs.—  
 Gronvold  
 Hanley  
 Heckle  
 Helgeland  
 Hoverson  
 Hughes  
 Hyland  
 Jacobsen  
 Kretschmar

Messrs.—  
 Leutz  
 Loftsgaard  
 McBride  
 McDowell  
 Nelson  
 Overson  
 Plain  
 Porterfield  
 Putnam

Messrs.—  
 Steel  
 Talcott  
 Thoreson  
 Trageton  
 Vail  
 Wartner  
 Williams  
 Young

**Absent and not voting:**

Messrs.—  
 Elken  
 Hookway

Messrs.—  
 Linde  
 McLean

Messrs.—  
 Mudgett  
 Turner

So the bill passed and the title was agreed to.

**Senate Bill No. 72.**

A bill for an Act to appropriate money to reimburse the citizens of Mandan, North Dakota, for moneys advanced by them for the purchase of certain lands in Morton County, North Dakota, to be deeded to the board of trustees of the North Dakota Agricultural College, and to be used in connection with the experiment station established by Act of Congress, and located near Mandan, North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 39 ayes, 3 nays, 3 absent and not voting.

**Those voting in the affirmative were:**

Messrs.—  
 Albrecht  
 Allen  
 Barnes  
 Bond  
 Carter  
 Cashel  
 Clark  
 Davidson  
 Davis  
 Duncan  
 Elken  
 Ellingson  
 Ganssle

Messrs.—  
 Garden  
 Gibbens  
 Gilbert  
 Gronvold  
 Hanley  
 Heckle  
 Helgeland  
 Hughes  
 Jacobsen  
 Kretschmar  
 Leutz  
 Loftsgaard  
 McBride

Messrs.—  
 McDowell  
 Mudgett  
 Nelson  
 Plain  
 Porterfield  
 Putnam  
 Steel  
 Talcott  
 Thoreson  
 Trageton  
 Vail  
 Wartner  
 Young

**Those voting in the negative were:**

Messrs.—  
 Bronson

Messrs.—  
 Hoverson

Messrs.—  
 Overson

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bonzer	Hyland	Turner
Englund	Linde	Williams
Hookway	McLean	

So the bill passed and the title was agreed to.

**Senate Bill No. 171.**

A bill for an Act to provide an appropriation for the purpose of expenses incurred as a part of and during the Twelfth Legislative Assembly of the State of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Mudgett
Allen	Gibbens	Nelson
Barnes	Gilbert	Overson
Bond	Gronvold	Plain
Bonzer	Hanley	Porterfield
Bronson	Heckle	Putnam
Carter	Helgeland	Steel
Cashel	Hoverson	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
<b>Davis</b>	Kretschmar	Turner
Duncan	Leutz	Vail
Elken	Loftsgaard	Wartner
Ellingson	McBride	Williams
Englund	McDowell	Young
Ganssle	McLean	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Hookway	Hughes	Linde

So the bill passed and the title was agreed to.

**Senate Bill No. 139.**

A bill for an Act providing for the cancellation of all North Dakota live stock brands or marks; providing for re-recording of same; notices to record owners; publication of notices; manner of re-recording and future recording; fees; expenses; appropriation; repeal.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, 2 nays, 4 absent and ont voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Mudgett
Allen	Gibbens	Nelson
Barnes	Gilbert	Overson
Bond	Gronvold	Plain
Bonzer	Hanley	Putnam
Carter	Heckle	Steel
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Davidson	Hyland	Trageton
<b>Davis</b>	Jacobsen	Turner
Duncan	Kretschmar	Vail
Elken	Leutz	Wartner
Ellingson	Loftsgaard	Williams
Englund	McDowell	Young
Ganssle	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Hookway	McBride	Porterfield
Linde		

Messrs Bronson and Helgeland voted in the negative.

So the bill passed and the title was agreed to.

Senate Bill No. 10.

A bill for an Act making an appropriation of a sum sufficient to complete payment for the silver service to be donated by the State of North Dakota to the Battleship North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 30 ayes, 17 nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Elken	McBride
Barnes	Englund	McDowell
Bond	Ganssle	McLean
Bonzer	Gibbens	Nelson
Bronson	Gilbert	Plain
Cashel	Gronvold	Talcott
Clark	Hoverson	Trageton
Davidson	Hyland	Turner
<b>Davis</b>	Jacobsen	Vail
Duncan	Kretschmar	Wartner

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Helgeland	Putnam
Carter	Hughes	Steel
Ellingson	Leutz	Thoreson
Garden	Loftsgaard	Williams
Hanley	Mudgett	Young
Heckle	Overson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Hookway	Linde	Porterfield

So the bill passed without the emergency clause and the title was agreed to.

Senate Bill No. 25.

A bill for an Act to appropriate the sum of Thirty Thousand Dollars, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, 2 nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Nelson
Allen	Gibbens	Overson
Barnes	Gilbert	Plain
Bond	Gronvold	Porterfield
Bonzer	Hanley	Putnam
Bronson	Heckle	Steel
Carter	Helgeland	Talcott
Cashel	Hoverson	Thoreson
Clark	Hyland	Trageton
Davidson	Jacobsen	Turner
Davis	Kretschmar	Vail
Duncan	Leutz	Wartner
Elken	McBride	Williams
Ellingson	McDowell	Young
Englund	McLean	
Ganssle	Mudgett	

Messrs. Hughes and Loftsgaard voted in the negative.

Absent and not voting, Messrs. Hookway and Linde.

So the bill passed and the title was agreed to.

Senate Bill No. 283.

A bill for an Act to provide an annual contingency fund to be placed at the disposal of the commissioner of insurance.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Nelson
Allen	Gibbens	Overson
Barnes	Gibbens	Plain
Bond	Gronvold	Porterfield
Bonzer	Heckle	Putnam
Bronson	Helgeland	Steel
Carter	Hoverson	Talcott
Cashel	Hyland	Thoreson
Clark	Jacobsen	Trageton
Davidson	Kretschmar	Turner
Davis	Leutz	Vail
Duncan	Loftsgaard	Wartner
Elken	McBride	Williams
Ellingson	McLean	Young
Englund	Mudgett	
Ganssle	McDowell	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Hanley	Hughes	Linde
Hookway		

So the bill passed and the title was agreed to.

Senate Bill No. 247.

A bill for an Act to amend and re-enact Section 1129 of the Revised Codes of North Dakota for the year 1905, relating to the agricultural and geological survey and appropriation therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, no nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Clark	Gibbens
Allen	Davidson	Gilbert
Barnes	Davis	Gronvold
Bond	Duncan	Heckle
Bonzer	Elken	Helgeland
Bronson	Ellingson	Hoverson
Carter	Ganssle	Hyland
Cashel	Garden	Jacobsen

Messrs.—	Messrs.—	Messrs.—
Kretschmar	Overson	Trageton
Leutz	Plain	Turner
McBride	Porterfield	Wartner
McDowell	Putnam	Williams
McLean	Steel	Young
Mudgett	Talcott	
Nelson	Thoreson	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Englund	Hughes	Vail
Hanley	Linde	
Hookway	Loftsgaard	

So the bill passed and the title was agreed to.

Senate Bill No. 185.

A bill for an Act for an appropriation to reimburse Prof. E. F. Ladd for disbursements and expenses incurred in the enforcement of the Pure Food Laws.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, no nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Nelson
Allen	Gibbens	Overson
Barnes	Gilbert	Plain
Bond	Gronvold	Porterfield
Bonzer	Heckle	Putnam
Bronson	Helgeland	Steel
Carter	Hoverson	Talcott
Cashel	Hyland	Thoreson
Clark	Jacobsen	Trageton
Davidson	Kretschmar	Turner
Davis	Leutz	Vail
Duncan	McBride	Wartner
Elken	McDowell	Williams
Ellingson	McLean	Young
Ganssle	Mudgett	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Englund	Hookway	Linde
Hanley	Hughes	Loftsgaard

So the bill passed and the title was agreed to.

Senate Bill No. 97.

A bill for an Act amending Section 1307 of the Revised

Codes of North Dakota for the year 1905, relating to state affairs.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Mudgett
Allen	Gibbens	Nelson
Barnes	Gilbert	Overson
Bond	Gronvold	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hoverson	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Trageton
Davis	Leutz	Turner
Duncan	Loftsgaard	Vail
Elken	McBride	Wartner
Ellingson	McDowell	Williams
Ganssle	McLean	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Hookway	Linde
Hanley	Hughes	

So the bill passed and the title was agreed to.

Senate Bill No. 201.

A bill for an Act amending Section 1070 of the Revised Codes of North Dakota for 1905, and making an appropriation to meet the necessary expenses of the State Geological Survey.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Cashel	Ganssle
Allen	Clark	Garden
Barnes	Davidson	Gibbens
Bond	Davis	Gilbert
Bonzer	Duncan	Gronvold
Bronson	Elken	Heckle
Carter	Ellingson	Helgeland

## Messrs.—

Hoverson  
Hyland  
Jacobsen  
Kretschmar  
Leutz  
Loftsgaard  
McBride  
McDowell

## Messrs.—

McLean  
Mudgett  
Nelson  
Overson  
Plain  
Porterfield  
Putnam  
Steel

## Messrs.—

Talcott  
Thoreson  
Trageton  
Turner  
Vail  
Wartner  
Williams  
Young

**Absent and not voting:**

## Messrs.—

Englund  
Hanley

## Messrs.—

Hookway  
Hughes

## Messrs.—

Linde

So the bill passed and the title was agreed to.

There being no objection, the Senate returned to the sixth order of business, and

The committee on live stock made the following report:

*Mr. President:*

Your committee on live stock to whom was referred

House Bill No. 57.

A bill for an Act to prevent fraudulent registration and sale of animals as being pure bred, and to amend Section 9007 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same be amended as follows:

In line 4, Section 1 of printed bill, strike out the words "horse, cattle, sheep or swine" and at the beginning of line 6, strike out the word "and" and insert in lieu thereof the word "any."

In line 9 of the printed bill, after the word "registered," insert the words "in some association recognized by the North Dakota Live Stock Association."

In line 11 of the printed bill, strike out the words "enumerated herein," also the word "animal" at the end of line 11 of printed bill.

In line 13 of printed bill, strike out the words "deceiving the people of this state," and insert in lieu thereof the word "deception."

In lines 20 and 21 of the printed bill, strike out the words "more than three hundred (\$300.00) dollars" and insert in lieu thereof the words "less than twenty-five (\$25.00) dollars nor more than one thousand (\$1,000.00) dollars."

Also in line 21 of the printed bill, strike out the word "of" and insert in lieu thereof the word "for."

In line 22 of the printed bill, strike out the words "more than ninety days" and insert in lieu thereof the words "less than thirty days nor more than six months."

And when so amended recommend the same do pass.

A. S. GIBBENS,  
Chairman.

Mr. Gibbens moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

There being no objection, the Senate returned to the ninth order of business.

The Joint Sub-committee on Education introduced  
Senate Bill No. 337.

A bill for an Act to amend Section 282 of Chapter 266 of the Session Laws of 1911, relating to conductors and county superintendents filing statement of number of schools with county auditor.

Was read the first and second times and

Referred to the committee on education.

The Joint Sub-committee on Education

Senate Bill No. 338.

A bill for an Act providing that persons in charge of school children shall furnish suitable text books in districts wherein the free text book system has not been adopted.

Was read the first and second times and

Referred to the committee on education.

The Joint Sub-committee on Education

Senate Bill No. 339.

A bill for an Act to amend and re-enact Section 113 of Chapter 266 of the Session Laws of 1911, relating to county treasurer's accounts kept with the school corporations.

Was read the first and second times and

Referred to the committee on education.

The Joint Sub-committee on Education

Senate Bill No. 340.

A bill for an Act to repeal Section 28 of Chapter 266 of the Session Laws of 1911, relating to office, postage and stationery of county superintendents.

Was read the first and second times and

Referred to the committee on education.

The Joint Sub-committee on Education

Senate Bill No. 341.

A bill for an Act to amend and re-enact Section 91 of Chapter 266 of the Session Laws of 1911, relating to school district clerk's annual report.

Was read the first and second times and

Referred to the committee on education.

The Joint Sub-committee on Education

Senate Bill No. 342.

A bill for an Act to amend Section 80 of Chapter 266 of the Session Laws of 1911, relating to board of inspection.

Was read the first and second times and

Referred to the committee on education.

The Joint Sub-committee on Education

Senate Bill No. 343.

A bill for an Act to amend and re-enact Section 81 of Chapter 266 of the Session Laws of 1911, relating to school house sites.

Was read the first and second times and

Referred to the committee on education.

The Joint Sub-committee on Education

Senate Bill No. 344.

A bill for an Act to repeal Section 43½ of Chapter 266 of the Session Laws of 1911, relating to boundaries of school districts.

Was read the first and second times and

Referred to the committee on education.

The Joint Sub-committee on Education

Senate Bill No. 345.

A bill for an Act to amend Section 85 of Chapter 266 of the Session Laws of 1911, relating to additional school time.

Was read the first and second times and

Referred to the committee on education.

The Joint Sub-committee on Education

Senate Bill No. 346.

A bill for an Act to amend and re-enact Section 34 of Chapter 266 of the Session Laws of 1911, relating to salary and expenses of county superintendents.

Was read the first and second times and

Referred to the committee on education.

The Joint Sub-committee on Education

Senate Bill No. 347.

A bill for an Act to amend Section 258 of Chapter 266 of the Session Laws of 1911, relating to high school diplomas.

Was read the first and second times and

Referred to the committee on education.

The Joint Sub-committee on Education

Senate Bill No. 348.

A bill for an Act to amend and re-enact Section 72 of Chapter 266 of the Session Laws of 1911, relating to teachers employed by district school boards and their salaries.

Was read the first and second times and

Referred to the committee on education.

Mr. Garden introduced

Senate Bill No. 349.

A bill for an Act to amend Section 1 of Chapter 162 of the Session Laws of 1911, relating to county mutual companies.

Was read the first and second times and

Referred to the committee on insurance.

The courtesies of the floor were extended to Spencer Reed, Valley City, N. D.; Rev. Father Hiltner, Bismarck, N. D.; Prof. M. A. Brannon, Grand Forks, N. D.; Mr. and Mrs. Batcheller, Barnes County, N. D.; G. W. Lynn, Linton, N. D.

Mr. Gibbens moved

That the Senate do now adjourn.

Which motion prevailed and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

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### FIFTIETH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 25, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., February 25, 1913.

*Mr. President:*

I have the honor to transmit herewith

House Bill No. 389.

A bill for an Act to amend Section 5 of Chapter 109 of the Laws of 1907, relating to primary elections.

Also,

House Bill No. 423.

A bill for an Act to amend Sections 628, 629 and 631 of the Revised Codes of North Dakota of 1905, relating to elections.

Also,

House Bill No. 372.

A bill for an Act to amend Section 4588 of the Revised Codes of North Dakota of 1905, relating to the powers of cemetery corporations.

Also,

House Bill No. 417.

A bill for an Act to amend and re-enact Chapter 221 of the Session Laws of North Dakota for 1907, entitled "An Act providing for the giving of notice by merchants to their creditors before making sale of their entire stock or business."

Also,

House Bill No. 425.

A bill for an Act to amend Article 4, Chapter 30 of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to powers of city councils.

Also,

House Bill No. 375.

A bill for an Act to amend Section 2657 of the Revised Codes of 1905, with respect to the revision and adoption of ordinances by cities.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to transmit herewith the following concurrent resolution:

*Be it Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring:*

*Whereas, The kingdom of Norway will in 1914 celebrate the one hundredth anniversary of its new birth as a nation, its liberal constitution modeled after that of the United States, having been adopted on May 17, 1814; and,*

*Whereas*, There are peculiarly close relations between Norway and North Dakota, as recognized in Norway by the fact that the people of that country have presented a statue of the national poet, Henrik Wergeland, to North Dakota, as the state having the largest percentage of citizens who are of Norwegian birth or extraction; and,

*Whereas*, Some citizens of North Dakota purpose to return this courtesy by a suitable present to Norway, preferably a statue of Abraham Lincoln to be placed in front of the Storthing building in Christiania; and,

*Whereas*, It is desired by the donors that this gift, though paid for by private subscription, shall be presented in the name of the state.

*Therefore, be it Resolved*, That the governor is hereby authorized to appoint a committee of citizens who may, without cost to the estate, represent it at Norway's centennial celebration and present the memorial gift above referred to on behalf of and in the name of the State of North Dakota.

Which the House has adopted and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to transmit herewith the following concurrent resolution:

*Resolved by the House of Representatives, the Senate Concurring:*

That the Secretary of State be and he is hereby directed to publish in the Blue Book:

Washington's Farewell Address;

Lincoln's Address at Gettysburg;

Cuts of Washington and Lincoln;

And the Flag of the United States.

Which the House has adopted and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to transmit herewith the following concurrent resolution:

*Resolved,* That the addresses delivered before the Legislative Assembly on the 22nd day of February, 1913, in honor of the memory of the late Chief Justice David E. Morgan and the late Charles F. Templeton, be transcribed by the stenographers and that five hundred of said addresses be printed for the use of the members of this Legislative Assembly; further, that the address delivered before the Supreme Court, at its last session, in honor of Chief Justice David E. Morgan, be included in the same.

Which the House has adopted and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

#### REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the forty-ninth day, have carefully examined the same, and recommend that the same be corrected as follows:

On page 50, after line 13, insert the words "such purpose."

On page 58, in line 15, strike out the word "sixty" and insert the word "thirty."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Senator Loftsgaard presented a petition signed by K. P. Nappen and 49 others, urging the necessity for better public highway legislation.

Mr. Gronvold presented a petition signed by Adolf Fering and 33 others, protesting against the passage of any bill intending to amend or repeal the present mechanics' lien laws.

Mr. Hyland presented a petition signed by N. K. Kitsch and 104 others protesting against the passage of legislation requiring high licenses of rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, etc.

REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 89.

A bill for an Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Also,

Senate Bill No. 282.

A bill for an Act to provide for the collection, arrangement, and display of the products and resources of the State of North Dakota at the Centennial Exposition to be held at Christiania, Norway, in 1914, and providing for a board of commissioners therefor, and making an appropriation for such purpose.

And find the same correctly re-engrossed.

W. P. PORTERFIELD,  
Acting Chairman.

Mr. Porterfield moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Senate Bill No. 107.

A bill for an Act to provide for the making of permanent improvements at the State Normal School at Valley City, North Dakota, to assist in the maintenance thereof, and for other purposes, and make an appropriation therefor.

Also,

Senate Bill No. 217.

A bill for an Act to amend and re-enact Sections 5, 8 and 14 of Chapter 6, of the Session Laws of the State of North Dakota, for 1911, being an Act to license motor and other vehicles, and defining the good roads regulations of such vehicles, providing that the funds received from such licenses shall be expended on the maintenance of public highways, and making it a misdemeanor to take and remove motor and other vehicles from any warehouse, garage, or building without the knowledge and consent of the owner, and repealing Section 2169 of the Revised Codes of North Dakota for the year 1905.

Also,

Senate Bill No. 243.

A bill for an Act to amend Section 2485 of the Revised Codes of North Dakota for 1905, relating to the annual statement of the county auditor and treasurer.

And find the same correctly engrossed.

W. P. PORTERFIELD,  
Acting Chairman.

Mr. Porterfield moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 106.

A bill for an Act to appropriate moneys for maintenance,

equipment and permanent improvements at the Ellendale State Normal and Industrial School.

Also,

Senate Bill No. 113.

A bill for an Act making an appropriation for the Experimental Station of the School of Mines and the Mining Substation at Hebron, Morton County.

Also,

Senate Bill No. 140.

A bill for an Act making an appropriation for a suitable building at the Mining Experiment Sub-station at Hebron, Morton County.

Also,

Senate Bill No. 142.

A bill for an Act to incorporate and establish the Des Lacs and Mouse River Valley Agricultural and Fair Association and making an appropriation therefor.

Also,

Senate Bill No. 146.

A bill for an Act relating to the fish hatchery at Fish Lake, in Rolette County, and making appropriation therefor.

Also,

Senate Bill No. 148.

A bill for an Act to amend Section 36 of Chapter 128 of the Laws of 1909, and Sections 8, 35 and 45 of Chapter 128, Laws of 1909, as amended by Chapter 141 of the Laws of 1911, relating to fish and game; providing for the removal of beavers causing damage to property.

Also,

Senate Bill No. 162.

A bill for an Act to create a board to prepare and publish a history of North Dakota troops in the Spanish American War and Philippine Insurrection, and appropriating money to pay therefor.

Also,

Senate Bill No. 196.

A bill for an Act to provide for the establishment, organization, regulation and management of a state board of health, and making an appropriation for the expenses of the state board of health, and to repeal Sections 252 to 258 inclusive, of Article 10, Chapter 4, Revised Codes of 1905.

Also,

Senate Bill No. 221.

A bill for an Act to amend Sections 6, 7 and 8, and to repeal Section 14 of Chapter 303 of the Session Laws of 1911, relating to the organization and expenses of the State Tax Commission.

And find the same correctly engrossed.

W. P. PORTERFIELD,  
Acting Chairman.

Mr. Porterfield moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 7.

A bill for an Act to appropriate money for maintenance, equipment and permanent improvements at the State University and School of Mines of North Dakota.

Also,

Senate Bill No. 30.

A bill for an Act to provide an appropriation for the current and contingent expense, and for permanent improvements for the institution for feeble-minded at Grafton, North Dakota.

Also,

Senate Bill No. 40.

A bill for an Act making an appropriation for the erection of a new building and other necessary improvements, and for the current and contingent expenses of the Reform School of North Dakota, located at Mandan, North Dakota.

Also,

Senate Bill No. 41.

A bill for an Act making appropriation for the current and contingent expenses of the state penitentiary and for making permanent improvements and additions thereto.

Also,

Senate Bill No. 43,

A bill for an Act to authorize the Superintendent of Public Instruction to publish the report of the State Inspector of Rural and Graded Schools for 1912 and to appropriate money to defray the expense of the same and to meet the deficiency in the expenses of the State Inspector of Rural and Graded Schools.

Also,

Senate Bill No. 70.

A bill for an Act to provide for the erection of an industrial building at the school for the Deaf and Dumb at Devils Lake, North Dakota, and making an appropriation therefor.

Also,

Senate Bill No. 120.

A bill for an Act to provide for the making of improvements at the North Dakota School of Forestry, to assist in the maintenance thereof, and making appropriation therefor.

Also,

Senate Bill No. 125.

A bill for an Act making an appropriation for the State Normal School located at Mayville, North Dakota, for a demonstration rural school, improvement of campus, an additional storage room for fuel, a greenhouse, a barn, horses and wagons, a system of automatic temperature regulation in the main building, completing the ventilation system in the main building, and rewiring the main building.

Also,

Senate Bill No. 136.

A bill for an Act to provide for increased maintenance and contingent expenses, for establishing and maintaining an agricultural extension department and for an agricul-

tural building and other permanent improvements and repairs for the North Dakota Agricultural College.

Also,

Senate Bill No. 260.

A bill for an Act entitled, "An Act to amend Section 2, of Chapter 265 of the Session Laws of 1911, relating to establishment and maintenance, and improvements and equipment of a county agricultural and training school, and providing levies therefor.

Also,

Senate Bill No. 263.

A bill for an Act to amend Section 6245, Chapter 79, of the Revised Codes of North Dakota for 1905, relating to the enforcement of mechanics' liens.

Also,

Senate Bill No. 278.

A bill for an Act to amend Section 163 of Article 9 and Sections 222 and 227 of Article 14 of Chapter 266 of the 1911 Session Laws, relating to school district bonds.

And find the same correctly engrossed.

W. P. PORTERFIELD,  
Acting Chairman.

Mr. Porterfield moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bill have examined

Senate Bill No. 145.

A bill for an Act to provide an appropriation for the current and contingent expenses and for the permanent improvements of the State School of Science at Wahpeton.

Also,

Senate Bill No. 147.

A bill for an Act to provide for making permanent improvements at the State Tuberculosis Sanitarium at Dunseith, to assist in the maintenance thereof, and for other purposes and making appropriations therefor.

Senate Bill No. 154.

A bill for an Act making an appropriation for the Normal School at Minot to meet an expenditure for the erection of buildings and permanent improvements necessary in connection therewith, and for furnishing, equipment and maintenance.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on railroads made the following report:

*Mr. President:*

Your committee on railroads to whom was referred

Senate Bill No. 313.

A bill for an Act to require express companies and other common carriers to keep displayed printed schedules of rates of charges and amendments thereto, prohibiting excessive charges, and providing a penalty for violation thereof.

Have had the same under consideration and recommend that the same do pass.

E. F. GILBERT,  
Chairman.

Mr. Gilbert moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on railroads to whom was referred

Senate Bill No. 254.

A bill for an Act to amend and re-enact Section 4285 of Article 1, Chapter 12 of the Revised Codes of 1905, relating to the manner in which railroad companies may extend their lines into, or within this state.

Have had the same under consideration and recommend that the same be amended as follows:

In line 19, of printed bill, after the word "railroad" insert the following: "except where such established lines of railroad may be less than 16 miles apart, or where on account of the terminal, or any town, city or village to be reached, on any such established line of railroad it shall appear to be necessary." At the end of line 20, insert the following: "the topography of the country make it necessary or that." In line 28, strike out the "period" and insert a "comma," and add the following "*provided*, however, that this Act shall not apply to any line of railroad which may now be surveyed or for which right-of-way may have been wholly or partly purchased."

And when so amended recommend the same do pass.

E. F. GILBERT,  
Chairman.

Mr. Gilbert moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred Senate Bill No. 208.

A bill for an Act to amend Section 2613 of the Revised Codes of North Dakota for 1905 as amended by Chapter 119, Session Laws of 1911, relating to compensation and office hours of county commissioners.

Have had the same under consideration and recommend that the same be amended as follows:

In line 11 of the printed bill strike out the words "each way."

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
House Bill No. 253.

A bill for an Act to provide that portions of the grounds belonging to the state tuberculosis sanitarium may be leased to individuals, firms, corporations, associations or societies for the purpose of erecting cottages for patients afflicted with tuberculosis when such property is used exclusively for charitable purposes.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
House Bill No. 82,

A bill for an Act to regulate the manufacture of pneumatic rubber tires for motor vehicles and to prevent fraud and deception in the sale thereof.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

The report was adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
House Bill No. 61.

A bill for an Act to repeal Sections 3187, 3188, 3189, 3190 and 3191 of the Revised Codes of North Dakota for the year 1905, relating to guideposts.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill strike out "For an Act to repeal Section 3187" and insert in lieu thereof "For an Act to amend and re-enact Section 3187, and to repeal Sections."

Strike out all after the enacting clause and insert the following "Section 3187. Townships shall erect and maintain guide posts of the highways and other ways within the township, at such places as are necessary or convenient for the direction of travelers. Sections 3188, 3189, 3190 and 3191 are hereby repealed."

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
House Bill No. 329.

A bill for an Act providing for the proper identification of persons charged with the commission of a public offense.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on appropriations made the following report:

*Mr. President:*

Your committee on appropriations to whom was referred

House Bill No. 194.

A bill for an Act making an appropriation annually for the support and maintenance of the Agricultural Sub-experiment Station located at Hettinger, Adams County.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3, Section 1, of the printed bill, strike out all printed matter after the word "dollars." Also strike out lines 4, 5, 6 and 7 and up to and including the word "same" in line 8.

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 49.

A bill for an Act making an appropriation for the current and contingent expenses of the State Penitentiary, and for making improvements and additions thereto.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred  
House Bill No. 193.

A bill for an Act making appropriation for the deficit,  
covering the support and maintenance during the last biennial  
period of the Agricultural Sub-experiment Station located at  
Hettinger.

Have had the same under consideration and recommend  
that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred  
House Bill No. 233.

A bill for an Act making an appropriation to meet the  
deficiency incurred by the state live stock sanitary board in  
carrying out the purposes of Chapter 169 of the Session  
Laws of 1907.

Have had the same under consideration and recommend  
that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 152.

A bill for an Act to provide for the making of improvements at the North Dakota School of Forestry and to assist in the maintenance thereof, and making appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the emergency clause.

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 184.

A bill for an Act to provide an appropriation for the current and contingent expenses and for the permanent improvements for the State School of Science at Wahpeton.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 147.

A bill for an Act to appropriate the sum of five thousand dollars for the biennial period for the purchase of books by the Public Library Commission with especial reference to the needs of farmers, school and community libraries.

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 287.

A bill for an Act entitled "An Act to appropriate \$578.35 out of the general fund in the state treasury not otherwise appropriated, to the County of Burke, State of North Dakota, for the purpose of reimbursing said county for moneys paid out of the county treasury of said county, as costs incurred in certain condemnation proceedings instituted by the state veterinarian in said County of Burke, for the destruction of glandered horses temporarily in said county, but en route into the Dominion of Canada and not the property of residents of said county at the time of the institution of such proceedings."

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 250.

A bill for an Act making an appropriation to pay F. O. Hellstrom for the use of land for the State Penitentiary for the years 1908, 1909, 1910, 1911, 1912, 1913.

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 260.

A bill for an Act making an appropriation for the Williston Experimental Station located at Williston, in Williams County, North Dakota.

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred Senate Bill No. 272.

A bill for an Act to provide that public records and files shall be open to inspection and examination.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 309.

A bill for an Act to legalize acts and proceedings of county commissioners in calling and giving notices of general or special elections, and to legalize such general or special elections attempted held, pursuant to such calls and notices, under the provisions of Chapter 265 of the Session Laws of 1911.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the printed bill after the word "proceedings," add the word "heretofore."

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 206.

A bill for an Act to amend and re-enact Section 11 of Chapter 210 of the Laws of North Dakota for 1909, relating to seed grain, contract for re-payment and delinquent payments extended on tax list.

Have had the same under consideration and recommend that the same be amended as follows:

In lines 5, 13, 19 and 26 of printed bill, strike out the words "or county clerk."

In line 17 of printed bill after the word "real" insert the following: "property for which said seed was furnished." In same line after word "and" insert the word "all."

In line 29 of the printed bill strike out "on land owned by the applicant" and insert in lieu thereof the following: "against the land owned by the applicant for which said seed was "furnished."

In line 31 of the printed bill after the word "person" add the following "for which said seed was furnished."

And when so amended recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred Senate Bill No. 305.

A bill for an Act entitled, "An Act providing for the appointment of shorthand reporters by referees, coroners and committing magistrates and providing for their compensation.

Have had the same under consideration and recommend that the same be amended as follows:

In line 5 of the printed bill after the word "reporter" insert the following: "When demanded by either party to the action." In line 8 of printed bill, strike out the word "ten" and insert in lieu thereof the word "five."

In line 10 strike out the word "fifteen" and insert in lieu thereof the word "ten."

In same line strike out "all of" and insert in lieu thereof the following: "for one original and at the rate of not to

exceed two cents per folio for each copy required by the parties to such proceedings which copies shall be paid for by the party demanding same, the original of."

And when so amended recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on cities and municipal corporations made the following report:

*Mr. President:*

Your committee on cities and municipal corporations to whom was referred

House Bill No. 92.

A bill for an Act to amend Section 1 of Chapter 77 of the Laws of 1911, entitled "An Act to provide for a commission system of government in cities which shall adopt the provisions of this Act."

Have had the same under consideration and recommend that the same be amended as follows:

After the second "1" in line 1 of the printed bill insert the words "of Chapter 77 of the Laws of 1911 of the State of North Dakota," and in the title after the figures "1911" insert "of the State of North Dakota."

And when so amended recommend the same do pass.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on live stock made the following report:

*Mr. President:*

Your committee on live stock to whom was referred

Senate Bill No. 276.

A bil for an Act to amend Section 1974 of the Revised Codes of North Dakota for 1905, relating to the official estray paper.

Have had the same under consideration and recommend that the same do pass.

A. S. GIBBENS,

Mr. Gibbens moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on public health made the following report:

*Mr. President:*

Your committee on public health to whom was referred Senate Bill No. 315.

A bill for an Act providing for the labeling of meats from animals affected with contagious or infectious disease, and prescribing a penalty for violation thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. T. GRONVOLD,  
Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on public health to whom was referred Senate Bill No. 249.

A bill for an Act to amend Section 1 of Chapter 108 of the Session Laws of 1909 of the State of North Dakota, relating to qualifications of embalmers.

Have had the same under consideration and recommend that the same do pass.

F. T. GRONVOLD,  
Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on banks and banking made the following report:

*Mr. President:*

Your committee on banks and banking to whom was referred

Senate Bill No. 101.

A bill for an Act relative to payment of deposits in two names.

Have had the same under consideration and recommend that the same be indefinitely postponed.

S. N. PUTNAM,  
Chairman.

Mr. Putnam moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### MOTIONS AND RESOLUTIONS.

Mr. Overson moved

That the Senate do now concur in the House concurrent resolution pertaining to the Norway centennial celebration in 1914.

Which motion prevailed and

The resolution was concurred in.

Mr. Hughes moved

That the Senate do now adopt the Senate concurrent resolution relating to the education, care, health and maintenance of the Indians within the State of North Dakota.

Which motion prevailed and

The resolution was adopted.

Mr. Talcott moved

That the Senate request the House to return Senate Bill

No. 23 for the purpose of having same properly re-engrossed.

Which motion prevailed.

Mr. Gilbert moved

That Senate Bill No. 326 be recalled from the committee on railroads and be re-referred to the committee on ways and means.

Which motion prevailed and

The bill was so re-referred.

Mr. Bronson moved

That the Senate do now concur in the House concurrent resolution pertaining to the addresses delivered before the Legislative Assembly on February 22, 1913, in honor of the memory of the late Chief Justice David E. Morgan and the late Judge Charles F. Templeton.

Which motion prevailed and

The resolution was concurred in.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., February 25, 1913.

*Mr. President:*

I have the honor to inform you that the House requests the return of House Bill No. 309.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Overson moved

That House Bill No. 309 be returned to the House as requested.

Which motion prevailed.

#### INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

The Judiciary Committee introduced  
Senate Bill No. 350.

A bill for an Act fixing priorities of liens and requiring all persons who may be entitled to a mechanics' lien to file

a notice of lien, to take a statement or acknowledgment for such lien, and providing a penalty for filing unlawful liens.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Jacobsen introduced

Senate Bill No. 351.

A bill for an Act defining unlawful obligations in writing and providing a penalty for the violation thereof.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Linde introduced

Senate Bill No. 352.

A bill for an Act to define the duty of the heads of state institutions and state boards to make reports.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Linde introduced

Senate Bill No. 353.

A bill for an Act to amend and re-enact Section 8573 of the Revised Codes of the State of North Dakota for the year 1905, relating to prohibited sports on the Sabbath day.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Linde introduced

Senate Bill No. 354.

A bill for an Act to provide for the levy of a tax by cities for the support of a musical band.

Which was read the first and second times and

Referred to the committee on taxes and tax laws.

Mr. Hoverson (by request) introduced

Senate Bill No. 355.

A bill for an Act providing for the establishment of co-operative banks, and defining the powers and restrictions of the same.

Which was read the first and second times and  
Referred to the committee on banks and banking.

Mr. Davidson (by request) introduced

Senate Bill No. 356.

A bill for an Act relating to the issuing and filling of physicians', surgeons' and other medical practitioners' prescriptions, recipes and formulæ; the preparation, compounding and manufacture and dispensing of medicines, drugs and remedies; and providing a penalty for the violation thereof.

Which was read the first and second times and  
Referred to the committee on public health.

Mr. Hanley introduced

Senate Bill No. 357.

A bill for an Act to amend Section 5701 of the Revised Codes of North Dakota for 1905, relating to damages for postponing or refusing messages.

Which was read the first and second times and  
Referred to the committee on railroads.

Messrs. Plain and Duncan introduced

Senate Bill No. 358.

A bill for an Act to require the railroad commission to formulate a uniform system of accounting for public elevators and warehouses and to provide for the examination of the accounts of such elevators and warehouses when requested by not less than 15 per cent of the stockholders thereof, and prescribing fees therefor; and amending Chapter 251 of the Session Laws of 1911, relating to the filing of bonds by public warehouses.

Which was read the first and second times and  
Referred to the committee on warehouses and grain grading.

Mr. Hoverson introduced

Senate Bill No. 359.

A bill for an Act to require auctioneers to notify the county sheriff of the sale of personal property at public auction.

Which was read the first and second times and

Referred to the committee on ways and means.

Mr. Hughes introduced

Senate Bill No. 360.

A bill for an Act amending Section 7608 of the Revised Codes of 1905, as amended in Section 1 of Chapter 52 of the Session Laws of 1907, relating to the appointment, duties, powers, qualifications and salary of the state engineer; also to amend Section 7665 of the Revised Codes of 1905, relating to the expenses of the state engineer's office.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Englund introduced

Senate Bill No. 361.

A bill for an Act creating a state board of chiropractic examiners to regulate the practice of chiropractic in the State of North Dakota; defining chiropractic; providing for licensing chiropractors and to prescribe penalties for the violation of this Act.

Which was read the first and second times and

Referred to the committee on ways and means.

Mr. Bond introduced

Senate Bill No. 362.

A bill for an Act to amend Section 38 of Chapter 62 of the Session Laws of 1911, relating to estimates and the purchase of supplies for state institutions.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Porterfield introduced

Senate Bill No. 363.

Mr. Hyland moved

That further consideration of Senate Bill No. 363 be referred to a sub-committee of the appropriation committee to be appointed by the chairman of the appropriation committee.

Which motion prevailed and

The bill was so referred.

Mr. Englund introduced

Senate Bill No. 364.

A bill for an Act to repeal Chapter 117 of the Session Laws of 1911, relating to official papers.

Which was read the first and second times and

Referred to the committee on public printing.

Mr. McBride introduced

Senate Bill No. 365.

A bill for an Act to amend Section 1 of Chapter 210 of the Session Laws of 1907, relating to the lighting of depot platforms and requiring railroad companies, using steam motive power in this state, to maintain adequate platforms at passenger stations.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Hookway introduced

Senate Bill No. 366.

A concurrent resolution to amend Sections 104, 105 and 106, Article 4 of the Constitution of the State of North Dakota, relating to judicial districts and judges of the district courts.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Thoreson introduced

Senate Bill No. 367.

A bill for an Act to amend Section 9329 of the Revised Codes of 1905, relating to malicious mischief and injury to real property, emblements and fixtures.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Mudgett introduced

Senate Bill No. 368.

A bill for an Act to amend and re-enact Section 2364 of the Revised Codes of North Dakota for 1905, as amended by Chapter 61 of the Session Laws of 1907, relating to county seats.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Bond introduced

Senate Bill No. 369.

A concurrent resolution amending the Constitution of the State of North Dakota, relating to the legislative department and providing for the initiative and referendum as applied to laws.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Hanley (by request) introduced

Senate Bill No. 370.

A concurrent resolution amending the Constitution of the State of North Dakota, changing the name of the state reform school located at Mandan, in the County of Morton, to that of state farm and mechanic arts school.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. McDowell introduced

Senate Bill No. 371.

A bill for an Act to regulate the sale of stocks, bonds and other securities.

Which was read the first and second times and

Referred to the committee on banks and banking.

Mr. Trageton introduced

Senate Bill No. 372.

A bill for an Act to amend Section 1 of Chapter 120, Session Laws for 1909, relating to sheriff's fees.

Which was read the first and second times and

Referred to the committee on ways and means.

The Secretary announced that the President was about to sign:

House Bill No. 116.

A concurrent resolution amending the Constitution of the State of North Dakota, relating to the uniformity of taxa-

tion and permitting the classification of property for the purpose of taxation and relating further to the assessment and taxation of certain public utility companies.

House Bill No. 1.

A bill for an Act to amend Sections 525, 527 of the Revised Codes of 1905, relating to the summoning of jurors.

House Bill No. 155.

A bill for an Act permitting counties to appropriate money to prevent the spread of tuberculosis in this state.

House Bill No. 36.

A bill for an Act to amend Sections 6 and 10 of Chapter 135 of the Laws of 1907 as amended by Chapter 141, Laws of 1909.

House Bill No. 73.

A bill for an Act to amend and re-enact Section 1372 of the Revised Codes of North Dakota of 1905, relating to county road funds.

House Bill No. 67.

A bill for an Act entitled "An Act prohibiting and making it a misdemeanor to manufacture, sell, barter, exchange or give away cigarettes or cigarette paper."

House Bill No. 249.

A bill for an Act prescribing the duties of the state engineer in connection with the construction of highway bridges and culverts.

House Bill No. 76.

A bill for an Act to amend Section 4, of Chapter 275 of the Session Laws of the State of North Dakota for the year 1911, relating to the office of sheriff and providing for deputies.

House Bill No. 28.

A bill for an Act to amend and re-enact Chapter 54, Laws 1911, relating to corporations having banking powers, defining what percent of the capital stock and surplus of such corporation may be used for banking house furniture and fixtures, defining its powers as to other real estate and repealing Section 4640 of the Revised Code for the year 1905.

House Bill No. 66.

A bill for an Act to amend and re-enact Section 181 of Chapter 266 of the Session Laws of the year 1911 of the State of North Dakota, relating to public schools.

House Bill No. 339.

A bill for an Act providing for the appointment of a township overseer of highways and his compensation, defining his duties and powers, and providing for the levying and collection of road taxes and their distribution.

House Bill No. 80.

A bill providing closets or privies for the accommodation of the public at railroad stations and keeping them in a sanitary condition and penalty for violation thereof.

House Bill No. 154.

A bill for an Act requiring treasurers of fair associations to give a bond to the directors thereof.

And the President signed the same in the presence of the Senate.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 178.

A bill for an Act making an appropriation for carrying out provisions of the law, relating to the duties of the Commissioner of Agriculture and Labor.

Was read the third time.

Mr. Plain offered the following amendment to Senate Bill No. 178 and moved its adoption:

Strike out everything after "A bill" and insert the following:

"For an Act making an appropriation for carrying out provisions of law relating to the duties of the commissioner of agriculture and labor in connection with the publication of the advantages offered by the State of North Dakota to settlers and investors.

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

"Section 1. Appropriation.) There is hereby appropriated out of the moneys in the hands of the state treasurer, not otherwise appropriated, the sum of fifteen thousand dollars, or so much thereof as may be necessary to carry into effect all laws relating to the publication of the advan-

tages offered to settlers and investors for land in the State of North Dakota; provided, that the money hereby appropriated shall be used for the publication of such literature and the circulation thereof, and the making of such exhibits of the resources of the state in such localities as may, in the judgment of the commissioner of agriculture and labor, seem advisable.

“Section 2. Auditing Board to Approve Plans and Expenditures.) All plans and expenditures to be made under the provisions of this Act by the commissioner of agriculture and labor shall first be approved by the state auditing board.

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 31 ayes, 10 nays, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Plain
Allen	Gibbens	Porterfield
Bond	Gilbert	Steel
Bonzer	Hanley	Talcott
Carter	Hookway	Thoreson
Cashel	Jacobsen	Turner
Davidson	Kretschmar	Vail
Davis	Leutz	Wartner
Duncan	McDowell	Young
Elken	McLean	
Englund	Mudgett	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Helgeland	Putnam
Bronson	Hoverson	Williams
Clark	Hyland	
Garden	Loftsgaard	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Ellingson	Hughes	Nelson
Gronvold	Linde	Overson
Heckle	McBride	Trageton

So the bill passed and the title was agreed to.

Mr. Allen moved

That the vote by which Senate Bill No. 178 passed, be re-

considered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Overson moved

That the vote by which Senate Bill No. 282 was passed, be reconsidered.

Which motion prevailed.

Mr. Overson moved

That the further consideration of Senate Bill No. 282 be indefinitely postponed.

Which motion prevailed, and

The further consideration of said bill was indefinitely postponed.

Mr. Gilbert moved

That the Senate do now resolve itself into a committee of the whole.

Which motion prevailed and

The Senate resolved itself into a committee of the whole.

The President called Mr. Hanley to the chair.

#### COMMITTEE OF THE WHOLE.

When the committee arose it submitted the following report:

*Mr. President:*

Your committee of the whole have had under consideration Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

And recommend that the same be amended as follows:

Section 6, line 21, after the word "appointed," insert "provided, however, that in all cases where the accused person so removed deems himself aggrieved thereby, he shall be entitled to appeal from the decision of removal so made by the governor to any district court in this state upon filing a notice of appeal therefrom in the office of the secretary of state within fifteen days after the date thereof. Such

notice to set forth the grounds of appeal and thereupon such accused person shall be entitled to a trial *de novo* in such court as now provided by law, provided, that such trial be not held in the county wherein the accused resides."

Also, that paragraph 8, page 2, be stricken out.

And when so amended recommend that the same do pass.

Also,

Senate Bill No. 130.

A bill for an Act to provide for the representation of the State of North Dakota at the Panama-Pacific Exposition at San Francisco, California, and at the Panama-California Exposition at San Diego, California, celebrating the opening and commercial use of the Panama Canal and making an appropriation therefor.

And recommend that the same be amended as follows:

In the title of the bill after the word "California" strike out the words "and at the Panama-California Exposition at San Diego, California," and in line 4 of Section 1, after the word "California" strike out the words "and at the Panama-California Exposition at San Diego, California."; also in line 7 of Section 2, strike out the word "expositions" and insert in lieu thereof the word "exposition"; and in line 7, Section 2, strike out the word "celebrations" and insert in lieu thereof the word "celebration"; and in line 8 of Section 2, strike out the word "expositions" and insert in lieu thereof the word "exposition"; also in line 8 of Section 3, strike out the words "or in San Diego"; also in line 1 of Section 4, strike out the word "fifty" and insert in lieu thereof the word "thirty-five"; also in line 5 of Section 4, strike out the word "ten" and insert in lieu thereof the word "five";; also in line 6 of Section 4, strike out the word "thirty-five" and insert in lieu thereof the word "twenty" also in lines 9, 10 and 11 of Section 4, strike out the following: "of this appropriation thirty-five thousand dollars is for the purpose of the state exhibit at San Francisco and fifteen thousand dollars for the state exhibit at San Diego, California.

And when so amended recommend the same do pass.

J. M. HANLEY,  
Chairman.

Mr. Hanley moved

That the report of the committee of the whole be adopted.

Which motion prevailed and

The report was adopted.

There being no objection, the Senate returned to the eighth order of business, and

Mr. Talcott moved

That Senate Bill No. 23 be re-engrossed according to the amendments adopted on the twenty-ninth day of this session.

Which motion prevailed.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., February 25, 1913.

*Mr. President:*

I have the honor to transmit herewith the following concurrent resolution:

Mr. Williams introduced the following concurrent resolution:

Proposing an amendment to the Constitution of the State of North Dakota, providing for the sale of all lands, granted by the state under the Act entitled "An Act to provide for the divison of of Dakota into two states and to enable the people of North Dakota, South Dakota, Montana and Washington, to form constitutions and state governments and to be admitted into the Union on an equal footing with the original states, and to make donations of public lands to such states," and reserving to the state the coal deposits.

*Be it Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring:*

That the following proposed amendment to Section 155 of the Constitution of the State of North Dakota be referred to the Legislative Assembly to be chosen at the next general elecion in said state, to be by said last mentioned Legislativ Assembly submitted to the qualified electors for approval or rejection, in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota.

Amendment.) That Section 155 of the Constitution of the State of North Dakota be amended to read as follows:

Section 155. The Legislative Assembly shall provide for the sale of all lands heretofore granted the State of North Dakota by the Act of Congress approved February 22, 1889,

entitled "An Act to provide for the division of Dakota into two states and to enable the people of North Dakota, South Dakota, Montana and Washington to form constitutions and state governments and to be admitted into the Union on an equal footing with the original states, and to make donations of public lands to such states," authorizing the formation of the States of North Dakota, South Dakota, Montana and Washington. All coal underlying any of such lands is hereby reserved to the state, and proper regulation for the leasing or mining of the same and the assessment and payment of any damage caused by prospecting therefor by the state, or removing such coal, shall also be provided for by the legislative enactment, and all patents issued by the state for lands sold shall contain the reservations of the coal to the state as herein provided for.

Which the House adopted and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Which motion prevailed.

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 231.

A bill for an Act to amend Section 48 of Article 4 of Chapter 266, Session Laws, 1911, relating to election of officers in common school districts.

Senate Bill No. 78.

A bill for an Act to amend Chapter 103, Laws of 1907, relating to depositories of school funds.

Senate Bill No. 75.

A bill for an Act to amend and re-enact Section 2439 of the Revised Codes of 1905, as amended by Chapter 110, Laws of 1911, relating to the investment of county sinking funds.

Senate Bill No. 18.

A bill for a joint resolution ratifying an amendment to Section three, Article one, of the Constitution of the United States.

Which the House has indefinitely postponed.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return  
Senate Bill No. 23.

A bill for an Act to amend Chapter 290 of the Laws of 1911 relating to property exempt from taxation.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Garden moved

That the Senate do now resolve itself into a committee of the whole.

Which motion prevailed, and

The Senate resolved itself into a committee of the whole.

The President called Mr. Steel to the chair.

#### COMMITTEE OF THE WHOLE.

When the committee arose it submitted the following report:

*Mr. President:*

Your committee of the whole have had under consideration

Senate Bill No. 32.

A Concurrent Resolution amending the Constitution of the State of North Dakota providing for the initiative and referendum.

Senate Bill No. 153.

A Concurrent Resolution for an amendment to the Constitution of the State of North Dakota, relating to the Legislative Department and providing for direct legislation; the proposing of Constitutional Amendments, and reference of laws.

Senate Bill No. 17.

A bill amending the Constitution of the State of North Dakota providing for the recall of public officials by the people.

Senate Bill No. 122.

A Concurrent Resolution for an amendment to the Con-

stitution of the State of North Dakota, providing for the recall of public officers.

Senate Bill No. 73.

A Concurrent Resolution amending the Constitution of the State of North Dakota, providing for future amendments thereof.

House Bill No. 133.

Concurrent resolution for an amendment of the Constitution, providing for the initiative and referendum, and the provisions thereof, the recall of public officers and future amendments to the Constitution.

And report progress and ask leave to sit again.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report of the committee of the whole be adopted.

Which motion prevailed and

The report was adopted.

There being no objection, the Senate returned to the eleventh order of business, and

Mr. Overson introduced

Senate Bill No. 373.

A bill for an Act to amend and re-enact Section 1904 of the Revised Codes of North Dakota for 1905.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Mudgett introduced

Senate Bill No. 374.

A bill for an Act to forbid the sending of minors as messengers to houses of prostitution, saloons or other immoral places.

Which was read the first and second times and

Referred to the committee on temperance.

Mr. Mudgett introduced

Senate Bill No. 375.

A joint resolution authorizing the board of trustees of the soldiers' home to expend a portion of the interest and income fund of the soldiers' home for the purpose of aiding the North Dakota Union and Confederate Soldiers of the Civil War to attend the reunion to be held at Gettysburg, Pa., in the month of July, 1913.

Which was read the first and second times and

Referred to the committee on military affairs.

The Joint Sub-committee on Education introduced

Senate Bill No. 376.

A bill for an Act to amend Section 252 of Chapter 266 of the Session Laws of 1911, relating to education.

Which was read the first and second times and

Referred to the committee on education.

Mr. Gibbens (by request) introduced

Senate Bill No. 377.

A bill for an Act to amend and re-enact Sections 1348 and 1349 of the Revised Codes of North Dakota for the year 1905, relating to public highways.

Which was read the first and second times and

Referred to the committee on highways and bridges.

Mr. Hanley introduced

Senate Bill No. 378.

A bill for an Act to amend Section 6 of Chapter 226 of the Laws of North Dakota of 1911, being an Act relating to compensation of field officer.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Davis moved

That the Senate do now go into executive session.

Which motion prevailed and

The Senate went into executive session.

## OPEN SESSION.

## FIRST AND SECOND READING OF HOUSE BILLS.

## House Bill No. 21.

A bill for an Act making appropriation for the erection of a new building and other necessary improvements, and for the current and contingent expenses of the reform school of North Dakota at Mandan, N. D.

Was read the first and second times and  
Referred to the committee on appropriations.

## House Bill No. 45.

A bill for an Act appropriating money for experiments to determine the milling value of cereals, the baking and other chemical properties of the flours produced therefrom and the chemical composition thereof, and providing for the publication of the information thereby obtained and making an appropriation for such work.

Was read the first and second times and  
Referred to the committee on appropriations.

## House Bill No. 369.

A bill for an Act to provide for suspension or modification of sentence of persons convicted of misdemeanors.

Was read the first and second times and  
Referred to the committee on judiciary.

## House Bill No. 319.

A bill for an Act to amend Section 3, of Chapter 129, of the Session Laws of 1911, relating to rates for state officers in the publicity pamphlet.

Was read the first and second times and  
Referred to the committee on elections.

## House Bill No. 416.

A bill for an Act to compensate persons who have been wrongfully and innocently incarcerated and imprisoned in the state penitentiary.

Was read the first and second times and  
Referred to the committee on state affairs.

## House Bill No. 143.

A bill for an Act providing for taxation and fixing the rate of taxation on inheritances, devises, bequests, legacies and gifts and providing for the manner of payment as well as the manner of enforcing the payment thereof.

Was read the first and second times and

Referred to the committee on taxes and tax laws.

House Bill No. 15.

A bill for an Act to amend Section 12 of House Bill No. 210 of the Laws of 1911, to encourage elementary education.

Was read the first and second times and

Referred to the committee on appropriations.

House Bill No. 145.

A bill for an Act entitled "An Act to amend and re-enact Section 15 of Chapter 137 of the Session Laws of 1907, relating to the payment of costs of treatment and board of patients in the insane hospital."

Was read the first and second times and

Referred to the committee on state affairs.

House Bill No. 486.

A bill for an Act to amend Section 1575 of Chapter 20 of the Revised Codes of 1905, as amended by Chapter 298, Laws of 1911, relating to the disposition of penalty and interest.

Was read the first and second times and

Referred to the committee on ways and means.

House Bill No. 426.

A bill for an Act to amend Section 473 of the Revised Codes of North Dakota for the year 1905, as amended by Chapter 74 of the Session Laws 1909, relating to the boundaries of and terms of court in the Fifth Judicial District.

Was read the first and second times and

Referred to the committee on judiciary.

House Bill No. 421.

A bill for an Act to amend Section 474 of the Revised Codes, 1905, as amended by Chapter 171 of the Laws of 1911, relating to the boundaries and terms of court in the Sixth Judicial District.

Was read the first and second times and  
Referred to the committee on judiciary.

House Bill No. 420.

A bill for an Act to amend Section 470 of the Revised Codes of 1905 of the State of North Dakota, as amended by Chapter 172 of the Session Laws of 1911 of the State of North Dakota, relating to the boundaries of, and terms of court in, the Second Judicial District.

Was read the first and second times and  
Referred to the committee on judiciary.

House Bill No. 393.

A bill for an Act providing for the satisfaction of judgments pending an appeal therefrom to the Supreme Court.

Was read the first and second times and  
Referred to the committee on judiciary.

House Bill No. 328.

A bill for an Act to regulate the certification of public accountants and the practicing of the profession of accountancy in North Dakota.

Was read the first and second times and  
Referred to the committee on state affairs.

House Bill No. 427.

A bill for an Act to amend Chapter 161 of the Session Laws of 1907, as amended by Chapter 76 of the Session Laws of 1907 of the State of North Dakota, relating to the boundaries of and terms of court in the Ninth Judicial District.

Was read the first and second times and  
Referred to the committee on judiciary.

House Bill No. 375.

A bill for an Act to amend Section 2657 of the Revised Codes of 1905, with respect to the revision and adoption of ordinances by cities.

Was read the first and second times and

Referred to the committee on cities and municipal corporations.

House Bill No. 425.

A bill for an Act to amend Article 4, Chapter 30 of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to powers of city councils.

Was read the first and second times and

Referred to the committee on cities and municipal corporations.

House Bill No. 417.

A bill for an Act to amend and re-enact Chapter 221 of the Session Laws of North Dakota for 1907, entitled "An Act providing for the giving of notice by merchants to their creditors before making sale of their entire stock or business."

Was read the first and second times and

Referred to the committee on ways and means.

House Bill No. 372.

A bill for an Act to amend Section 4588 of the Revised Codes of North Dakota of 1905, relating to the powers of cemetery corporations.

Was read the first and second times and

Referred to the committee on corporations other than municipal.

House Bill No. 423.

A bill for an Act to amend Sections 628, 629 and 631 of the Revised Codes of North Dakota of 1905, relating to elections.

Was read the first and second times and

Referred to the committee on elections.

House Bill No. 389.

A bill for an Act to amend Section 5 of Chapter 109 of the Laws of 1907, relating to primary elections.

Was read the first and second times and

Referred to the committee on elections.

The courtesies of the floor were extended to M. A. Hildreth, Fargo, N. D.; John W. Scott, Gilby, N. D.; Theo. Kahillack, Kenmare, N. D.; Stanley Miller, Balfour, N. D.; P. J. Seefeld, Anamoose, N. D.; F. R. Mostdahl, Rugby, N. D.

Mr. Cashel moved

That the Senate take a recess until tomorrow at 1 o'clock.  
P. M.

Which motion prevailed and

The Senate took a recess.

W. D. AUSTIN,  
Secretary.

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## FIFTIETH DAY AFTER RECESS AND FIFTY-FIRST DAY.

SENATE CHAMBER,  
BISMARCK, NORTH, DAKOTA,  
February 26, 1913.

The Senate convened at 1 o'clock P. M. pursuant to recess taken.

The President presiding.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 102.

A bill for an Act providing for the inspection of refined petroleum, illuminating oils, gasolines and other low flash test petroleum products, defining the ports of entry, appointment of oil inspectors and deputies, and fixing the salaries of the same.

Was read the third time.

Mr. Leutz offered the following amendment to Senate Bill No. 102 and moved its adoption:

In Section 13, line 6, of the engrossed bill, after the word "quantity" insert the following: "and for gasoline or other oil products having a gravity test of 58 degrees or less, 15c per barrel."

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Schroeder	Nelson
Barnes	Heckle	Overson
Bond	Helgeland	Plain
Bronson	Hookway	Porterfield
Carter	Hoverson	Putnam
Cashel	Hughes	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Davis	Kretschmar	Trageton
Duncan	Leutz	Turner
Elken	Linde	Vail
Ellingson	Loftsgaard	Wartner
Ganssle	McBride	Williams
Garden	McDowell	Young
Gibbens	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bonzer	Englund	Hanley

So the bill passed and the title was agreed to.

Mr. Gilbert moved

That the vote by which Senate Bill No. 102 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 147.

A bill for an Act to provide for making permanent improvements at the State Tuberculosis Sanitarium at Dunseith, to assist in the maintenance thereof, and for other purposes and making appropriations therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Davidson	Gilbert
Allen	Davis	Gronvold
Barnes	Duncan	Hanley
Bond	Elken	Heckle
Bronson	Ellingson	Helgeland
Carter	Ganssle	Hookway
Cashel	Garden	Hoverson
Clark	Gibbens	Hughes

Messrs.—	Messrs.—	Messrs.—
Hyland	Mudgett	Thoreson
Jacobsen	Nelson	Trageton
Kretschmar	Overson	Turner
Leutz	Plain	Vail
Linde	Porterfield	Wartner
Loftsgaard	Putnam	Williams
McDowell	Steel	Young
McLean	Talcott	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bonzer	Englund	McBride

So the bill passed and the title was agreed to.

Mr. Overson moved

That the vote by which Senate Bill No. 147 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 162.

A bill for an Act to create a board to prepare and publish a history of North Dakota troops in the Spanish-American War and Philippine Insurrection and appropriating money to pay therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, 2 nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bronson	Heckle	Plain
Carter	Helgeland	Porterfield
Cashel	Hookway	Putnam
Clark	Hoverson	Steel
Davidson	Hyland	Talcott
Davis	Jacobsen	Thoreson
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Ganssle	Loftsgaard	Williams
Garden	McDowell	

Messrs. Hughes and Young voted in the negative.

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bonzer	McBride	Trageton
Englund		

So the bill passed and the title was agreed to.

Mr. Overson moved

That the vote by which Senate Bill No. 162 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 125.

A bill for an Act making an appropriation for the state normal school located at Mayville, North Dakota, for a demonstration rural school, improvement of campus, an additional storage room for fuel, a greenhouse, a barn, horses and wagon, a system of automatic temperature regulation in the main building, completing the ventilation system in the main building, and rewiring the main building.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Turner
Davis	Kretschmar	Vail
Duncan	Leutz	Wartner
Ellingson	Linde	Williams
Ganssle	Loftsgaard	Young
Garden	McDowell	
Gibbens	McLean	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Elken	McBride	Trageton
Englund		

So the bill passed and the title was agreed to.

Mr. Overson moved

That the vote by which Senate Bill No. 125 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 106.

A bill for an Act to appropriate moneys for maintenance, equipment and permanent improvements at the Ellendale state normal and industrial school.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, no nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McLean
Allen	Hanley	Mudgett
Barnes	Heckle	Nelson
Bond	Helgeland	Overson
Bonzer	Hookway	Plain
Bronson	Hoverson	Porterfield
Carter	Hughes	Putnam
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Turner
Duncan	Leutz	Vail
Ellingson	Linde	Wartner
Ganssle	Loftsgaard	Williams
Garden	McBride	Young
Gibbens	McDowell	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Englund	Steel
Elken	Gronvold	Trageton

So the bill passed and the title was agreed to.

Mr. Overson moved

That the vote by which Senate Bill No. 106 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 70.

A bill for an Act to provide for the erection of an Industrial Building at the school for the deaf and dumb at Devils Lake, North Dakota, and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McLean
Allen	Gronvold	Mudgett
Barnes	Hanley	Nelson
Bond	Heckle	Overson
Bonzer	Helgeland	Plain
Bronson	Hookway	Porterfield
Carter	Hoverson	Putnam
Cashel	Hughes	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Ganssle	Loftsgaard	Williams
Garden	McBride	Young
Gibbens	McDowell	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Englund	Trageton

So the bill passed and the title was agreed to.

Mr. Overson moved

That the vote by which Senate Bill No. 70 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 41.

A bill for an Act making appropriation for the current and contingent expenses of the state penitentiary, and for making permanent improvements and additions thereto.

Was read the third time.

Mr. Davidson offered the following amendments to Senate Bill No. 41 and moved their adoption:

In Section 1, line 6 of the engrossed bill, strike out the words "and expenses" and strike out the word "5,000.00" and insert in lieu thereof the word "4,000.00."

In Section 1 of the engrossed bill, between lines 6 and 7, insert the following:

"For warden's expenses.....\$1,000.00"

Which motion prevailed and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Turner
Davis	Kretschmar	Vail
Duncan	Leutz	Wartner
Elken	Linde	Williams
Ellingson	Loftsgaard	Young
Englund	McBride	
Ganssle	McDowell	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Garden	Mudgett	Trageton
Heckle		

So the bill passed and the title was agreed to.

There being no objection, the Senate returned to the ninth order of business, and

Mr. Hanley (by request) introduced

Senate Bill No. 379.

A bill for an Act to amend Sections 1495 and 1496 of the Revised Codes of North Dakota for 1905, relating to taxation.

Which was read the first and second times and

Referred to the committee on taxes and tax laws.

Mr. Albrecht (by request) introduced

Senate Bill No. 380.

A bill for an Act establishing a depositors' guaranty fund to insure depositors against loss when any bank, savings bank or trust company engaged in the business of receiving deposits under the laws of this state becomes insolvent, and providing penalties for the violation of such Act.

Which was read the first and second times and

Referred to the committee on banks and banking.

Mr. Plain introduced

Senate Bill No. 381.

A bill for an Act prohibiting the sale of pure bred cattle unless accompanied by a certificate of health.

Which was read the first and second times and

Referred to the committee on live stock.

Mr. Hanley introduced

Senate Bill No. 382.

A bill for an Act requiring notice to be given by registered mail to the mortgagor before real estate mortgage foreclosure proceedings may be started, and before the full amount of deferred payments may be declared due or default in the payment of a portion of costs and charges can be made against the mortgagor.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Jacobsen introduced

Senate Bill No. 383.

A bill for an Act to amend and re-enact Section 608 of the Revised Codes of 1905, relating to inspectors and judges of elections, qualifications of duties and by whom appointed.

Which was read the first and second times and

Referred to the committee on elections.

Mr. Gibbens introduced

Senate Bill No. 384.

A bill for an Act to require publishers of school books to

furnish bond, file copies of their publications and sworn price lists in the office of the state superintendent of public instruction as a condition precedent to doing business in this state; and to require dealers in school furniture and supplies to file price lists and statements in said office and to give a bond before selling or offering for sale such furniture or equipment in this state, and providing penalties for the violation thereof.

Which was read the first and second times and

Referred to the committee on education.

Mr. Plain moved

That the Senate do now adjourn.

Which motion prevailed, and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

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#### FIFTY-FIRST DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 26, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present.

#### REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the fiftieth day, have carefully examined the same and recommend that the same be corrected as follows:

On page 3, line 10, strike out the letter "s" in the word "Storthings." On page 5, line 21, correct the spelling of the word "an." On page 9, line 39, correct the spelling of the word

"extension." On page 14, strike out all of line 25, and insert in lieu thereof the words "the report was adopted." On page 21, line 31, correct the spelling of the word "printed." On page 21, last line, correct the spelling of the word "original." On page 31, line 34, correct the spelling of the word "defining."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### PETITIONS AND COMMUNICATIONS.

Mr. Davidson presented a petition signed by W. C. Bronson and 120 others, protesting against the passage of any legislation intending to amend or repeal the present mechanics' lien laws.

#### REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 23.

A bill for an Act to amend Chapter 290 of the Laws of 1911 relating to property exempt from taxation.

Also,

Senate Bill No. 44.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, of Chapter 35 of the Session Laws of the year 1911, of the State of North Dakota, being an Act to encourage elementary education in North Dakota and appropriate money therefor.

Also,

Senate Bill No. 51.

A bill for an Act to amend and re-enact Sections 1031, 1032, 1033, 1034, 1035, 1036, 1037 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907, and Chapter 267 of the General Laws of 1911 ;and to amend Sections 1, 2, 3, 4, 5 of Chapter 40 of the General Laws of 1911; and to repeal Sections 6, 7, 8, 9, 10, 11 of Chapter 40 of the General Laws of 1911.

And find the same correctly re-engrossed.

W. R. BOND,  
Chairman.

Mr. Albrecht moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 206.

A bill for an Act to amend and re-enact Section 11 of Chapter 210 of the Laws of North Dakota for 1909, relating to seed grain, contract for re-payment and delinquent payments extended on tax list.

Also

Senate Bill No. 208.

A bill for an Act to amend Section 2613 of the Revised Codes of North Dakota for 1905, as amended by Chapter 119, Session Laws of 1911, relating to compensation and office hours of county commissioners.

Also

Senate Bill No. 249.

A bill for an Act to amend Section 1 of Chapter 108 of the Session Laws of 1909 of the State of North Dakota, relating to qualifications of embalmers.

Also

Senate Bill No. 254.

A bill for an Act to amend and re-enact Section 4285 of Article 1, Chapter 12 of the Revised Codes of 1905, relating

to the manner in which railroad companies may extend their lines into, or within this state.

Also,

Senate Bill No. 272.

A bill for an Act to provide that public records and files shall be open to inspection and examination.

Also,

Senate Bill No. 276.

A bill for an Act to amend Section 1974 of the Revised Codes of North Dakota for 1905, relating to the official estray paper.

Also,

Senate Bill No. 305.

A bill for an Act entitled "An Act providing for the appointment of shorthand reporters by referees, coroners and committing magistrates, and providing for their compensation."

Also,

Senate Bill No. 309.

A bill for an Act to legalize acts and proceedings of county commissioners in calling and giving notices of general or special elections, and to legalize such general or special elections attempted held, pursuant to such calls and notices, under the provisions of Chapter 265 of the Session Laws of 1911.

Also,

Senate Bill No. 313.

A bill for an Act to require express companies and other common carriers to keep displayed printed schedules of rates of charges, and amendments thereto, prohibiting excessive charges, and providing a penalty for violations thereof.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Albrecht moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 284.

A bill for an Act fixing the times and place for holding the general term of the Supreme Court, providing for special terms in certain cases and fixing the time at which appeals shall be heard.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the title and insert in lieu thereof the following:

“A bill for an Act to amend and re-enact Chapter 72 of the Session Laws of 1909, relating to the times and place for holding general terms of the Supreme Court and providing for special terms and to fix the time in which appeals shall be heard.”

After the enacting clause insert the following:

“Amendment.) That Chapter 72 of the Session Laws of 1909 is hereby amended and re-enacted to read as follows:”

And when so amended recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 288.

A bill for an Act to amend and re-enact Sections 9987 and 10078, of the Revised Codes of North Dakota for 1905, relating to instructions in criminal cases, and to repeal Section 9988 thereof.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved  
That the report be adopted.  
Which motion prevailed and  
The report was adopted.  
Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 314.

A bill for an Act legalizing the action of register of deeds and county commissioners in paying or authorizing the payment of extra clerk hire in register of deeds office, when said payment was made in good faith.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2, after the word "have" insert the following: "prior to the passage of this Act."

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved  
That the report be adopted.  
Which motion prevailed and  
The report was adopted.

The committee on ways and means made the following report:

*Mr. President:*

Your committee on ways and means to whom was referred

Senate Bill No. 265.

A bill for an Act taxing the occupation of auctioneers, regulating the licensing of persons engaged in such occupation, increasing the ordinary county revenue of such taxation, and prescribing penalties for violation of its provisions.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

And the further consideration of the bill was indefinitely postponed.

Also,

*Mr. President:*

Your committee on ways and means to whom was referred

House Bill No. 321.

A bill for an Act to amend Section 2020 of the Revised Codes of 1905, relating to registration fees and compensation of the state board of veterinary examiners, and the amendment thereto, Chapter 282, Session Laws of 1911.

Have had the same under consideration and recommend that the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on state affairs made the following report:

Senate Bill No. 127.

A bill for an Act relating to the employment and compensation of prisoners confined in the state penitentiary, and making an appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows:-

In the title of the bill, after the word "therefor" insert "from the receipts of twine plant."

On page 3, Section 4, line 3 of the printed bill strike out the words "twenty-five" and insert in lieu thereof the word "ten." In the same line, strike out the word "fifty" and insert in lieu thereof the word "twenty-five."

Page 4, line 13, strike out the words "general appropriation provided herein" and insert in lieu thereof the words "twine plant fund."

Page 4, Section 5, line 9, strike out the words "one-half of which or." In line 11, strike out the word "other" and insert in lieu thereof the words "balance not to exceed twenty-five dollars." In line 122, strike out the word "half" In line 14, strike out "remaining half" and insert in lieu thereof, the word "remainder." In line 15, strike out all after the word "shall" and insert in lieu thereof, "be sent to those dependent upon him."

Page 5, line 18, strike out the word "twenty." In line 19, the words "five dollars more" and insert in lieu thereof the words "the balance not to exceed in any case the sum of twenty-five dollars." In line 21, after the word "officer," insert the words, "may be paid him." In the same line after the word balance, insert "not to exceed twenty-five dollars."

Page 6, Section 7, line 7, after the word "stated" insert "when the warden so suggests to the board of Control."

Section 9, line 2, strike out "any money in the state treasury" and insert in lieu thereof the words "the receipts of the twine plant."

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on cities and municipal corporations made the following report:

*Mr. President:*

Your committee on cities and municipal corporations to whom was referred

House Bill No. 172.

A bill for an Act authorizing the cities to incur indebtedness and issue bonds for certain city purposes, when such proposition for issuing such bonds shall have been approved by a majority vote of the electors of such city, and fixing a limit to the indebtedness to be thereby incurred.

Have had the same under consideration and recommend that the same do pass.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on cities and municipal corporations to whom was referred

House Bill No. 218.

A bill for an Act entitled "An Act amending Section 2693 of the Revised Codes of 1905, relating to cities."

Have had the same under consideration and recommend that the same do pass.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on cities and municipal corporations to whom was referred

House Bill No. 198.

A bill for an Act to amend Article 4, Chapter 30 of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota for 1905, relating to powers of city councils.

Have had the same under consideration and recommend that the same do pass.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on railroads made the following report

*Mr. President:*

Your committee on railroads to whom was referred

Senate Bill No. 320.

A bill for an Act providing for one-half merchandise rates to be charged for the transportation of farm machinery and repairs or parts for farm machinery and prescribing a penalty for the violation thereof.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the printed bill, in lines 2 and 3 strike out the word "farm."

Section 1, lines 1, 5 and 6, strike out the word "farm;" in line 5, strike out the word "and;" in line 6, after the word "machinery" insert the words "between points in North Dakota;" in line 8 after the word "merchandise, strike out the period and insert a comma and add the words "classified at merchandise rates."

Section 3, line 2, strike out the word "farm;" and in line 4 after the word "risk" insert the words "therefore, it is declared that existing classifications are unjust and unreasonable and that emergency exists and," and strike out all of lines 5 and 6.

And when so amended recommend the same do pass.

E. F. GILBERT,  
Chairman.

Mr. Gilbert moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on education made the following report:

*Mr. President:*

Your committee on education to whom was referred

Senate Bill No. 337.

A bill for an Act to amend Section 282 of Chapter 266 of the Session Laws of 1911, relating to conductors and county superintendents filing statement of number of schools with county auditor.

Have had the same under consideration and recommend that the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred

Senate Bill No. 338.

A bill for an Act providing that persons in charge of school children shall furnish suitable text books in districts wherein the free text book system has not been adopted.

Have had the same under consideration and recommend that the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred  
Senate Bill No. 339.

A bill for an Act to amend and re-enact Section 113 of  
Chapter 266 of the Session Laws of 1911, relating to county  
treasurer's accounts kept with the school corporations.

Have had the same under consideration and recommend  
that the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred  
Senate Bill No. 340.

A bill for an Act to repeal Section 28 of Chapter 266 of the  
Session Laws of 1911, relating to office, postage and sta-  
tionery of county superintendents.

Have had the same under consideration and recommend  
that the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred  
Senate Bill No. 342.

A bill for an Act to amend Section 80 of Chapter 266 of  
the Session Laws of 1911, relating to board of inspection.

Have had the same under consideration and recommend  
that the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred  
Senate Bill No. 348.

A bill for an Act to amend and re-enact Section 72 of  
Chapter 266 of the Session Laws of 1911, relating to teachers  
employed by district school boards, and their salaries.

Have had the same under consideration and recommend  
that the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred  
Senate Bill No. 343.

A bill for an Act to amend and re-enact Section 81 of  
Chapter 266 of the Session Laws of 1911, relating to school  
house sites.

Have had the same under consideration and recommend that the same be amended as follows:

In line 13 strike out the word "it" and insert in lieu thereof the words "the deed thereof."

And when so amended recommend the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred  
Senate Bill No. 347.

A bill for an Act to amend Section 258 of Chapter 266 of the Session Laws of 1911, relating to high school diplomas.

Have had the same under consideration and recommend that the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred  
Senate Bill No. 344.

A bill for an Act to repeal Section 43½ of Chapter 266 of the Session Laws of 1911, relating to boundaries of school districts.

Have had the same under consideration and recommend that the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred

Senate Bill No. 345.

A bill for an Act to amend Section 85 of Chapter 266 of the Session Laws of 1911, relating to additional school time.

Have had the same under consideration and recommend that the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred

Senate Bill No. 336.

A bill for an Act to amend Section 133 of Chapter 266 of the Session Laws of 1911, relating to the annexation of adjacent territory to special school districts.

Have had the same under consideration and recommend that the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred  
Senate Bill No. 308.

A bill for an Act to amend and re-enact Section 273 of  
Chapter 266 of the Session Laws of 1911, relating to teachers'  
institute and training schools.

Have had the same under consideration and recommend  
that the same be amended as follows:

In line 22, before the word "board," insert the word  
"state."

And when so amended recommend the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred

Senate Bill No. 324.

A bill for an Act to provide that graduates of certain  
courses in the industrial school and school of manual training  
at Ellendale, North Dakota, shall be qualified to teach  
such courses in any high school in the state.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on public printing made the following  
report:

*Mr. President:*

Your committee on public printing to whom was referred

Senate Bill No. 64.

A bill for an Act to amend Sections 38, 46, 51, 66 of the Revised Codes of 1905, to provide for the printing and prescribing the manner of distribution of the Legislative Manual known as the North Dakota Blue Book.

Have had the same under consideration and recommend that the same be amended as follows:

In line 18 of the printed bill strike out the word "not."

In line 24 of the printed bill strike out the word "brevier" and insert in lieu thereof the words "eight point."

In line 25 of the printed bill strike out the word "nonpareil" and insert in lieu thereof the word "six point."

In line 29 of the printed bill after the word "long primer," insert the words "set solid."

In line 49 of the printed bill after the word "the," insert the words "Governor and."

In line 52 of the printed bill after the word "bound" insert the words "not over."

In line 53 of the printed bill at the end of the line strike out the period and insert the words "as the Governor and commissioners may determine."

In line 59 of the printed bill after the words "two hundred copies of," insert the words "such portion of."

In line 61 of the printed bill after the word "instruction" insert the words "as the governor and commissioners may determine."

In line 63 of the printed bill, strike out "ten thousand" and insert in lieu thereof "thirty-five hundred."

In line 93 of the printed bill after the word "elective" strike out the words "an appointive officer of the state," and insert in lieu thereof the words "state officers."

In line 94 of the printed bill, strike out the word "two," and insert in lieu thereof the word "one."

In line 95 of the printed bill, strike out the word "two," and insert in lieu thereof the word "one."

After line 96 of the printed bill insert the following:

“One copy to each attorney in the state, one copy to each newspaper in the state.”

And when so amended recommend the same do pass.

A. L. NELSON,  
Chairman.

Mr. Nelson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 7.

A bill for an Act to appropriate money for maintenance, equipment and permanent improvements at the State University and School of Mines of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Barnes	Gilbert	Mudgett
Bond	Gronvold	Nelson
Bonzer	Hanley	Overson
Bronson	Heckle	Plain
Carter	Helgeland	Porterfield
Cashel	Hookway	Putnam
Clark	Hoverson	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Turner
Duncan	Kretschmar	Vail
Elken	Leutz	Wartner
Ellingson	Linde	Williams
Englund	Loftsgaard	Young
Ganssle	McBride	
Garden	McDowell	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Steel	Trageton
Hughes		

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which Senate Bill No. 7 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 145.

A bill for an Act to provide an appropriation for the current and contingent expenses and for the permanent improvements of the State School of Science at Wahpeton.

Was read the third time.

Mr. Carter offered the following amendment to Senate Bill No. 145 and moved its adoption:

Between lines 9 and 10 of the engrossed bill insert the following:

“For maintenance, 1913.....\$7,500.00  
For maintenance, 1914.....\$7,500.00”

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Barnes	Gilbert	McLean
Bond	Gronvold	Mudgett
Bonzer	Hanley	Nelson
Bronson	Heckle	Overson
Carter	Helgeland	Plain
Cashel	Hookway	Putnam
Clark	Hoverson	Talcott
Davidson	Hughes	Thoreson
Davis	Hyland	Turner
Duncan	Jacobsen	Vail
Elken	Kretschmar	Wartner
Ellingson	Leutz	Williams
Englund	Linde	Young
Ganssle	Loftsgaard	
Garden	McBride	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Steel	Trageton
Porterfield		

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which Senate Bill No. 145 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 43.

A bill for an Act to authorize the Superintendent of Public Instruction to publish the report of the State Inspector of Rural and Graded Schools for 1912 and to appropriate money to defray the expense of the same and to meet the deficiency in the expenses of the State Inspector of Rural and Graded Schools.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Barnes	Gronvold	Mudgett
Bond	Hanley	Nelson
Bonzer	Heckle	Overson
Bronson	Helgeland	Plain
Carter	Hookway	Porterfield
Cashel	Hoverson	Putnam
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Turner
Duncan	Kretschmar	Vail
Elken	Leutz	Wartner
Ellingson	Linde	Williams
Englund	Loftsgaard	Young
Ganssle	McBride	
Garden	McDowell	

• Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Steel	Trageton
Gilbert		

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which Senate Bill No. 43 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## Senate Bill No. 40.

A bill for an Act making an appropriation for the erection of a new building, and other improvements, and for the current and contingent expenses of the Reform School of North Dakota, located at Mandan, N. D.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McBride
Barnes	Gibbens	McDowell
Bond	Gilbert	McLean
Bonzer	Gronvold	Mudgett
Bronson	Hanley	Nelson
Carter	Heckle	Overson
Cashel	Helgeland	Plain
Clark	Hookway	Porterfield
Davidson	Hoverson	Putnam
Davis	Hyland	Thoreson
Duncan	Jacobsen	Turner
Elken	Kretschmar	Vail
Ellingson	Leutz	Wartner
Englund	Linde	Williams
Ganssle	Loftsgaard	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Steel	Trageton
Hughes	Talcott	

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which Senate Bill No. 40 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## Senate Bill No. 113.

A bill for an Act making an appropriation for the experimental station of the school of mines and the mining substation at Hebron, Morton County.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, no nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McBride
Barnes	Gibbens	McDowell
Bond	Gilbert	McLean
Bonzer	Gronvold	Mudgett
Bronson	Hanley	Nelson
Carter	Heckle	Overson
Cashel	Helgeland	Plain
Clark	Hookway	Porterfield
Davidson	Hoverson	Thoreson
Davis	Hyland	Turner
Duncan	Jacobsen	Vail
Elken	Kretschmar	Wartner
Ellingson	Leutz	Williams
Englund	Linde	Young
Ganssle	Loftsgaard	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Putnam	Talcott
Hughes	Steel	Trageton

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which Senate Bill No. 113 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The President pro tempore presiding.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., February 26, 1913.

*Mr. President:*

I have the honor to transmit herewith  
House Bill No. 201.

A bill for an Act entitled "An Act creating the office of deputy commissioner of labor, defining his powers and duties and making an appropriation therefor."

Also,

House Bill No. 268.

A bill for an Act limiting the time within which real estate mortgages may be foreclosed.

Also,

House Bill No. 459.

A bill for an Act regulating the sweeping of railway coaches or cars while occupied by passengers and providing for a penalty therefor.

Also,

House Bill No. 338.

A bill for an Act to establish a day in the State of North Dakota to be known as "Mother's Day."

Also,

House Bill No. 314.

A bill for an Act to legalize deeds, judgments and decrees.

Also,

House Bill No. 228.

Being a bill for an Act declaring to be common nuisances any house, building, room or place where gambling paraphernalia is kept, and where persons resort, or are permitted to resort, for gambling or disorderly purpose, and prescribing remedies for the prevention, and penalties for the violation of the same.

Also,

House Bill No. 409.

A bill for an Act authorizing the establishment of nurseries under the supervision of a state forester, providing for the distribution of seeds and forest trees seedlings to institutions and land owners of the state.

Also,

House Bill No. 239.

A bill for an Act to amend and re-enact Chapter 301 of the Session Laws of 1911, relating to auditor's notice of tax sale, and providing for the manner of preparing copy for, and the publication of, the auditor's notice of tax sale, and for the furnishing of bond by the person or persons publishing the newspapers in which such tax list shall be published.

Also,

House Bill No. 192.

A bill for an Act making an appropriation for the Normal School at Minot to meet an expenditure for the erection of buildings and permanent improvements necessary in connection therewith, and for furnishing, equipment and maintenance.

Also,

House Bill No. 38.

A bill for an Act to appropriate money for maintenance, equipment and permanent improvements at the State University and School of Mines of North Dakota.

Also,

House Bill No. 114.

A bill for an Act to provide for the making of permanent improvements at the state normal school at Valley City, North Dakota, to assist in the maintenance thereof and for other purposes and make an appropriation therefor.

Also,

House Bill No. 422.

A bill for an Act to provide funds for the erection, purchase, lease or establishment of a terminal elevator system in the State of Wisconsin or in the State of Minnesota, or in both said states, and for the maintenance and operating of the same, and for the establishment of additional duties of the board of control of state institutions in relation thereto.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 94.

A bill for an Act to amend Chapter 213 of the Laws of 1909, relating to the inmates of the institution for the feeble-minded.

Also,

Senate Bill No. 225.

A bill for an Act to amend and re-enacting Sections 6 and 8 of Chapter 61 of the Session Laws of the State of North Dakota of 1911, relating to normal schools.

Also,

Senate Bill No. 207.

A bill for an Act to amend Section 4309, Article 6, Chapter 12, of the Revised Codes of North Dakota of 1905, relating to the licensing of railroad ticket agents.

Also,

Senate Bill No. 45.

A bill for an Act regulating marriages and the issuance of marriage licenses, prohibiting marriages in certain cases, providing penalties for the violation of the provisions of this Act and repealing all Acts or parts of Acts in conflict herewith.

Also,

Senate Bill No. 197.

A bill for an Act relating to exits in all schoolhouses having more than one schoolroom and requiring stationary fire escapes with proper landings and railings to be attached to the outside of all schoolhouses above the first story of every schoolhouse having more than one story, and designating whose duty it shall be to provide such exits and fire escapes, and prescribing a penalty for the violation of the provisions of this Act.

Also,

Senate Bill No. 151.

A bill for an Act to legalize the execution and acknowledgement of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof, admissible in evidence.

Also,

Senate Bill No. 233.

A bill for an Act authorizing the boards of county commissioners to levy taxes for the promotion of diversified farming, agricultural development and extension of scientific agricultural work.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 90.

Being a bill for an Act to amend and re-enact Chapter 131 of the Laws of 1909, relating to garnishment proceedings in justice courts.

Which the House has amended as follows:

In the title of the enrolled bill, strike out all after the words "A bill," and insert in lieu thereof the following: "For an Act to amend and re-enact Section 8405 of the Revised Codes of 1905, as amended by Chapter 131 of the Session Laws of 1909, relating to garnishment proceedings in justice courts."

And strike out all in line 1, Section 1, of the enrolled bill before the word "Chapter," and insert in lieu thereof the following: "Amendment."

And in line 2 of the said Section 1, after the word "amendment," insert the following: "and re-enacted."

And in line 3 of the said Section 1, insert before the word "if" the following: "Section 8405. When Court May Render Judgment.)"

Also,

Senate Bill No. 98.

A bill for an Act to prohibit the importation, manufacture, distribution, transportation, sale or use of snuff and providing a penalty therefor.

Which the House has amended as follows:

That Section 1 be amended to read as follows:

In line 3 of Section 1 after the word "snuff" add "or substitute therefor."

That Section 2 be amended to read as follows:

"Section 2. Snuff Defined.) For the purpose of this Act, snuff is defined as any tobacco that has been fermented, or dried, or flavored, or pulverized, or cut, or scented or otherwise treated, and intended to be taken or used by the mouth, or nose, or any substitute therefor, or imitation thereof. Provided, however, ordinary chewing tobacco as now commonly known to the trade shall not be included in such definition."

Also,

Senate Bill No. 152.

A bill for an Act relating to the transfer of messages by telegraph companies and penalty for the violation thereof.

Which the House has amended as follows:

In the printed bill in Section 1, line 10, after the word "message," change the period to a comma, and add the following: "provided, however, that nothing in this Act shall prohibit the transfer of such message at convenient or central points where both such telegraph companies may be better equipped, but in no case shall the rate exceed the combined rate of both companies at the nearest intersecting point, nor the transmission of such message partly by telephone, provided it is cheaper or more expedient, and agreeable to sender, when copy is delivered within reasonable time to addressee, if required."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 160.

A bill for an Act to amend Section 271 of Chapter 266 of the Session Laws of 1911, relating to branches to be taught in the public schools.

Also

Senate Bill No. 114.

A bill for an Act to amend Section 1337 of the Revised Codes of 1905 relating to the compensation of assessors for collecting agricultural statistics.

Which the House has indefinitely postponed.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Senate Bill No. 140.

A bill for an Act making an appropriation for a suitable building and an experimental mine at the mining experiment sub-station at Hebron, Morton County.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, no nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	McBride
Allen	Garden	McDowell
Barnes	Gibbens	McLean
Bond	Gilbert	Mudgett
Bonzer	Gronvold	Nelson
Bronson	Heckle	Overson
Carter	Helgeland	Plain
Cashel	Hookway	Porterfield
Clark	Hoverson	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Turner
Duncan	Kretschmar	Vail
Elken	Leutz	Wartner
Ellingson	Linde	Young
Englund	Loftsgaard	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Hanley	Putnam	Trageton
Hughes	Steel	Williams

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which Senate Bill No. 140 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 107.

A bill for an Act to provide for the making of permanent improvements at the State Normal School at Valley City, North Dakota, to assist in the maintenance thereof and for other purposes and make an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	McBride
Allen	Garden	McDowell
Barnes	Gibbens	McLean
Bond	Gilbert	Mudgett
Bonzer	Hanley	Nelson
Bronson	Heckle	Overson
Carter	Helgeland	Plain
Cashel	Hookway	Porterfield
Clark	Hoverson	Steel
Davidson	Hughes	Talcott
Davis	Jacobsen	Thoreson
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Englund	Loftsgaard	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Gronvold	Putnam	Williams
Hyland	Trageton	

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which Senate Bill No. 107 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 136.

A bill for an Act to provide for increased maintenance and contingent expenses, for establishing and maintaining and agricultural extension department and for an agricultural building and other permanent improvements and repairs for the North Dakota Agricultural College.

Was read the third time.

The question being on the final passage of the bill.

Mr. Davidson offered the following amendments to Senate Bill No. 136 and moved their adoption:

In the title of the bill strike out the words "and for an agricultural building."

After the last line of the engrossed bill add the following:

"Total amount, \$110,400.00."

Which motion prevailed and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 43 ayes, no nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gilbert	McLean
Barnes	Hanley	Mudgett
Bond	Heckle	Nelson
Bonzer	Helgeland	Overson
Bronson	Hookway	Plain
Carter	Hoverson	Porterfield
Cashel	Hughes	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Englund	Linde	Young
Ganssle	Loftsgaard	
Garden	McBride	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Putnam	Wartner
Ellingson	Trageton	Williams
Gronvold		

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which Senate Bill No. 136 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 154.

A bill for an Act making an appropriation for the Normal School at Minot to meet an expenditure for the erection of buildings and permanent improvements necessary in connection therewith, and for furnishing, equipment and maintenance.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, no nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gilbert	McLean
Barnes	Harley	Mudgett
Bond	Heckle	Nelson
Bonzer	Helgeland	Overson
Bronson	Hookway	Plain
Carter	Hoverson	Porterfield
Clark	Hughes	Steel
Davidson	Hyland	Thoreson
Duncan	Jacobsen	Turner
Elken	Kretschmar	Vail
Ellingson	Leutz	Williams
Englund	Linde	Young
Ganssle	Loftsgaard	
Garden	McBride	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Cashel	Putnam	Trageton
Davis	Talcott	
Gronvold	Wartner	

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which Senate Bill No. 154 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 142.

A bill for an Act to incorporate and establish the Des Lacs and Mouse River Valley agriculture and fair association and making an appropriation therefor.

Was read the third time.

Mr. Plain offered the following amendments to Senate Bill No. 142 and moved their adoption:

In Section 4, line 8 of the engrossed bill strike out the word "two" and insert in lieu thereof the word "one."

Strike out all of Section 8 of the bill.

Which motion prevailed and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 34 ayes, 10 nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Cashel	Helgeland	Putnam
Clark	Hookway	Steel
Davidson	Hughes	Talcott
Elken	Hyland	Thoreson
Ellingson	Linde	Young
Englund	Loftsgaard	
Ganssle	McBride	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Hoverson	Overson
Carter	Kretschmar	Turner
Davis	McLean	Williams
Duncan		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Garden	Leutz	Vail
Jacobsen	Trageton	Wartner

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which Senate Bill No. 142 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 146.

A bill for an Act relating to the fish hatchery at Devils Lake and Fish Lake in Rolette County, and making appropriation therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McDowell
Allen	Gibbens	McLean
Barnes	Gilbert	McBride
Bond	Gronvold	Nelson
Bonzer	Heckle	Overson
Bronson	Helgeland	Plain
Carter	Hookway	Porterfield
Cashel	Hoverson	Putnam
Clark	Hughes	Steel
Davidson	Hyland	Talcott
Davis	Jacobsen	Thoreson
Duncan	Kretschmar	Turner
Elken	Leutz	Wartner
Ellingson	Linde	Williams
Englund	Loftsgaard	Young
Ganssle	McBride	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Hanley	Trageton	Vail

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which Senate Bill No. 146 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Davis moved

That further consideration of Senate Bill No. 221 be deferred until tomorrow and that it be made a special order for 3:00 o'clock P. M., February 27th.

Which motion prevailed.

Senate Bill No. 260.

A bill for an Act entitled "An Act to amend Section 2 of Chapter 265 of the Session Laws of 1911, relating to establishment and maintenance, and improvements and equipment of a County Agricultural and Training School, and

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gilbert	McLean
Barnes	Gronvold	Nelson
Bonzer	Hanley	Overson
Bronson	Heckle	Plain
Carter	Helgeland	Porterfield
Cashel	Hookway	Putnam
Clark	Hoverson	Steel
Davidson	Hughes	Talcott
Davis	Hyland	Thoreson
Duncan	Jacobsen	Turner
Elken	Kretschmar	Wartner
Ellingson	Leutz	Williams
Englund	Linde	Young
Ganssle	Loftsgaard	
Garden	McBride	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Trageton	Vail
Mudgett		

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which Senate Bill No. 260 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 263.

A bill for an Act to amend Section 6245, Chapter 79, of the Revised Codes of North Dakota for 1905, relating to the enforcement of mechanics' liens.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Davidson	Hanley
Allen	Davis	Heckle
Barnes	Duncan	Garden
Bonzer	Elken	Gibbens
Bronson	Ellingson	Helgeland
Carter	Englund	Hookway
Cashel	Ganssle	Hoverson
Clark	Gronvold	Hughes

Messrs.—  
Hyland  
Jacobsen  
Kretschmar  
Leutz  
Linde  
Loftsgaard  
McBride

Messrs.—  
McDowell  
McLean  
Nelson  
Overson  
Plain  
Porterfield  
Putnam

Messrs.—  
Steel  
Talcott  
Thoreson  
Turner  
Wartner  
Williams  
Young

**Absent and not voting:**

Messrs.—  
Bond  
Gilbert

Messrs.—  
Mudgett  
Trageton

Messrs.—  
Vail

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which Senate Bill No. 263 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The President presiding.

Senate Bill No. 278.

A bill for an Act to amend Section 163 of Article 9 and Sections 222 and 227 of Article 14 of Chapter 266 of the Session Laws of 1911, relating to school district bonds.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 42 ayes, 2 nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson  
Carter  
Cashel  
Clark  
Davidson  
Davis  
Elken  
Ellingson  
Englund

Messrs.—  
Ganssle  
Garden  
Gibbens  
Gilbert  
Gronvold  
Hanley  
Heckle  
Helgeland  
Hookway  
Hoverson  
Hughes  
Hyland  
Jacobsen  
Kretschmar

Messrs.—  
Leutz  
Linde  
Loftsgaard  
McBride  
McLean  
Overson  
Plain  
Porterfield  
Putnam  
Talcott  
Thoreson  
Turner  
Wartner  
Young

Messrs. McDowell and Williams voted in the negative.

## Absent and not voting:

Messrs.—  
Duncan  
Mudgett

Messrs.—  
Nelson  
Steel

Messrs.—  
Trageton  
Vail

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which Senate Bill No. 278 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 217.

A bill for an Act to amend Sections 5, 8 and 14 of Chapter 6, of the Session Laws of the State of North Dakota, of 1911, being an Act to license motor and other vehicles and defining the good road regulations of such vehicles, providing that the funds received from such licenses shall be expended on the maintenance of public highways and making it a misdemeanor to take and remove motor and other vehicles from any warehouse, garage or building without the knowledge and consent of the owner, and repealing Section 2169 of the Revised Codes of North Dakota for the year 1905.

Was read the third time.

Mr. Ellingson offered the following amendment to Senate Bill No. 217 and moved its adoption:

In line 15 of Section 3 of the engrossed bill strike out the word "daily" and insert in lieu thereof the word "weekly."

Which motion prevailed and

The amendment was adopted.

Mr. Elken offered the following amendment to Senate Bill No. 217 and moved its adoption:

On page 2, line 6 of the engrossed bill strike out the words "and one on the front."

Which motion was lost.

Mr. Putnam offered the following amendment to Senate Bill No. 217:

On page 2 of the engrossed bill strike out lines 9 and 10.

Which motion prevailed and

The amendment was adopted.

Mr. Bronson offered the following amendments to Senate Bill No. 217 and moved their adoption:

Add to the engrossed bill after Section 3, the following:

“Section 4. Amendment.) Section 16 of Chapter 6 of the Laws of North Dakota for the year 1911 is hereby amended and re-enacted so as to read as follows:

“Section 16. The moneys received by each county from such source shall be expended for repairs and maintenance on the main-traveled roads of the county under the direction of the county superintendent of highways, and where no county superintendent of highways has been appointed then under the direction of the board of county commissioners, provided that all money so expended for repairs and maintenance shall be expended from April 1st to December 1st, annually. *Provided*, further, that none of this money shall be expended within the limits of any incorporated city or village.

*Provided*, further, however, that whenever any city, town or village in this state by resolution of its common council, town board of trustees, as the case may be, shall direct that the moneys so received by the county wherein the same may be situated, from registrations of motor vehicles owned in said city, town or village shall be expended upon a rural road or roads in such county which such resolution may designate, then, upon the filing of such resolution with the board of county commissioners of such county, the said board shall expend such moneys so contributed by such city or village only upon such road or roads, *provided* further that no moneys so received shall be expended under the provisions of this Act on any road within any township that does not levy at least a tax of five mills for road purposes.

In line 17, on page 3 of the engrossed bill, strike out the figure “4” and insert in lieu thereof the figure “5.”

Which motion prevailed and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 46 ayes, 2 nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McLean
Allen	Gibbens	Mudgett
Barnes	Gilbert	Nelson
Bond	Gronvold	Overson
Bonzer	Hanley	Plain
Bronson	Heckle	Porterfield
Carter	Helgeland	Putnam
Cashel	Hookway	Steel
Clark	Hoverson	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Turner
Duncan	Kretschmar	Vail
Elken	Leutz	Wartner
Ellingson	Linde	Williams
Englund	Loftsgaard	
Ganssle	McDowell	

Messrs. Hughes and Young voted in the negative.

Absent and not voting, Messrs. McBride and Trageton.

Mr. Bronson moved

That the title of Senate Bill No. 217 be amended as follows:

In line 1 of the title insert after the figure "14" the words and "16" and strike out the word "and" between the figures "8" and "14."

Which motion prevailed and

The amendment was adopted.

So the bill passed and the title as amended was agreed to.

Mr. Plain moved

That the vote by which Senate Bill No. 217 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Secretary announced that the President was about to sign

Senate Bill No. 67.

A concurrent resolution amending Section 185 of the Constitution of the State of North Dakota, relating to state aid in the construction and improvement of public highways.

And the President signed the same in the presence of the Senate.

## Senate Bill No. 148.

A bill for an Act to amend Sections 2 and 36 of Chapter 128 of the Laws of 1909, and Sections 4, 6 and 10 of Chapter 141 of the Laws of 1911, relating to fish and game; providing for the removal of beavers causing damage to property and making an appropriation therefor.

Was read the third time.

Mr. Hyland offered the following amendment to Senate Bill No. 148 and moved its adoption:

After Section 5 add the following:

“Section 6. Emergency.) Inasmuch as an emergency exists this law shall be in force from and after its passage and approval.

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 45 ayes, 1 nay, 4 absent and not voiting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McLean
Allen	Gibbens	Mudgett
Barnes	Gilbert	Nelson
Bond	Gronvold	Overson
Bonzer	Hanley	Plain
Bronson	Heckle	Porterfield
Carter	Helgeland	Putnam
Cashel	Hookway	Steel
Clark	Hoverson	Talcott
Davidson	Hughes	Thoreson
Davis	Hyland	Turner
Duncan	Leutz	Vail
Elken	Linde	Wartner
Ellingson	Loftsgaard	Williams
Englund	McDowell	Young

Mr. Ganssle voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Jacobsen	McBride	Trageton
Kretschmar		

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which Senate Bill No. 148 passed, be re-

considered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 196.

A bill for an Act to provide for the establishment, organization, regulation and management of a State Board of Health, County Boards of Health, Township Boards of Health and Village Boards of Health, and making an appropriation for the expenses of the State Board of Health, and to repeal Sections 252 to 287, inclusive, of Article 10, Chapter 4, Revised Codes of 1905.

Was read the third time.

Mr. Plain offered the following amendment to Senate Bill No. 196 and moved its adoption:

In Section 6, line 20, strike out the word "six" and insert in lieu thereof the word "three."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 39 ayes, 4 nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Garden	McLean
Barnes	Gronvold	Mudgett
Bond	Heckle	Nelson
Bonzer	Helgeland	Overson
Bronson	Hookway	Plain
Carter	Hoverson	Porterfield
Cashel	Hughes	Putnam
Clark	Hyland	Steel
Davis	Jacobsen	Talcott
Duncan	Leutz	Thoreson
Ellingson	Linde	Vail
Englund	McBride	Williams
Ganssle	McDowell	Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Loftsgaard	Turner
Davidson		

## Absent and not voting:

Messrs.—  
Elken  
Gibbens  
Gilbert

Messrs.—  
Hanley  
Kretschmar

Messrs.—  
Trageton  
Wartner

So the bill passed and the title was agreed to.

## Senate Bill No. 243.

A bill for an Act to amend Section 2485 of the Revised Codes of North Dakota for 1905, relating to the annual statement of the county auditor and treasurer.

Was read the third time.

Mr. Hyland offered the following amendment to Senate Bill No. 243 and moved its adoption:

In the line 15 of Section 1 of the engrossed bill, insert after the word "published" the word "once."

Which motion prevailed, and

The amendment was adopted.

Mr. Overson offered the following amendment to Senate Bill No. 243 and moved its adoption:

After the word "in" in line 15 of Section 1 of the engrossed bill, insert the words "one of the."

Which motion prevailed, and

The amendment was adopted.

Mr. Bronson offered the following amendment to Senate Bill No. 243 and moved its adoption:

Strike out the word "shall" in line 15 of Section 1 of the engrossed bill and insert in lieu thereof the word "may."

Which motion prevailed, and

The amendment was adopted.

Mr. Overson moved

That the further consideration of Senate Bill No. 243 be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Mr. Davis moved

That the vote by which Senate Bill No. 196 was passed, be reconsidered.

Which motion prevailed.

Mr. Thoreson moved

That the rules be suspended and that the Senate do now concur in the House amendments made to Senate Bill No. 98.

Which motion prevailed, and

The amendments were concurred in:

Mr. Talcott moved

That the vote by which Senate concurred in the House amendments to Senate Bill No. 98 be reconsidered.

Which motion prevailed.

Mr. Hyland moved

That the Senate do not concur in the House amendment to Senate Bill No. 98 and that a conference committee be appointed.

Which motion prevailed, and

The President appointed Messrs. Mudgett, Overson and Elken as such committee.

Mr. Gronvold moved

That the vote by which the report of the committee indefinitely postponing Senate Bill No. 315 was adopted be reconsidered.

Which motion prevailed.

Mr. Gronvold moved

That Senate Bill No. 315 be re-referred to the committee on public health.

Which motion prevailed, and

The bill was so re-referred.

Mr. Davidson moved

That the Senate do not concur in the House amendment to Senate Bill No. 90 and that a conference committee be appointed.

Which motion prevailed, and

The President appointed Messrs. Wartner, Davidson and Duncan as such committee.

Mr. Talcott presiding.

Mr. Bronson moved

That the Senate take a recess of five minutes.

Which motion prevailed and

The Senate took a recess.

#### AFTER RECESS.

Senate Bill No. 313.

A bill for an Act to require express companies and other common carriers to keep displayed printed schedules of rates of charges and amendments thereto, prohibiting excessive charges, and providing a penalty for violation thereof.

Was read the third time.

Mr. Englund offered the following amendments to Senate Bill No. 313 and moved their adoption:

In line 1 of the title of the bill strike out the words "and other" and insert in lieu thereof the word "or."

In line 1 of Section 1 of the printed bill strike out the word "and" and insert in lieu thereof the word "or."

In line 3 of Section 1 of the printed bill insert the word "and" between the words "merchandise" and "packages."

In line 4 of Section 1 of the printed bill strike out the words "and other things."

In line 5 of Section 1 of the printed bill add the word "and" after the word "merchandise."

In line 6 of Section 1 of the printed bill strike out the words "and other things."

In line 8 of Section 1 of the printed bill insert after the word "post" the following "or place in a conspicuous place."

Which motion prevailed, and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 47 ayes, 1 nay, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McBride
Allen	Gibbens	McLean
Barnes	Gilbert	Mudgett
Bond	Gronvold	Nelson
Bonzer	Hanley	Overson
Bronson	Heckle	Plain
Carter	Helgeland	Porterfield
Cashel	Hookway	Putnam
Clark	Hoverson	Steel
Davidson	Hughes	Talcott
Davis	Hyland	Thoreson
Duncan	Jacobsen	Turner
Elken	Kretschmar	Vail
Ellingson	Leutz	Wartner
Englund	Linde	Wartner
Ganssle	Loftsgaard	

Mr. Young voted in the negative.

Absent and not voting, Messrs. McDowell and Trageton.

So the bill passed and the title was agreed to.

Senate Bill No. 254.

A bill for an Act to amend and re-enact Section 4285 of Article 1, Chapter 12 of the Revised Codes of 1905, relating to the manner in which railroad companies may extend their lines into, or within this state.

Was read the third time.

Mr. Bronson moved

That the further consideration of Senate Bill No. 254 be deferred until tomorrow.

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 17 ayes, 30 nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Elken	McBride
Bond	Ellingson	Nelson
Carter	Gilbert	Talcott
Cashel	Helgeland	Thoreson
Davidson	Hughes	Wartner
Davis	Linde	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gronvold	Mudgett
Barnes	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Hookway	Porterfield
Clark	Hoverson	Putnam
Duncan	Hyland	Steel
Englund	Kretschmar	Turner
Ganssle	Leutz	Vail
Garden	Loftsgaard	Williams
Gibbens	McLean	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Jacobsen	McDowell	Trageton

Messrs. Davidson and Gibbens explained their votes.

So the bill was lost.

Mr. Englund gave notice that he would move tomorrow for a reconsideration of the vote by which Senate Bill No. 254 was lost.

Senate Bill No. 272.

A bill for an Act to provide that public records and files shall be open to inspection and examination.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 47 ayes, 1 nay, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McLean
Allen	Gilbert	Mudgett
Barnes	Gilbert	Nelson
Bond	Gronvold	Overson
Bonzer	Hanley	Plain
Bronson	Heckle	Porterfield
Carter	Helgeland	Putnam
Cashel	Hookway	Steel
Clark	Hoverson	Talcott
Davidson	Hughes	Thoreson
Davis	Hyland	Turner
Duncan	Jacobsen	Vail
Elken	Kretschmar	Wartner
Ellingson	Leutz	Williams
Englund	Loftsgaard	Young
Ganssle	McBride	

Mr. Linde voted in the negative.

Absent and not voting, Messrs. McDowell and Trageton.

So the bill passed and the title was agreed to.

Senate Bill No. 309.

A bill for an Act to legalize acts and proceedings of county commissioners in calling and giving notices of general or special elections, and to legalize such general or special elections attempted held, pursuant to such calls and notices, under the provisions of Chapter 265 of the Session Laws of 1911.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McBride
Allen	Gibbens	McLean
Barnes	Gilbert	Mudgett
Bond	Gronvold	Nelson
Bonzer	Hanley	Overson
Bronson	Heckle	Plain
Carter	Helgeland	Porterfield
Cashel	Hookway	Putnam
Clark	Hoverson	Steel
Davidson	Hughes	Talcott
Davis	Hyland	Thoreson
Duncan	Jacobsen	Turner
Elken	Kretschmar	Vail
Ellingson	Leutz	Wartner
Englund	Linde	Young
Ganssle	Loftsgaard	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
McDowell	Trageton	Williams

So the bill passed and the title was agreed to.

Mr. Englund moved

That the Senate do not concur in the House amendment to Senate Bill No. 152 and that a conference committee be appointed.

Which motion prevailed.

The President appointed Messrs. Englund, Linde and Davidson as such committee.

The President pro tempore presiding.

Senate Bill No. 206.

A bill for an Act to amend and re-enact Section 11 of Chapter 210 of the Laws of North Dakota for 1909, relating to seed grain, contract for re-payments extended on tax list.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, no nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hookway	Steel
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Davidson	Hyland	Turner
Davis	Jacobsen	Vail
Duncan	Kretschmar	Wartner
Elken	Leutz	Williams
Ellingson	Linde	Young
Ganssle	Loftsgaard	
Garden	McBride	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Nelson	Trageton
McDowell		

So the bill passed and the title was agreed to.

Senate Bill No. 305.

A bill for an Act providing for the appointment of shorthand reporters by referees, coroners, and committing magistrates, and providing for their compensation.

Was read the third time.

Mr. Wartner offered the following amendment to Senate Bill No. 305 and moved its adoption:

Strike out Section 3 of the bill.

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 44 ayes, no nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McLean
Barnes	Gilbert	Mudgett
Bond	Gronvold	Nelson
Bonzer	Hanley	Overson
Bronson	Heckle	Plain
Carter	Helgeland	Porterfield
Cashel	Hoverson	Putnam
Clark	Hughes	Steel
Davidson	Hyland	Talcott
Davis	Jacobsen	Turner
Duncan	Kretschmar	Vail
Elken	Leutz	Wartner
Ellingson	Linde	Williams
Ganssle	Loftsgaard	Young
Garden	McBride	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Hookway	Thoreson
Englund	McDowell	Trageton

So the bill passed and the title was agreed to.

Senate Bill No. 276.

A bill for an Act to amend Section 1974 of the Revised Codes of North Dakota for 1905 relating to the official estray papers.

Was read the third time. .

The question being on the final passage of the bill.

The roll was called and there were 39 ayes, 7 nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Englund	Leutz
Allen	Ganssle	McBride
Barnes	Garden	McLean
Bond	Gibbens	Mudgett
Bonzer	Gilbert	Overson
Bronson	Gronvold	Plain
Carter	Heckle	Porterfield
Cashel	Hookway	Putnam
Clark	Hoverson	Steel
Davis	Hughes	Talcott
Duncan	Hyland	Turner
Elken	Jacobsen	Vail
Ellingson	Kretschmar	Wartner

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Davidson	Linde	Nelson
Hanley	Loftsgaard	Young
Helgeland		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
McDowell	Trageton	Williams
Thoreson		

So the bill passed and the title was agreed to.

Mr. Bronson gave notice that he would move for a reconsideration of the vote by which Senate Bill No. 276 was passed.

Senate Bill No. 249.

A bill for an Act to amend Section one of Chapter 108 of the Session Laws of 1909 of the State of North Dakota, relating to qualifications of embalmers.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 49 ayes, no nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Turner
Duncan	Kretschmar	Vail
Elken	Leutz	Wartner
Ellingson	Linde	Williams
Englund	Loftsgaard	Young
Ganssle	McBride	
Garden	McDowell	

Absent and not voting, Mr. Trageton.

So the bill passed and the title was agreed to.

Unanimous consent having been granted,

The Committee on Appropriations introduced

Senate Bill No. 385.

A bill for an Act authorizing and directing the auditor and treasurer of the State of North Dakota to transfer sums from the operating fund of the penitentiary twine and cordage plant to the general fund of the state treasury and repealing Chapter 204 of the Session Laws of 1911 and other laws which may be in conflict herewith.

Which was read the first and second times and  
Referred to the committee on appropriations.

#### FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 201.

A bill for an Act entitled "An Act creating the office of deputy commissioner of labor, defining his powers and duties and making an appropriation therefor."

Was read the first and second times and  
Referred to the committee on state affairs.

House Bill No. 268.

A bill for an Act limiting the time within which real estate mortgages may be foreclosed.

Was read the first and second times and  
Referred to the committee on judiciary.

House Bill No. 459.

A bill for an Act regulating the sweeping of railway coaches or cars while occupied by passengers and providing for a penalty therefor.

Was read the first and second times and  
Referred to the committee on railroads.

House Bill No. 338.

A bill for an Act to establish a day in the State of North Dakota to be known as "Mother's Day."

Was read the first and second times and  
Referred to the committee on state affairs.

House Bill No. 314.

A bill for an Act to legalize deeds, judgments and decrees.

Was read the first and second times and

Referred to the committee on judiciary.

House Bill No. 228.

Being a bill for an Act declaring to be common nuisances any house, building, room or place where gambling paraphernalia is kept, and where persons resort, or are permitted to resort, for gambling or disorderly purpose, and prescribing remedies for the prevention, and penalties for the violation of the same.

Was read the first and second times and

Referred to the committee on judiciary.

House Bill No. 409.

A bill for an Act authorizing the establishment of nurseries under the supervision of a state forester, providing for the distribution of seeds and forest trees seedlings to institutions and land owners of the state.

Was read the first and second times and

Referred to the committee on agriculture.

House Bill No. 239.

A bill for an Act to amend and re-enact Chapter 301 of the Session Laws of 1911, relating to auditor's notice of tax sale, and providing for the manner of preparing copy for, and the publication of, the auditor's notice of tax sale, and for the furnishing of bond by the person or persons publishing the newspapers in which such tax list shall be published.

Was read the first and second times and

Referred to the committee on state affairs.

House Bill No. 192.

A bill for an Act making an appropriation for the Normal School at Minot to meet an expenditure for the erection of buildings and permanent improvements necessary in connection therewith, and for furnishing, equipment and maintenance.

Was read the first and second times and

Referred to the committee on appropriations.

House Bill No. 38.

A bill for an Act to appropriate money for maintenance, equipment and permanent improvements at the State University and School of Mines of North Dakota.

Was read the first and second times and

Referred to the committee on appropriations.

House Bill No. 114.

A bill for an Act to provide for the making of permanent improvements at the state normal school at Valley City, North Dakota, to assist in the maintenance thereof and for other purposes and make an appropriation therefor.

Was read the first and second times and

Referred to the committee on appropriations.

House Bill No. 422.

A bill for an Act to provide funds for the erection, purchase, lease or establishment of a terminal elevator system in the State of Wisconsin, or in the State of Minnesota, or in both said states, and for the maintenance and operating of the same, and for the establishment of additional duties of the board of control of state institutions in relation thereto

Was read the first and second times and

Referred to the committee on appropriations.

The courtesies of the floor were extended to A. M. Christianson, Towner, N. D.; Chas. Bakke, A. D. Heaton, C. W. Ward, E. A. Lillibridge, Tobias Casey, M. L. Ayers, J. C. F. Parker, George Senour, E. H. Knapp, Prof. Berg, H. W. Reid, L. A. Simpson, James Soules, H. F. Schroeder, Herman Robe, T. H. Pugh, J. F. Brodie, R. H. Kennedy, Dickinson, N. D.; Paul Miller, Eric Thorberg, Mandan, N. D.

Mr. Talcott moved

That the Senate do now take a recess until tomorrow at 1 o'clock P. M.

Which motion prevailed, and

The Senate took a recess.

W. D. AUSTIN,  
Secretary.

FIFTY-FIRST DAY AFTER RECESS AND FIFTY-SECOND  
DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 27, 1913.

The Senate convened at 1 o'clock P. M. pursuant to recess taken.

The President presiding.

There being no objection, the Senate returned to the sixth order of business, and

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 259.

A concurrent resolution amending Section 216 of the Constitution of the State of North Dakota, establishing and locating a State Normal School in the City of Dickinson, County of Stark.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 268.

A bill for an Act in reference to declaring churches and church societies extinct and disposing of the property of extinct church and church societies.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2, Section 2 and line 9 of the printed bill, strike out "or a judge thereof."

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 273.

A concurrent resolution for an amendment to the Constitution of the State of North Dakota, providing for the apportionment of road taxes derived from railroad companies, express companies, freight line companies, car equipment companies, sleeping car companies, dining car companies, telegraph and telephone companies, equally among the civil townships of the various counties of the state.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 280.

A bill for an Act defining minority as regards persons  
sentenced to the state reform school.

Have had the same under consideration and recommend  
that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 319.

A concurrent resolution amending the Constitution of the  
State of North Dakota, providing for the establishment and  
location of a state hospital for the insane and institution  
for the feeble-minded in connection therewith.

Have had the same under consideration and recommend  
that the same be amended as follows:

In the title of the printed bill strike out "and institution  
for the feeble-minded in connection therewith."

On page 3 in lines 33 and 34, strike out "and institution  
for the feeble-minded in connection therewith."

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

The majority of the committee on state affairs made the following report

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 74.

A concurrent resolution amending the Constitution of the State of North Dakota, establishing and locating a blind asylum or such other institution as the Legislative Assembly may determine, at the City of Devils Lake, in the County of Ramsey, and abandoning and discontinuing the Blind Asylum now located at Bathgate, in the County of Pembina.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2 and in line 12 of the printed bill, strike out the words "a blind asylum or such other institution as the Legislative Assembly may determine," and insert in lieu thereof "a school for the blind."

And when so amended recommend the same do pass.

J. E. DAVIS,

Chairman.

ALFRED STEEL,  
FRANK H. HYLAND,  
C. F. MUDGETT,  
W. R. BOND,  
E. A. HUGHES,  
W. B. OVERSON.

Also,

A minority of the committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 74.

A concurrent resolution amending the Constitution of the State of North Dakota, establishing and locating a blind asylum or such other institution as the Legislative Assembly may determine, at the City of Devils Lake, in the County of Ramsey, and abandoning and discontinuing the Blind Asylum now located at Bathgate, in the County of Pembina.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. L. GARDEN,  
JNO. YOUNG,  
JAMES DUNCAN,  
F. S. TALCOTT,  
E. F. GILBERT,  
G. L. ELKEN,  
F. LEUTZ  
JAMES TURNER,  
F. KRETSCHMAR.

Mr. Davis moved

That Senate Bill No. 74 go to third reading without the adoption of either the majority or minority reports and that the reports be read at the time of the third reading of the bill.

Which motion prevailed.

The committee on taxes and tax laws made the following report

*Mr. President:*

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 183.

A bill for an Act to amend Section 1531 of the Revised Codes of 1905, relating to the State Board of Equalization, how constituted, its meetings, rules for equalizing.

Have had the same under consideration and recommend that the same do pass.

HENRY J. LINDE,  
Chairman.

Mr. Linde moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 69.

A bill for an Act relative to the collection of taxes from

officers and deputies drawing salaries from the treasuries of the counties of this State.

Have had the same under consideration and recommend that the same be indefinitely postponed.

HENRY J. LINDE,  
Chairman.

Mr. Linde moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 87.

A bill for an Act amending Section 3012 of the Revised Codes of North Dakota for the year 1905, relating to the disposition of road taxes collected by county treasurers.

Have had the same under consideration and recommend that the same be indefinitely postponed.

HENRY J. LINDE,  
Chairman.

Mr. Linde moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred

Senate Bill No. 296.

A bill for an Act to enlarge the power of state's attorneys.

Have had the same under consideration and recommend that the same be amended as follows:

In line 4 of Section 3 of the printed bill after the word "state" insert the following "relating to violations of the prohibition laws including gambling."

In line 4 of Section 3 of the printed bill after the word "state" insert "as herein contemplated."

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

Senate Bill No. 269.

A bill for an to enlarge the powers of state's attorneys.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

Senate Bill No. 312.

A bill for an Act to amend and re-enact Section 3 of Chapter 76 of the Session Laws of the State of North Dakota for the year 1909, relating to terms of court in the Ninth Judicial District.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
House Bill No. 340.

A bill for an Act amending Section 2 of Chapter 128 of  
the Session Laws of North Dakota for 1905, being Section  
8878 of the Revised Codes of North Dakota for 1905.

Have had the same under consideration and recommend  
that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
House Bill No. 145.

A bill for an Act entitled "An Act to amend and re-enact  
Section 15 of Chapter 137 of the Session Laws of 1907, re-  
lating to the payment of costs of treatment and board of  
patients in the insane hospital."

Have had the same under consideration and recommend  
that the same do pass.

W. B. OVERSON,  
Chairman

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also

*Mr. President:*

Your committee on judiciary to whom was referred  
House Bill No. 245.

A bill for an Act to amend Section 7575 of the Revised

Codes of North Dakota for A. D. 1905 and prescribing the instances where the right of eminent domain may be exercised for public uses.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
House Bill No. 369.

A bill for an Act to provide for suspension or modification of sentence of persons convicted of misdemeanors.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
House Bill No. 393.

A bill for an Act providing for the satisfaction of judgments pending an appeal therefrom to the Supreme Court.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

House Bill No. 312.

A bill for an Act to amend Sections 2294 and 2296 and re-enacting Section 2295 of the Revised Codes of 1905, relating to the publication of constitutional amendments.

Have had the same under consideration and recommend that the same be amended as follows:

In line 4 of Section 3 of printed bill, after the word "rate" strike out everything to the word "to" in line 5 and insert in lieu thereof the following: "prescribed in Section 2432 of the Revised Codes of North Dakota for 1905, as amended by Chapter 232 of the Session Laws for 1911."

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 41.

A bill for an Act making appropriation for the current and contingent expenses of the state penitentiary, and for making permanent improvements and additions thereto.

Also,

Senate Bill No. 136.

A bill for an Act to provide for increased maintenance and contingent expenses, for establishing and maintaining an agricultural department and other permanent improvements and repairs for the North Dakota agricultural college.

Also,

Senate Bill No. 148.

A bill for an Act to amend Section 36 of Chapter 128 of the Laws of 1909, and Sections 8, 35 and 45 of Chapter 128, Laws of 1909, as amended by Chapter 141 of the Laws of 1911, relating to fish and game; providing for the removal of beavers causing damage to property.

Also,

Senate Bill No. 178.

A bill for an Act making an appropriation for carrying out provisions of law relating to the duties of the commissioner of agriculture and labor in connection with the publication of the advantages offered by the State of North Dakota to settlers and investigators.

Also,

Senate Bill No. 313.

A bill for an Act to require express companies or common carriers to keep displayed printed schedules of rates of charges and amendments thereto, prohibiting excessive charges, and providing a penalty for violations thereof.

Also,

Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

And find the same correctly re-engrossed.

W. P. PORTERFIELD,  
Acting Chairman.

Mr. Porterfield moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Mr. Hookway moved

That Senate Bill No. 279 be recalled from the House for the purpose of making an amendment.

Which motion prevailed.

Mr. Hanley moved

That the concurrent resolution with reference to amending Section 155 of the Constitution be referred to the judiciary committee.

Which motion prevailed.

Mr. Hanley moved

That the Senate do now adjourn.

Which motion prevailed, and

The Senate adjourned.

W D. AUSTIN,  
Secretary.

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FIFTY-SECOND DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 27, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present.

REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the fifty-first day, have carefully examined the same and recommend that the same be corrected as follows:

On page 18 strike out lines from 5 to and including 21.

On page 53 strike out line 18.

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved  
That the report be adopted.  
Which motion prevailed and  
The report was adopted.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

A petition (unsigned) was received by mail, requesting the passage of Senate Bill No. 201.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 64.

A bill for an Act to amend Sections 38, 46, 51, 66 of the Revised Codes of 1905 to provide for the printing and prescribing the manner of distribution of the Legislative Manual known as the North Dakota Blue Book.

Also,

Senate Bill No. 127.

A bill for an Act relating to the employment and compensation of prisoners confined in the state penitentiary, and making an appropriation therefor from the receipts of the twine plant.

Also,

Senate Bill No. 130.

A bill for an Act to provide for the representation of the State of North Dakota at the Panama-Pacific International Exposition at San Francisco, California, celebrating the opening and commercial use of the Panama Canal, and making an appropriation therefor.

Also,

Senate Bill No. 284.

A bill for an Act to amend and re-enact Chapter 72 of the Session Laws of 1909, relating to the times and place for

holding general terms of the Supreme Court, and providing for special terms, and to fix the time in which appeals shall be heard.

Also,

Senate Bill No. 288.

A bill for an Act to amend and re-enact Sections 9987 and 10078, of the Revised Codes of North Dakota for 1905, relating to instructions in criminal cases, and to repeal Section 9988 thereof.

Also,

Senate Bill No. 314.

A bill for an Act legalizing the action of register of deeds and county commissioners in paying or authorizing the payment of extra clerk hire in register of deeds office, when said payment was made in good faith.

Also,

Senate Bill No. 308.

A bill for an Act to amend and re-enact Section 273 of Chapter 266 of the Session Laws of 1911, relating to teachers' institute and training schools.

Also,

Senate Bill No. 320.

A bill for an Act providing for one-half merchandise rates to be charged for the transportation of machinery and repairs or parts for machinery, and prescribing a penalty for the violation thereof.

Also,

Senate Bill No. 336.

A bill for an Act to amend Section 133 of Chapter 266 of the Session Laws of 1911 relating to the annexation of adjacent territory to special school district.

Also,

Senate Bill No. 337.

A bill for an Act to amend Section 282 of Chapter 266 of the Session Laws of 1911, relating to conductors and county superintendents filing statement of number of schools with county auditor.

Also,

Senate Bill No. 338.

A bill for an Act providing that persons in charge of school children shall furnish suitable text books in districts wherein the free text book system has not been adopted.

Also,

Senate Bill No. 339.

A bill for an Act to amend and re-enact Section 113 of Chapter 266 of the Session Laws of 1911, relating to county treasurer's accounts kept with school corporations.

Also,

Senate Bill No. 340.

A bill for an Act to repeal Section 28 of Chapter 266 of the Session Laws of 1911, relating to office postage and stationery of county superintendents.

Also,

Senate Bill No. 342.

A bill for an Act to amend Section 80 of Chapter 266 of the Session Laws of 1911, relating to board of inspection.

Also,

Senate Bill No. 343.

A bill for an Act to amend and re-enact Section 81 of Chapter 266 of the Session Laws of 1911, relating to school house sites.

Also,

Senate Bill 344.

A bill for an Act to repeal Section 43½ of Chapter 266 of the Session Laws of 1911, relating to boundaries of school districts.

Also,

Senate Bill No. 345.

A bill for an Act to amend Section 85 of Chapter 266 of the Session Laws of 1911, relating to additional school time.

Also,

Senate Bill 347.

A bill for an Act to amend Section 258 of Chapter 266 of the Session Laws of 1911, relating to high school diplomas.

Also,

Senate Bill No. 348.

A bill for an Act to amend and re-enact Section 72 of Chapter 266 of the Session Laws of 1911, relating to teachers employed by district school boards, and their salaries. And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bill have examined:

Senate Bill No. 217.

A bill for an Act to amend and re-enact Sections 5, 8, 14 and 16 of Chapter 6 of the Session Laws of the State of North Dakota of 1911, being an Act to license motor and other vehicles, and defining the good roads regulations of such vehicles, providing that the funds received from such licenses shall be expended on the maintenance of public highways, and making it a misdemeanor to take and remove motor or other vehicles from any warehouse, garage or building without the knowledge and consent of the owner, and repealing Section 2169 of the Revised Codes of North Dakota for the year 1905.

And find the same correctly re-engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

## Senate Bill No. 45.

A bill for an Act regulating marriages and the issuance of marriage licenses, prohibiting marriages in certain cases, providing penalties for the violation of the provisions of this Act and repealing all Acts or parts of Acts in conflict herewith.

Also,

## Senate Bill No. 94.

A bill for an Act to amend Chapter 213 of the Laws of 1909, relating to the inmates of the institution for the feeble minded.

Also,

## Senate Bill No. 197.

A bill for an Act providing front and rear exits in all schoolhouses having more than one schoolroom and requiring stationary fire escapes with proper landings and railings to be attached to the outside of all schoolhouses above the first story of every schoolhouse having more than one story, and designating whose duty it shall be to provide such exits, fire escapes, landings and railings, prescribing a time within which said Act shall be done, and prescribing a punishment for the violation thereof.

Also,

## Senate Bill No. 207.

A bill for an Act to amend Section 4309, Article 6, Chapter 12, of the Revised Codes of North Dakota of 1905, relating to the licensing of railroad and steamboat ticket agents.

Also,

## Senate Bill No. 225.

A bill for an Act to amend and re-enact Sections 6 and 8 of Chapter 61 of the Session Laws of the State of North Dakota of 1911, relating to normal schools.

Also,

## Senate Bill No. 233.

A bill for an Act authorizing the boards of county commissioners to levy taxes for the promotion of diversified farming, agricultural development and extension of scientific agricultural work.

And find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on taxes and tax laws made the following report:

*Mr. President:*

Your committee on taxes and tax laws to whom was referred.

Senate Bill No. 289.

A bill for an Act entitled "An Act to provide a special tax levy for immigration," amending Section 2402 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A Bill" and substitute in their place the following:

"For an Act to amend and re-enact Section 2402 of the Revised Codes of 1905, relating to a special tax levy for immigration purposes."

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

"Section 1. Amendment.) That Section 2402 of the Revised Codes of 1905 be and the same are hereby amended to read as follows:

Section 2402. Special Tax Levy for Immigration.) The board of county commissioners is authorized at the time fixed by law for the levying and assessment of taxes to levy and tax not in excess of one-fourth or one mill on the dollar upon the assessed valuation of all of the property in the county, upon presentation of a petition signed by fifteen per cent of the legal voters of the county, taking the total vote at the last general election for a basis, the proceeds of which shall be used solely for the purpose of promoting and assisting immigration to this state.

And when so amended recommend the same do pass.

H. J. LINDE,  
Chairman.

Mr. Linde moved that the report be adopted

Which motion prevailed and

The report was adopted.

The committee on cities and municipal corporations made the following report:

*Mr. President:*

Your committee on cities and municipal corporations to whom was referred

House Bill No. 180.

A bill for an Act to amend Article 4, Chapter 30, of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to powers of city councils.

Have had the same under consideration and recommend that the same be amended as follows:

After the word "signals" in 7th line of printed bill, insert the words "telephones and telephone lines, fire apparatus that may be of use in the prevention and extinguishment of fires."

And when so amended recommend the same do pass.

ALFRED STEEL,  
Chairman.

Mr. Steele moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on public printing made the following report:

*Mr. President:*

Your committee on public printing to whom was referred

House Bill No. 40,

A bill for an Act repealing Sections 2294, 2295 and 2296 of the Revised Codes of 1905, relating to the publication of constitutional amendments.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. W. NELSON,  
Chairman.

Mr. Nelson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on ways and means made the following report:

*Mr. President:*

Your committee on ways and means to whom was referred

House Bill No. 170.

A bill for an Act providing for physical connections and joint rates between companies, defining the same and giving the state board of railroad commissioners certain pow-

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all after "A Bill" and insert the following amendment:

"For an Act providing for physical connections and joint rates between telephone companies, defining the same, prohibiting unnecessary duplication of exchanges, and giving the state board of railroad commissioners certain powers in connection therewith.

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

Section 1. Prohibiting Unnecessary Duplication of Exchanges.) No telephone exchange for furnishing local service to subscribers shall be installed in any city or village where there is already a telephone exchange in operation, and no farm or toll lines shall be paralleled without a declaration being first secured from the State Board of Railroad Commissioners after a public hearing of all parties interested, that public convenience and necessity require it, such hearing to be had on thirty days notice to all parties interested.

Section 2. Physical Connection.) Every telephone company shall permit a physical connection or connections to be made and telephone service to be furnished between its telephone system or toll line and the telephone system or toll line operated by another such company at any common point whenever public convenience and necessity require such physical connection or connections and such physical connection or connections will not result in the irreparable injury to the owners or other users of such telephone companies, nor in any substantial detriment to the service to be rendered by such companies.

Section 3. Telephone Company Defined.) The term "Telephone Company" as used herein shall mean any person, firm or corporation engaged in the business of transmitting telephone messages.

Section 4. Physical Connection Defined.) The term "Physical Connection" as used herein shall mean such number of trunk lines and complete wire circuits and connections as may be required to furnish reasonable and adequate telephone service between different systems and toll lines or toll lines and telephone systems.

Section 5. Cost of Physical Connection.) The cost of making physical connection of such telephone lines shall be shared by the companies making such connection or connections in such proportions as they agree upon or as ordered by the state board of railroad commissioners.

Section 6. Joint Rates.) The joint rates shall be agreed upon by companies who are parties or as ordered by the state board of railroad commissioners.

Section 7. Powers of State Board of Railroad Commissioners.) In case of failure to agree upon such use or the conditions or compensation of such use or in case of failure to agree upon such physical connection or connections or the terms and conditions upon which the same shall be made, any telephone company or person interested may apply to the state board of railroad commissioners who shall order a public hearing, giving thirty days notice to interested parties, and if after investigation, the state board of railroad commissioners shall ascertain that public convenience and necessity require such use or such physical connection or connections and that such use or such physical connection or connections would not result in the irreparable injury to the owners or other users of such telephone companies nor in any substantial detriment to the service to be rendered, it shall by order direct that such use be permitted and prescribe reasonable conditions and compensation for such joint use and the continuance thereof and such physical connection or connections be made and determined how and within what time such connection or connections shall be made and by whom the expense of maintaining such connection or connections shall be paid.

Section 8. Penalty.) Whenever the state board of railroad commissioners shall enter an order in compliance with the provisions of this Act, it shall be compulsory for such person or company upon whom this order is served to comply with said order and failing to do so, such person or company in default shall forfeit to the State of North Dakota, on suit by the state's attorney of the county wherein such default occurred, the sum of ten dollars (\$10.00) for each and every day they so neglect to comply with such order of the state board of railroad commissioners.

Section 9. Emergency.) Whereas, an emergency is hereby declared to exist as there is no state law providing for physical connections and joint rates between telephone companies and duplication of exchanges, this Act shall take effect and be in force immediately from and after its passage and approval.

And when so amended recommend the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on ways and means to whom was referred

House Bill No. 264.

A bill for an Act providing for failure to close gates on private roadways.

Have had the same under consideration and recommend that the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on ways and means to whom was referred

House Bill No. 433.

A bill for an Act to amend Section 2548 of the Revised Codes of North Dakota for 1905, relating to the compensation of the public administrator.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of line 7 in printed bill after the word "administered"; and the words "liens thereon are paid" in line 8 of the printed bill and insert the following words in lieu thereof: "provided, however, that in cases when the assets are insufficient to pay such compensation, the county court shall allow and direct to be paid by the county in which such administration is had an amount sufficient to make up such deficiency."

And when so amended recommend the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The conference committee on Senate Bill No. 90 made the following report:

*Mr. President:*

Your conference committee to whom was referred

Senate Bill No. 90.

A bill for an Act entitled "An Act to amend and re-enact Chapter 131 of the Laws of 1909, relating to garnishment proceedings in justice courts."

Have had the same under consideration and recommend that the Senate concur in the House amendments to said bill.

ALOYS WARTNER,  
C. E. DAVIDSON,  
JAMES DUNCAN,  
A. P. HANSON,  
T. N. PUTNAM,  
J. W. HART.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Senate Bill No. 90.

A bill for an Act entitled "An Act to amend and re-enact Chapter 131 of the Laws of 1909, relating to garnishment proceedings in justice courts."

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and ther were 41 ayes, no nays, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Heckle	Overson
Bonzer	Helgeland	Plain
Bronson	Hookway	Porterfield
Carter	Hoverson	Putnam
Clark	Hughes	Steel
Davidson	Hyland	Talcott
Duncan	Jacobsen	Thoreson
Elken	Kretschmar	Turner
Ellingson	Leutz	Vail
Englund	Loftsgaard	Williams
Ganssle	McDowell	Young
Gibbens	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Garden	McBride
Cashel	Hanley	Trageton
Davis	Linde	Wartner

So the bill passed and the title was agreed to.

## MOTIONS AND RESOLUTIONS.

Mr. Bronson moved

That the vote by which Senate Bill No. 276 was passed, be reconsidered.

Which motion prevailed.

Mr. Plain moved

That the further consideration of Senate Bill No. 120 be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS.

Unanimous consent having been granted

Mr. Plain introduced

Senate Bill No. 386.

A bill for an Act to amend 1516 of the Revised Codes of 1905, relating to the bond and oath of assessors.

Which was read the first and second times and

Referred to the committee on insurance.

THIRD READING OF SENATE BILLS.

Senate Bill No. 208.

A bill for an Act to amend Section 2613 of the Revised Codes of North Dakota for 1905 as amended by Chapter 119, Session Laws of 1911, relating to compensation and office hours of county commissioners.

Was read the third time.

Mr. Hanley offered the following amendment to Senate Bill No. 208 and moved its adoption.

In line 9 of Section 1 of the engrossed bill after the word "duties" insert the following:

"And in addition thereto their actual expenses necessarily incurred while attending to the duties of their office."

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 39 ayes, 6 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Nelson
Allen	Gibbens	Overson
Barnes	Gilbert	Plain
Bond	Hanley	Porterfield
Bonzer	Heckle	Putnam
Carter	Hookway	Steel
Cashel	Hoverson	Talcott
Clark	Hyland	Thoreson
Davidson	Leutz	Turner
Davis	McBride	Vail
Duncan	McDowell	Wartner
Elken	McLean	Williams
Englund	Mudgett	Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Gronvold	Hughes
Ellingson	Helgeland	Loftsgaard

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Garden	Kretschmar	Trageton
Jacobsen	Linde	

So the bill passed and the title was agreed to.

Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

Was read the third time.

Mr. Jacobsen offered the following amendment to Senate Bill No. 103 and moved its adoption:

In Section 3, line 4, of the printed bill, after the word "action," strike out the period and insert the following: "provided that if such amendment of the complaint or charges, include any new or additional charge, then a reasonable time should be allowed the accused to prepare his defense thereto."

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill, as amended.

The roll was called and there were 27 ayes, 22 nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Plain
Bond	Gibbens	Putnam
Carter	Gilbert	Steel
Cashel	Hanley	Talcott
Davidson	Hyland	Thoreson
Davis	Hughes	Trageton
Elken	McDowell	Turner
Ellingson	Mudgett	Vail
Englund	Overson	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Heckle	McBride
Barnes	Helgeland	McLean
Bonzer	Hookway	Nelson
Bronson	Hoverson	Porterfield
Clark	Jacobsen	Wartner
Duncan	Kretschmar	Young
Ganssle	Leutz	
Gronvold	Loftsgaard	

Absent and not voting, Mr. Linde.

So the bill passed and the title was agreed to.

Mr. Davis moved

That the vote by which Senate Bill No. 103 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 130.

A bill for an Act to provide for the representation of the State of North Dakota at the Panama-Pacific Exposition at San Francisco, California, and at the Panama-California Exposition at San Diego, California, celebrating the opening and commercial use of the Panama Canal and making an appropriation therefor.

Was read the third time.

Mr. Wartner offered the following amendment to Senate Bill No. 130 and moved its adoption:

Insert in the bill the provisions, including the exposition at San Diego, California.

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 21 ayes, 28 nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Heckle	Linde
Allen	Hookway	Loftsgaard
Duncan	Hoverson	Mudgett
Englund	Hughes	Porterfield
Ganssle	Jacobsen	Talcott
Gibbens	Kretschmar	Vail
Gronvold	Leutz	Wartner

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Ellingson	Plain
Bond	Garden	Putnam
Bonzer	Gilbert	Steel
Bronson	Helgeland	Thoreson
Carter	Hyland	Trageton
Cashei	McBride	Turner
Clark	McDowell	Williams
Davidson	McLean	Young
Davis	Nelson	
Elken	Overson	

Absent and not voting, Mr. Hanley.

So the bill was lost.

Mr. Gilbert gave notice that he would move for a reconsideration of the vote by which Senate Bill No. 130 was lost at 3 o'clock P. M. tomorrow.

Mr. Englund moved

That the vote by which Senate Bill No. 254 was lost be reconsidered.

Which motion was lost.

Senate Bill No. 284.

A bill for an Act fixing the times and place for holding the general terms of the Supreme Court, providing for special terms in certain cases and fixing the time at which appeals shall be heard.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McLean
Allen	Gronvold	Mudgett
Barnes	Heckle	Nelson
Bonzer	Helgeland	Overson
Bronson	Hookway	Plain
Carter	Hoverson	Porterfield
Cashel	Hughes	Putnam
Clark	Hyland	Talcott
Davis	Jacobsen	Thoreson
Duncan	Kretschmar	Trageton
Ellingson	Leutz	Turner
Englund	Linde	Vail
Ganssle	Loftsgaard	Wartner
Garden	McBride	Williams
Gibbens	McDowell	Young

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bond	Elken	Steel
Davidson	Hanley	

So the bill passed and the title was agreed to.

**SPECIAL ORDER.****Senate Bill No. 221**

A bill for an Act to amend Sections 6, 7 and 8, and to repeal Section 14 of Chapter 303 of the Session Laws of 1911, relating to the organization and expenses of the state tax commission.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 33 ayes, 14 nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Ellingson	Mudgett
Bond	Ganssle	Nelson
Bonzer	Garden	Overson
Bronson	Gibbens	Porterfield
Carter	Gilbert	Putnam
Cashel	Helgeland	Steel
Clark	Hoverson	Trageton
Davidson	Hughes	Turner
Davis	Hyland	Vail
Duncan	Kretschmar	Wartner
Elken	McDowell	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Leutz	Plain
Gronvold	Linde	Talcott
Heckle	Loftsgaard	Thoreson
Hookway	McBride	Young
Jacobsen	McLean	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Albrecht	Englund	Hanley

So the bill passed and the title was agreed to.

**Senate Bill No. 288.**

A bill for an Act to amend and re-enact Sections 9987 and 10078 of the Revised Codes of North Dakota for 1905, relating to instructions in criminal cases and to repeal Section 9988 thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 37 ayes, no nays, 13 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Barnes .	Hanley	Nelson
Bond	Helgeland	Overson
Bonzer	Hookway	Plain
Bronson	Hoverson	Putnam
Carter	Hughes	Steel
Clark	Jacobsen	Talcott
Davidson	Kretschmar	Thoreson
Duncan	Leutz	Turner
Elken	Linde	Vail
Englund	McBride	Young
Turner	McDowell	
Gibbens	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Gronvold	Trageton
Cashel	Heckle	Wartner
<b>Davis</b>	Hyland	Williams
Ellingson	Loftsgaard	
Garden	Porterfield	

So the bill passed and the title was agreed to.

Senate Bill No. 314.

A bill for an Act legalizing the action of register of deeds and county commissioners in paying or authorizing the payment of extra clerk hire in register of deeds office, when said payment was made in good faith.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 32 ayes, no nays, 18 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Hoverson	Plain
Bond	Jacobsen	Porterfield
Bonzer	Kretschmar	Putnam
Bronson	Leutz	Steel
Clark	Linde	Talcott
Davidson	McBride	Thoreson
Elken	McDowell	Trageton
Ganssle	McLean	Turner
Gilbert	Mudgett	Vail
Hanley	Nelson	Young
Helgeland	Overson	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ellingson	Hookway
Allen	Englund	Hughes
Carter	Garden	Hyland
Cashel	Gibbens	Loftsgaard
Davis	Gronvold	Wartner
Duncan	Heckle	Williams

So the bill passed and the title was agreed to.

Mr. Overson moved

That the Senate take a recess.

Which motion prevailed.

## AFTER RECESS.

Mr. Bronson moved

That Mr. Trageton be excused for the balance of the day on account of sickness.

Which motion prevailed.

Senate Bill No. 127.

A bill for an Act relating to the employment and compensation of prisoners confined in the state penitentiary, and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 39 ayes, 3 nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Barnes	Gilbert	McLean
Bond	Gronvold	Mudgett
Bonzer	Hanley	Nelson
Bronson	Heckle	Overson
Carter	Hookway	Plain
Cashel	Hoverson	Porterfield
Clark	Hyland	Putnam
Duncan	Kretschmar	Steel
Elken	Leutz	Talcott
Ellingson	Linde	Turner
Englund	Loftsgaard	Vail
Ganssle	McBride	Young

Those voting in the negative were:

Messrs.— Davidson	Messrs.— Helgeland	Messrs.— Thoreson
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Absent and not voting:

Messrs.— Allen Davis Garden	Messrs.— Hughes Jacobsen Trageton	Messrs.— Wartner Williams
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Mr. Trageton being excused.

So the bill passed and the title was agreed to.

The Secretary announced that the President was about to sign

Senate Bill No. 45.

A bill for an Act regulating marriages and the issuance of marriage licenses, prohibiting marriages in certain cases, providing penalties for the violation of the provisions of this Act and repealing all Acts or parts of Acts in conflict herewith.

Senate Bill No. 94.

A bill for an Act to amend Chapter 213 of the Laws of 1909, relating to the inmates of the institution for the feeble-minded.

Senate Bill No. 197.

A bill for an Act requiring front and rear exits in all schoolhouses having more than one schoolroom and requiring stationary fire escapes with proper landings and railings to be attached to the outside of all schoolhouses above the first story of every schoolhouse having more than one story, and designating whose duty it shall be to provide such exits, fire escapes, landings and railings, prescribing a time within which said Act shall be done, and prescribing a punishment for the violation thereof.

Senate Bill No. 207.

A bill for an Act to amend Section 4309, Article 6, Chapter 12, of the Revised Codes of North Dakota of 1905, relating to the licensing of railroad and steamboat ticket agents.

Senate Bill No. 225.

A bill for an Act to amend and re-enact Sections 6 and 8 of Chapter 61 of the Session Laws of the State of North Dakota of 1911, relating to normal schools.

## Senate Bill No. 233.

A bill for an Act authorizing the boards of county commissioners to levy taxes for the promotion of diversified farming, agricultural development and extension of scientific agricultural work.

And the Speaker signed the same in the presence of the Senate.

## Senate Bill No. 320.

A bill for an Act providing for one-half merchandise rates to be charged for the transportation of farm machinery and repairs or parts for farm machinery and prescribing a penalty for the violation thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, 1 nay, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Barnes	Gilbert	McLean
Bond	Gronvold	Mudgett
Bonzer	Hanley	Nelson
Bronson	Heckle	Overson
Carter	Helgeland	Plain
Cashel	Hookway	Porterfield
Clark	Hoverson	Putnam
Davidson	Hyland	Steel
Davis	Jacobsen	Talcott
Duncan	Kretschmar	Thoreson
Elken	Leutz	Turner
Ellingson	Linde	Vail
Englund	Loftsgaard	Wartner
Ganssle	McBride	

Mr. Young voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Hughes	Williams
Garden	Trageton	

Mr. Trageton being excused.

So the bill passed and the title was agreed to.

The question being on the final passage of the bill.

## Senate Bill No. 337.

A bill for an Act to amend Section 282 of Chapter 266 of

the Session Laws of 1911, relating to conductors and county superintendents filing statement of number of schools with county auditor.

Was read the third time.

So the bill passed and the title was agreed to.

The roll was called and there were 44 ayes, 1 nay, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Barnes	Gilbert	Mudgett
Bond	Gronvold	Nelson
Bonzer	Hanley	Overson
Bronson	Heckle	Plain
Carter	Helgeland	Porterfield
Cashel	Hookway	Putnam
Clark	Hoverson	Steel
Davidson	Hughes	Talcott
Davis	Hyland	Thoreson
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Englund	Linde	Wartner
Englund	McBride	Young
Ganssle	McDowell	

Mr. Jacobson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Loftsgaard	Williams
Garden	Trageton	

Mr. Trageton being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 338.

A bill for an Act providing that persons in charge of school children shall furnish suitable text books in districts where-in the free text book system has not been adopted.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 39 ayes, 7 nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Englund	McLean
Barnes	Ganssle	Mudgett
Bond	Garden	Nelson
Bonzer	Gibbens	Overson
Bronson	Gronvold	Plain
Carter	Heckle	Porterfield
Cashel	Hookway	Putnam
Clark	Hoverson	Steel
Davidson	Hughes	Talcott
Davis	Hyland	Turner
Duncan	Kretschmar	Vail
Elken	Linde	Wartner
Ellingson	McDowell	Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Gilbert	Jacobsen	Loftsgaard
Hanley	Leutz	McBride
Helgeland		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Trageton	Williams
Thoreson		

So the bill passed and the title was agreed to.

Mr. Trageton being excused.

Senate Bill No. 339.

A bill for an Act to amend and re-enact Section 113 of Chapter 266 of the Session Laws of 1911, relating to county treasurer's accounts with the school corporations.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 42 ayes, no nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hughes	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Turner
Davis	Leutz	Vail
Duncan	Linde	Wartner
Ellingson	McBride	Williams
Ganssle	McLean	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Elken	Gilbert	McDowell
Englund	Hoverson	Trageton
Garden	Loftsgaard	

Mr. Trageton being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 340.

A bill for an Act to repeal Section 28 of Chapter 266 of the Session Laws of 1911, relating to office, postage and stationery of county superintendents.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Turner
Davis	Kretschmar	Vail
Duncan	Leutz	Wartner
Elken	Linde	Williams
Ellingson	Loftsgaard	Young
Englund	McBride	
Ganssle	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Garden	McDowell	Trageton
Gilbert		

Mr. Trageton being excused.

So the bill passed and the title was agreed to.

Mr. Overson moved

That the Senate do now take a recess of five minutes to listen to a selection by the band from the reform school at Mandan.

Which motion prevailed, and

The Senate took a recess.

## AFTER RECESS.

## Senate Bill No. 342.

A bill for an Act to amend Section 80 of Chapter 266 of the Session Laws of 1911, relating to board of inspection.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, 1 nay, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	Mudgett
Barnes	Hanley	Nelson
Bond	Heckle	Overson
Bonzer	Helgeland	Plain
Bronson	Hookway	Porterfield
Carter	Hoverson	Putnam
Cashel	Hughes	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Ganssle	McBride	Williams
Gibbens	McDowell	Young
Gilbert	McLean	

Mr. Loftsgaard voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Englund	Trageton
Davis	Garden	

Mr. Trageton being excused.

So the bill passed and the title was agreed to.

## Senate Bill No. 348.

A bill for an Act to amend and re-enact Section 72 of Chapter 266 of the Session Laws of 1911, relating to teachers employed by district school boards, and their salaries.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 29 ayes, 17 nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Mudgett
Allen	Garden	Nelson
Barnes	Gibbens	Overson
Bond	Gilbert	Porterfield
Bonzer	Heckle	Steel
Bronson	Helgeland	Talcott
Carter	Hoverson	Turner
Cashel	McBride	Vail
Duncan	McDowell	Williams
Ellingson	McLean	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Clark	Hughes	Plain
Davidson	Hyland	Putnam
Elken	Jacobsen	Thoreson
Gronvold	Kretschmar	Wartner
Hanley	Linde	Young
Hookway	Loftsgaard	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Leutz	Trageton
Englund		

Mr. Trageton being excused.

So the bill passed and the title was agreed to.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., February 27, 1913.

*Mr. President:*

I have the honor to transmit herewith

House Bill No. 296.

A bill for an Act providing for stopping of passenger trains at junction points.

Also,

House Bill No. 471.

A bill for an Act to amend Sections 7140 and 7144 of the Revised Codes of 1905, relating to redemption of real estate, payment on and period for redemption, and the filing of certificate of redemption, and the rate of interest to be paid by the redemptioner.

Also,

House Bill No. 267.

A bill for an Act to amend Sections 1, 2, 3 and 5 of Chapter 279 of the Session Laws of 1911, entitled "An Act to amend Sections 1, 3, 5, 8 and 13 of Chapter 161 of the Session Laws of 1909."

Also,

House Bill No. 434.

A bill for an Act to amend and re-enact Section 1349 of the Revised Codes, relating to the jurisdiction of township supervisors and county commissioners in laying out public highways.

Also,

House Bill No. 463.

A bill for an Act prohibiting the making of false representations by agents and prescribing penalty for violation thereof.

Also,

House Bill No. 309.

A bill for an Act to amend Section 6295 of the Revised Code of North Dakota for 1905, as amended by Chapter 168 of the Laws of of 1907, providing for a lien for repairs upon personal property.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 33.

A bill for an Act to prohibit the use of public drinking cups in the State of North Dakota.

Also,

Senate Bill No. 82.

A bill for an Act to amend Section 8363 of Chapter 3 of the Revised Codes of 1905 of the Laws of North Dakota,

relating to the service of summons out of Justice Court and who is authorized to make such summons, and fees to be paid therefor.

Also,

Senate Bill No. 182.

A bill for an Act to amend Section 2623, Revised Codes of 1905, relating to the examination of records of certain public officers.

Also,

Senate Bill No. 227.

A bill for an Act relating to the sale of personal property and the warranty thereof; providing for a reasonable time in which to ascertain defects or breaches of warranty and the giving of notice of such defects or breaches of warranty.

Also,

Senate Bill No. 228.

A bill for an Act prohibiting the waiver or release of a cause of action before the same shall actually have accrued.

Also,

Senate Bill No. 239.

A bill for an Act to authorize the public examiner to make examination of state offices.

Also,

Senate Bill No. 133.

A bill for an Act to amend and re-enact Section 4639 of the Revised Codes of 1905, relating to power of banking corporations.

Also,

Senate Bill No. 156.

A bill for an Act establishing a state bonding department in the office of the state examiner; providing for the maintenance thereof; and creating a reserve therefor; prescribing the duties of officers connected therewith; providing for the payment of premiums and of indemnities for losses; and providing for the disposal of the surplus after said reserve has been created.

Also,

Senate Bill No. 105.

A bill for an Act relating to the responsibility of fidelity insurance companies.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Senate Bill No. 343.

A bill for an Act to amend and re-enact Section 81 of Chapter 266 of the Session Laws of 1911, relating to school house sites.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, 1 nay, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Kretschmar	Turner
Duncan	Linde	Vail
Elken	Loftsgaard	Wartner
Ellingson	McBride	Williams
Ganssle	McDowell	Young
Gibbens	McLean	

Mr. Jacobsen voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Garden	Trageton
Englund	Leutz	

Mr. Trageton being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 347.

A bill for an Act to amend Section 258 of Chapter 266 of

the Session Laws of 1911, relating to high school diplomas.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 34 ayes, no nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Nelson
Allen	Gilbert	Overson
Barnes	Gronvold	Plain
Bond	Hanley	Porterfield
Bonzer	Helgeland	Steel
Bronson	Hoverson	Talcott
Carter	Hyland	Thoreson
Cashel	Kretschmar	Turner
Davidson	Loftsgaard	Vail
Duncan	McDowell	Wartner
Ellingson	McLean	
Ganssle	Mudgett	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Clark	Jacobsen	Williams
Elken	Linde	Young
Hookway	McBride	
Hughes	Putnam	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Garden	Leutz
Englund	Hanley	Trageton

Mr. Trageton being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 344.

A bill for an Act to repeal Section 43½ of Chapter 266 of the Session Laws of 1911, relating to boundaries of school districts.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

**Those voting in the affirmative were:**

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gilbert	McLean
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Hanley	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Turner
Duncan	Kretschmar	Vail
Elken	Linde	Wartner
Ellingson	Loftsgaard	Williams
Ganssle	McBride	Young

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Englund	Leutz	Trageton
Garden	Mudgett	

Mr. Trageton being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 345.

A bill for an Act to amend Section 85 of Chapter 266 of the Session Laws of 1911, relating to additional school time.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, 1 nay, 6 absent and not voting.

**Those voting in the affirmative were:**

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	Mudgett
Allen	Hanley	Nelson
Barnes	Hanley	Overson
Bond	Helgeland	Plain
Bonzer	Hookway	Porterfield
Bronson	Hoverson	Steel
Carter	Hughes	Talcott
Cashel	Hyland	Thoreson
Clark	Jacobsen	Turner
Davidson	Kretschmar	Vail
Elken	Linde	Wartner
Ellingson	Loftsgaard	Williams
Ganssle	McBride	Young
Gibbens	McDowell	
Gilbert	McLean	

Mr. Putnam voted in the negative.

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Davis	Englund	Leutz
Duncan	Garden	Trageton

Mr. Trageton being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 308.

A bill for an Act to amend and re-enact Section 273 of Chapter 266 of the Session Laws of 1911, relating to teachers' institute and training schools.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, 3 nays, 6 absent and not voting.

**Those voting in the affirmative were:**

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Hanley	Plain
Bonzer	Hookway	Porterfield
Bronson	Hughes	Putnam
Carter	Hyland	Steel
Cashel	Jacobsen	Talcott
Clark	Kretschmar	Turner
Davidson	Leutz	Vail
Elken	Linde	Wartner
Ellingson	McBride	Williams
Ganssle	McDowell	Young
Gibbens	McLean	

**Those voting in the negative were:**

Messrs.—	Messrs.—	Messrs.—
Helgeland	Hoverson	Loftsgaard

**Absent and not voting.**

Messrs.—	Messrs.—	Messrs.—
Davis	Englund	Hoverson
Duncan	Garden	Trageton

Mr. Trageton being excused.

So the bill passed and the title was agreed to.

Mr. Hoverson moved

That the vote by which Senate Bill No. 243 was indefinitely postponed be reconsidered and the bill be re-referred to the committee on counties.

Which motion prevailed, and

The bill was so re-referred

Senate Bill No. 64.

A bill for an Act to amend Sections 38, 46, 51, 66 of the Revised Codes of 1905, to provide for the printing and prescribing the manner of distribution of the Legislative Manual known as the North Dakota Blue Book.

Was read the third time.

Mr. Overson offered the following amendments to Senate Bill No. 64 and moved their adoption:

After Section 2 insert the following:

"Section 3. The said book shall on its fly leaf contain a statement that such book is published by authority of the state under the direction of the secretary of state, giving the title of the office only, and shall not be circulated under the compliments of any state official."

Also in the first line of Section 3, strike out the figure "3" and insert in lieu thereof the figure "4."

Which motion prevailed, and

The amendments were adopted.

#### FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 309.

A bill for an Act to amend Section 6295 of the Revised Code of North Dakota for 1905, as amended by Chapter 168 of the Laws of 1907, providing for a lien for repairs upon personal property.

Was read the first and second times and

Referred to the committee on judiciary.

House Bill No. 463.

A bill for an Act prohibiting the making of false representations by agents and prescribing penalty for violation thereof.

Was read the first and second times and

Referred to the committee on judiciary.

House Bill No. 434.

A bill for an Act to amend and re-enact Section 1349 of the Revised Codes, relating to the jurisdiction of township

supervisors and county commissioners in laying out public highways.

Was read the first and second times and

Referred to the committee on highways and bridges.

House Bill No. 467.

House Bill No. 467.

A bill for an Act requiring every railroad, railroad corporation, railway company, car company and every common carrier other than by water whether operated by steam or electricity, to keep and maintain a constant and uninterrupted lookout for animals, pedestrians or any obstructions on its track that might interfere with the moving of trains and making such railroad, railroad corporation, railway company, car company and of every such common carrier liable for any damages caused by its failure to keep and maintain such lookout and abolishing the defense of contributory negligence in such cases.

Was read the first and second times and

Referred to the committee on railroads.

House Bill No. 471.

A bill for an Act to amend Sections 7140 and 7144 of the Revised Codes of 1905, relating to redemption of real estate, payment on and period for redemption, and the filing of certificate of redemption, and the rate of interest to be paid by the redemptioner.

Was read the first and second times and

Referred to the committee on judiciary.

House Bill No. 296.

A bill for an Act providing for stopping of passenger trains at junction points.

Was read the first and second times and

Referred to the committee on railroads.

The courtesies of the floor were extended to S. J. Provan, Axel Egeland, Bisbee, N. D.; Dr. A. R. T. Wylie, Grafton, N. D.; Grant Shepherd, Ellendale, N. D.; A. N. Sarlblom, Ex-state Auditor, of Gwinner, N. D.; David E. Maddock, Hettinger, N. D.; H. W. Gray, Wilton, N. D.; W. H. Johnson, Linton, N. D.; Andreas Hansen, G. F. Wright, C. A. Cross, Dawson, N. D.

Mr. Hanley moved

That the Senate do now take a recess until tomorrow at 1 o'clock P. M.

Which motion prevailed and

The Senate took a recess.

W. D. AUSTIN,  
Secretary.

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FIFTY-SECOND DAY AFTER RECESS AND FIFTY-  
THIRD DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 28, 1913.

The Senate convened at 1 o'clock P. M. pursuant to recess taken.

The President presiding

THIRD READING OF HOUSE BILLS.

House Bill No. 13.

A bill for an Act to amend Chapter 170 of the Laws of 1907, entitled "An Act indemnifying owners for animals killed or destroyed according to law for being affected with the disease known as glanders."

Was read the third time.

Mr. Davidson offered the following amendment to House Bill No. 13 and moved its adoption:

In Section 9 after the last word in the section, add the following: "For the purpose of reimbursing said county."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill, as amended.

The roll was called and there were 42 ayes, no nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Davis	Leutz	Turner
Duncan	Linde	Vail
Ellingson	Loftsgaard	Wartner
Ganssle	McBride	Williams
Garden	McDowell	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Hanley	Mudgett
Elken	Hughes	Trageton
Englund	Kretschmar	

Mr. Trageton being excused.

So the bill passed and the title was agreed to.

Mr. Gilbert moved

That House Bill No. 190 be re-referred to the committee on railroads.

Which motion prevailed and

The bill was so re-referred.

House Bill No. 206.

A bill for an Act to amend Chapter 201, Session Laws, 1911, relating to transient merchants and peddlers.

Was read the third time.

Mr. Hanley moved

That the further consideration of House Bill No. 206 be indefinitely postponed.

Which motion prevailed and

The further consideration of the bill was indefinitely postponed.

House Bill No. 94.

A bill for an Act making an appropriation for a stand of colors.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McDowell
Allen	Gronvold	McLean
Barnes	Hanley	Nelson
Bonzer	Heckle	Overson
Bronson	Helgeland	Plain
Carter	Hookway	Porterfield
Cashel	Hoverson	Putnam
Clark	Hughes	Steel
Davidson	Hyland	Talcott
Davis	Jacobsen	Thoreson
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Ganssle	Loftsgaard	Williams
Garden	McBride	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Gibbens	Trageton
Englund	Mudgett	

Mr. Trageton being excused.

So the bill passed and the title was agreed to.

House Bill No. 337.

A concurrent resolution amending Section 45 of Article 2 of the Constitution of the State of North Dakota, relating to the compensation of the members of the Legislative Assembly.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 24 ayes, 20 nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	Overson
Allen	Hyland	Plain
Barnes	Jacobsen	Porterfield
Bonzer	Linde	Putnam
Carter	McBride	Turner
Davidson	McDowell	Wartner
Davis	McLean	Williams
Ellingson	Nelson	Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Gilbert	Leutz
Cashel	Gronvold	Loftsgaard
Clark	Heckle	Steel
Elken	Helgeland	Talcott
Ganssle	Hoverson	Thoreson
Garden	Hughes	Vail
Gibbens	Kretschmar	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Englund	Mudgett
Duncan	Hookway	Trageton

Mr. Trageton being excused.

So the bill was lost.

House Bill No. 105.

A bill for an Act to amend Section 3048 of the Revised Codes of North Dakota for 1905, relating to the organization of townships.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gilbert	McLean
Barnes	Gronvold	Nelson
Bonzer	Heckle	Overson
Bronson	Helgeland	Plain
Carter	Hookway	Porterfield
Cashel	Hoverson	Putnam
Clark	Hughes	Steel
Davidson	Hyland	Talcott
Davis	Jacobsen	Thoreson
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Ganssle	Loftsgaard	Williams
Garden	McBride	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Hanley	Trageton
Englund	Mudgett	

Mr. Trageton being excused.

So the bill passed and the title was agreed to.

## House Bill No. 380.

A bill for an Act entitled "An Act authorizing private associations or organizations to work upon and improve the public roads at their own expense and to name said roads under the authority and with the approval of the county commissioners of the various counties.

Was read the third time.

Mr. Bronson offered the following amendment to House Bill No. 380 and moved its adoption.

After the last word in Section 1 of the bill add the following:

"Provided, however, that this Act shall not apply to highways in any city or town without the consent of the proper authorities therein.

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 42 ayes, no nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Nelson
Allen	Gilbert	Overson
Barnes	Gronvold	Plain
Bond	Hanley	Porterfield
Bonzer	Heckle	Putnam
Bronson	Helgeland	Steel
Carter	Hoverson	Talcott
Clark	Hughes	Thoreson
Davidson	Hyland	Trageton
Davis	Jacobsen	Turner
Duncan	Loftsgaard	Vail
Elken	McDowell	Wartner
Ellingson	McLean	Williams
Ganssle	Mudgett	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Cashel	Hookway	Linde
Englund	Kretschmar	McBride
Gardner	Leutz	

So the bill passed and the title was agreed to.

House Bill No. 57.

A bill for an Act to prevent fraudulent registration and

sale of animals as being pure bred, and to amend Section 9007 of the Revised Codes of 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, no nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Overson
Allen	Gilbert	Plain
Barnes	Hanley	Porterfield
Bond	Heckle	Putnam
Bonzer	Helgeland	Steel
Bronson	Hoverson	Talcott
Carter	Hughes	Thoreson
Cashel	Hyland	Trageton
Clark	Jacobsen	Turner
Davidson	Linde	Vail
Davis	Loftsgaard	Wartner
Duncan	McDowell	Williams
Elken	McLean	Young
Ganssle	Mudgett	
Garden	Nelson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Ellingson	Hookway	McBride
Englund	Kretschmar	
Gronvold	Leutz	

So the bill passed and the title was agreed to.

Mr. Garden moved

That the vote by which House Bill No. 337 was lost be reconsidered.

Which motion prevailed.

Mr. Wartner moved

That the further consideration of House Bill No. 337 be made a special order for 3 o'clock P. M. Saturday.

Which motion prevailed.

Mr. Talcott moved

That the Senate do now adjourn.

Which motion prevailed, and

The Senate adjourned.

Very respectfully,

W. D. AUSTIN,  
Secretary.

## FIFTY-THIRD DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 28, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Mr. Englund, who was excused.

## REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 33.

A bill for an Act to prohibit the use of public drinking cups in the State of North Dakota.

Also,

Senate Bill No. 82.

A bill for an Act to amend Section 8363 of the Revised Codes of 1905 of the Laws of North Dakota, relating to the service of summons out of justice court, and who is authorized to make service of such summons, and fees to be paid therefor; also to amend Section 2887 of the Revised Codes of 1905 of North Dakota, relating to the powers of village marshals in the service of summons.

Also,

Senate Bill No. 90.

A bill for an Act, entitled: An Act to amend and re-enact Chapter 131 of the Laws of 1909 relating to garnishment proceedings in justice courts.

Also,

Senate Bill No. 105.

A bill for an Act relating to the responsibility of fidelity insurance companies.

Also,

Senate Bill No. 133.

A bill for an Act to amend and re-enact Section 4639 of the Revised Codes of 1905, relating to power of banking corporations.

Also,

Senate Bill No. 151.

A bill for an Act to legalize the execution and acknowledgement of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof, admissible in evidence.

Also,

Senate Bill No. 156.

A bill for an Act establishing a state bonding department in the office of the commissioner of insurance, providing for the maintenance thereof, and creating a reserve therefor; prescribing the duties of officers connected therewith; providing for the payment of premiums and of indemnities for losses, and providing for the disposal of the surplus after said reserve has been created.

Also,

Senate Bill No. 182.

A bill for an Act to amend Section 2623, Revised Codes of 1905, relating to the examination of records of certain public officers.

Also,

Senate Bill No. 227.

A bill for an Act relating to the sale of personal property and the warranty thereof; providing for a reasonable time in which to ascertain defects or breaches of warranty and the giving of notice of such defects or breaches of warranty.

Also,

Senate Bill No. 228.

A bill for an Act prohibiting the waiver or release of a cause of action before the same shall actually have accrued.

Also,

Senate Bill No. 239.

A bill for an Act to authorize the state examiner to make examination of state offices.

And find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 273.

A concurrent resolution for an amendment to the Constitution of the State of North Dakota, providing for the apportionment of road taxes derived from railroad companies, express companies, freight line companies, car equipment companies, sleeping car companies, dining car companies, telegraph and telephone companies equally among the civil townships of the various counties of the state.

Also,

Senate Bill No. 289.

A bill for an Act to amend and re-enact Section 2402 of the Revised Codes of 1905, relating to a special tax levy for immigration purposes.

Also,

Senate Bill No. 312.

A bill for an Act to amend and re-enact Section 3 of Chapter 76 of the Session Laws of the State of North Dakota for the year 1909, relating to terms of court in the Ninth Judicial District.

Also,

Senate Bill No. 319.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the establishment and location of a state hospital for the insane.

And find the same correctly engrossed.

W. P. PORTERFIELD,  
Acting Chairman.

Mr. Porterfield moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 74.

A bill for an Act amending the Constitution of North Dakota, establishing and locating a blind asylum or such other institution as the Legislative Assembly may determine at the city of Devils Lake, in the county of Ramsey, and abandoning and discontinuing the blind asylum now located at Bathgate, in the county of Pembina.

Also,

Senate Bill No. 183.

A bill for an Act to amend Section 1531 of the Revised Codes of 1905, relating to the state board of equalization, how constituted, its meetings, rules for equalizing.

Also,

Senate Bill No. 259.

A bill for an Act amending Section 216 of the Constitution of the State of North Dakota, establishing and locating a state normal school in the city of Dickinson, county of Stark.

Also,

Senate Bill No. 268.

A bill for an Act in reference to declaring churches and church societies extinct and disposing of the property of extinct churches and church societies.

Also,

Senate Bill No. 280.

A bill for an Act defining minority as regards persons sentenced to the state reform school.

Also,

Senate Bill No. 296.

A bill for an Act to enlarge the powers of state's attorneys.

And find the same correctly engrossed.

W. P. PORTERFIELD,  
Acting Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on state affairs made the following report:

Senate Bill No. 294.

A bill for an Act to amend Sections 8, 9 and 10 of Chapter 137 of the Session Laws of 1907, relating to the time and manner of levying taxes in each county in order to raise funds to pay the amount chargeable to the county for the care, board and treatment of patients in the hospital for the insane, and fixing the time when such payments shall be made into the state treasury, and providing a penalty for failure to make such payments.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 2, page 3, and line 8, of the printed bill, strike out the word "three" and insert in lieu thereof the word "two."

Strike out all of Section 4.

And when so amended recommend the same do pass .

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 297.

A bill for an Act providing for the payment by the county  
to the public administrator of the costs of administration  
in estate not having sufficient funds to pay the same.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 257.

A bill for an Act to provide for the payment of county  
and school warrants, where there is no money in the hands  
of the proper officer for the payment of such warrants, out  
of the funds on which they are drawn.

Have had the same under consideration and recommend  
that the same be amended as follows:

In line 1 of the title of the printed bill, strike out the  
words "and school."

In line 2 of the title strike out the words "proper officer"  
and insert in lieu thereof the words "county treasurer."

In line 3 of Section 1, strike out the words "or by any of  
the school districts in said county."

In lines 5 and 6 strike out the words "or the treasury of  
the district school on which said warrants are drawn."

In line 7 strike out the words "or school."

At the end of line 9 add the words "except from the sink-  
ing and interest fund."

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
House Bill No. 357.

A bill for an Act to amend and re-enact Section 1189 of  
the Revised Codes of North Dakota for 1905.

Have had the same under consideration and recommend  
that the same be amended as follows:

In the title of the printed bill strike out the figures "1198"  
and insert in lieu thereof the figures "1189."

In Section 1, line 2, after the word "Dakota," insert "for  
1905."

In line 10, strike out the words "board of control shall  
when."

In line 11 strike out the first word "the," also the words  
"deem such appointment necessary."

In Section 2, page 2, line 4, strike out "by the govern-  
ment."

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

The report was adopted.

That the report be adopted.

Which motion prevailed, and

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
House Bill No. 122.

A bill for an Act to amend Sections 1, 2 and 4 of Chapter  
258 of the Session Laws of 1907, relating to trade discrim-  
ination and unfair competition.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted

Which motion prevailed and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred

Senate Bill No. 177.

A bill for an Act to provide for the execution of tax deeds for lands sold for delinquent taxes under the provisions of Section 1576 of the Revised Codes of North Dakota for 1905, and to prescribe the form and to define the effects of all such deeds and the title thereby conveyed, and to provide for the issuance of new tax deeds in lieu of defective ones heretofore issued under the provisions of Section 1591 of the Revised Codes of North Dakota for 1905.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the title of the printed bill after "1905" insert the following : "and Acts amendatory thereto."

In line 5 of the title of the printed bill, strike out everything in said title after the word "conveyed."

In line 81 of Section 1 of printed bill, after the word "at-test" add "(Seal)."

In line 84 after the word "which" insert the words "said deed."

In line 90 of printed bill strike out the word "highest" and after the word "bidder" insert the following: "Who agreed to accept the lowest rate of interest on the amount of such taxes, penalties and costs so paid."

Strike out all of Sections 2 and 3.

In line 1 of Section 4, strike out the words "Section 4" and insert in lieu thereof "Section 2."

And when so amended recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved  
 That the report be adopted.  
 Which motion prevailed and  
 The report was adopted.  
 Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
 Senate Bill No. 176.

A bill for an Act to amend and re-enact Section 1577 of  
 the Revised Codes of North Dakota for the year 1905, relat-  
 ing to certificate of sale and purchase for taxes and the form  
 of such certificate.

Have had the same under consideration and recommend  
 that the same do pass.

W. B. OVERSON,  
 Chairman.

Mr. Overson moved  
 That the report be adopted.  
 Which motion prevailed and  
 The report was adopted.  
 Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
 House Bill No. 228.

A bill for an Act declaring to be common nuisances any  
 house, building, room, or place where gambling parapher-  
 nalia is kept, and where persons resort, or are permitted to  
 resort for gambling or disorderly purpose, and prescribing  
 remedies for the prevention, and penalties for the violation  
 of the same.

Have had the same under consideration and recommend  
 that the same do pass.

W. B. OVERSON,  
 Chairman.

Mr. Overson moved  
 That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
House Bill No. 395.

A bill for an Act to provide that notice of foreclosure of mortgages upon personal property shall be given to the county.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
House Bill No. 314.

A bill for an Act to legalize deeds, judgments and decrees.

Have had the same under consideration and recommend that the same be amended as follows:

In line 4 of Section 1 of the printed bill strike out "1912" and insert in lieu thereof "1913."

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on military affairs made the following report:

*Mr. President:*

Your committee on military affairs to whom was referred Senate Bill No. 375.

A joint resolution authorizing the board of trustees of the soldiers' home to expend a portion of the interest and income fund of the soldiers' home for the purpose of aiding the North Dakota Union and Confederate Soldiers of the Civil War to attend the reunion to be held at Gettysburg, Pa., in the month of July, 1913.

Have had the same under consideration and recommend that the same do pass.

J. M. HANLEY,  
Chairman.

Mr. Hanley moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on military affairs to whom was referred House Bill No. 343.

A bill for the relief of Company L, First Regiment, North Dakota National Guard Training School, a corporation.

Have had the same under consideration and recommend that the same do pass.

J. M. HANLEY,  
Chairman.

Mr. Hanley moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on public health made the following report:

*Mr. President:*

Your committee on public health to whom was referred Senate Bill No. 248.

A bill for an Act to amend Section 281 of the Revised

Codes of 1905, relative to the burial of bodies of persons dead of contagious and infectious diseases.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out title and insert in lieu thereof the following: "For an Act relating to the burial of bodies of persons who have died from infections or contagious diseases and to provide for the disinfection of such bodies and of the premises where death occurred."

Strike out lines 1 and 2 of Section 1.

In line 3, Section 1, strike out "Section 281" and insert in lieu thereof "Section 1."

After Section 2 add "Section 3. Repeal.) All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed."

And when so amended recommend the same do pass.

F. T. GRONVOLD,  
Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on irrigation and drainage made the following report:

*Mr. President:*

Your committee on irrigation and drainage to whom was referred

Senate Bill No. 318.

A bill for an Act authorizing county drainage boards to refund illegal penalties and interest, prior to the passage of this Act paid on delinquent drainage assessments levied prior to July 1, 1911.

Have had the same under consideration and recommend that the same do pass.

J. L. CASHEL,  
Chairman.

Mr. Cashel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on cities and municipal corporations made the following report:

*Mr. President:*

Your committee on cities and municipal corporations to whom was referred

Senate Bill No. 86.

A bill for an Act to enable incorporated villages to provide or contract for the furnishing of water for fire protection and for light for streets, alleys, public buildings, and grounds.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A bill" and insert in lieu thereof the following:

"For an Act to authorize village trustees to levy a tax to pay for water and light plants heretofore installed."

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

Section 1. The board of trustees of any village in this state having before the passage of this Act installed a water and light plant in such village, is authorized to levy a special tax sufficient to pay the cost therefor not exceeding in any case the sum of one per cent per annum upon the assessed valuation of all the taxable property within such village; said taxes shall be collected and paid over to the village treasurer the same as other taxes and shall be used for no other purpose.

Section 2. Emergency.) Whereas, there is no law authorizing village trustees to install water and light service, therefore an emergency exists, and this Act shall take effect upon its passage and approval.

And when so amended recommend the same do pass.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on insurance made the following report:

*Mr. President:*

Your committee on insurance to whom was referred  
Senate Bill No. 349.

A bill for an Act to amend Section 1 of Chapter 162 of the  
Session Laws of 1911, relating to county mutual companies.

Have had the same under consideration and recommend  
that the same do pass.

JOHN E. WILLIAMS,  
Chairman.

Mr. Williams moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on insurance to whom was referred  
Senate Bill No. 267.

A bill for an Act for the regulation and control of fra-  
ternal benefit societies.

Have had the same under consideration and recommend  
that the same do pass.

JOHN E. WILLIAMS,  
Chairman.

Mr. Williams moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on elections made the following report:

*Mr. President:*

Your committee on elections to whom was referred  
House Bill No. 423.

A bill for an Act to amend and re-enact Sections 628, 629  
and 631 of the Revised Codes of North Dakota of 1905, re-  
lating to elections.

Have had the same under consideration and recommend  
that the same do pass.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on elections to whom was referred

House Bill No. 389.

A bill for an Act to amend and re-enact Section 5 of Chapter 109 of the Laws of 1907, relating to primary elections.

Have had the same under consideration and recommend that the same do pass.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on elections to whom was referred

House Bill No. 225.

A bill for an Act to amend Section 10 of Chapter 129, Laws of 1911, relating to charitable contributions by candidates and office holders.

Have had the same under consideration and recommend that the same do pass.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on elections to whom was referred

House Bill No. 10.

A bill for an Act to provide a method of voting at any general or primary election by electors absent or anticipating being absent on the day of such election, from the county in which they are electors.

Have had the same under consideration and recommend that the same be amended as follows:

In line 29, Section 6, change word "matter" to "manner."

In end of line 2, Section 11, change word "this" to "his."

And when so amended recommend the same do pass.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted

Which motion prevailed and

The report was adopted.

The committee on live stock made the following report:

*Mr. President:*

Your committee on live stock to whom was referred  
House Bill No. 234.

A bill for an Act to amend Section 19 of Chapter 159 of the Laws of 1907, entitled "An Act to establish the live stock sanitary board of North Dakota and to provide for the suppression and control of dangerous, contagious and infectious diseases of domestic animals," and the amendments thereto, Chapter 37, Session Laws of 1909.

Have had the same under consideration and recommend that the same be referred to the appropriations committee with the recommendation that it do pass.

A. S. GIBBENS,  
Chairman.

Mr. Gibbens moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on live stock to whom was referred  
House Bill No. 267.

A bill for an Act to amend Sections 1, 2, 3 and 5 of Chapter 279 of the Session Laws of 1911, entitled "An Act to amend Sections 1, 3, 5, 8 and 13 of Chapter 161 of the Session Laws of 1909."

Have had the same under consideration and recommend that the same be amended as follows:

That in line 6, Section 1 of printed bill, strike out the words "or permit."

In line 35, Section 2, page 3 of the printed bill after the word "license" insert the following: "said unsoundness to be set in black faced type of a size not smaller than the type used in the body of the license."

In line 8, Section 4 of the printed bill, strike out the numerals "18" and insert in lieu thereof the numerals "12."

In line 14, Section 4 of the printed bill, after the word "offstring" strike out the words "and the mare served."

In line 24, Section 4, page 6 of printed bill, strike out the word "wilfully destroys."

In line 24, Section 4, page 6 of printed bill strike out the word "and" and insert in lieu thereof the word "or." In the same line strike out the word "written."

In line 2 of subtitle, Section 5, strike out the numerals "1914"; also in the same line of Section 5 strike out the numerals "1914" and insert in lieu thereof the numerals "1916."

And when so amended recommend the same do pass.

A. S. GIBBENS,  
Chairman.

Mr. Gibbens moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on corporations other than municipal made the following report:

*Mr. President:*

Your committee on corporations other than municipal to whom was referred

House Bill No. 372.

A bill for an Act to amend Section 4588 of the Revised Codes of North Dakota of 1905, relating to the powers of cemetery corporations.

Have had the same under consideration and recommend that the same do pass.

H. P. JACOBSEN,  
Chairman.

Mr. Jacobsen moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on ways and means made the following report:

*Mr. President:*

Your committee on ways and means to whom was referred

Senate Bill No. 264.

A bill for an Act to amend and re-enact Chapter 301 of the Session Laws of 1911, relating to auditor's notice of tax sale.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of line 8 after the word "newspaper" and the first word of line 9. In line 23, after the word "the" before the word "records" insert the word "tax."

And when so amended recommend the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on ways and means to whom was referred  
Senate Bill No. 301.

A bill for an Act to amend and re-enact Section 1541 of the Revised Codes of 1905, as amended by Chapter 112 of the 1911 Session Laws, relating to tax lists made out by county auditors.

Have had the same under consideration and recommend that the same do pass.

G. L. ELKEN.  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on ways and means to whom was referred House Bill No. 50.

A bill for an Act to amend Chapter 306 of the Session Laws of 1911, relating to the election and appointment of township officers and their terms of office and to repeal Section 3111 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same be amended as follows:

In line 11 of printed bill strike out the words "each rural district in."

And when so amended recommend the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on ways and means to whom was referred Senate Bill No. 298.

A bill for an Act to amend Section 1573 of the Revised Codes of North Dakota for 1905, relating to the duties of the county treasurer, and the return of tax list to the county auditor.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of printed bill, after the word "amend" insert

the words "and re-enact." In Section 1, line 2, after the word "amended" insert the words "and re-enacted." In line 20, after the word "the," insert the word "county."

And when so amended recommend the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on ways and means to whom was referred Senate Bill No. 84.

A bill for an Act to amend and re-enact Section 1546 of the Revised Codes of 1905, requiring a notation on tax receipts where real estate has been sold for taxes and not redeemed, and providing a penalty for failure therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In line 13, strike out the words "in red ink." In line 15 place a comma after the word "redeemed" and insert the following words: "delinquent and unpaid taxes." Strike out all of Section 2, after the word "penalty" and insert the following words: "for failure or neglect of county treasurer to make the notations on tax receipts as described in Section 1 of this Act, the said county treasurer shall be liable for any damage that may accrue to any person by reason of such failure." Strike out all of Section 3.

And when so amended recommend the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on ways and means to whom was referred House Bill No. 350.

A bill for an Act to avoid the expense of selling land or lots for a trivial tax.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

### REPORTS OF SELECT COMMITTEES.

The conference committee appointed by the House of Representatives and the Senate to confer on

Senate Bill No. 98.

A bill for an Act to amend Chapter 277 of the Session Laws of 1911, prohibiting the Importation, manufacture, distribution, transportation, sale or use of snuff, and providing a penalty therefor.

After having such bill under consideration, do recommend that the House recede from its amendment and that it be amended as follows:

In the second line of the title of the printed bill, after the word "transportation" strike out the comma and insert the word "or." In the same line strike out the words "or use." In the same line after the word "snuff" insert the words "or any substitute therefor."

After the word "therefore" as the same occurs at the end of the title, strike out the period and add "and to repeal Chapter 277 of the Session Laws of North Dakota of 1911."

In Section 1, line 1, of the printed bill, after the word and number "Section 1," insert the words "sale of snuff prohibited.)"

In Section 1, line 3 of the printed bill after the word "snuff" insert the words "or any substitute therefor."

Strike out all of Section 2 of the printed bill and insert in lieu thereof the following: "Section 2. Snuff Defined.)"

"For the purpose of this Act, snuff is defined as any tobacco that has been fermented, or dried, or flavored, or pulverized, or cut, or scented or otherwise treated, or any

substitute therefor or imitation thereof, intended to be taken or used by the mouth or nose. Provided, however, that ordinary plug, fine cut, or long cut chewing tobacco as now commonly known to the trade of this state, shall not be included in such definition."

In Section 3, line 1, of the printed bill, strike out the word "Sec." and insert in lieu thereof the word "Section." After the numeral "3" in the same line insert the words "Officers to Enforce.)"

After and immediately following Section 3, add: "Section 4. Repeal.) Chapter 277 of the Session Laws of North Dakota of 1911 is hereby expressly repealed."

C. F. MUDGETT,  
G. L. ELKEN,  
W. B. OVERSON,  
L. L. TWICHELL,  
JAMES HILL,  
D. L. WARRINER,  
Conference Committee.

Mr. Mudgett moved

That the report be adopted and that Senate Bill No. 98 be made a special order for 3 o'clock this afternoon.

Which motion prevailed.

Mr. Mudgett moved

That the vote by which Senate Bill No. 98 was made a special order be reconsidered.

Which motion prevailed.

Mr. Mudgett moved

That the consideration of Senate Bill No. 98 be made a special order for tomorrow at 3 o'clock P. M.

Which motion prevailed.

Mr. Talcott moved

That the rules be suspended and that the vote by which the report of the committee indefinitely postponing Senate Bill No. 299 was adopted be reconsidered.

Which motion prevailed.

Mr. Talcott moved

That Senate Bill No. 299 be re-referred to the committee on education.

Which motion prevailed and

The bill was so re-referred.

## THIRD READING OF SENATE BILLS.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

Bismarck, N. D., February 28, 1913.

*Mr. President:*

I have the honor to transmit herewith the following concurrent resolution:

Mr. Norheim offered the following concurrent resolution:

*Whereas*, The State of North Dakota lost a distinguished and beloved citizen by the death of John Flittie, of Williston, on January 23, 1913; and,

*Whereas*, The deceased was one of the pioneer statesmen of the Dakotas who served in the territorial council at Yankton, and was elected the first secretary of state when North Dakota was admitted to statehood, and when he had laid down the duties of that office, served as land commissioner, first at Mayville, then at Bottineau, and later at Williston, and at Arnegard; and,

*Whereas*, John Flittie was one of that sturdy, intrepid and courageous band of pioneers who have lived their useful lives on the frontier and to whom the present generation owes so much of the prosperity and greatness of this state; therefore,

*Be it Resolved by the House of Representatives and the Senate of the Thirteenth Legislative Assembly:*

That the State of North Dakota has by the death of John Flittie, lost a noble, true and useful citizen; and,

*Be it Further Resolved*, That a copy of these resolutions be sent to the family of the deceased.

Which the House has adopted and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Overson moved

That the Senate do now concur in the foregoing resolution.

Which motion prevailed, and

The Senate concurred in the resolution.

Senate Bill No. 30.

A bill for an Act to provide an appropriation for the current and contingent expense, and for permanent improvements for the Institution for Feeble Minded, at Grafton, North Dakota.

Was read the third time.

Mr. Cashel offered the following amendment to Senate Bill No. 30 and moved its adoption.

Strike out all of line 18 of Section 1 of the engrossed bill and insert in lieu thereof the following:

“For addition to root cellar.....\$500.00”

Which motion prevailed and

The amendment was adopted.

Mr. Cashel offered the following amendment to Senate Bill No. 30 and moved its adoption:

Add after Section 1 of the bill the following:

“Sec. 2. Emergency.) An emergency exists in this, that the biennial period for which this appropriation is made will begin July 1, 1913, and part of the funds hereby appropriated will be needed before that time, therefore \$10,000.00 of this appropriation will be available from and after the passage and approval of this Act.”

Which motion was lost.

Mr. Plain offered the following amendment to Senate Bill No. 30 and moved its adoption:

Add after Section 1 of the bill the following:

“Sec. 2. Emergency.) An emergency exists in this, that the biennial period for which this appropriation is made will begin July 1, 1913, and part of the funds hereby appropriated will be needed before that time, therefore \$5,000.00 of this appropriation will be available from and after the passage and approval of this Act.”

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 48 ayes, no nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gilbert	McLean
Barnes	Gronvold	Mudgett
Bond	Hanley	Nelson
Bonzer	Heckle	Overson
Bronson	Helgeland	Plain
Carter	Hookway	Porterfield
Cashel	Hoverson	Putnam
Clark	Hughes	Steel
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Ganssle	Loftsgaard	Williams
Garden	McBride	Young

Absent and not voting, Messrs. Englund and Talcott.

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 336.

A bill for an Act to amend Section 133 of Chapter 266 of the Session Laws of 1911, relating to the annexation of adjacent territory to special school districts.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, 3 nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Hookway	Porterfield
Carter	Hoverson	Putnam
Cashel	Hughes	Steel
Clark	Hyland	Talcott
Davis	Jacobsen	Thoreson
Duncan	Kretschmar	Trageton
Elken	Leutz	Turner
Ellingson	Linde	Vail
Ganssle	Loftsgaard	Williams
Garden	McBride	Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Davidson	Helgeland	McDowell

Absent and not voting, Messrs. Englund and Wartner.

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 183.

A bill for an Act to amend Section 1531 of the Revised Codes of 1905 relating to the State Board of Equalization, how constituted, its meetings, rules for equalizing.

Was read the third time.

Mr. Allen offered the following amendment to Senate Bill No. 183 and moved its adoption:

In line 5 of Section 1 of the printed bill strike out the words "state treasurer" and insert in lieu thereof the words "commissioner of agriculture and labor."

Which motion was lost.

Mr. Talcott offered the following amendments to Senate Bill No. 183 and moved their adoption:

In line 4 of Section 1 of the printed bill after the word "auditor" insert the words "commissioner of agriculture and labor" and in line 5 of Section 1 of the printed bill insert after the word "chairman" the words "and secretary."

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 39 ayes, 6 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Heckle	Porterfield
Bonzer	Helgeland	Putnam
Bronson	Hookway	Steel
Clark	Hoverson	Talcott
Davidson	Hughes	Thoreson
Davis	Kretschmar	Trageton
Duncan	Linde	Turner
Elken	Loftsgaard	Vail
Ganssle	McDowell	Wartner
Garden	McLean	Williams
Gibbens	Mudgett	Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Carter	Jacobsen	McBride
Hanley	Leutz	Plain

**Absent and not voting:**

Messrs.—  
Albrecht  
Cashel

Messrs.—  
Ellingson  
Englund

Messrs.—  
Hyland

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Gilbert moved

That the vote by which Senate Bill No. 130 was lost be reconsidered.

Which motion prevailed.

Mr. Gilbert moved

That Senate Bill No. 130 be placed on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 130.

A bill for an Act to provide for the representation of the State of North Dakota at the Panama-Pacific International Exposition at San Francisco, California, and at the Panama-California Exposition at San Diego, California, celebrating the opening and commercial use of the Panama Canal and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 28 ayes, 19 nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Duncan  
Ganssle  
Gibbens  
Gilbert  
Gronvold  
Heckle  
Hookway

Messrs.—  
Hoverson  
Hughes  
Jacobsen  
Kretschmar  
Leutz  
Linde  
McBride  
McLean  
Mudgett

Messrs.—  
Nelson  
Porterfield  
Talcott  
Thoreson  
Trageton  
Turner  
Vail  
Wartner  
Young

Those voting in the negative were:

Messrs.—  
Barnes  
Bond  
Bonzer  
Bronson  
Carter  
Cashel  
Clark

Messrs.—  
Davidson  
Davis  
Elken  
Garden  
Helgeland  
Loftsgaard  
McDowell

Messrs.—  
Overson  
Plain  
Putnam  
Steel  
Williams

Absent and not voting:

Messrs.—  
Ellingson

Messrs.—  
Englund

Messrs.—  
Hyland

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Gilbert moved

That the vote by which Senate Bill No. 130 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Steel moved

That the Senate do now resolve itself into a committee of the whole.

Which motion prevailed and

The Senate resolved itself into a committee of the whole.

The President called Mr. Overson to the chair.

When the committee arose it submitted the following report:

*Mr. President:*

Your committee of the whole have had under consideration:

Senate Bill No. 17.

A bill amending the Constitution of the State of North Dakota providing for the recall of public officials by the people.

And recommend that the same do pass.

Also,

Senate Bill No. 153.

A Concurrent Resolution for an amendment to the Constitution of the State of North Dakota, relating to the Legislative Department and providing for direct legislation; the proposing of Constitutional Amendments, and reference of laws.

And recommend that the same do pass.

Also,

Senate Bill No. 32.

A Concurrent Resolution amending the Constitution of

the State of North Dakota providing for the initiative and referendum.

And recommend that the same do pass.

Also,

Senate Bill No. 73.

A Concurrent Resolution amending the Constitution of the State of North Dakota, providing for future amendments thereof.

And recommend that the same do pass.

Also,

Senate Bill No. 122.

A Concurrent Resolution for an amendment to the Constitution of the State of North Dakota, providing for the recall of public officers.

And recommend that the same do not pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Mr. Linde moved

That the further consideration of Senate Bill No. 259 be made a special order for 2:30 o'clock P. M., March 1st.

Which motion prevailed.

Senate Bill No. 268.

A bill for an Act in refernce to declaring churches and church societies extinct and disposing of the property of extinct church and church societies.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 32 ayes, 11 nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	Nelson
Allen	Heckle	Overson
Bond	Hoverson	Porterfield
Bonzer	Hyland	Steel
Carter	Jacobsen	Talcott
Cashel	Leutz	Thoreson
Ellingson	Linde	Trageton
Ganssle	McBride	Turner
Gibbens	McDowell	Vail
Gilbert	McLean	Young
Gronvold	Mudgett	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Duncan	Loftsgaard
Bronson	Garden	Wartner
Clark	Helgeland	Williams
Davidson	Hookway	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Hughes	Putnam
Elken	Kretschmar	
Englund	Plain	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 280.

A bill for an Act defining minority as regards persons sentenced to the state reform school.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, 1 nay, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Nelson
Allen	Gibbens	Overson
Barnes	Gilbert	Plain
Bond	Gronvold	Porterfield
Bonzer	Hanley	Steel
Bronson	Heckle	Talcott
Carter	Helgeland	Thoreson
Cashel	Hookway	Trageton
Clark	Hoverson	Turner
Davidson	Hyland	Vail
Davis	Leutz	Wartner
Duncan	Linde	Williams
Elken	Loftsgaard	Young
Ellingson	McLean	
Ganssle	Mudgett	

Mr. Jacobsen voted in the negative.

Absent and not voting:

Messrs.—  
Englund  
Hughes

Messrs.—  
Kretschmar  
McBride

Messrs.—  
McDowell  
Putnam

Mr. Englund being excused.

So the bill passed and the title was agreed to.

The Secretary announced that the President was about to sign

Senate Bill No. 33.

A bill for an Act to prohibit the use of public drinking cups in the State of North Dakota.

Senate Bill No. 82.

A bill for an Act to amend Section 8363 of the Revised Codes of 1905 of the Laws of North Dakota, relating to the service of summons out of justice court, and who is authorized to make service of such summons, and fees to be paid therefor; also to amend Section 2887 of the Revised Codes of 1905 of North Dakota, relating to the powers of village marshals in the service of summons.

Senate Bill No. 105.

A bill for an Act relating to the responsibility of fidelity insurance companies.

Senate Bill No. 133.

A bill for an Act to amend and re-enact Section 4639 of the Revised Codes of 1905, relating to power of banking corporations.

Senate Bill No. 151.

A bill for an Act to legalize the execution and acknowledgement of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof, admissible in evidence.

Senate Bill No. 90.

A bill for an Act entitled, "An Act to amend and re-enact Chapter 131 of the Laws of 1909 relating to garnishment proceedings in justice courts.

Senate bill No. 156.

A bill for an Act establishing a state bonding department in the office of the commissioner of insurance, providing

for the maintenance thereof, and creating a reserve therefor; prescribing the duties of officers connected therewith; providing for the payment of premiums and of indemnities for losses, and providing for the disposal of the surplus after said reserve has been created.

Senate Bill No. 182.

A bill for an Act to amend Section 2623, Revised Codes of 1905, relating to the examination of records of certain public officers.

Senate Bill No. 227.

A bill for an Act relating to the sale of personal property and the warranty thereof; providing for a reasonable time in which to ascertain defects or breaches of warranty and the giving of notice of such defects or breaches of warranty.

Senate Bill No. 228.

A bill for an Act prohibiting the waiver or release of a cause of action before the same shall actually have accrued.

Senate Bill No. 239.

A bill for an Act to authorize the state examiner to make examination of state offices.

And the President signed the same in the presence of the Senate.

Mr. Gibbens moved

That Senate Bills No. 259 and 319 be re-referred to the committee on state affairs.

Which motion prevailed and

The bills were so re-referred.

Mr. Overson moved

That Senate Bill No. 74 be re-referred to the committee on state affairs.

Which motion was lost.

Senate Bill No. 74.

A Concurrent Resolution amending the Constitution of the State of North Dakota, establishing and locating a blind asylum or such other institution as the Legislative Assembly may determine, at the City of Devils Lake, in the County of Ramsey, and abandoning and discontinuing the Blind Asylum now located at Bathgate in the County of Pembina.

Was read the third time.

Mr. Plain moved

That the further consideration of Senate Bill No. 74 be indefinitely postponed.

Roll call demanded and

The question being on the motion to indefinitely postpone the bill.

The roll was called and there were 35 ayes, 12 nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Loftsgaard
Allen	Gibbens	McBride
Barnes	Gilbert	McDowell
Bonzer	Gronvold	McLean
Bronson	Hanley	Plain
Carter	Heckle	Porterfield
Cashel	Hookway	Putnam
Clark	Hoverson	Talcott
Duncan	Jacobsen	Thoreson
Elken	Kretschmar	Turner
Ellingson	Leutz	Young
Ganssle	Linde	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bond	Hyland	Steel
Davidson	Mudgett	Vail
Davis	Nelson	Wartner
Helgeland	Overson	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Hughes	Trageton

Mr. Englund being excused.

So the motion to indefinitely postpone Senate Bill No. 74 prevailed.

The President pro tempore presiding.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 28, 1913.

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 26.

A bill for an Act to amend Section 618 of the Revised Codes of North Dakota for 1905, relating to elections.

Which the House has amended as follows:

In the title of said bill after the word "amend" insert the words "and re-enact."

In line 1, Section 1, on page 1 of printed bill, after the figure 1, insert the word "Amendment.)"

On line 2 of Section 1, on page 1 of the printed bill immediately after the word amended, insert the word "re-enacted."

On line 4, in Section 1, page 1 of the printed bill, immediately after the word "in" insert the following words, "the combined congressional districts of."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 200.

A bill for an Act providing for the payment of expenses of district judges when acting outside of the counties of their residence, and to amend Chapter 175 of the Session Laws of 1911.

Which the House has amended as follows:

In line 2 of the title of the engrossed bill, strike out the words "the counties of their residence" and insert in lieu thereof the words "their judicial district." In line 3, Section 2, of the engrossed bill, strike out the words "the county of his residence" and insert in lieu thereof the words "his judicial district."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return

Senate Bill No. 279.

A bill for an Act to promote forest tree culture and providing for a bounty for tree planting and the levy of a tax to pay such bounty.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Senate Bill No. 296.

A bill for an Act to enlarge the power of state's attorneys.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 26 ayes, 15 nays, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gibbens	Plain
Barnes	Helgeland	Putnam
Cashel	Hoverson	Steel
Davidson	Jacobsen	Thoreson
Duncan	McDowell	Turner
Elken	McLean	Vail
Ellingson	Mudgett	Wartner
Gansle	Nelson	Williams
Garden	Overson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bond	Gronvold	Linde
Bonzer	Hookway	McBride
Bronson	Hughes	Porterfield
Carter	Kretschmar	Talcott
Clark	Leutz	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Hyland
Davis	Hanley	Loftsgaard
Englund	Heckle	Trageton

Mr. Englund being excused.

So the bill passed without the emergency clause and the title was agreed to.

Mr. Jacobsen gave notice that on tomorrow at 3 o'clock P. M. he would move to reconsider the vote by which Senate Bill No. 296 was passed.

Senate Bill No. 289.

A bill for an Act entitled "An Act to provide a special tax levy for immigration," amending Section 2402 of the Revised Codes of 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 39 ayes, 4 nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gilbert	McLean
Barnes	Gronvold	Mudgett
Bond	Heckle	Overson
Bonzer	Hookway	Plain
Bronson	Hoverson	Porterfield
Carter	Hughes	Putnam
Cashel	Hyland	Steel
Clark	Jacobsen	Talcott
Davidson	Kretschmar	Thoreson
Duncan	Leutz	Turher
Ganssle	Linde	Vail
Garden	McBride	Wartner
Gibbens	McDowell	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Elken	Nelson	Young
Helgeland		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Englund	Trageton
Davis	Hanley	
Ellingson	Loftsgaard	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Senate **Bill No. 26.**

A bill for an Act to amend Section 618 of the Revised Codes of North Dakota for 1905, relating to elections.

Was read the third time.

Mr. Ellingson moved

That the Senate do now concur in the House amendments to Senate Bill No. 26.

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended by the House,

The roll was called and there were 37 ayes, no nays, 13 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gilbert	McLean
Barnes	Gronvold	Mudgett
Bond	Hanley	Nelson
Bonzer	Heckle	Overson
Bronson	Helgeland	Putnam
Carter	Hookway	Steel
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Davidson	Hyland	Turner
Davis	Kretschmar	Wartner
Ellingson	Linde	Young
Ganssle	Loftsgaard	
Garden	McDowell	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Jacobsen	Trageton
Duncan	Leutz	Vail
Elken	McBride	Williams
Englund	Plain	
Gibbens	Porterfield	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

There being no objection the Senate returned to the sixth order of business and

The committee on public health made the following report:

*Mr. President:*

Your committee on public health to whom was referred

Senate Bill No. 315.

A bill for an Act providing for the labeling of meats from animals affected with contagious or infectious disease, and prescribing a penalty for violation thereof.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A bill" and in lieu thereof insert the following:

For an Act to amend and re-enact Section 2005 of the Revised Codes of 1905, as amended by Chapter 162 of the Session Laws of 1909, relating to the sale or disposition of

animals affected with contagious or infectious diseases and the use of milk and hides from any such animals; providing for the labeling of meat from such animals and prescribing a penalty for the violation thereof.

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

Section 2005 of the Revised Codes of 1905, as amended by Chapter 162 of the Session Laws of 1909 is hereby amended and re-enacted to read as follows:

Section 2005. Duty of Owners of Stock. Animals in Transit. Meats to be Labeled.) The following regulations shall be observed in all cases of disease covered by this article:

First: It shall be unlawful to sell, give away, or in any manner part with any animal affected with or suspected of being affected with any contagious or infectious disease, with such exception as shall be provided for by the rules and regulations of the live stock sanitary board, and in case of any animal that may be known to have been affected with or exposed to any such disease within one year or prior to such disposal due notice of the fact shall be given in writing to the person receiving the animal.

Second: It shall be unlawful to kill for butcher purposes any such animals, or to sell, give away, or use any part of it or its milk, or to remove any part of the skin, with such exceptions as shall be provided for by the rules and regulations of the live stock sanitary board. Provided, that in all cases where, under the rules and regulations of the live stock sanitary board of this state, it shall be lawful to sell, barter, or give away for human consumption the meat from any animal affected with contagious or infectious diseases, there shall be placed upon each quarter of the animal so affected in at least six separate places a stamp or label clearly showing the words "affected meat." No meat from any affected or diseased animal shall be placed upon the same block or table on which meat not so affected is handled. Failure to observe these provisions shall be a misdemeanor and on conviction shall be punished by a fine of not less than one hundred dollars or be imprisoned in the county jail for a term of not less than thirty days nor more than one year. It shall be the duty of the owner, agent or person having in charge any animal infected or suspected of being infected with any contagious disease, immediately to confine the same in a safe place, isolated from all other animals and with all necessary restrictions to pre-

vent the dissemination of the disease, until the arrival of an accredited agent of the live stock sanitary board.

Section 2. Repeal.) All Acts and parts of Acts in conflict with this Act are hereby repealed.

Section 3. Emergency.) An emergency is hereby declared to exist and this Act shall take effect and be in force from and after its passage and approval.

And when so amended recommend the same do pass.

F. T. GRONVOLD,  
Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the fifty-first day after recess and fifty second day, have carefully examined the same and recommend that the same be corrected as follows:

On page 2, line 6, correct the spelling of the word "disposing."

On page 11, line 3, strike out the words "and for an agricultural building."

On page 32, line 15, correct the spelling of the word "of."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved.

That the report be adopted.

Which motion prevailed and

The report was adopted.

COMMUNICATION FROM THE GOVERNOR.

STATE OF NORTH DAKOTA,  
EXECUTIVE OFFICE,  
BISMARCK.

February 28, 1913.

*To the Senate:*

Gentlemen: I have the honor to inform you that I have this day filed with the Secretary of State:

Senate Bill No. 67.

A Concurrent Resolution amending Section 185 of the Constitution of the State of North Dakota, relating to state aid in the construction and improvement of public highways.

I have the honor to be,

L. B. HANNA,  
Governor.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., February 28, 1913.

*Mr. President:*

I have the honor to transmit herewith

House Bill No. 360.

A bill for an Act authorizing and directing the board of university and school lands and the state treasurer to allow counties, cities, villages and school districts that have sold their bonds at par to the state, to redeem any of said bonds when they have sufficient funds in their sinking fund to redeem one or more bonds at par with the accrued interest.

Also,

House Bill No. 495.

A bill for an Act to amend Sections 377 and 378 of the Revised Codes of 1905, relating to the penalty for failing to make reports and duties of the attorney general in connection with such failure.

Also,

House Bill No. 377.

A bill for an Act providing for accepting by the State of North Dakota any military reservation, Indian school reser-

vation and all property connected therewith, that the United States may cede or transfer to the State of North Dakota, subject to any conditions and requirements which Congress may make.

Also,

House Bill No. 487.

A bill for an Act to provide for the publication of the Session Laws of the state in pamphlet form for distribution in the state.

Also,

House Bill No. 476.

A bill for an Act to provide for a means of removal of elective officers by the will of the people, and for the political reserve powers of electors to be used through the initiative and referendum in city matters and the form of petitions applicable to cities which have adopted or may hereafter adopt the commission system of government; also to prescribe the manner by which a city having adopted the commission system of government may return to the former system.

Also,

House Bill No. 293.

A bill for an Act to appropriate money for the expenses of the state government and for other purposes; to repeal certain laws which may conflict with this general appropriations bill, when such repeal is specifically state following; specifying the amount and time for which such appropriations shall be available, and providing the manner in which the appropriations herein made shall be paid.

Also,

House Bill No. 478.

A bill for an Act to regulate the procedure in cases of escheat of property to the state.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Talcott presiding.

House Bill No. 82.

A bill for an Act to regulate the manufacture of pneumatic rubber tires for motor vehicles and to prevent fraud and deception in the sale thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 18 ayes, 22 nays, 10 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Ellingson	Hyland
Barnes	Gilbert	McDowell
Bond	Heckle	Overson
Bonzler	Hookway	Talcott
Cashel	Hoverson	Turner
Clark	Hughes	Wartner

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	Nelson
Bronson	Helgeland	Porterfield
Carter	Jacobsen	Putnam
Davidson	Kretschmar	Steel
Duncan	Linde	Thoreson
Ganssle	Loftsgaard	Young
Garden	McLean	
Grosvold	Mudgett	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Leutz	Vail
Elken	McBride	Williams
Englund	Plain	
Gibbens	Trageton	

Mr. Englund being excused.

So the bill was lost.

Mr. Linde gave notice that on tomorrow at 3:30 P. M. he would move to reconsider the vote by which House Bill No. 82 was lost.

Mr. Bronson moved

That the Senate do now take a recess of ten minutes.

Which motion prevailed and

The Senate took a recess.

## AFTER RECESS.

## House Bill No. 61.

A bill for an Act to repeal Sections 3187, 3188, 3189, 3190 and 3191 of the Revised Codes of North Dakota for the year 1905, relating to guideposts.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 32 ayes, 11 nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Gronvold	Plain
Bond	Hoverson	Porterfield
Bonzer	Hyland	Steel
Bronson	Jacobsen	Talcott
Cashel	Leutz	Thoreson
Clark	Linde	Trageton
Davidson	Loftsgaard	Turner
Davis	McLean	Vail
Ellingson	Mudgett	Wartner
Ganssle	Nelson	Young
Garden	Overson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McDowell
Duncan	Hanley	Putnam
Elken	Helgeland	Williams
Gibbens	Kretschmar	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Heckle	McBride
Carter	Hookway	
Englund	Hughes	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## House Bill No. 329.

A bill for an Act providing for the proper identification of persons charged with the commission of a public offense.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, no nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Overson
Allen	Gronvold	Plain
Barnes	Heckle	Porterfield
Bonzer	Helgeland	Putnam
Bronson	Hoverson	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Trageton
Davis	Leutz	Turner
Duncan	Linde	Vail
Elken	Loftsgaard	Wartner
Ellingson	McDowell	Williams
Ganssle	McLean	Young
Garden	Mudgett	
Gibbens	Nelson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Heckle	McBride
Carter	Hookway	
Englund	Hughes	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 194.

A bill for an Act making an appropriation annually for the support and maintenance of the Agricultural Sub-experiment Station located at Hettinger, Adams County.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, 1 nay, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Nelson
Allen	Gronvold	Overson
Barnes	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hoverson	Putnam
Cashel	Hughes	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Davis	Kretschmar	Trageton
Duncan	Leutz	Turner
Elken	Loftsgaard	Vail
Ellingson	McDowell	Wartner
Ganssle	McLean	Young
Garden	Mudgett	

Mr. Linde voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Gilbert	McBride
Carter	Hanley	Williams
Englund	Hookway	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 193.

A bill for an Act making appropriation for the deficit; covering the support and maintenance during the last biennial period of the Agricultural Sub-experiment Station located at Hettinger.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, 3 nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Nelson
Allen	Gronvold	Overson
Barnes	Hanley	Plain
Bond	Heckle	Porterfield
Bonzer	Helgeland	Putnam
Cashel	Hoverson	Steel
Clark	Hyland	Talcott
Davis	Jacobsen	Thoreson
Duncan	Kretschmar	Trageton
Elken	Leutz	Turner
Ellingson	Linde	Vail
Ganssle	McDowell	Wartner
Garden	McLean	Young
Gibbens	Mudgett	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Davidson	Loftsgaard

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Hookway	McBride
Englund	Hughes	Williams

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Jacobsen moved

That the vote by which House Bill No. 193 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 233.

A bill for an Act making an appropriation to meet the deficiency incurred by the state live stock sanitary board in carrying out the purposes of Chapter 169 of the Session Laws of 1907.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Cashel	Hoverson	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Davis	Kretschmar	Trageton
Duncan	Leutz	Turner
Elken	Linde	Vail
Ellingson	Loftsgaard	Wartner
Ganssle	McBride	Williams
Garden	McLean	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Hookway	McDowell
Englund	Hughes	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 152.

A bill for an Act to provide for the making of improvements at the North Dakota School of Forestry and to assist in the maintenance thereof, and making appropriation therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, 1 nay, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Steel
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Davidson	Hyland	Trageton
Davis	Jacobsen	Turne
Duncan	Kretschmar	Vail
Elken	Leutz	Wartner
Ellingson	Linde	Williams
Ganssle	McBride	Young
Garden	McLean	

Mr. Loftsgaard voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Hookway	Putnam
Englund	McDowell	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 147.

A bill for an Act to appropriate the sum of five thousand dollars for the biennial period for the purchase of books by the Public Library Commission with especial reference to the needs of farmers, school and community libraries.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Cashel	Garden
Allen	Clark	Gibbens
Barnes	Davidson	Gilbert
Bond	Davis	Gronvold
Bonzer	Duncan	Hanley
Bronson	Ellingson	Heckle
Carter	Ganssle	Helgeland

Messrs.—  
 Hoverson  
 Hyland  
 Jacobsen  
 Kretschmar  
 Leutz  
 Linde  
 Loftsgaard  
 McBride

Messrs.—  
 McLean  
 Mudgett  
 Nelson  
 Overson  
 Plain  
 Porterfield  
 Putnam  
 Steel

Messrs.—  
 Talcott  
 Thoreson  
 Trageton  
 Turner  
 Vail  
 Wartner  
 Williams  
 Young

Absent and not voting:

Messrs.—  
 Elken  
 Englund

Messrs.—  
 Hookway  
 Hughes

Messrs.—  
 McDowell

Mr. Englund being excused.

So the bill passed and the title was agreed to.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
 BISMARCK, NORTH DAKOTA,  
 February 28, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 234.

A bill for an Act to amend Section 141 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to public schools.

Also,

Senate Bill No. 291.

A bill for an Act to amend and re-enact Section 4610 of the Revised Codes of 1905, as amended by Chapter 56 of the Session Laws of 1907, relating to building and loan associations.

Also,

Senate Bill No. 170.

A bill for an Act to amend and re-enact Section 3 of Chapter 78 of the Session Laws of North Dakota for the year 1909, entitled, "An Act to amend Section 8288 of the Revised Codes of 1905, of the State of North Dakota, relating to the increased jurisdiction of the county courts, and providing for abolishing the same."

Also,

Senate Bill No. 192.

A bill for an Act to amend and re-enact Section 1283 of the Revised Codes of 1905 for North Dakota, prohibiting excessive expenditures out of appropriations and providing for an emergency commission.

Also,

Senate Bill No. 132.

A bill for an Act to amend Section 2596 of the 1905 Revised Codes of North Dakota as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907, providing the clerk hire for the register of deeds in the various counties of the state.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 62.

A bill for an Act to amend Section 1953 of the Revised Codes of 1905, relating to bounty for killing wolves and coyotes.

Also,

Senate Bill No. 181.

A bill for an Act providing for the inspection of freight and express books and records by the state's attorney, attorney general or his assistants, in the enforcement of the prohibition law.

Which the House has indefinitely postponed.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

House Bill No. 287.

A bill for an Act entitled "An Act to appropriate \$578.35 out of the general fund in the state treasury not otherwise appropriated, to the County of Burke, State of North Dakota, for the purpose of reimbursing said county for moneys

paid out of the county treasury on account of glandered horses.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, no nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Overson
Allen	Gilbert	Plain
Barnes	Gronvold	Porterfield
Beard	Hanley	Putnam
Bonzer	Heckle	Steel
Bronson	Helgeiand	Talcott
Carter	Hoverson	Thoreson
Cashel	Hughes	Trageton
Clark	Jacobsen	Turner
Davidson	Kretschmar	Vail
Davis	Leutz	Wartner
Elken	Linde	Williams
Ellingson	Loftsgaard	Young
Ganssle	McLean	
Garden	Nelson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Duncan	Hyland	Mudgett
Englund	McBride	
Hookway	McDowell	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

There being no objection the Senate returned to the sixth order of business, and

Your committee on insurance to whom was referred

Senate Bill No. 214.

A bill for an Act establishing a hail insurance department and making the commissioner of agriculture and labor also the commissioner of hail insurance; prescribing rules, regulations and duties of officers and persons connected therewith; prescribing how premiums, expense, and indemnity for losses by hail shall be paid, and repealing all Acts or parts of Acts in conflict with the provisions of this Act.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A Bill" and insert in lieu thereof the following:

"For an Act to amend Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of Chapter 23 of the Session Laws of 1911, and to repeal Sections 14, 15 and 16 of said Chapter, establishing a hail insurance department and making the commissioner of insurance ex-officio commissioner of hail insurance; prescribing rules, regulations and duties of officers and persons connected therewith; prescribing how premiums, expenses and indemnity for losses by hail shall be paid, and providing a penalty.

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

Section 1. Amendment.) That Section 1 of Chapter 23 of the Session Laws of 1911 be amended to read as follows:

Sec. 1. Hail Insurance Department. Duties.) A hail insurance department of the State of North Dakota is hereby established, and the commissioner of insurance shall also be the commissioner of hail insurance, and the management of said hail insurance department shall be under his supervision. He shall have the authority to appoint and engage one deputy by the month for steady service and one clerk from March 15th to November 15th of each year, and such additional deputies and clerks as he may find necessary to properly conduct the business, and a salary of such deputies and clerks shall be allowed, not to exceed one hundred dollars per month for each deputy and eighty dollars per month for each clerk to be paid out of the hail insurance fund. He shall also prepare and provide the necessary blanks, books, stationery and postage, and cause the same to be delivered to the proper officers and persons. This hail insurance department shall insure growing grain in any county in the state against loss by hail upon the terms and in the manner hereinafter set forth, and shall draw up and furnish form of hail insurance policy; *Provided* that the appointment and the employment of all additional deputies and clerks shall have the approval of the state auditing board, and all expenses and salaries audited and allowed by it.

Sec. 2. Amendment.) That Section 2 of Chapter 23 of the Session Laws of 1911 be amended to read as follows:

Sec. 2. Assessor's Duties.) It shall be and is hereby made the duty of each and every county, township, city and village assessor in the state, each within his respective district at the time of listing the property for assessment, or there-

after, to inquire of the party assessed how many acres of crop, if any, such party desires to have insured in said state hail insurance department for the year in which said assessment is made, and at the same time inform said party that as a premium for said hail insurance a payment of thirty (30) cents per acre for each and every acre so insured must be made; and if the party assessed is willing and consents to have all or part of his crops insured, it shall be the duty of said assessor to take said application for such hail insurance on blanks furnished him for that purpose by the county auditor, the form of which must have been approved by the commissioner of hail insurance, and carefully describe each piece of land that he so insures, describing particularly the section or quarter section, or any subdivision thereof, and the township and county wherein the same is situated; also stating separately the number of acres of wheat, oats, barley, flax, corn, rye or other grain that said party so insures, and collect thirty (30) cents for each acre so insured, or in such proportion as said party's interest may appear, and in addition the assessor may collect as an application fee a sum equivalent to one half ( $\frac{1}{2}$ ) cent per acre for each and every acre insured. And the assessor shall forward the application promptly together with the premiums so collected to the county auditor.

Sec. 3. Amendment.) That Section 3 of Chapter 23 of the Session Laws of 1911 be amended to read as follows:

Sec. 3. County Auditor's Duties.) Each county auditor in the state shall file and keep the insurance applications returned to him by the several assessors and turn all moneys collected for each month for the insurance over to the county treasurer the first of each succeeding month, taking his receipt therefor, and any party who fails to insure his crop with the assessor, as above described, may at any time up to and including the twenty-first day of August, apply to the county auditor of the county where the land is situated to have his crop insured, as provided in this Act, by filling out and filing with the county auditor an application, as prescribed in Section 2 hereof, and upon the payment of the premium prescribed herein to said county auditor for such insurance, which premium shall be turned over to the county treasurer as above provided.

It is further provided that said insurance shall be in force and effect from the time of filing the application in the office of the county auditor, and until the grain is cut but in no case later than September 15th of each year. He

shall also keep a record of the time of filing such application. The county auditor shall immediately issue and mail to each applicant his policy upon the filing of said application.

Sec. 4. Amendment.) That Section 4 of Chapter 23 of the Session Laws of 1911 be amended to read as follows:

Sec. 4. Duplicates and Abstracts.) On the first day of June, July and August, each and every county auditor within the state shall make out a list of all hail insurance applications filed in his office and forward the same at once to the department of hail insurance at Bismarck, and on or before the first day of September in each year, each and every auditor within the state shall make out in duplicate a list of all the hail insurance applications filed in his office, keeping one copy for his records, and forwarding the other copy to the department of hail insurance at Bismarck, North Dakota.

Sec. 5. Amendment.) That Section 5 of Chapter 23 of the Session Laws of 1911 be amended to read as follows:

Sec. 5. Duty of County Treasurer.) The county treasurer of each and every county in the state shall issue his receipt to the auditor for such premiums turned over to him and shall keep a separate account of all moneys collected from such hail insurance premiums, and he shall pay the same over to the state treasurer, taking his receipt therefor, not less than ten per cent at the end of each month and the balance not later than September 1st, of each year. •

Sec. 6. Amendment.) That Section 6 of Chapter 23 of the Session Laws of 1911 be amended to read as follows:

Sec. 6. Adjusters.) The county commissioners of each county shall at the April meeting of the board appoint one competent person who shall be a resident of the county to act as official adjuster of losses or damages caused by hail to any crop that has been insured under the provisions of this Chapter. If the county commissioners fail or neglect to appoint an official adjuster as herein required, the commissioner of hail insurance shall appoint an official adjuster for such county and such official adjuster shall have all the powers and perform all the duties imposed upon official adjusters appointed by the county commissioners, according to the provisions of this chapter. The county auditor shall immediately, after such appointment, notify the commissioner of hail insurance of the same, and on such appointment shall be effective unless confirmed and approved by the said commissioner of hail

insurance. The commissioner of hail insurance shall have power and authority to remove or discharge any such official adjuster for misconduct, incompetency, or neglect of duty, and such commissioner may in his discretion direct such official adjuster to adjust losses or damages caused by hail to any crop insured under the provisions of this Act in any county, or counties in this state, adjacent to the county in which he was appointed. The official adjuster shall receive as compensation for his services the sum of five dollars per day and his actual and necessary expenses while engaged in the actual and necessary performance of his duty. The official adjuster shall adjust losses or damages caused by hail to any crop that has been insured under the provisions of this Act. And it is hereby made his duty to adjust all losses and damages within his county, or within any other county in the state when so directed by the commissioner of hail insurance. When any party that is insured as herein provided has sustained a loss by hail, he shall promptly thereafter notify the commissioner of insurance of such loss. The commissioner of insurance shall, as soon as possible after receiving the notice of loss, direct an official adjuster to visit the place of loss and proceed to estimate and adjust such loss. In so doing, it shall be his duty to carefully inquire into the condition of the crop before the loss occurred, as to whether it was poor, medium, or good, and if he deems it necessary, he shall have the power to call witnesses to testify as to the condition of the crop before the same was damaged or destroyed, and he shall make his estimate and adjustment after ascertaining the condition of the crop before and after the loss occurred. In estimating the loss the official adjuster shall allow as damages the proportion which the crop as damaged bears to the crop if no loss had occurred; but in no case shall the amount allowed by the official adjuster be a greater percentage of the maximum of eight dollars that may be allowed, as herein provided, than the percentage of loss or damage is of the actual value of the crop before the loss or damage occurred. *Provided*, however, that in no case shall more than eight dollars per acre be allowed as the maximum for wheat, flax, oats, barley, corn, rye, and other grains.

Sec. 7. Amendment.) That Section 7 of Chapter 23 of the Session Laws of 1911 be amended to read as follows:

Sec. 7. In Case No Agreement.) In case the party that has sustained the loss is dissatisfied with and refuses to accept the adjustment made by the official adjuster, then he shall have the right to appoint one disinterested person as adjuster, and the official adjuster shall appoint another

person as adjuster, and the two shall elect a third disinterested person, and the three shall then proceed to adjust the loss in the same manner as specified in Section 6, and the judgment of the majority shall be the judgment of said adjusters and shall be binding upon both parties as the final determination of said loss; *provided*, however, that if the insured does not recover a greater sum than allowed by the official in the first instance, he shall pay the expenses of the said three adjusters and their witnesses in making said adjustment, but if he receives a larger sum, then the same shall be paid by the commissioner of hail insurance out of the hail insurance fund.

Sec. 8. Amendment.) That Section 8 of Chapter 23 of the Session Laws of 1911 be amended to read as follows:

Sec. 8. Report of Adjusters.) At the final adjustment of each loss the adjuster shall then and there carefully fill out and make a report in triplicate on an adjustment blank prepared for him for that purpose, stating the county, township and range, the number of the section and the quarter of the section or sub-division thereof on which the crop was damaged or destroyed, also the number of acres and different kinds of grains estimated damaged or destroyed, stating the amount allowed for each separately, and that such estimate is true and not in excess of the actual loss sustained, which said adjustment papers must be signed and sworn to by the official adjuster, or all the adjusters when arbitration is resorted to, acting as adjuster, and the party whose loss has been adjusted, with the residence and postoffice address of both. The official adjuster shall, within a reasonable time, not to exceed five days, forward by registered mail said adjustment papers, the original to the commissioner of hail insurance at Bismarck, North Dakota, one copy to the county auditor and one copy to the insured.

Sec. 9. Amendment.) That Section 9 of Chapter 23 of the Session Laws of 1911 be amended to read as follows:

Sec. 9. Compensation of Adjusters. Itemized Statement.) The official adjuster shall receive as compensation for his services the amount specified in Section 6 of this Chapter. All persons called on to assist in adjusting a hail loss, whether acting as adjusters or as witnesses, shall receive the sum of two dollars per day for all services so rendered. The official adjuster shall itemize said expense account for each loss or adjustment made, which account must be sworn to and forwarded to the commissioner of hail insurance, and the same shall, upon being approved by the hail insurance commissioner and allowed by the state auditing

board, be paid out of the state hail insurance fund. *Provided*, however, that such adjuster or adjusters shall not be entitled to receive or be paid any compensation or expenses, as herein provided, unless all adjustments by him made shall be reported to the commissioner of hail insurance, as required in this Act, within ten days from the time such adjustment or adjustments were made.

Sec. 10. Amendment.) That Section 10 of Chapter 23 of the Session Laws of 1911 be amended to read as follows:

Section 10. Duties of State Treasurer.) The state treasurer shall keep all moneys paid by the several county treasurers from the collections of hail insurance in a separate fund to be designated and known as the hail insurance fund, and the treasurer shall pay out of said fund only upon warrants of the state auditor.

Sec. 11. Amendment.) That Section 11 of Chapter 23 of the Session Laws of 1911 be amended to read as follows:

Sec. 11. Duties of the Commissioner of Hail Insurance.) When the several county auditors of this state shall have made complete returns showing the number of acres insured for that year, the commissioner of hail insurance shall sum up the total hail insurance fund for that year when he shall have received a complete return from all the hail losses in the state as adjusted and allowed, he shall sum up the total of such amounts for that year. He shall sum up the expenses of his office as follows:

First. The total amount allowed for adjusting losses.

Second. The total amount estimated necessary for deputies and clerk hire in the hail insurance department for said year.

Third. The amount estimated necessary for books, blanks, stationery, postage and other expenses incident to the running and operating of the said hail insurance department, for one year. The total sum of such expense account shall first be deducted from the total amount of the hail insurance receipts for that year and paid, and if the balance remaining is sufficient, all hail losses shall be paid in full as allowed by the adjusters, but if the expenses and hail losses shall exceed the amount of hail insurance receipts for that year, then the expenses shall be paid first and the losses shall be paid pro rata. However, should there in any one year after all expenses and losses have been paid, still be a surplus, then such surplus shall remain in the state treasury in the hail insurance fund to be drawn upon in such future years as there might be a deficiency.

Sec. 12. Penalty.) Any county auditor in this state who shall fail or neglect to make complete returns, statements, and reports as required in this Act to the commissioner of hail insurance at the times specified in any Section of this Chapter, shall forfeit the sum of ten dollars per day for each day during which he neglects to make such statements, returns, or reports to the commissioner of hail insurance, and upon complaint or notice by the said commissioner to the attorney general of the state, it shall be the duty of the attorney general to proceed to collect the amount of such penalty from any delinquent auditor.

Sec. 13. Amendment.) That Section 12 of Chapter 23 of the Session Laws of 1911 be amended to read as follows:

Sec. 12. Payment of Losses. Claims. How Audited.) When the commissioner of hail insurance has figured up the whole year's business as indicated in Section 11 hereof, he shall furnish to the state auditing board a list of the losses, arranged by counties, showing name, the appraised losses and the amount to be paid. This statement or list shall be sent by the commissioner of hail insurance to the several parties named therein, and when approved by the auditing board, the state auditor shall send checks to the persons named therein and for the amounts as finally allowed by the auditing board not later than October 25th of each year.

Sec. 14. Amendment.) That Section 13 of Chapter 23 of the Session Laws of 1911 be amended to read as follows:

Sec. 13. Report Published in Newspapers.) The commissioner of hail insurance shall, on or about the first day of December in each year, issue and publish in four newspapers of general circulation within the state a concise statement of the work and condition of the hail insurance department during the preceding year. He shall also make a biennial report to the Legislature.

Sec. 16. Transfer of Records.) It shall be the duty of the commissioner of agriculture and labor, acting as commissioner of hail insurance under the provisions of Chapter 23 of the Session Laws of 1911 immediately upon the passage and approval of this Act to deliver to the commissioner of hail insurance, as constituted by the provisions of this Act, all papers, reports, documents, records, funds and accounts of every description which are in his possession or under his control as such commissioner of hail insurance by reason of the duties imposed upon him by Chapter 23 of the Session Laws of 1911; and the commissioner of

hail insurance, as constituted by the provisions of this Act, shall receive and have custody of all such records, papers, reports, documents, funds and accounts.

Sec. 17. Repeal.) Sections 14, 15 and 16 of Chapter 23 of the Session Laws of 1911 is hereby repealed.

Sec. 18. Emergency.) Whereas, it is deemed advisable that this Act take effect in time for insurance of crop of 1913, therefor an emergency is hereby declared to exist, and this Act shall take effect and be in force from and after its passage and approval.

And when so amended recommend that the same do pass.

JOHN E. WILLIAMS,  
Chairman.

Mr. Williams moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Mr. Talcott moved

That the vote by which Senate Bill No. 336 was passed, be reconsidered.

Which motion prevailed.

Senate Bill No. 336.

A bill for an Act to amend Section 133 of Chapter 266 of the Session Laws of 1911 relating to the annexation of adjacent territory to special school district.

Was read the third time.

Mr. Talcott offered the following amendment to Senate Bill No. 336 and moved its adoption:

Add after Section 1 of the bill the following:

“Section 2. Emergency.) In as much as an emergency exists this Act shall be in effect from and after its passage and approval.”

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 40 ayes, 3 nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Overson
Allen	Gilbert	Plain
Barnes	Gronvold	Porterfield
Bond	Hanley	Putnam
Bonzer	Heckle	Steel
Bronson	Hoverson	Talcott
Carter	Hughes	Thoreson
Cashel	Jacobsen	Turner
Clark	Kretschmar	Vail
Davis	Leutz	Wartner
Elken	Linde	Williams
Ellingson	McBride	Young
Ganssle	McLean	
Garden	Nelson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Davidson	Helgeland	Loftsgaard

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Duncan	Hyland	Trageton
Englund	McDowell	
Hookway	Mudgett	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 250.

A bill for an Act making an appropriation to pay F. O. Hellstrom for the use of land for the State Penitentiary for the years 1907, 1908, 1909, 1910, 1911, 1912.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 38 ayes, 4 nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Clark	Hanley
Allen	Davidson	Heckle
Barnes	Ganssle	Helgeland
Bond	Garden	Hoverson
Bonzer	Gibbens	Hughes
Carter	Gilbert	Jacobsen
Cashel	Gronvold	Kretschmar

Messrs.—	Messrs.—	Messrs.—
Leutz	Plain	Turner
Linde	Porterfield	Vail
McBride	Steel	Wartner
McLean	Talcott	Williams
Nelson	Thoreson	Young
Overson	Trageton	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Ellingson	Loftsgaard
Davis		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Duncan	Hookway	Mudgett
Elken	Hyland	Putnam
Englund	McDowell	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved

That the vote by which Senate Bills No. 259 and 319 were re-referred to the committee on state affairs be reconsidered.

Which motion prevailed.

Mr. Davis moved

That Senate Bills No. 259 and 319 be put on their third reading and final passage.

Which motion prevailed.

Senate Bill No. 259.

A concurrent resolution amending Section 216 of the Constitution of the State of North Dakota, establishing and locating a State Normal School in the City of Dickinson, County of Stark.

Was read the third time.

Mr. Davis offered the following amendment to Senate Bill No. 259 and moved its adoption:

In line 17 on page 2 of the engrossed bill after the word "Seventh" insert the following, "(a.)"

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 33 ayes, 9 nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Elken	McBride
Allen	Ganssle	McLean
Barnes	Garden	Overson
Bond	Gibbens	Porterfield
Bonzer	Gronvold	Putnam
Carter	Hanley	Steel
Cashel	Heckle	Talcott
Clark	Jacobsen	Trageton
Davidson	Kretschmar	Turner
Davis	Leutz	<b>Williams</b>
Duncan	Linde	Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Hoverson	Plain
Ellingson	Loftsgaard	Vail
Helgeland	Nelson	Wartner

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Hughes	Mudgett
Gilbert	Hyland	Thoreson
Hookway	McDowell	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 319.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the establishment and location of a state hospital for the insane and institution for the feeble-minded in connection therewith.

Was read the third time.

Mr. Davis offered the following amendment to Senate Bill No. 319 and moved its adoption:

In line 17, on page 2 of the engrossed bill, after the word "Seventh," insert the following: "(B.)"

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 41 ayes, 2 nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Carter	Hoverson	Putnam
Cashel	Hughes	Steel
Clark	Jacobsen	Talcott
Davidson	Kretschmar	Trageton
Davis	Leutz	Turner
Elken	Linde	Vail
Ellingson	Loftsgaard	Williams
Ganssle	McBride	Young
Garden	McDowell	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Duncan	Hookway	Thorson
Englund	Hyland	
Gilbert	Mudgett	

Messrs Bronson and Wartner voted in the negative.

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 260.

A bill for an Act making an appropriation for the Williston Experimental Station located at Williston, in Williams County, North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 39 ayes, no nays, 11 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Nelson
Allen	Gronvold	Overson
Barnes	Hanley	Plain
Bond	Heckle	Porterfield
Bonzer	Helgeland	Putnam
Bronson	Hoverson	Steel
Carter	Jacobsen	Talcott
Cashel	Kretschmar	Trageton
Clark	Leutz	Turner
Davidson	Linde	Vail
Davis	Loftsgaard	Wartner
Elken	McBride	Williams
Ganssle	McLean	Young

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Duncan	Gilbert	McDowell
Ellingson	Hookway	Mudgett
Englund	Hughes	Thoreson
Garden	Hyland	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 92.

A bill for an Act to amend Section 1 of Chapter 77 of the Laws of 1911, entitled "An Act to provide for a commission system of government in cities which shall adopt the provisions of this Act."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 36 ayes, no nays, 14 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Plain
Allen	Gronvold	Porterfield
Barnes	Hanley	Putnam
Bond	Helgeland	Steel
Bonzer	Hoverson	Talcott
Bronson	Jacobsen	Thoreson
Carter	Kretschmar	Trageton
Cashel	Leutz	Turner
Clark	Loftsgaard	Vail
Davidson	McLean	Wartner
Elken	Nelson	Williams
Ganssle	Overson	Young

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Davis	Gilbert	Linde
Duncan	Heckle	McBride
Ellingson	Hookway	McDowell
Englund	Hughes	Mudgett
Garden	Hyland	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Hanley moved

That the Senate proceed to the fourteenth order of business.

Which motion prevailed.

## FIRST AND SECOND READING OF HOUSE BILLS.

## House Bill No. 487.

A bill for an Act to provide for the publication of the Session Laws of the state in pamphlet form for distribution in the state.

Was read the first and second times and

Referred to the committee on public printing.

## House Bill No. 476.

A bill for an Act to provide for a means of removal of elective officers by the will of the people, and for the political reserve powers of electors to be used through the initiative and referendum in city matters and the form of petitions, applicable to cities which have adopted or may hereafter adopt the commisison system of government; also to prescribe the manner by which a city having adopted the commission system of government may return to the former system.

Was read the first and second times and

Referred to the committee on elections.

## House Bill No. 377.

A bill for an Act providing for accepting by the State of North Dakota any military reservation, Indian school reservation and all property connected therewith, that the United States may cede or transfer to the State of North Dakota, subject to any conditions and requirements which Congress may make.

Was read the first and second times and

Referred to the committee on military affairs.

## House Bill No. 495.

A bill for an Act to amend Sections 377 and 378 of the Revised Codes of 1905, relating to the penalty for failing to make reports and duties of the attorney general in connection with such failure.

Was read the first and second times and

Referred to the committee on judiciary.

## House Bill No. 360.

A bill for an Act authorizing and directing the board of university and school lands and the state treasurer to allow

counties, cities, villages and school districts that have sold their bonds at par to the state, to redeem any of said bonds when they have sufficient funds in their sinking fund to redeem one or more bonds, at par with the accrued interest.

Was read the first and second times and

Referred to the committee on state affairs.

House Bill No. 293.

A bill for an Act to appropriate money for the expenses of the state government and for other purposes; to repeal certain laws which may conflict with this general appropriations bill, when such repeal is specifically state following; specifying the amount and time for which such appropriations shall be available, and providing the manner in which the appropriations herein made shall be paid.

Was read the first and second times and

Referred to the committee on appropriations.

House Bill No. 478.

A bill for an Act to regulate the procedure in cases of escheat of property to the state.

Was read the first and second times and

Referred to the committee on judiciary.

The courtesies of the floor were extended to Myron Johnson, Tolley.

Mr. Hanley moved

That the Senate do now take a recess until 1 o'clock P. M., tomorrow.

Which motion prevailed and

The Senate took a recess.

W. D. AUSTIN,  
Secretary.

FIFTY-THIRD DAY AFTER RECESS AND FIFTY-  
FOURTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
March 1, 1913.

The Senate convened at 1 o'clock P. M. pursuant to recess taken.

The President presiding.

House Bill No. 321.

A bill for an Act to amend Section 2020 of the Revised Codes of 1905, relating to registration fees and compensation of the state board of veterinary examiners and the amendment thereto, Chapter 282, Session Laws of 1911.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 36 ayes, no nays, 14 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bonzer  
Bronson  
Cashel  
Clark  
Davidson  
Duncan  
Elken  
Ellingson  
Ganssle

Messrs.—  
Garden  
Gibbens  
Gilbert  
Hanley  
Heckle  
Helgeland  
Hookway  
Hoverson  
Hughes  
Hyland  
Jacobsen  
Leutz

Messrs.—  
Linde  
Loftsgaard  
McLean  
Nelson  
Plain  
Porterfield  
Putnam  
Talcott  
Thoreson  
Turner  
Williams  
Young

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bond	Kretschmar	Steel
Carter	McBride	Trageton
Davis	McDowell	Vail
Englund	Mudgett	Wartner
Gronvold	Overson	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

**House Bill No. 172.**

A bill for an Act authorizing the cities to incur indebtedness and issue bonds for certain city purposes, when such proposition for issuing such bond shall have been approved by a majority vote of the electors of such city, and fixing a limit to the indebtedness to be thereby incurred.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 42 ayes, no nays, 8 absent and not voting.

**Those voting in the affirmative were:**

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	McLean
Allen	Hanley	Nelson
Barnes	Heckle	Overson
Bronson	Helgeland	Plain
Carter	Hookway	Porterfield
Cashel	Hoverson	Putnam
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Duncan	Jacobsen	Trageton
Fillingson	Kretschmar	Turner
Ganssle	Leutz	Vail
Garden	Linde	Wartner
Gibbens	Loftsgaard	Williams
Gilbert	McDowell	Young

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bond	Elken	Mudgett
Bonzer	Englund	Steel
Davis	McBride	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

**House Bill No. 218.**

A bill for an Act entitled "An Act amending Section 2693 of the Revised Codes of 1905, relating to cities."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, no nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	Nelson
Allen	Hanley	Overson
Barnes	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	T-ageton
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Ganssle	Loftsgaard	Williams
Gibbens	McDowell	Young
Gilbert	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Englund	McBride
Davis	Garden	Mudgett

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 197.

A bill for an Act to amend Section 4, Chapter 30 of the Political Code of North Dakota being Section 2678 of the Revised Codes of North Dakota for 1905, relating to powers of city councils.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Clark	Gibbens
Allen	Davidson	Gilbert
Barnes	Duncan	Gronvold
Bonzer	Elken	Hanley
Bronson	Ellingson	Heckle
Carter	Ganssle	Helgeland
Cashel	Garden	Hookway

Messrs.—	Messrs.—	Messrs.—
Hoverson	McDowell	Talcott
Hughes	McLean	Thoreson
Hyland	Nelson	Trageton
Jacobsen	Overson	Turner
Kretschmar	Plain	Vail
Leutz	Porterfield	Wartner
Linde	Putnam	Williams
Loftsgaard	Steel	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Englund	Mudgett
Davis	McBride	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Linde gave notice that at 4 o'clock P. M. on March 1 he would move for a reconsideration of the vote by which House Bill No. 197 was passed.

House Bill No. 198.

A bill for an Act to amend Section 4, Chapter 30 of the Political Code of North Dakota of 1905, relating to powers of city council, as amended by Chapter 79 of the Session Laws of 1911.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 42 ayes, no nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gronvold	McLean
Barnes	Hanley	Nelson
Bonzer	Heckle	Overson
Bronson	Helgeland	Plain
Carter	Hookway	Porterfield
Cashel	Hoverson	Putnam
Clark	Hughes	Steel
Davidson	Hyland	Talcott
Duncan	Jacobsen	Thoreson
Elken	Kretschmar	Turner
Ellingson	Leutz	Vail
Ganssle	Linde	Wartner
Garden	Loftsgaard	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Gilbert	Trageton
Davis	McBride	Williams
Englund	Mudgett	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 340.

Being a bill for an Act amending Section 2 of Chapter 128 of the Session Laws of North Dakota for 1905, being Section 8878 of the Revised Codes of North Dakota for 1905, relating to libel.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 30 ayes, 16 nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Heckle	Overson
Bonson	Hoverson	Plain
Carter	Hughes	Porterfield
Cashel	Hyland	Putnam
Davis	Jacobsen	Steel
Duncan	Leutz	Thoreson
Elken	Linde	Turner
Ellingson	Loftsgaard	Vail
Garden	McDowell	Wartner
Hahley	Nelson	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gibbens	McLean
Barnes	Gilbert	Talcott
Bonzer	Gronvold	Trageton
Clark	Helgeland	Young
Davidson	Hookway	
Ganssle	Kretschmar	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	McBride	Mudgett
Englund		

Mr. Englund being excused.

So the bill passed without the emergency clause and the title was agreed to.

House Bill No. 145.

A bill for an Act entitled "An Act to amend and re-enact Section 15 of Chapter 137 of the Session Laws of 1907, relating to the payment of costs of treatment and board of patients in the insane hospital."

Was read the third time.

Mr. Bronson offered the following amendment to House Bill No. 145 and moved its adoption:

In line 11 of Section 15 of the printed bill, after the word "years" insert the words "from the date."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 43 ayes, no nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Nelson
Allen	Gronvold	Overson
Barnes	Hanley	Plain
Bond	Heckle	Porterfield
Bonzer	Helgeland	Putnam
Bronson	Hoverson	Steel
Carter	Hughes	Talcott
Cashel	Jacobsen	Thoreson
Clark	Kretschmar	Trageton
Duncan	Leutz	Turner
Elken	Loftsgaard	Vail
Ellingson	McDowell	Wartner
Ganssle	McLean	Williams
Garden	Mudgett	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davidson	Gilbert	Linde
Davis	Hookway	McBride
Englund	Hyland	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 393.

A bill for an Act providing for the satisfaction of judgments pending an appeal therefrom to the Supreme Court.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, no nays, 9 absent and not voting.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Overson
Allen	Gronvold	Plain
Barnes	Heckle	Porterfield
Bond	Helgeland	Putnam
Bonzer	Hoverson	Steel
Bronson	Hughes	Talcott
Carter	Jacobsen	Thoreson
Cashel	Kretschmar	Trageton
Clark	Leutz	Turner
Duncan	Loftsgaard	Vail
Elken	McDowell	Wartner
Ellingson	McLean	Williams
Ganssle	Mudgett	Young
Garden	Nelson	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davidson	Gilbert	Hyland
Davis	Hanley	Linde
Englund	Hookway	McBride

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 369.

A bill for an Act to provide for suspension or modification of sentence of persons convicted of misdemeanors.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 40 ayes, 1 nay, 9 absent and not voting.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	Plain
Allen	Heckle	Porterfield
Barnes	Helgeland	Putnam
Bonzer	Hoverson	Steel
Bronson	Hughes	Talcott
Carter	Kretschmar	Thoreson
Cashel	Leutz	Trageton
Clark	Linde	Turner
Duncan	Loftsgaard	Vail
Elken	McDowell	Wartner
Ellingson	McLean	Williams
Ganssle	Mudgett	Young
Garden	Nelson	
Gibbens	Overson	

Mr. Jacobsen voted in the negative.

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bond	Englund	Hookway
Davidson	Gilbert	Hyland
Davis	Hanley	McBride

Mr. Englund being excused.

So the bill passed and the title was agreed to.

**House Bill No. 312.**

A bill for an Act to amend Sections 2294 and 2296 and re-enacting Section 2295 of the Revised Codes of 1905, relating to the publication of constitutional amendments.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

**Those voting in the affirmative were:**

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Trageton
Duncan	Leutz	Turner
Elken	Linde	Vail
Ellingson	Loftsgaard	Wartner
Gansle	McDowell	Williams
Garden	McLean	Young

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Davis	Gilbert	McBride
Englund	Hyland	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Bronson gave notice that he would move for a reconsideration of the vote by which House Bill No. 312 was passed.

**House Bill No. 180.**

A bill for an Act to amend Article 4, Chapter 30 of the Political Code of North Dakota, being Section 2678 of the

Revised Codes of North Dakota of 1905, relating to powers of city councils.

Was read the third time.

Mr. Linde offered the following amendment to House Bill No. 180 and moved its adoption:

In line 6 of Section 1 of the printed bill, after the word "works" insert the following, "street sprinklers."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill, as amended.

The roll was called and there were 43 ayes, no nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Overson
Allen	Gronvold	Plain
Barnes	Heckle	Porterfield
Bond	Helgeland	Putnam
Bonzer	Hookway	Steel
Bronson	Hoverson	Talcott
Carter	Jacobsen	Thoreson
Cashel	Kretschmar	Trageton
Clark	Leutz	Turner
Davidson	Linde	Vail
Duncan	Loftsgaard	Wartner
Elken	McDowell	Williams
Ellingson	McLean	Young
Ganssle	Mudgett	
Garden	Nelson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Hanley	McBride
Englund	Hughes	
Gilbert	Jyland	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 264.

A bill for an Act providing for failure to close gates on private roadways.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 32 ayes, 12 nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Plain
Allen	Gibbens	Purnam
Barnes	Hanley	Steel
Bond	Hoverson	Talcott
Bonzer	Kretschmar	Thoreson
Carter	Leutz	Trageton
Cashel	Loftsgaard	Turner
Clark	McDowell	Vail
Duncan	McLean	Williams
Elken	Mudgett	Young
Ganssle	Overson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Heckle	McBride
Davidson	Helgeland	Nelson
Ellingson	Hookway	Porterfield
Gronvold	Jacobsen	Wartner

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Davis	Gilbert	Hyland
Englund	Hughes	Linde

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 433.

A bill for an Act to amend Section 2548 of the Revised Codes of North Dakota for 1905, relating to the compensation of the public administrator.

Was read the third time.

Mr. Hanley moved

That the further consideration of House Bill No. 433 be indefinitely postponed.

Which motion prevailed and

The further consideration of the bill was indefinitely postponed.

Mr. Plain moved

That the Senate do now adjourn.

Which motion prevailed and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

FIFTY-FOURTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
March 1, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Mr. Englund, who was excused.

REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 86.

A bill for an Act to authorize village trustees to levy a tax to pay for water and light plants heretofore installed.

Also,

Senate Bill No. 176.

A bill for an Act to amend and re-enact Section 1577 of the Revised Codes of North Dakota for the year 1905, relating to certificate of sale and purchase for taxes and the form of such certificate.

Also,

Senate Bill No. 301.

A bill for an Act to amend and re-enact Section 1541 of the Revised Codes of 1905, and amended by Chapter 112 of the 1911 Session Laws, relating to tax lists made out by county auditors.

Also,

Senate Bill No. 318.

A bill for an Act authorizing county drainage boards to refund legal penalties and interest, prior to the passage of

this Act paid on delinquent drainage assessments levied prior to July 1, 1911.

Also,

Senate Bill No. 349.

A bill for an Act to amend Section 1 of Chapter 162 of the Session Laws of 1911, relating to county mutual companies.

Also,

Senate Bill No. 375.

A bill for an Act authorizing the board of trustees of the soldiers' home to expend a portion of the interest and income fund of the soldiers' home for the purpose of aiding the North Dakota union and confederate soldiers of the Civil War to attend the reunion to be held at Gettysburg, Pa., in the month of July, 1913.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Porterfield moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 17.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the recall of public officials by the people.

Also,

Senate Bill No. 52.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the initiative and referendum.

Also,

Senate Bill No. 73.

A bill for an Act amending the Constitution of the State of North Dakota, providing for future amendments thereof.

Also,

Senate Bill No. 153.

A bill for an Act for an amendment to the Constitution of the State of North Dakota, relating to the legislative department and providing for direct legislation; the proposing of constitutional amendments, and reference of laws.

Also,

Senate Bill No. 177.

A bill for an Act to provide for the execution of tax deeds for lands sold for delinquent taxes under the provisions of Section 1576 of the Revised Codes of North Dakota for 1905 and Acts amendatory thereto and to prescribe the form and to define the effect of all such deeds and the title thereby conveyed.

Also,

Senate Bill No. 294.

A bill for an Act to amend Sections 8, 9 and 10 of Chapter 137 of the Session Laws of 1907, relating to the time and manner of levying taxes in each county in order to raise funds to pay the amount chargeable to the county for the care, board and treatment of patients in the hospital for the insane, and fixing the time when such payments shall be made into the state treasury and providing a penalty for failure to make such payments.

Also,

Senate Bill No. 298.

A bill for an Act to amend and re-enact Section 1573 of the Revised Codes of North Dakota for 1905, relating to the duties of the county treasurer, and the return of tax list to the county auditor.

Also,

Senate Bill No. 315.

A bill for an Act to amend and re-enact Section 2005 of the Revised Codes of 1905, as amended by Chapter 162 of the Session Laws of 1909, relating to the sale or disposition of animals affected with contagious or infectious diseases and the use of milk and hides from any such animals; providing for the labeling of meat from such animals and prescribing a penalty for the violation thereof.

Also,

Senate Bill No. 248.

A bill for an Act relative to the burial of the bodies of persons who have died from infectious or contagious diseases, and to provide for the disinfecting of such bodies, and of the premises where death occurred.

Also,

Senate Bill No. 257.

A bill for an Act to provide for the payment of county warrants, when there is no money in the hands of the hands of the county treasurer for the payment of such warrants, out of the funds on which they are drawn.

Also,

Senate Bill No. 264.

A bill for an Act to amend and re-enact Chapter 301 of the Session Laws of 1911, relating to auditor's notice of tax sale.

And find the same correctly engrossed.

W. P. PORTERFIELD,  
Acting Chairman.

Mr. Porterfield moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 30.

A bill for an Act to provide an appropriation for the current and contingent expenses, and for permanent improvements for the institution for feeble-minded at Grafton, North Dakota.

Also,

Senate Bill No. 336.

A bill for an Act to amend Section 133 of Chapter 266 of the Session Laws of 1911, relating to the annexation of adjacent territory to special school districts.

Also,

Senate Bill No. 84.

A bill for an Act to amend and re-enact Section 1546 of the Revised Codes of 1905, requiring a notation on tax receipt where real estate has been sold for taxes and not redeemed, and providing a penalty for failure therefor.

Also,

Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

And find the same correctly re-engrossed.

W. R. BOND,  
Chairman.

Mr. Porterfield moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on appropriations made the following report:

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 31.

A bill for an Act to amend Section 3 of Chapter 209 of the Session Laws of 1909, relating to the selling, offering or exposure of seed for sale.

Have had the same under consideration and recommend that the same be amended as follows:

In line 91, page 5 of the printed bill, strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$2,500.00."

Strike out the emergency clause.

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 331.

A bill for an Act to appropriate \$45,000.00 or so much thereof as may be found necessary to reimburse the permanent fund and interest and income fund of the capitol building, for moneys expended for a trolley line, sinking of wells and building of a standpipe on the capitol grounds, the purchase of furniture, building of sewer and water mains, and such other expenditures as have been wrongfully charged against the fund mentioned, and prescribing the duties of the state auditor and the state auditing board in connection therewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 330.

A bill for an Act to amend Section 35 of the Revised Codes of 1905 for North Dakota.

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 194.

A bill for an Act making an appropriation for the dairy department of the State of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 3 of the printed bill, strike out the word "ten" and insert the word "eight" in lieu thereof, making the same to read "eight thousand" instead of "ten thousand."

After the word "Act" in the title of the printed bill, insert "amending Sections 1 and 2 of Chapter 19 of the Session Laws of 1911."

In line 3 of Section 1, strike out the word "ten" and insert in lieu thereof the word "eight." Strike out Section 3.

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred Senate Bill No. 195.

A bill for an Act to provide additional assistant dairy commissioners, defining their duties, salaries, expenses and how the same shall be paid.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 3 of the printed bill, strike out the words "such other" and insert in lieu thereof the word "two." At the end of the line, strike out the words "as the" and in line 4 strike out the words "dairy commissioner may

deem necessary." Section 1, line 8, of the printed bill, insert after the word "be" the following "not to exceed six months and."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 234.

A bill for an Act to amend Section 19 of Chapter 169 of the Laws of 1907, entitled "An Act to establish the live stock sanitary board of North Dakota and to provide for the suppression and control of dangerous, contagious and infectious diseases of domestic animals," and the amendments thereto, Chapter 37, Session Laws of 1909.

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 297.

A bill for an Act to reimburse John Harold for work done under the direction of the capitol commission in grading Ninth Street to the State Capitol.

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on elections made the following report:

*Mr. President:*

Your committee on elections to whom was referred  
Senate Bill No. 246.

A bill for an Act to amend and re-enact Sections 2 and 4,  
Chapter 129, Session Laws of 1911, relating to election priv-  
ileges.

Have had the same under consideration and recommend  
that the same do pass.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted

Which motion prevailed and

The report was adopted.

The committee on ways and means made the following  
report:

*Mr. President:*

The majority of your committee on ways and means to  
whom was referred

Senate Bill No. 304.

A bill for an Act providing for the creation of the office  
of an inspector of weights and measures, for the appoint-  
ment of an inspector, prescribing his powers and duties,  
and prescribing fees to be charged and salary paid.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

G. L. ELKEN,  
IRA A. BARNES,  
L. C. ALBRECHT,  
E. L. GARDEN,  
MARTIN THORESON,  
F. W. VAIL,  
O. T. LOFTSGAARD.

Also,

*Mr. President:*

A minority of your committee on ways and means to whom was referred

Senate Bill No. 304.

A bill for an Act providing for the creation of the office of an inspector of weights and measures, for the appointment of an inspector, prescribing his powers and duties, and prescribing fees to be charged and salary paid.

Have had the same under consideration and recommend that the same do pass.

A. LEUTZ,  
W. P. PORTERFIELD.

Mr. Thoreson moved

That the majority report of the committee to indefinitely postpone Senate Bill No. 304 be adopted.

Mr. Leutz moved

As an amendment that the minority report of the committee to pass Senate Bill No. 304 be adopted.

Which motion was lost.

The question being on the original motion, the same prevailed and the further consideration of the bill was indefinitely postponed.

Also,

*Mr. President:*

Your committee on ways and means to whom was referred

House Bill No. 408.

A bill for an Act to repeal Section 9202 of the Revised Codes of 1905, as amended by Chapter 43 of the Session Laws of 1907, and Section 9203 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on highways and bridges made the following report:

*Mr. President:*

Your committee on highways and bridges to whom was referred

Senate Bill No. 333.

A bill for an Act creating a state highway commission, defining their duties and powers.

Have had the same under consideration and recommend that the same do pass.

CHAS. ELLINGSON,  
Chairman.

Mr. Ellingson moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on highways and bridges to whom was referred

House Bill No. 434.

A bill for an Act to amend and re-enact Section 1349 of the Revised Codes, relating to the jurisdiction of township supervisors and county commissioners in laying out public highways.

Have had the same under consideration and recommend that the same do pass.

CHAS. ELLINGSON,  
Chairman.

Mr. Ellingson moved

That the report be adopted.

• Which motion prevailed and

The report was adopted.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 316.

A bill for an Act to amend Section 1531, Chapter 20, of the Revised Codes of 1905, entitled "State Board of equalization, how constituted. Meetings. Rules."

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 295.

A bill for an Act to amend Section 9544 of the Revised Codes for 1905, relating to the disposition of fines, forfeitures and pecuniary penalties.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 323.

A bill for an Act to repeal Sections 2180, 2181, 2182, 2183,

2185 and 2187 of the Revised Codes of North Dakota for 1905, relating to the inspection of weights and measures.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 165.

A bill for an Act creating the office of deputy commissioner of labor and fixing his salary.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred

A concurrent resolution relating to the survey of the Red River of the North.

Have had the same under consideration and recommend that the same be adopted.

J. E. DAVIS,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 204.

A bill for an Act authorizing the appointment of a State Business Agent to investigate and promote the development of the natural resources of North Dakota and prescribing the duties and term of office, and making appropriation therefor.

Have had the same under consideration and recommend that the same do pass.

And be re-referred to your committee on appropriations.

J. E. DAVIS,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 311.

A bill for an Act declaring the island situated in the Missouri River south of the city of Williston, and all islands that may appear in said river within five miles of said city, state parks.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on insurance made the following report:

*Mr. President:*

Your committee on Insurance to whom was referred

Senate Bill No. 223.

A bill for an Act to provide for the creation of a fire marshal department for the better protection and preservation of life and property from fire, for the appointment of a fire marshal, chief assistant fire marshal and deputies. Defining their duties and powers. Providing penalties for the violation and enforcement of the provisions of this Act, and to provide for a tax upon fire insurance companies therefor.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the words "A Bill" and insert in lieu thereof, the following:

"For an Act to provide for the creation of a fire marshal department under the management of the commissioner of insurance for the better protection and preservation of life and property from fire. For the appointment of a fire marshal and chief assistant marshal. Defining their duties and powers. Providing penalty for the violation thereof and means for the enforcement of the provisions of this Act and to provide for a tax upon mutual fire insurance companies therefor.

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

Section 1. That there be added to the duties of the commissioner of insurance the additional duties created by this Act. The Governor shall appoint a fire marshal and a chief assistant fire marshal who shall be under the management of the commissioner of insurance, said appointments to be made within sixty days after the passage of this Act, and who shall hold office for the term of two years, and shall be removed for cause only, and until their successors are appointed and qualified. The commissioner of insurance shall appoint one clerk who shall act as deputy assistant fire marshal. The fire marshal and chief assistant shall give a bond to the State of North Dakota in the penal sum of five thousand dollars (\$5,000) each, conditioned upon the faithful discharge of his duties. The fire marshal, the chief assistant fire marshal, and the deputy, shall take and subscribe and file in the office of the secretary of state, the constitutional oath within fifteen days from the time of their appointment respectively.

Section 2. It shall be the duty of the fire marshal and assistant, to enforce all laws of the state in respect to fires as follows:

- (a) The prevention of fires.
- (b) The storage, sale and use of combustibles and explosives.
- (c) The installation and maintenance of automatic or other fire alarm systems and fire extinguishing equipment.
- (d) The means and adequacy of exits, in case of fires, from churches, schools, halls, theatres, amphiaters and all other places in which numbers of persons congregate from time to time for any purpose.
- (e) The suppression of arson and investigation of the cause, origin and circumstances in connection with fires.
- (f) The fire marshal, and chief assistant fire marshal shall have such other powers and perform such other duties as are set forth in other Sections of this Act and as may be conferred and imposed from time to time by law.

Section 3. The duty of the chief assistant fire marshal shall be to assist the fire marshal and in the event of a vacancy in the office of fire marshal or during the absence or disability of that officer, the chief assistant fire marshal shall assume the duties of the office of fire marshal.

Section 4. (a) The chief of the fire department of every city or village in which a fire department is established, and the mayor of every incorporated city, in which no fire department exists, and the president of the village board of every incorporated village in which no fire department exists, and the above named officers shall report the cause, origin and circumstances of every fire occurring in such city or village, by which property has been destroyed or damaged, when the damage exceeds the sum of twenty-five dollars (\$25.00), except that all fires of unknown origin shall be reported, and shall especially make a report as to whether such fire was the result of carelessness, accident or design.

(b) Such report shall be made within five days after the occurrence of such fire, and the fire marshal shall have the right to supervise and direct such investigation whenever he deems it expedient or necessary.

(c) The officer making reports or investigation of fires occurring in cities or villages shall forthwith notify the fire marshal and shall within one week after the occurrence of the fire, furnish to the fire marshal a written statement of

all the facts relating to the cause and origin of the fire, and such further information as may be called for by the blanks furnished by said fire marshal. The state fire marshal shall keep in his office a record of all fires occurring in the state, together with the facts, statistics and circumstances in connection with said fires, including the origin of the fire, which may be determined by the reports or investigations provided by this Act, and such statistics shall at all times be open for public inspection.

Section 5. The fire marshal shall, when in his opinion, further investigation is necessary, take or cause to be taken, the testimony, under oath, of all persons supposed to be cognizant of any facts, or to have any means of knowledge in relation to the matter as to which an examination if herein required to be made, and shall cause the same to be reduced to writing, and if he shall be of the opinion that there is evidence sufficient to charge any person with the crime of arson, he shall cause said person to be arrested and charged with such an offense, and shall furnish to the proper prosecuting attorney all such evidence, together with a copy of all names of witnesses and all the information obtained by him, including a copy of all pertinent and material testimony taken in the case; and shall keep a record of the proceedings and progress made in all such prosecutions for arson, and the result of all cases finally disposed of.

(a) The fire marshal, and chief assistant fire marshal, shall each have the power in any county of the State of North Dakota, to summon and compel the attendance of witnesses before them or either of them, to testify in relation to any matter which is, by the provisions of this Act, a subject of inquiry and investigation; and may require the production of any books, papers or documents, being pertinent thereto or deemed by them or either of them to be so, and such summons shall be served in the same manner and have the same effect as subpoenas in district court. All witnesses shall receive the same compensation as is paid to witnesses in the district court, which shall be paid out of the fire marshal's fund, upon the voucher signed by the state fire marshal or chief assistant fire marshal before whom any witnesses shall have attended, and approved by the state auditing board, and such officers shall, at the close of such investigation wherein such witness or witnesses, was subpoenaed, certified to the attendance and the mileage of such witnesses, which certificate shall be filed in the office of the fire marshal and all investigations held by or under the direction of the state fire marshal or his subordinates.

(b) Said fire marshal, chief assistant fire marshal are hereby authorized and empowered to administer oaths, and affirmations to any person appearing as a witness before them, and false swearing in any matter or proceeding, aforesaid, shall be deemed perjury and shall be punished as such.

(c) Any witness who refuses to be sworn or who refuses to testify or who disobeys any lawful order of the fire marshal, chief assistant fire marshal, in relation to such investigation or who fails or refuses to produce any paper, book or document touching any matter under examination, or who is guilty of any contemptuous conduct, after being summoned to appear before them to give testimony in relation to any matter or subject under investigation or examination, as aforesaid, may be summarily punished by the said state fire marshal, chief assistant fire marshal, as for contempt, by a fine for a sum not exceeding one hundred dollars, or be committed to the county jail until such time such person may be willing to comply with any reasonable order made by the said state fire marshal, or chief assistant fire marshal as provided in this Act, and subject to punishment as provided by law.

Section 6. If the fire marshal, chief assistant fire marshal or any officer mentioned in the preceding Sections, upon an examination or inspection, finds a building or other structure which for want of proper repair, by reason of age and dilapidated condition, defective or poorly installed electric wiring or equipment, defective chimneys, defective gas connections, defective apparatus, or for any other cause or reason, is especially liable to fire and which building or structure is so situated as to endanger other buildings or property, such officer shall order such buildings to be repaired, torn down, demolished, materials removed and all dangerous conditions remedied and abated. If such officer finds in a building or upon any premises any combustible or explosive material, rubbish, rags, waste, oils, gasoline or inflammable conditions of any kind dangerous to the safety of such buildings or property, he shall order such material removed and such dangerous conditions remedied and abated. Such order shall be made against and served personally, or by registered letter, upon the owner, lessee, agent, or occupant of such buildings or premises, and thereupon such order shall be complied with by the owner, lessee, agent or occupant, within the time fixed in such order. Any person who shall interfere in any way with the fire marshal, chief assistant fire marshal in the performance of their duties shall be guilty of a misdemeanor.

Section 7. If the fire marshal or chief assistant shall find on any premises or in any building conditions that are a menace and dangerous to the safety of life and limb of the occupant of said building, or adjacent buildings, they are empowered to issue the necessary order for removal or correction of the dangerous conditions, forthwith, and any owner, lessee, agent or occupant, of said premises upon whom said order is issued failing to comply with said order within the time specified, shall be guilty of a misdemeanor.

Section 8. If the owner, lessee, agent or occupant, deem himself aggrieved by an order of an officer under the preceding Section, and desires a hearing, he may complain or appeal, in writing, to the fire marshal within five days from the service of the order, and the fire marshal shall at once investigate said complaint, and he shall fix a time and place, not less than five days, nor more than ten days, thereafter, when and where said complaint will be heard by the fire marshal, and the fire marshal at said hearing may affirm modify, revoke or vacate said order and unless said order is revoked, modified or vacated, by the fire marshal, it shall remain in force and be complied with by such owner, lessee, agent or occupant, within the time fixed in said order, or within such time as may be fixed by the fire marshal at said hearing.

Section 9. If a person is aggrieved by the final order of the fire marshal, as made at the hearing provided for in the preceding Section, such person may, within five days thereafter, appeal to the district court in the county in which the property is situated, notifying the fire marshal of such appeal, within three days thereafter, which notice shall be in writing and delivered personally to the fire marshal or left at his principal office in the City of Bismarck. The party so appealing shall within two days thereafter file with the clerk of the district court in which appeal is made, a bond in an amount to be fixed by the judge of the judicial district in which the property is situated, but in no case less than one hundred dollars (\$100.00) with at least two sufficient sureties, to be approved by said court, conditioned to pay all the costs of the appeal, in case the appellant fails to sustain the same, or the appeal be dismissed for any cause. The district court shall hear and determine the appeal within ten days, or as soon thereafter as possible, from the date of the filing of the same, at any place in the judicial district to be designated by the judge of said court. The fire marshal shall make a complete transcript of the proceedings had before him and certify the same together with all the original papers, filed in his office, and transmit them to the district court, at least three days prior to the

date of hearing as fixed by the court. In case the decision is against the appellant, or for any cause the appeal be dismissed, judgment for the costs shall be ordered against the appellant.

Section 10. If the owner of such premises is not a resident of the State of North Dakota and if such premises are vacant and are unoccupied, or if the owner of such premises has no known address, then such notice shall be served by a three weeks' publication thereof, in a legal newspaper published in the county in which said premises are situated, and such notice shall be deemed to have been served upon such owner upon the last day of the publication of such notice.

Section 11. Every fire insurance company authorized to transact business in this state is hereby required to report to the state fire marshal, through the secretary or other officer of the company designated by the board of directors for that purpose, all fire losses on property insured in any such companies, giving the date of fire, the amount of probable loss, the character of the property lost or destroyed, and the supposed cause of the fire, together with the amount of insurance carried by such company. Such report shall be mailed to the fire marshal within three days after the notice of loss is received by such company. Each company is hereby also required to report the amount of loss as adjusted on each fire, after adjustment is made. Such report shall be in addition to, and not in lieu of, any reports such company may be required to make by any law of this state, to the commissioner of insurance.

Section 12. Any officer referred to in this Act, who neglects to comply with any of the requirements of this Act, shall upon conviction, be punished by a fine of not less than twenty-five dollars (\$25), nor more than one hundred (\$100) dollars, for each neglect or violation.

Section 13. The fire marshal shall receive an annual salary of twenty-five hundred dollars (\$2500). The chief assistant fire marshal shall receive an annual salary of eighteen hundred dollars (\$1800). The fire marshal, chief assistant fire marshal, and all other employees of the state fire marshal's office shall receive their compensation monthly. All officers who shall perform any service at the request of the fire marshal, chief assistant fire marshal, shall receive the same fees as officers in district court, and such fees shall be paid out of the fire marshal's fund as witnesses testifying under this Act.

Section 14. The Commissioner of Insurance shall employ clerks and assistants and incur such other expenses as may be necessary for the fire marshal and chief assistant fire marshal in the performance of their duties including necessary traveling expenses, not to exceed including salaries such sums as may be paid into the state treasury in the manner hereafter provided. *Provided* that no clerk or assistant shall be appointed except as expressly provided for in this Act until the necessity for such appointment shall first be passed upon by the governor and approved by him.

Section 15. The commissioner of insurance and the fire marshal shall make rules for the prevention of fires, and such rules shall be fully explained to all state, county and city boards and officers, by the fire marshal or his assistants. All such rules shall be posted in such conspicuous places as will tend to be of the greatest benefit to the residents of the state and when called upon, the fire marshal, or one of his assistants, shall appear before such boards and explain the benefits derived by the compliance with such rules and regulations in the reduction of the hazardous conditions and the reduction in loss by fire.

Section 16. For the purpose of maintaining the department of the fire marshal and paying the expenses incident thereto, every mutual and domestic fire insurance company doing business in the State of North Dakota (excepting therefrom county mutual insurance companies), shall hereafter pay to the commissioner of insurance, on or before April first, 1913, and annually thereafter, a tax upon its fire premiums or assessments, or both, as follows: A sum equal to one-half of one per cent ( $\frac{1}{2}$  per cent) of the gross premiums and assessments less return premiums on all direct business received by it in this state, or by its agents for it, in cash or otherwise, and during the preceding calendar year.

*Provided*, however, that if the amount so raised be not sufficient to maintain the office of fire marshal, as herein provided, that the balance so required to support said office as herein stated shall be paid out of the two and one-half per cent tax now paid by foreign companies in this state.

*Provided*, further, that this Act shall in no way affect the tax due March 31, 1913, and the payment thereof. The money so received into the state treasury shall be set aside as a special fund and is hereby appropriated for the maintenance of such office of state fire marshal, and the expenses incident thereto. The state shall not be liable in any manner for the salary of said fire marshal, chief assistant fire marshal or his subordinates, for the maintenance of the or-

office of fire marshal, or any expense incident thereto and the same shall be payable only from the special fund provided for in this Section, and from the two and one-half per cent tax provided in this Section and the allowance for expenses as provided in this Act shall be paid out only on an itemized statement, verified by oath, with receipted bills attached.

Section 17. The fire marshal shall keep on file in his office an itemized statement of all expenses incurred by his department and shall approve of all vouchers issued therefor, before the same are submitted to the state auditor for payment, which said vouchers shall be allowed and paid in the same manner as other claims against the state.

Section 18. All records on file in the fire marshal's department shall be public except testimony, correspondence or other matter taken in any investigation under the provisions of this Act, which the fire marshal, in his discretion, may withhold from the public.

Section 19. The state's attorney of any county, upon the request of the fire marshal, his deputies or assistants, shall assist such officers upon an investigation of any fire which, in their opinion, is of suspicious origin.

Section 20. All penalties, fees or forfeitures, collected under the provisions of this Act, shall be paid into the treasury of the state, for the benefit of the fire marshal's fund.

Section 21. The fire marshal shall submit annually, as early as consistent with full and accurate preparation, and not later than the 15th day of October of each year, a detailed report of his official actions, to the governor.

Section 22. There shall be paid to the chiefs of fire departments and the mayors of cities, who do not receive to exceed fifty dollars (\$50.00) annually as compensation for their services as such chiefs and mayors, and to the presidents of village boards who are by this Act required to report fires to the fire marshal, the sum of one dollar and fifty cents (\$1.50) for each fire reported to the satisfaction of the fire marshal. Said allowance shall be paid by the fire marshal at the close of each fiscal year, out of any funds appropriated as heretofore provided, for the use of the office of said fire marshal.

Section 23. All chiefs of departments who receive a stated salary and devote their entire time to the duties of chiefs of departments, and the mayors of cities, who receive a stated salary exceeding \$50.00, as such officers, shall be precluded from receiving any extra allowance for the report herein mentioned.

Section 24. All Acts or parts of Acts, inconsistent with this Act are hereby repealed.

Section 25. Emergency.) Whereas, an emergency does now exist in that we have no law governing the office of fire marshal, therefore, this Act shall take effect and be in force from and after its passage and approval.

And when so amended recommend the same do pass.

JOHN E. WILLIAMS,  
Chairman.

Mr. Williams moved

That the report be adopted

Which motion prevailed, and

The report was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., February 28, 1913.

*Mr. President:*

I have the honor to transmit herewith

House Bill No. 428.

A bill for an Act entitled "An Act specifying who may be sent to the state reform school and amending Section 10401 of the Revised Codes of North Dakota of 1905."

Also,

House Bill No. 453.

A bill for an Act to amend Section 9 of Chapter 80 of the Session Laws of North Dakota for the year 1909, relating to practice in county courts having increased jurisdiction.

Also,

House Bill No. 448.

A bill for an Act to amend Section 2589 of the Revised Codes of 1905, as amended by Chapter 119 of the Session Laws of 1909, relating to fees in county court.

Also,

House Bill No. 482.

A bill for an Act authorizing and directing state board of pardons to reconsider after favorable action has been

taken by them of the application of any convict in the state penitentiary for pardon or parole, on their own motion or on the application of interested parties before the release of such convict from the state penitentiary.

Also,

House Bill No. 258.

A bill for an Act to limit tax levies during the years 1913 and 1914, to restrict debt limits, and to regulate salaries of officers which, under existing laws, depend upon assessed valuation.

Also,

House Bill No. 355.

A bill for an Act to provide for non-partisan municipal elections and method of making nominations for such officers.

Also,

House Bill No. 415.

A bill for an Act to amend Section 2386 of the Revised Codes of 1905, providing for the increase or diminishing of the number of county commissioners.

Also,

House Bill No. 27.

A bill for an Act to prohibit insurance companies and their agents from rebating, discrimination and twisting.

Also,

House Bill No. 373.

A bill for an Act to provide for the care, maintenance and instruction of blind babies and children under school age.

Also,

House Bill No. 432.

A bill for an Act to amend and re-enact Sections 2792, 2793 and 2804 of the Revised Codes of North Dakota for 1905, relating to special assessments for sewers, water mains, sidewalks and other purposes.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

MOTIONS AND RESOLUTIONS.

Mr. Gibbens moved

That the vote by which House Bill No. 13 was passed be reconsidered.

Which motion prevailed.

Mr. Hookway moved

That the vote by which Senate Bill No. 279 was passed, be reconsidered.

Which motion prevailed.

Mr. Hookway moved

That Senate Bill No. 312 be re-referred to the committee on judiciary.

Which motion prevailed and

The bill was so re-referred.

Mr. Plain moved

That the vote by which Senate Bill No. 39 was indefinitely postponed be reconsidered.

Which motion prevailed.

Mr. Plain moved

That Senate Bill No. 39 be re-referred to the committee on appropriations.

Which motion prevailed and

The bill was so re-referred.

Mr. Hookway moved

That Senate Bill No. 279 be put on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 279.

A bill for an Act to promote forest tree culture and providing for a bounty for tree planting and the levy of a tax to pay such bounty.

Was read the third time.

Mr. Hookway offered the following amendments to Senate Bill No. 279 and moved their adoption:

In Section 1, line 1, after the word "who" strike out the word "shall" and insert the following: "has heretofore or may."

On page 2 of the printed bill in line 21, after the word "county," strike out all of the balance of Section 1.

Which motion prevailed and

The amendments were adopted.

Mr. Elken offered the following amendment to Senate Bill No. 279 and moved its adoption:

In Section 5, line 4, of the printed bill, strike out the word "to" and insert in lieu thereof the words "that they may."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 43 ayes, 2 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gilbert	McLean
Barnes	Gronvold	Mudgett
Bond	Hanley	Nelson
Bonzer	Heckle	Overson
Bronson	Helgeland	Plain
Carter	Hookway	Porterfield
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Jacobsen	Thoreson
Davis	Kretschmar	Vail
Duncan	Leutz	Wartner
Elken	Linde	Young
Ganssle	Loftsgaard	
Garden	McBride	

Messrs. Trageton and Turner voted in the negative.

Absent and not voting.

Ellingson	Hyland	Williams
Englund	Putnam	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Bond moved that House Bill No. 170 be placed on its third reading and final passage.

Which motion prevailed.

House Bill No. 170.

A bill for an Act providing for physical connections and joint rates between telephone companies, defining the same and giving the state board of railroad commissioners certain powers in connection therewith.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, 1 nay, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	Mudgett
Allen	Hanley	Nelson
Barnes	Heckle	Overson
Bond	Helgeland	Porterfield
Bonzer	Hookway	Steel
Bronson	Hoverson	Talcott
Carter	Hughes	Thoreson
Cashel	Hyland	Trageton
Clark	Jacobsen	Turner
Davidson	Kretschmar	Vail
Davis	Linde	Wartner
Elken	Loftsgaard	Williams
Ganssle	McBride	Young
Garden	McDowell	
Gilbert	McLean	

Mr. Gibbens voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Duncan	Englund	Plain
Ellingson	Leutz	Putnam

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Bond moved

That the vote by which House Bill No. 170 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Carter moved

That the Senate do now adopt the senate concurrent resolution relating to the survey of the Red River of the North.

Which motion prevailed and

The resolution was adopted.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 64.

A bill for an Act to amend Sections 38, 46, 51, 66 of the Revised Codes of 1905, to provide for the printing and prescribing the manner of distribution of the Legislative Manual known as the North Dakota Blue Book.

Was read the third time.

Mr. Nelson offered the following amendments to Senate Bill No. 64 and moved their adoption:

In line 4 of the printed bill on page 1, strike out the word "five" and insert in lieu thereof the word "six."

In line 5 of the printed bill on page 1, strike out the letter "a" after the figure "1."

In line 6 of the printed bill, on page 1, after the word "assembly," strike out the semi-colon and insert the words "shall constitute the first class," and strike out the remaining portion of line 6 and also everything in lines 7 and 8.

Strike out lines 9 and 10 of the printed bill on page 1 and insert in lieu thereof the following: "the printing and binding of the journals of the Senate and House of Representatives shall constitute the second class."

On page 2 of the printed bill after line 20, insert the following:

"6. The printing and binding of the Legislative Manual known as the North Dakota Blue Book shall constitute the sixth class, provided that the printing provided for herein as class 6 shall be let to the lowest bidder."

Which motion prevailed and

The amendments were adopted.

Mr. Nelson offered the following amendments to Senate Bill No. 64 and moved their adoption:

In line 63 of printed bill on page 4, the words "ten thousand" as amended to read "thirty-five hundred," be restored so as to read "ten thousand."

In line 100 of printed bill on page 5, strike out the word "deemed" at the end of the line and insert in lieu thereof the word "follows," and after the word "follows" insert the following:

"Among the district schools of the state pursuant to the following provisions: (a) It shall be the duty of the county superintendent of schools to certify to the secretary of state on the first day of March of each year in which the legislature is in session, or as soon thereafter as possible, the total number of district schools in his county, in the libraries of which one copy of the blue book shall be placed. (b) Upon receiving the certificate from the county superintendent provided in the preceding Section the secretary of state shall consign a number of blue books to the county superintendent which shall be equal to the number of district schools certified as provided herein. The county superintendent shall upon receipt of such consignment distribute the same among district schools of his county, and it shall be his duty to see that each and every school within his jurisdiction is provided with a blue book as provided in this Act, which book shall remain the property of the district school."

Strike out line 101 of printed bill on page 6.

Also strike out lines 95 and 96 on page 5 of the printed

Which motion prevailed and

The amendments were adopted.

Mr. Overson offered the following amendment to Senate Bill No. 64 and moved its adoption:

In line 56 on page 3 of the printed bill, strike out the words "full law sheep" and insert in lieu thereof the word "buckram."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 48 ayes, no nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Davis	Kretschmar	Trageton
Duncan	Lutz	Turner
Elken	Linde	Vail
Ellingson	Loftsgaard	Wartner
Ganssle	McBride	Williams
Garden	McDowell	Young

Absent and not voting, Messrs. Englund and Hughes.

Mr. Englund being excused.

Mr. Nelson offered the following amendment to Senate Bill No. 64 and moved its adoption:

In line 1 of the title after the word "amend" insert the words "and re-enact."

Which motion prevailed and

The amendment was adopted.

So the bill passed and the title as amended was agreed to.

Mr. Davis moved

That the Senate do now go into executive session.

Which motion prevailed and

The Senate went into executive session.

#### OPEN SESSION.

In open session announcement was made of the confirmation of the following executive appointments.

T. R. Atkinson, of Bismarck, State Engineer.

W. B. Woolsey, of Grand Forks, Hotel Inspector.

T. W. Jackman, of Cass County, Oil Inspector.

S. G. Severtson, of Eddy County, State Examiner.

Mrs. Clara L. Darrow, of Fargo, for member of State Public Library Commission.

Dr. C. J. McGurren, of Ramsey County, for Superintendent State Board of Health.

Board of Trustees of the Agricultural College:

Eugene Weigel, of Morton County.

Alex Stern, of Cass County.

Fred Jensen, of Bottineau County.

For members of the Board of Trustees of the State University:

W. H. Hutchinson, of LaMoure County.

N. C. Young, of Cass County.

Karl J. Farup, of Walsh County.

Tracy R. Bangs, of Grand Forks County.

Fred L. Goodman, of Grand Forks County.

For members of the Board of Trustees of the Industrial School at Ellendale, North Dakota:

Fred S. Goddard, of Dickey County.

D. E. Geer, of Dickey County.

For members of the Board of Trustees of the Academy of Science at Wahpeton, North Dakota:

W. E. Clark, of Cass County.

R. S. Miller, of Logan County.

For members of the State Normal Board of Control:

M. L. Elkin, of Traill County.

J. M. Devine, of Ward County.

R. N. Rishworth, of Sheridan County.

For members of the Board of Trustees of the Soldiers' Home at Lisbon, North Dakota:

Alexander Hay, of Richland County.

C. W. Buttz, of Ransom County.

For member of the Board of Directors of the School of Forestry at Bottineau, North Dakota:

S. W. Wheelon, of McHenry County.

There being no objection, the Senate returned to the sixth order of business, and

The President pro tempore presiding.

The committee on insurance made the following report:

*Mr. President:*

Your committee on insurance to whom was referred.

Senate Bill No. 4.

A bill for an Act creating the office of state fire marshal, describing the duties and providing a fund for the maintenance of same.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN E. WILLIAMS,  
Chairman.

Mr. Williams moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 77.

A bill for an Act to amend Sections 1851, 1852, 1853, 1858, 1859, 1860, 1862, 1863, 1866, 1867, 1868, 1869 and 1870 of the Revised Codes of 1905, and to repeal Sections 1855, 1856 and 1861 of the said Codes, and providing for the relief of poor persons.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the words "A bill" and insert the following:

"For an Act to amend Sections 1851, 1852, 1853, 1855, 1858, 1859, 1860, 1862, 1863, 1866, 1867, 1868, 1869 and 1870 of the Revised Codes of 1905, and to repeal Sections 1856 and 1861 of the said Codes, and providing for the relief of poor persons.

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

Section 1. Amendment.) That Section 1851 of the Revised Codes of 1905 be amended to read as follows:

Section 1851. Duty of Supervisors.) That the supervis-

ors of the several townships of this state shall be ex-officio the overseers of the poor within their respective townships, and shall perform all duties with reference to the poor of their respective townships that may be prescribed by law.

Section 2. Overseers of the Poor.) Every township supervisor shall, in discharging the duties prescribed by this Act, be designated an overseer of the poor.

Section 3. Amendment.) That Section 1852 of the Revised Codes of 1905 be amended to read as follows:

Section 1852. Suits.) In all suits and proceedings in favor or against any such overseer connected with or pertaining to the poor of his township, the same shall be conducted in favor of or against such township, in its corporate name.

Section 4. Amendment.) That Section 1853 of the Revised Codes of 1905 be amended to read as follows:

Section 1853. Application for Relief.) An application for poor relief must be made to an overseer of the poor and the county commissioners shall not entertain original jurisdiction in the case an application for poor relief, except in counties without township organization and as hereinafter provided.

Section 5. Legal Residence.) The question of whether an applicant for poor relief has legal residence in the township, so as to entitle him to relief, shall be determined by the overseer of the poor according to the provisions of Chapter 183 of the Laws of 1907, subject to appeal to the county commissioners who may bring action in the district court to determine the legal residence of applicants for poor relief, when the question is an issue between the overseer of the poor in two or more townships and when an agreement cannot be effected. When an action is brought for the purpose herein provided, the county commissioners may direct the overseers of the poor of the township where the application for relief was first filed, to contribute to the support of such poor during the pendency of such action, subject to reimbursement by the township where it is finally determined that such applicant has legal residence, if such action is decided favorably to the township contributing to the maintenance of such poor person.

Section 6. Amendment.) That Section 1855 of the Revised Codes of 1905 be amended to read as follows:

Section 1855. Oversight and Care of Poor.) The overseer of the poor in each township shall have the oversight and care of all poor persons in his township so long as they

remain a public charge, and shall see that they are properly relieved and taken care of in the manner required by law. He shall, in cases of necessity, promptly provide medical and surgical attention for all of the poor in his township, who are not provided for in public institutions and shall also, see that such medicines as are prescribed by the physician or surgeon in attendance upon the poor are properly furnished, *provided*, that in counties where county physician or physicians have been appointed on an annual salary, the overseer of the poor shall call upon the nearest county physician to attend such poor person in need of medical or surgical attention.

Section 7. Overseer to Make Investigation.) Whenever a claim for poor relief shall be made upon an overseer of the poor for the benefit of any person or families of persons claiming to be poor and in distress, it shall be the duty of the overseer of the poor to carefully investigate the circumstances of such poor persons, so as to ascertain their legal residence, their physical condition of health, their present and previous occupation, their ability and capacity for labor, their ages and nationality, and the names and ages and ability and capacity for labor of all members of their family, the names and addresses and occupation of their parents, brothers, sisters, sons or daughters, and if such claimants for relief are found to be in distress the cause of their condition, if the same may be ascertained; the overseer of the poor shall also require and ascertain if the relatives of such claimants are able and willing to assist them.

Section 8. Temporary Aid.) Whenever an overseer shall ascertain by investigation that any poor person or family require assistance, he shall furnish to them such temporary aid as may be necessary for the relief of immediate and pressing suffering; before any further final or permanent relief in any case is given, the overseer shall consider whether distress can be relieved by other means than by expenditure of township funds.

Section 9. Persons Must Work.) If the poor persons applying are in good health, or if any members of their family are so, the overseers shall insist that those able to labor shall seek employment and he shall refuse to furnish any aid until he is satisfied that the persons claiming help are endeavoring to find work for themselves. The overseer, in such cases, shall make all possible effort to secure employment for the able bodied in the township to aid him in finding work for such persons as are able to labor.

Section 10. Help by Relatives.) If the poor persons applying for township aid have relatives to assist them who

are living in the township, it shall be the duty of the overseer giving aid a second time, to call on such relatives of the poor persons and ask them to help their poor relatives either with material relief or by furnishing them with employment. If any poor person applying for relief is able to labor and refuses to work when given the opportunity, then the overseer shall refuse any further aid to such person, except admission to the county poor asylum or farm, if there be one, where he shall be compelled to labor, and if there be no poor farm in the county, such person shall be considered a vagrant and on complaint made by an overseer of the poor or by any other person, the person so refusing to work shall be prosecuted and punished in the manner prescribed in cases of vagrancy.

Section 11. Schedule to County Commissioners. County Pays Seventy-five Per Cent.) Whenever an overseer of the poor shall give aid to any poor person or family to the amount of the value of fifteen dollars, it shall be unlawful for him to furnish any further aid to such poor person or family until he shall have presented a statement of the case to the board of county commissioners with a report or schedule of said case containing the facts and information indicated in Section 7 of this Act. The board of county commissioners shall have the power and authority to refuse to appropriate county funds for the aid and maintenance of any poor person who has received aid from the overseer of the poor, if it shall appear to the board after examining the report of the said overseer, that aid is unnecessary. The board of county commissioners shall also have the authority to reduce or increase any allowance for aid and maintenance of the poor made by the overseer of the poor, where justice seems to require it; and the board, by a majority vote of all the members, shall also have the power to grant relief to poor persons who have been refused aid by the overseer of the poor if justice and humanity require such relief, and the township where such poor person has a legal residence shall pay a sum equal to twenty-five per cent of the amount allowed by the board of county commissioners and the county shall pay seventy-five per cent thereof. If, after the report herein required to be made to the board of county commissioners, it appears to said board that relief should be granted to such poor person, the board shall appropriate an amount equal to seventy-five per cent of the total amount granted for the aid and maintenance of such poor person by the overseer of the poor, and the amount so appropriated, shall be paid by the county treasurer to the treasurer of the township. When the board of county commissioners shall reduce or increase the amount allowed for

the support and maintenance of a poor person by the overseer of the poor, the said board shall appropriate a sum equal to seventy-five per cent of the amount finally allowed and the balance shall be paid by the township as hereinbefore provided, and no credit shall be given the township by the board of county commissioners for any amounts allowed for the aid and maintenance of poor persons under the provisions of this Act in excess of twenty-five per cent of the total amount finally allowed by said board after examining the reports submitted by the overseer of the poor, as hereinafter required.

Section 12. Aid for Able Bodies Non-residents Unlawful.) It shall be unlawful for any overseer of the poor to aid any person who is not a resident of the township where he is found otherwise than by some form of labor, unless such person shall be sick, aged, injured or crippled and unable to travel; and all overseers of the poor shall endeavor to provide some form of manual labor at which they shall set any able bodied non-resident who may apply for relief to them. It shall be unlawful for an overseer of the poor to furnish any able bodied non-resident with transportation at the cost of the township.

Section 13. Legal Residence Must Be Ascertained.) It shall be unlawful to furnish any non-resident who may be sick, aged, injured or crippled, with transportation at the cost of the township until after the overseer shall, by correspondence or otherwise, have ascertained beyond a reasonable doubt the legal residence of the person applying; any transportation furnished to such person or persons shall be in direction of their legal residence, unless it be shown beyond reasonable doubt that the person in distress has some valid claim for support or some means of support in some other place towards which he or she shall ask to be sent.

Section 14. Amendment.) That Section 1858 of the Revised Codes of 1905 be amended as follows:

Section 1858. Records Must Be Kept.) Every overseer of the poor and every person who administers relief from the public funds to the poor, sick and needy who are not inmates of any public institutions, shall keep a record in which shall be entered the full name, age, sex, color, whether married or single, and nationality of every person to whom such officer or disburser of public funds gives relief, the date of giving relief in each instance, and the amount, if the relief be in the form of money, or the value and kind, if such relief be in the form of articles of use or value. In the instance that relief is given to one person for the use of others,

the records shall show the number of such recipients of relief, with the age and sex of each, if the relief be restricted to a single family, and the name, age, sex, color and nationality of each person partaking of such relief who is not a member of the family of the person into whose hands relief is given by the overseer of the poor or other disbursers of public funds. That said record also be made to show the reason for the giving of relief in each instance.

Section 15. Copies of Record Filed With Auditor.) Two copies of the record so kept shall be filed in the office of the auditor of the county wherein such relief is given by every person keeping such a record, at least once every three months; and it is hereby made unlawful for the board of county commissioners of any county to approve or allow the payments from the county treasury of the expense of relief to any person until two copies of such record, fully conforming to that described in the last preceding Section, shall have been filed in the office of the auditor of the county in which such relief is given.

Section 16. Amendment.) That Section 1859 of the Revised Codes of 1905 be amended to read as follows:

Section 1859. Application to the Board of County Commissioners.) If any person shall feel that he or she is entitled to the benefit of the laws for the relief of the poor, and the overseer of the poor of the township in which he or she resides shall refuse to give such person the benefit thereof, upon application of such person the board of county commissioners or a majority thereof may, if it shall think proper, direct the overseer to relieve him or her, on his or her application therefor.

Section 17. Amendment.) That Section 1860 of the Revised Codes of 1905 be amended to read as follows:

Section 1860. When Residence is Uncertain.) If anyone within the description of the poor persons specified in this Act shall be found in any township and the overseer of the poor of such township shall be unable to ascertain and establish the place of legal residence of such person, he shall proceed to provide for such poor person in the same manner as other persons are hereby directed to be provided for."

Section 18. Amendment.) That Section 1862 of the Revised Codes of 1905 be amended to read as follows:

Section 1862. Poor Person May Be Conveyed to Place of Residence.) Upon complaint of any overseer of the poor, any justice of the peace may, by his warrant directed to

and to be executed by any constable or by any other person therein designated, cause any poor person found in the township of such overseer likely to become a public charge, and have no legal residence therein, to be sent and conveyed at the expense of the county, to the place where such person belongs, if the same can be conveniently done; but if he or she cannot be so removed, such person shall be relieved by such overseer whenever such relief is needed.

Section 19. Amendment.) That Section 1863 of the Revised Codes of 1905 be amended to read as follows:

Section 1863. Appeal to the District Court.) If any overseer of the poor of any township in any county in North Dakota, to which any pauper shall have been removed, as above provided, shall feel himself aggrieved by such order of removal, he may at any time within twenty days, after such removal shall be known to him, appeal from the decision of the justice of the peace ordering such removal, to the District Court of the county from which the removal was ordered to be made; such appeal to be taken, tried and determined and costs adjudged as in other cases of appeals from judgment of the justice of the peace; and the order of removal may be vacated or affirmed according to law and the right of the cause.

Section 20. Amendment.) That Section 1866 of the Revised Codes of 1905 be amended to read as follows:

“Section 1866. Overseer Must Receive Person Having Legal Residence.) If any person be removed by virtue of the provisions of this Act from any county, township or place to any other place within the state, by warrant or order under the hand and seal of any justice of the peace, as hereinbefore provided, the overseer of the poor of the township or place to which said person shall be removed is required to receive such person if he had a legal residence in his township.”

Section 21. In Case of Death, Resignation or Removal of Trustee.) If any overseer shall remove out of his proper township, or be removed from his office or resign, or in any other way vacate his office, he shall immediately deliver all books, papers, and other things concerning his office to his successor, upon his appointment; and in the event of the death of any overseer, his executors or administrators shall, within forty days after his death, deliver over all things belonging to his office, to his successor in office.

Section 22. Amendment.) That Section 1867 of the Revised Codes of 1905 be amended to read as follows:

Section 1867. Settlement.) The overseer of the poor shall make settlement with the board of county commissioners, quarterly, at the regular meetings or oftener if said board of county commissioners shall direct, of all poor relief of the past quarter, and file all vouchers therefor as required by this or any other law; and the board of county commissioners are hereby directed to settle with the overseer of the poor in the several townships of their respective townships at least once every quarter and oftener if they shall deem the same necessary, and the said board shall pay the township treasurer, quarterly, seventy-five per cent of all money advanced and allowed for the aid and maintenance of the poor in such township for the preceding quarter.

Section 23. Amendment.) That Section 1870 of the Revised Codes of 1905 be amended to read as follows:

Section 1870. Providing for Care of Non-residents.) If shall be the duty of the overseer of the poor on complaint made to him that any person not an inhabitant of his township is lying sick therein or in distress, without friends or money so that he or she is likely to suffer, to examine into the case of said person, and grant such temporary relief as may be required. And if any person shall die in any township who shall not leave money or other means necessary to defray his or her funeral expenses, it shall be the duty of the overseer of the poor of such township to provide some person to provide for and superintend the burial of such deceased person, the necessary and reasonable expenses whereof shall be paid by the township and upon the order of such overseer, provided that the expenses of such funeral to be borne by the township shall not exceed \$25.00.

Section 24. Amendment.) That Section 1868 of the Revised Codes of 1905 be amended to read as follows:

Section 1868. Overseers of the poor shall receive two dollars per day each for every day during which they shall be necessarily employed in the discharge of their duties as such overseers, to be allowed by the supervisors of the township and paid out of the township treasury, and each overseer of the poor shall have power and authority to grant temporary relief and no special meetings shall be called by said overseer of the poor for the consideration of poor relief, but the question of relief shall be acted upon at the regular quarterly meetings of the board of township supervisors.

Section 25. Amendment.) That Section 1869 of the Revised Codes of 1905 be amended to read as follows:

Section 1869. The overseers of the poor shall annually at the first session of the board of county commissioners in each year, submit their annual report of proceedings for the past year, which report shall be presented to the county auditor at least one day before the session of such board.

Section 26. Blanks.) All blanks for reports, schedules and information required under this Act shall be prepared and printed by the county and the expense thereof shall be paid out of funds of the county. The county auditor shall distribute said blanks among the overseers of the poor in each township. The board of control of state institutions shall prepare all the forms for blanks to be used by the overseers of the poor under this Act and such forms shall be sent to the county auditors promptly after the passage and approval of this Act who shall thereupon print and distribute the said blanks as hereinbefore required.

Section 27. County Commissioners, Overseers of the Poor.) In counties where township organization has not been effected, the county commissioners shall be ex-officio overseers of the poor and shall perform all duties with reference to the poor within their jurisdiction that are by the provisions of this Act imposed upon township supervisors and the provisions of this Act relative to legal residence, method and conditions of granting relief to the poor, filing of records, and salaries of the overseers of the poor, shall apply and the expense of such relief shall be paid by the county.

Section 28. The provisions of this Act relative to the duties of township supervisors as ex-officio overseers of the poor, shall apply to the city council or city commissioners, as the case may be, in cities, and to the village trustees in villages in this state; and the method of making application for relief, the percentage paid by such city or village and the county, the report or schedule required to be submitted to the county commissioners shall be the same as is provided herein in the case of the overseers of the poor in the townships of this state; and the seventy-five per cent of such relief paid by the county shall be paid to the city or village treasurer, as the case may be; and the provisions of this Act relative to legal residence, appeals, settlement with the county commissioners, records to be kept, and investigations to be made, shall apply in the case of relief or applications for relief to the city council or city commission in cities, and to village trustees in villages in this state.

Section 29. The council or the city commissioners as the case may be, of any city of five thousand or more inhabit-

ants may, or upon being petitioned by not less than ten per cent of the legal voters residing therein, shall at the next regular election held in such city, submit to the qualified electors thereof, the question of whether such city shall become an independent poor relief district, and if a majority of the electors voting thereon at such regular election are in favor of the proposition, the city shall become an independent poor relief district.

Section 30. Repeal.) That Sections 1856 and 1861 of the Revised Codes of 1905, be and the same are hereby repealed.

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred

House Bill No. 163.

A bill for an Act to provide for the preparing of a state budget.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred

Senate Bill No. 350.

A bill for an Act fixing priorities of liens, and requiring all persons who may be entitled to a mechanics' lien to file

a notice of lien, to take a statement or acknowledgment for such lien and providing a penalty for filing unlawful liens.

Have had the same under consideration and recommend that the same be amended as follows:

In line 6 of Section 2, strike out the word "knowledge" and insert in lieu thereof the word "consented."

In line 14 of said Section, strike out the words "notice has been given" and insert in lieu thereof the words "I have consented."

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 262.

A bill for an Act relating to the Supreme Court in defamation, personal injury, false imprisonment, and malicious prosecution cases.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
House Bill No. 420.

A bill for an Act to amend Section 470 of the Revised Codes for 1905 of the State of North Dakota, as amended by Chapter 172 of the Session Laws of 1911 of the State of North Dakota, relating to the boundaries of, and terms of court in, the Second Judicial District.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also.

*Mr. President:*

Your committee on judiciary to whom was referred  
House Bill No. 421.

A bill for an Act to amend Section 474 of the Revised Codes of North Dakota for 1905, as amended by Chapter 171 of the Laws of 1911, relating to the boundaries of, and terms of court in, the Sixth Judicial district.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
House Bill No. 426.

A bill for an Act to amend Section 473 of the Revised Codes of North Dakota for the year 1905, as amended by Chapter 74 of the Session Laws of 1909, relating to the boundaries of, and terms of court in, the Fifth Judicial District.

Have had the same under consideration and recommend that the same be amended as follows:

In line 7 of the printed bill, after the word "LaMoure" insert the word "Wells."

After line 15 of the printed bill, insert the following: "In Wells County commencing on the third Monday in July and the third Monday in January."

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

House Bill No. 427.

A bill for an Act to amend Chapter 161 of the Session Laws of 1907, as amended by Chapter 76 of the Session Laws of 1909 of the State of North Dakota, relating to the boundaries of, and terms of court in, the Ninth Judicial District.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

House Bill No. 268.

A bill for an Act limiting the time within which real estate mortgages may be foreclosed.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Senate Bill No. 98.

A bill for an Act to prohibit the importation, manufacture, distribution, transportation, sale or use of snuff and providing a penalty therefor.

Was read the third time.

Mr. Mudgett moved

That the Senate do now concur in the amendments to Senate Bill No. 98 as recommended by conference committee.

Which motion prevailed and

The conference committee amendments were adopted.

Mr. Mudgett moved

That Senate Bill No. 98 be put upon its third reading and final passage.

Which motion prevailed.

The question being on the final passage of the bill, as amended by the conference committee.

The roll was called and there were 44 ayes, 1 nay, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bonzer  
Bronson  
Cashel  
Clark  
Davidson  
Davis  
Duncan  
Elken  
Ellingson  
Ganssle  
Garden  
Gibbens

Messrs.—  
Gilbert  
Gronvold  
Hanley  
Heckle  
Helgeland  
Hoverson  
Hughes  
Hyland  
Jacobsen  
Kretschmar  
Leutz  
Linde  
Loftsgaard  
McBride  
McDowell

Messrs.—  
McLean  
Mudgett  
Overson  
Plain  
Porterfield  
**Putnam**  
Steel  
Talcott  
Thoreson  
**Trageton**  
Turner  
Vail  
Wartner  
Williams

Mr. Young voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Englund	Nelson
Carter	Hookway	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Thoreson moved

That the vote by which Senate Bill No. 98 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Mudgett moved

That Senate Bill No. 98 be messaged to the House at once.

Which motion prevailed.

Mr. Jacobsen moved

That the vote by which Senate Bill No. 296 was passed, be reconsidered.

Which motion was lost.

Mr. Linde moved

That the vote by which House Bill No. 82 was lost be reconsidered.

Which motion prevailed.

Mr. Linde moved

That House Bill No. 82 be put on its third reading and final passage.

Which motion prevailed.

House Bill No. 82.

A bill for an Act to regulate the manufacture of pneumatic rubber tires for motor vehicles and to prevent fraud and deception in the sale thereof.

Was read the third time.

Mr. Linde offered the following amendment to House Bill No. 82 and moved its adoption:

In line 5 of the printed bill after the word "casing" add the following:

"Provided, that this Act shall not become operative until January 1, 1914."

Which motion prevailed and

The amendment was adopted.

Mr. Linde offered the following amendment to House Bill No. 82 and moved its adoption:

In line 3 of the printed bill after the word "unless" strike out the words "the name of the manufacturer and."

Which motion prevailed and

The amendment was adopted.

Mr. Bronson offered the following amendment to House Bill No. 82 and moved its adoption:

At the end of line 5, Section 1, of the printed bill, add the following:

"Provided, however, that this Act shall not apply to any tires or casings installed upon machines and in use."

Which motion was lost.

The question being on the final passage of the bill as amended.

The roll was called and there were 36 ayes, 10 nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Hanley	McLean
Barnes	Heckle	Nelson
Bond	Helgeland	Overson
Bonzer	Hoverson	Plain
Cashel	Hughes	Porterfield
Clark	Hyland	Putnam
Davis	Jacobsen	Steel
Duncan	Leutz	Talcott
Ellingson	Linde	Thoreson
Gansle	Loftsgaard	Trageton
Gibbens	McBride	Turner
Gilbert	McDowell	Wartner

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	Williams
Bronson	Kretschmar	Young
Davidson	Mudgett	
Garden	Vail	

Absent and not voting:

Messrs.—  
Carter  
Hookway

Messrs.—  
Elken

Messrs.—  
Englund

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Linde moved

That the vote by which House Bill No. 82 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The President presiding.

Mr. Gibbens moved

That House Bill No. 13 be placed on its third reading and final passage.

Which motion prevailed.

House Bill No. 13.

A bill for an Act to amend Chapter 170 of Laws of 1907, entitled, An Act indemnifying owners for animals killed or destroyed according to law for being affected with the disease known as glanders.

Was read the third time.

Mr. Gibbens offered the following amendment to House Bill No. 13 and moved its adoption:

In Section 9 of the amended bill strike out all of the Section beginning with the word "provided" and insert in lieu thereof the following:

"Provided, however, that if it shall appear in any such proceeding that the animal or animals destroyed have not been kept within the county where the proceedings are had for at least sixty days immediately prior to such order of destruction, then the costs of all proceedings hereunder shall be certified by the county auditor of the county wherein the proceedings took place to the state auditor, who shall issue a warrant on the state treasurer for the amount of the costs paid by the county in favor of the county auditor of such county, such warrant to be paid out of the general fund of the state for the purpose of reimbursing said county.

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill, as amended.

The roll was called and there were 43 ayes, no nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Putnam
Allen	Gronvold	Steel
Barnes	Heckle	Talcott
Bond	Helgeland	Thoreson
Bonzer	Hoverson	Trageton
Bronson	Hughes	Turner
Casbel	Hyland	Vail
Clark	Jacobsen	Wartner
Davidson	Loutz	Williams
Duncan	Loftsgaard	Young
Elken	McBride	Flain
Ellingson	McDowell	Putnam
Ganssle	McLean	Overson
Garden	Mudgett	
Gibbens	Nelson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Hanley	Linde
Davis	Hookway	
Englund	Kretschmar	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Gibbens moved

That the vote by which House Bill No. 13 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Bronson moved

That Senate Bill No. 276 be placed on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 276.

A bill for an Act to amend Section 1974 of the Revised Codes of North Dakota for 1905, relating to the official estray papers.

Was read the third time.

Mr. Bronson offered the following amendment to Senate Bill No. 276 and moved its adoption:

In Section 1, line 6 of the printed bill after the word "published" insert the words "daily or."

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 42 ayes, 3 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McLean
Allen	Gronvold	Mudgett
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Cashel	Hoverson	Putnam
Clark	Hughes	Steel
Davidson	Hyland	Talcott
Davis	Jacobsen	Thoreson
Duncan	Kretschmar	Trageton
Elken	Leutz	Turner
Ellingson	Loftsgaard	Vail
Ganssle	McBride	Wartner
Gibbens	McDowell	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Nelson	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Garden	Linde
Englund	Hookway	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Duncan moved

That the vote by which Senate Bill No. 276 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 337.

A concurrent resolution amending Section 45 of Article 2 of the Constitution of the State of North Dakota, relating to

the compensation of the members of the Legislative Assembly.

Was read the third time.

Mr. Elken offered the following amendment to House Bill No. 337 and moved its adoption:

In line 2 of Section 45 of the engrossed bill, strike out the word "six" and insert in lieu thereof the word "three."

Which motion was lost.

Mr. Hanley offered the following amendment to House Bill No. 337 and moved its adoption:

Add after the last word in the bill the following:

"Provided, that the increase of salary provided for in this bill shall not apply to the members of the Thirteenth or Fourteenth Legislative Assembly."

Which motion was lost.

Mr. Davis offered the following amendment to House Bill No. 337 and moved its adoption:

After the last word of the bill add the following:

"Provided, however, that the provisions of this Act shall not take effect until January 1, 1919."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 22 ayes, 25 nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Bond  
Davidson  
Davis  
Duncan  
Gilbert  
Hanley

Messrs.—  
Hyland  
Kretschmar  
Leutz  
Linde  
McBride  
McLean  
Mudgett  
Nelson

Messrs.—  
Overson  
Plain  
Turner  
Wartner  
Williams  
Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Garden	McDowell
Bond	Gibbens	Porterfield
Bonzer	Gronvold	Putnam
Cashel	Heckle	Steel
Clark	Helgeland	Talcott
Davis	Hoverson	Thoreson
Elken	Hughes	Trageton
Ellingson	Jacobsen	
Ganssle	Loftsgaard	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Carter	Englund	Hlookway

Mr. Englund being excused.

So the bill was lost.

Mr. Hanley moved

That the vote by which House Bill No. 337 was lost, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 294.

A bill for an Act to amend Sections 8, 9 and 10 of Chapter 137 of the Session Laws of 1907, relating to the time and manner of levying taxes in each county in order to raise funds to pay the amount chargeable to the county for the care, board and treatment of patients in the hospital for the insane, and fixing the time when such payments shall be made into the state treasury, and providing a penalty for failure to make such payments.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, 2 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Davis	Gronvold
Allen	Duncan	Hyland
Barnes	Elken	Jacobsen
Bond	Ellingson	Kretschmar
Bonzer	Ganssle	Leartz
Cashel	Garden	Loftsgaard
Clark	Gibbens	Linde
Davidson	Gilbert	McBride

Messrs.—  
 McDowell  
 McLean  
 Mudgett  
 Nelson  
 Overson  
 Fiain

Messrs.—  
 Porterfield  
 Putnam  
 Steel  
 Talcott  
 Trageton  
 Turner

Messrs.—  
 Vail  
 Wartner  
 Williams  
 Young  
 Heckle  
 Hoverson

Messrs. Hanley and Helgeland voted in the negative.

Messrs.—  
 Carter  
 Englund

Messrs.—  
 Hookway  
 Hughes

Messrs.—  
 Thoreson

Absent and not voting.

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Overson moved

That the vote by which Senate Bill No. 294 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 257.

A bill for an Act to provide for the payment of county and school warrants, when there is no money in the hands of the proper officer for the payment of such warrants, out of the funds on which they are drawn.

Was read the third time.

Mr. Overson offered the following amendment to Senate Bill No. 257 and moved its adoption:

In lines 5 and 6 of the printed bill strike out the words "or the treasurer of the district school on which such warrants are drawn."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 29 ayes, 13 nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
 Barnes  
 Bond  
 Bonzer  
 Cashel  
 Davis  
 Garden  
 Gibbens  
 Gilbert  
 Hyland  
 Jacobsen

Messrs.—  
 Kretschmar  
 Lcutz  
 McDowell  
 McLean  
 Mudgett  
 Nelson  
 Overson  
 Plain  
 Porterfield  
 Putnam

Messrs.—  
 Steel  
 Talcott  
 Thoreson  
 Trageton  
 Turner  
 Vail  
 Wartner  
 Williams  
 Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Elken	Helgeland
Allen	Ellingson	Hoverson
Bronson	Ganssle	Loftsgaard
Clark	Gronvold	
Davidson	Heckle	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Carter	Hanley	Linde
Duncan	Hookway	McBride
Englund	Hughes	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Overson moved

That the vote by which Senate Bill No. 257 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

There being no objection, the Senate returned to the sixth order of business.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 267.

A bill for an Act for the regulation and control of fraternal benefit societies.

Also,

Senate Bill No. 26.

A bill for an Act to amend and re-enact Section 618 of the Revised Codes of North Dakota for 1905, relating to elections.

Also,

Senate Bill No. 132.

A bill for an Act to amend Section 2596 of the 1905 Revised Codes of North Dakota, as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907, providing the clerk hire for the register of deeds in the various counties of the state.

Also,

Senate Bill No. 170.

A bill for an Act to amend and re-enact Section 3 of Chapter 78 of the Session Laws of North Dakota for the year 1909, entitled "An Act to amend Section 8288 of the Revised Codes of 1905, of the State of North Dakota, relating to the increased jurisdiction of the county courts, and providing for abolishing the same."

Also,

Senate Bill No. 192.

A bill for an Act to amend and re-enact Section 1283 of the Revised Codes of 1905 for North Dakota, prohibiting excessive expenditures out of appropriations, and providing for an emergency commission and penalty.

Also,

Senate Bill No. 234.

A bill for an Act to amend Section 141 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to public schools.

Also,

Senate Bill No. 291.

A bill for an Act to amend and re-enact Section 4610 of the Revised Codes of 1905, as amended by Chapter 56 of the Session Laws of 1907, relating to building and loan associations.

And send the same correctly enrolled.

W. R. BOND,  
Chairman.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 214.

A bill for an Act to amend Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of Chapter 23 of the Session Laws of 1911, and to repeal Sections 14, 15 and 16 of said Chapter, establishing a hail insurance department and making the commissioner of insurance ex-officio commissioner of hail insurance; prescribing rules, regulations and duties of officers

and persons connected therewith; prescribing how premiums, expenses and indemnity for losses by hail shall be paid, and providing a penalty.

And find the same correctly engrossed.

W. P. PORTERFIELD,  
Acting Chairman.

Mr. Porterfield moved

That the report be adopted

Which motion prevailed and

The report was adopted.

The Secretary announced that the President was about to sign:

Senate Bill No. 26.

A bill for an Act to amend and re-enact Section 618 of the Revised Codes of North Dakota for 1905, relating to elections.

Senate Bill No. 132.

A bill for an Act to amend Section 2596 of the 1905 Revised Codes of North Dakota as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907 providing the clerk hire for the register of deeds in the various counties of the state.

Senate Bill No. 170.

A bill for an Act to amend and re-enact Section 3 of Chapter 78 of the Session Laws of North Dakota for the year 1909, entitled "An Act to amend Section 8288 of the Revised Codes of 1905, of the State of North Dakota, relating to the increased jurisdiction of the county courts, and providing for abolishing the same."

Senate Bill No. 192.

A bill for an Act to amend and re-enact Section 1283 of the Revised Codes of 1905 for North Dakota, prohibiting excessive expenditures out of appropriations, and providing for an emergency commission and penalty.

Senate Bill No. 234.

A bill for an Act to amend Section 141 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to public schools.

## Senate Bill No. 291.

A bill for an Act to amend and re-enact Section 4610 of the Revised Codes of 1905, as amended by Chapter 56 of the Session Laws of 1907, relating to building and loan associations.

And the President signed the same in the presence of the Senate.

## Senate Bill No. 177.

A bill for an Act to provide for the execution of tax deeds for lands sold for delinquent taxes under the provisions of Section 1576 of the Revised Codes of North Dakota for 1905 and to prescribe the form and to define the effect of all such deeds and the title thereby conveyed, and to provide for the issuance of new tax deeds in lieu of defective ones heretofore issued under the provisions of Section 1591 of the Revised Codes of North Dakota for 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 40 ayes, 1 nay, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Nelson
Allen	Gibbens	Overson
Barnes	Gilbert	Plain
Bond	Heckle	Putnam
Bonzer	Helgeland	Steel
Bronson	Hoverson	Talcott
Cashel	Hughes	Thoreson
Clark	Hyland	Trageton
Davidson	Jacobsen	Turner
Davis	Kretschmar	Vail
Duncan	Leutz	Williams
Elken	Loftsgaard	Young
Ellingson	McDowell	
Ganssle	Mudgett	

Mr. Gronvold voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Hookway	McLean
Englund	I inde	Porterfield
Hanley	McBride	Wartner

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Cashel moved

That the vote by which Senate Bill No. 177 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 176.

A bill for an Act to amend and re-enact Section 1577 of the Revised Codes of North Dakota for the year 1905, relating to certificate of sale and purchase for taxes and the form of such certificate.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 40 ayes, 2 nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Nelson
Allen	Gilbert	Overson
Barnes	Hanley	Plain
Bond	Heckle	Steel
Bronson	Helgeland	Talcott
Cashel	Hoverson	Thoreson
Clark	Hughes	Trageton
Davidson	Hyland	Turner
Davis	Jacobsen	Vail
Duncan	Kretschmar	Wartner
Elken	Leutz	Williams
Ellingson	Loftsgaard	Young
Ganssle	McDowell	
Garden	Mudgett	

Messrs. Bonzer and Gronvold voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Linde	Porterfield
Englund	McBride	Putnam
Hookway	McLean	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Cashel moved

That the vote by which Senate Bill No. 176 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## Senate Bill No. 375.

A joint resolution authorizing the board of trustees of the soldiers' home to expend a portion of the interest and income fund of the soldiers' home for the purpose of aiding the North Dakota Union and Confederate Soldiers of the Civil War to attend the reunion to be held at Gettysburg, Pa., in the month of July, 1913.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Loftsgaard	Wartner
Ganssle	McBride	Williams
Garden	McDowell	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Hookway	McLean
Englund	Linde	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Mudgett moved

That the vote by which Senate Bill No. 375 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 248.

A bill for and Act to amend Section 281 of the Revised Codes of 1905 relative to the burial of the bodies of per-

sons who have died from infectious and contagious diseases, and to provide for the disinfecting of such bodies.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, no nays, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	Overson
Allen	Heckle	Plain
Barnes	Helgeland	Porterfield
Bronson	Hoverson	Putnam
Cashel	Hughe	Steei
Clark	Hyland	Talcott
Duncan	Jacobsen	Thoreson
Elken	Kretschmar	Trageton
Ellingson	Leutz	Turner
Ganssle	Loftsgaard	Vail
Garden	McBride	Wartner
Gibbens	McDowell	Williams
Gilbert	McLean	Young
Gronvold	Mudgett	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Davidson	Hookway
Bonzer	Davis	Linde
Carter	Englund	Nelson

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 318.

A bill for an Act authorizing county drainage boards to refund illegal penalties and interest, prior to the passage of this Act paid on delinquent drainage assessments levied prior to July 1, 1911.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, 2 nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Bronson	Elken
Allen	Cashel	Ellingson
Barnes	Clark	Ganssle
Bond	Davis	Garden
Bonzer	Duncan	Gibbens

Messrs.—	Messrs.—	Messrs.—
Gilbert	Leutz	Steel
Gronvold	Loftsgaard	Talcott
Hanley	McDowell	Thoreson
Heckle	McLean	Trageton
Hoverson	Nelson	Turner
Hughes	Overson	Vail
Hyland	Plain	Wartner
Jacobsen	Porterfield	Williams
Kretschmar	Putnam	

Messrs. Helgeland and Young voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Hookway	Mudgett
Davidson	Linde	
Englund	McBride	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 86.

A bill for an Act to enable incorporated villages to provide or contract for the furnishing of water for fire protection and for light for streets, alleys, public buildings and grounds.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 35 ayes, no nays, 15 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Overson
Allen	Gilbert	Plain
Barnes	Gronvold	Porterfield
Bonzer	Heckle	Steel
Bronson	Helgeland	Talcott
Cashel	Hoverson	Thoreson
Clark	Hughes	Trageton
Duncan	Hyland	Turner
Elken	Jacobsen	Vail
Ellingson	McBride	Wartner
Ganssle	McLean	Young
Garden	Neison	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Hanley	Loftsgaard
Carter	Hookway	McDowell
Davidson	Kretschmar	Mudgett
Davis	Leutz	Putnam
Englund	Linde	Williams

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 349.

A bill for an Act to amend Section 1 of Chapter 162 of the Session Laws of 1911, relating to county mutual companies.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 40 ayes, no nays, 10 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Overson
Barnes	Gronvold	Plain
Bonzer	Hanley	Porterfield
Bronson	Heckle	Steel
Cashel	Helgeland	Talcott
Clark	Hoverson	Thoreson
Davidson	Hughes	Trageton
Davis	Hyland	Turner
Duncan	Jacobsen	Vail
Elken	Leutz	Wartner
Ellingson	McBride	Williams
Ganssle	McDowell	Young
Garden	McLean	
Gibbens	Nelson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Hookway	Mudgett
Bond	Kretschmar	Putnam
Carter	Linde	
Englund	Loftsgaard	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 267.

A bill for an Act for the regulation and control of fraternal benefit societies.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 39 ayes, 4 nays, 7 absent and not voting.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Mudgett
Allen	Gibert	Nelson
Barnes	Hanley	Overson
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hoverson	Sted
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Trageton
Davis	Leutz	Vail
Duncan	Loftsgaard	Wartner
Ellingson	McBride	Williams
Ganssle	McDowell	Young

## Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Elken	Plain	Turner
Gibbens		

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Hookway	McLean
Englund	Hughes	
Gronvold	Linde	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Nelson introduced the following resolution:

*Whereas*, Senate Bill No. 166, pertaining to the reinstatement of certain corporations, has passed both houses, and because of the operation of its emergency clause and the approval of the governor, has now become a law, of immediate force and effect as regards the affairs of said corporations; and,

*Whereas*, No regular method is provided for conveying information to interested parties regarding the passage and provisions of said law in advance of the regularly published edition of the Session Laws, which cannot be made immediately available; therefore

*Be it Resolved*, That there be ordered printed for the use of the secretary of state in notifying the officials of such invalidated corporations respecting the passage and provisions of the new law, one thousand additional copies of said Senate Bill No. 116 as finally passed and approved by

the governor, together with a notation thereupon showing the fact and date of said approval.

Mr. Bronson moved

That the foregoing resolution be referred to the committee on state affairs.

Which motion was lost.

Mr. Nelson moved

That the resolution be adopted.

Which motion prevailed and

The resolution was adopted.

The courtesies of the floor were extended to Hon. Julius Sgutt, Harvey, N. D.; Charles F. Pierce, Mandan, N. D.

Mr. Davis moved

That the Senate do now take a recess until 1 o'clock P. M., Monday, March 3rd.

Which motion prevailed and

The Senate took a recess.

W. D. AUSTIN,  
Secretary.

FIFTY-FOURTH DAY AFTER RECESS AND FIFTY-SIXTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
March 3, 1913.

The Senate convened at 1 o'clock pursuant to recess taken.  
The President presiding.

THIRD READING OF SENATE BILLS.

There being no objection, the Senate returned to the ninth order of business.

Unanimous consent having been granted,

Mr. Cashel introduced

Senate Bill No. 387.

A bill for an Act to amend Section 8154 of the Revised Codes of 1905, relating to the approval of mortgages executed by an administrator, executor or guardian.

Was read the first and second times and

Referred to the committee on judiciary.

Senate Bill No. 301.

A bill for an Act to amend and re-enact Section 1541 of the Revised Codes of 1905, and amended by Chapter 112 of the 1911 Session Laws, relating to tax lists made out by county auditors.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, no nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	McLean
Allen	Hanley	Mudgett
Barnes	Heckle	Nelson
Bond	Helgeland	Overson
Bonzer	Hookway	Plain
Bronson	Hoverson	Putnam
Carter	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Davis	Kretschmar	Turner
Duncan	Leutz	Vail
Elken	Linde	Wartner
Ellingson	Loftsgaard	Williams
Ganssle	McBride	Young
Gilbert	McDowell	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Cashel	Garden	Porterfield
Englund	Gibbens	Steel

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Overson moved

That the vote by which Senate Bill No. 301 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 264.

A bill for an Act to amend and re-enact Chapter 301 of the Session Laws of 1911, relating to auditor's notice of tax sale.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, 1 nay, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Bronson	Davis
Allen	Carter	Duncan
Barnes	Cashel	Elken
Bond	Clark	Ellingson
Bonzer	Davidson	Ganssle

Messrs.—	Messrs.—	Messrs.—
Garden	Kretschmar	Porterfield
Gibbens	Leutz	Putnam
Gilbert	Linde	Talcott
Gronvold	Loftsgaard	Thoreson
Hanley	McBride	Trageton
Helgeland	McDowell	Turner
Hookway	McLean	Vail
Hoverson	Mudgett	Wartner
Hughes	Overson	Williams
Hyland	Plain	Young

Mr. Jacobsen voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Nelson	Steel
Heckle		

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Overson moved

That the vote by which Senate Bill No. 264 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 298.

A bill for an Act to amend and re-enact Section 1573 of the Revised Codes of North Dakota, relating to the duties of the county treasurer, and the return of tax list to the county auditor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gronvold	Mudgett
Barnes	Hanley	Nelson
Bond	Helgeland	Overson
Bonzer	Hookway	Plain
Bronson	Hoverson	Porterfield
Carter	Hughes	Putnam
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Davis	Kretschmar	Trageton
Duncan	Leutz	Turner
Elken	Linde	Vail
Ellingson	Loftsgaard	Wartner
Ganssle	McDowell	Williams
Garden	McBride	Young

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Cashel	Gilbert	Steel
Englund	Heckle	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Linde moved

That the vote by which Senate Bill No. 298 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 84.

A bill for an Act to amend and re-enact Section 1546 of the Revised Codes of 1905, requiring a notation on tax receipt where real estate has been sold for taxes and not redeemed, and providing a penalty for failure therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, no nays, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Mudgett
Allen	Gibbens	Overson
Barnes	Hanley	Plain
Bond	Helgeland	Porterfield
Bonzer	Hookway	Putnam
Bronson	Hoverson	Talcott
Carter	Hughes	Thoreson
Clark	Jacobsen	Trageton
Davidson	Kretschmar	Turner
Davis	Leutz	Vail
Duncan	Linde	Wartner
Elken	Loftsgaard	Williams
Ellingson	McDowell	Young
Ganssle	McLean	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Cashel	Gronvold	McBride
Englund	Heckle	Nelson
Gilbert	Hyland	Steel

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Davidson moved

That the vote by which Senate Bill No. 84 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 315.

A bill for an Act to amend and re-enact Section 2005 of the Revised Codes of 1905, as amended by Chapter 162 of the Session Laws of 1909, relating to the sale or disposition of animals affected with contagious or infectious diseases and the use of milk and hides from any such animals; providing for the labeling of meat from such animals and prescribing a penalty for the violation thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, 4 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Helgeland	Putnam
Bronson	Hookway	Steel
Carter	Hoverson	Talcott
Cashel	Hughes	Thoreson
Clark	Hyland	Trageton
Davidson	Jacobsen	Turner
Duncan	Kretschmar	Vail
Ellingson	Leutz	Wartner
Ganssle	Loftsgaard	Williams
Garden	McDowell	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Linde	Porterfield	Young
McBride		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Englund	Nelson
Elken	Heckle	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Hookway gave notice that he would move for a reconsideration of the vote by which Senate Bill No. 315 was passed.

There being no objection, Senate Bill No. 214 was made a special order for 4 o'clock P. M., March 3rd.

Mr. Bronson moved

That Senate Bills Nos. 17, 153, 32 and 73 be made a special order for 3 o'clock P. M., March 3rd.

Which motion was lost.

Senate Bill No. 17.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the recall of public officials by the people.

Was read the third time.

Mr. Hanley moved

The previous question.

The question being, shall the main question be now put.

Which motion prevailed and

The question being on the final passage of the bill.

The roll was called and there were 28 ayes, 20 nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hyland	Porterfield
Barnes	Jacobsen	Putnam
Bonzer	Kretschmar	Steel
Cashel	Leutz	Thoreson
Clark	McBride	Vail
Elken	McDowell	Wartner
Ellingson	Mudgett	Williams
Gibbens	Nelson	Young
Hanley	Overson	
Hoverson	Plain	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Ganssle	Linde
Bond	Garden	Loftsgaard
Bronson	Gilbert	McLean
Carter	Gronvold	Talcott
Davidson	Helgeland	Trageton
Davis	Hookway	Turner
Duncan	Hughes	

Absent and not voting, Messrs. Englund and Heckle.

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Gibbens moved

That the vote by which Senate Bill No. 17 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 153.

A bill for an Act for an amendment to the Constitution of the State of North Dakota, relating to the legislative department and providing for direct legislation; the proposing of constitutional amendments, and reference of laws.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 23 ayes, 25 nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hoverson	Plain
Bonzer	Hughes	Porterfield
Cashel	Jacobsen	Talcott
Clark	Kretschmar	Thoreson
Ganssle	Leutz	Turner
Gibbens	Linde	Wartner
Heckle	McBride	Young
Hookway	Overson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Ellingson	Mudgett
Barnes	Garden	Nelson
Bond	Gilbert	Putnam
Bronson	Gronvold	Steel
Carter	Helgeland	Trageton
Davidson	Hyland	Vail
Davis	Loftsgaard	Williams
Duncan	McDowell	
Elken	McLean	

Absent and not voting, Messrs. Englund and Heckle.

Mr. Englund being excused.

So the bill was lost.

There being no objection, the Senate returned to the ninth order, and unanimous consent having been granted,

Mr. Steel introduced

Senate Bill No. 388.

A bill for an Act to repeal Sections 1, 2 and 3 of Chapter 213 of the Session Laws of 1911.

Was read the first and second times and

Referred to the committee on elections.

Mr. Talcott moved

That the Senate do now adjourn.

Which motion prevailed and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

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#### FIFTY-SIXTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
March 3, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Englund and Heckle, who were excused.

#### REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the fifty-second day after recess and the fifty-third day, have carefully examined the same and recommend that the same be corrected as follows:

On page 2, line 31, strike out the figures "1011" and insert the figures "1911."

On page 8, line 7, correct the spelling of the word "bill."

On page 17, line 6, strike out the word "hame" and insert the word "home."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted

Which motion prevailed and

The report was adopted.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Englund presented a petition signed by 3,314 persons from 118 North Dakota towns, praying that such laws be enacted as shall properly protect the science and practitioners of chiropractic in the practice of their profession within the State of North Dakota.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

March 3, 1913.

*Mr. President:*

I have the honor to transmit herewith

House Bill No. 349.

A bill for an Act providing for county treasurer's notice to taxpayers.

Also,

House Bill No. 481.

A bill for an Act to amend Section 16 of Chapter 77 of the Laws of 1911, entitled "Commission system of government."

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

## REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills, made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 77.

A bill for an Act to amend Sections 1851, 1852, 1853, 1855, 1858, 1859, 1860, 1862, 1863, 1866, 1867, 1868, 1869 and 1870 of the Revised Codes of 1905, and to repeal Sections 1856 and 1861 of the said Codes, and providing for the relief of poor persons.

Also,

Senate Bill No. 194.

A bill for an Act amending Sections 1 and 2 of Chapter 19, of the Session Laws of 1911, making an appropriation for the dairy department of the State of North Dakota.

Also,

Senate Bill No. 195.

A bill for an Act to provide additional assistant dairy commissioners, defining their duties, salaries, expenses, and how the same shall be paid.

Also,

Senate Bill No. 246.

A bill for an Act to amend and re-enact Sections 2 and 4, Chapter 129, Session Laws of 1911, relating to election privileges.

Also,

Senate Bill No. 311.

A bill for an Act declaring the island situated in the Missouri River south of the City of Williston, and all islands that may appear in said river within five miles of said city, state parks.

Also,

Senate Bill No. 330.

A bill for an Act to amend Section 35 of the Revised Codes of 1905 for North Dakota.

Also,

Senate Bill No. 333.

A bill for an Act creating a state highway commission, defining the duties and powers. Emergency.

Also,

Senate Bill No. 350.

A bill for an Act fixing priorities of liens, and requiring all persons who may be entitled to a mechanic lien to file a notice of lien, to take a statement of acknowledgment for such lien and providing a penalty for filing unlawful liens.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Porterfield moved

That the report be adopted

Which motion prevailed and

The report was adopted.

The committee on insurance made the following report:

*Mr. President:*

Your committee on insurance to whom was referred  
Senate Bill No. 386.

A bill for an Act to amend Section 1516 of the Revised Codes of 1905, relating to the bond and oath of assessors.

Have had the same under consideration and recommend that the same do pass.

JOHN E. WILLIAMS,  
Chairman.

Mr. Williams moved

That the report be adopted

Which motion prevailed and

The report was adopted.

The majority of the committee on ways and means made the following report:

*Mr. President:*

A majority of your committee on ways and means to whom was referred

Senate Bill No. 361.

A bill for an Act creating a state board of chiropractic examiners; to regulate the practice of chiropractic in the State of North Dakota; defining chiropractic; providing for licensing chiropractors and to prescribe penalties for the violation of this Act.

Have had the same under consideration and recommend that the same be amended as follows:

Amend Section 4 of Senate Bill No. 361 by striking out of line 7 of said Section the words: "except as herein provided" and adding to said Section the words: "nor treat or adjust or attempt to treat or adjust any contagious or infectious disease."

Amend Section 10 of the printed bill by striking out in line 5 the words "of the" and the letter "s" in the word "terms" and "or letters" and in lines 5 and 6 of said Section the words: "Doctor of Chiropractic," and the letters "or D. C." and insert the word "except" before "Chiropractor."

And when so amended recommend the same do pass.

F. W. VAIL,  
O. T. LOFTSGAARD,  
IRA A. BARNES,  
MARTIN THORESON.

The minority of the committee on ways and means made the following report:

*Mr. President:*

A minority of your committee on ways and means to whom was referred

Senate Bill No. 361.

A bill for an Act creating a state board of chiropractic examiners; to regulate the practice of chiropractic in the State of North Dakota; defining chiropractic; providing for licensing chiropractors and to prescribe penalties for the violation of this Act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. L. ELKEN,  
F. LEUTZ,  
L. C. ALBRECHT,  
W. P. PORTERFIELD.

Mr. Elken moved

That the minority report of the committee to indefinitely postpone Senate Bill No. 361 be adopted.

Mr. Vail moved

As an amendment that the majority report of the committee to amend and pass Senate Bill No. 361 be adopted.

Which motion prevailed and

The majority report of the committee was adopted.

Also,

*Mr. President:*

Your committee on ways and means to whom was referred

Senate Bill No. 372.

A bill for an Act to amend Section 1 of Chapter 120, Session Laws for 1909, relating to sheriff's fees.

Have had the same under consideration and recommend that the same be amended as follows:

Following Section 34 add the following amendment: "All such fees collected shall be turned in by the sheriff or his deputies to the county treasury as now provided by law."

And when so amended recommend the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted

Which motion prevailed and

The report was adopted.

The committee on live stock made the following report:

*Mr. President:*

Your committee on live stock to whom was referred

Senate Bill No. 381.

A bill for an Act prohibiting the sale of pure bred cattle unless accompanied by a certificate of health.

Have had the same under consideration and recommend that the same do pass.

A. S. GIBBENS,  
Chairman.

Mr. Gibbens moved  
That the report be adopted.  
Which motion prevailed and  
The report was adopted.

COMMUNICATION FROM THE GOVERNOR.

STATE OF NORTH DAKOTA,  
EXECUTIVE OFFICE,  
Bismarck, March 3, 1913.

*To the Senate:*

Gentlemen: I have the honor to inform you that I have approved and filed with the Secretary of State

Senate Bill No. 156.

A bill for an Act establishing a state bonding department in the office of the commissioner of insurance, providing for the maintenance thereof and creating a reserve therefor, prescribing the duties of officers connected therewith, providing for the payment of premiums and indemnities for loss, and providing for the disposal of the surplus after said reserve has been created.

Also,

Senate Bill No. 33.

A bill for an Act to prohibit the use of public drinking cups in the State of North Dakota.

Also,

Senate Bill No. 45.

A bill for an Act regulating marriages and the issuance of marriage licenses, prohibiting marriages in certain cases, providing penalties for the violation of the provisions of this Act and repealing all Acts or parts of Acts in conflict herewith.

Also,

Senate Bill No. 82.

A bill for an Act to amend Section 8363 of the Revised Codes of 1905 of the Laws of North Dakota, relating to the service of summons out of Justice Court and who is authorized to make service of such summons, and fees to be paid therefor; also to amend Section 2887 of the Revised Codes of 1905 of North Dakota, relating to the powers of village marshals in the service of summons.

Also,

Senate Bill No. 94.

A bill for an Act to amend Section 1 of Chapter 213 of the Laws of 1909, relating to the inmates of the institution for the feeble-minded.

Also,

Senate Bill No. 239.

A bill for an Act to authorize the public examiner to make examination of state offices.

Also,

Senate Bill No. 151.

A bill for an Act to legalize the execution and acknowledgement of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof, admissible in evidence.

Also,

Senate Bill No. 182.

A bill for an Act to amend Section 2623, Revised Codes of 1905, relating to the examination of records of certain public officers.

Also,

Senate Bill No. 233.

A bill for an Act authorizing the boards of county commissioners to levy taxes for the promotion of diversified farming, agricultural development and extension of scientific agricultural work.

Also,

Senate Bill No. 225.

A bill for an Act to amend and re-enact Sections 6 and 8 of Chapter 61 of the Session Laws of the State of North Dakota of 1911, relating to normal schools.

Also,

Senate Bill No. 228.

A bill for an Act prohibiting the waiver or release of a cause of action before the same shall actually have accrued.

Also,

Senate Bill No. 227.

A bill for an Act relating to the sale of personal property and the warranty thereof; providing for a reasonable time in which to ascertain defects or breaches of warranty and the giving of notice of such defects or breaches of warranty.

Also,

Senate Bill No. 207.

A bill for an Act to amend Section 4309, Article 6, Chapter 12, of the Revised Codes of North Dakota of 1905, relating to the licensing of railroad and steamboat ticket agents.

Also,

Senate Bill No. 197.

A bill for an Act relating to exits in all school houses having more than one school room, and requiring stationary fire escapes with proper landings and railings to be attached to the outside of all school houses above the first story of every school house having more than one story, and designating whose duty it shall be to provide such exits and fire escapes, and prescribing a penalty for the violation of the provisions of this Act.

Also,

Senate Bill No. 133.

A bill for an Act to amend and re-enact Section 4639 of the Revised Codes of 1905, relating to power of banking corporations.

Also,

Senate Bill No. 90.

A bill for an Act entitled "An Act to amend and re-enact Section 8405 of the Revised Codes of 1905, as amended by Chapter 131 of the Laws of 1909, relating to garnishment proceedings in justice courts."

Also,

Senate Bill No. 105.

A bill for an Act relating to the responsibility of fidelity insurance companies.

I have the honor to be,

L. B. HANNA,  
Governor.

The committee on appropriations made the following report:

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 45.

A bill for an Act appropriating money for experiments to determine the milling value of cereals, the baking and other chemical properties of the flours produced therefrom and the chemical composition thereof, and providing for the publication of the information thereby obtained and making an appropriation for such work.

Have had the same under consideration and recommend that we same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 179.

A bill for an Act appropriating money for the maintenance and protection of the Military Wood Reservation in Ramsey County, North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3, Section 1 of the printed bill, strike out the word "annually." Strike out the emergency clause.

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted

Which motion prevailed and

The report was adopted.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 250.

A bill for an Act to amend Section 155 of Chapter 4 of the Political Code of the State of North Dakota, and all Acts or parts amendatory thereof, providing for the investment in bonds and mortgages of all moneys belonging to the permanent funds of the common schools, University, School of Mines, Reform School, Agricultural College, Scientific School, School for the Deaf and Dumb, Industrial School, Normal Schools, Blind Asylum, Insane Asylum and Soldiers' Home.

Have had the same under consideration and recommend that the same be amended as follows:

In line 24, page 2, strike out the words "the board of appraisers of school lands" and insert the following: "The appraiser of farm lands."

On page 3, line 38, strike out all after the word "applicant" and insert the following: "The appraiser of farm lands shall be the deputy state examiner for the district in which the land is located and he shall receive only his necessary traveling expenses in viewing and appraising such lands, such expenses to be paid by the applicant together with all recording and abstract fees."

Provided, however, that no recommendation is made as to the rate of interest.

. And when so amended recommend the same do pass.

**J. E. DAVIS.**  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 352.

A bill for an Act to define the duty of the heads of state institutions and state boards to make reports.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 353.

A bill for an Act to amend and re-enact Section 8573 of the Revised Codes of the State of North Dakota for the year 1905, relating to prohibited sports on the Sabbath day.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

A majority of your committee on state affairs to whom was referred

House Bill No. 4.

A bill for an Act to amend Sections 5510 and 5511 of the Revised Codes of North Dakota for the year 1905, prescribing lawful rates of interest for any legal indebtedness, defining usury, and providing that interest shall be computed from the day of the actual delivery of the principal.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

JOHN YOUNG,  
JAMES TURNER,  
W. R. BOND,  
ALFRED STEEL,  
C. F. MUDGETT,  
W. B. OVERSON,  
P. T. KRETSCHMAR.

Also,

*Mr. President:*

A minority of your committee on state affairs to whom was referred

House Bill No. 4.

A bill for an Act to amend Sections 5510 and 5511 of the Revised Codes of North Dakota for the year 1905, prescribing lawful rates of interest for any legal indebtedness, defining usury and providing that interest shall be computed from the date of the actual delivery of the principal.

Have had the same under consideration and recommend that the same do pass.

A. S. GIBBENS,  
G. L. ELKEN,  
E. L. GARDEN,  
FRANK H. HYLAND.

Mr. Davis moved

That the majority report of the committee to indefinitely postpone House Bill No. 4 be adopted.

Mr. Gibbens moved

As an amendment that the minority report of the committee to pass House Bill No. 4 be adopted.

Roll call demanded and the question being on the adoption of the minority report.

The roll was called and there were 23 ayes, 23 nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	Nelson
Barnes	Hanley	Putnam
Bonzer	Helgeland	Talcott
Clark	Hookway	Thoreson
Elken	Hoverson	Trageton
Ellingson	Hughes	Turner
Garden	Hyland	Williams
Gibbens	Loftsgaard	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Ganssle	Mudgett
Bond	Gilbert	Overson
Bronson	Jacobsen	Plain
Carter	Kretschmar	Porterfield
Cashel	Leutz	Steel
Davidson	McBride	Wartner
Davis	McDowell	Young
Duncan	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Linde	Vail
Heckle		

Messrs. Englund, Linde and Heckle being excused.

So the amendment to the motion was lost.

The question being on the adoption of the majority report.

The motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on ways and means made the following report:

*Mr. President:*

Your committee on ways and means to whom was referred

Senate Bill No. 326.

A bill for an Act to regulate the construction of telephone lines and exchanges, to provide for physical connections and joint rates between telephone companies, defining the same and defining the duties and powers of the state board of railroad commissioners in connection therewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on ways and means to whom was referred

Senate Bill No. 191.

A bill for an Act prescribing the form that shall be used in securing payment of all appropriations of state moneys, so that the provisions of Section 186 of the Constitution of the State of North Dakota may be complied with, and specifically providing that the appropriations made under Chapter 60, Session Laws of 1909; Chapter 209, Session Laws of 1909; Chapter 21, Session Laws of 1911; Chapter 24, Session Laws of 1911; Chapter 198, Session Laws of 1907; Chapter 82, Session Laws of 1907; Section 1129, Revised Codes of 1905; Section 1070, Revised Codes of 1905; Section 841 of the Revised Codes of 1905 as amended in Chapter 107 of the Session Laws of 1907; Chapter 28, Session Laws of 1909; Chapter 117, Session Laws of 1909; and Chapter 166, Session Laws of 1909, shall be paid by the State Auditor only when the bills or expense lists against the named appropriations shall have been filed in fully itemized form and audited and approved by the State Auditing Board.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on ways and means to whom was referred

House Bill No. 417.

A bill for an Act to amend and re-enact Chapter 221 of

the Session Laws of North Dakota for 1907, entitled "An Act providing for the giving of notice by merchants to their creditors before making sale of their entire stock or business."

Have had the same under consideration and recommend that the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on ways and means to whom was referred

House Bill No. 113.

A bill for an Act to repeal Chapter 114 of the Laws of 1911, relating to the bonding of county commissioners.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on ways and means to whom was referred

House Bill No. 212.

A bill for an Act to amend and re-enact Section 408 of the Revised Codes of 1905, relating to the bonds of county, township, city, village or school district officers and repealing Section 405 of the Revised Codes of 1905, relating to official bonds of county treasurers.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on ways and means to whom was referred

House Bill No. 486.

A bill for an Act to amend Section 1575 of Chapter 20 of the Revised Codes of 1905, as amended by Chapter 298, Laws of 1911, relating to the disposition of penalty and interest.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on railroads made the following report:

*Mr. President:*

Your committee on railroads to whom was referred

House Bill No. 190.

A bill for an Act repealing Chapter 199 of the Session Laws of 1907 and providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers, for the transportation of passengers and baggage, and providing a penalty for the violation thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. F. GILBERT,  
Chairman.

Mr. Gilbert moved

That the report be adopted

Which motion prevailed and

The report was adopted.

The committee on temperance made the following report:

*Mr. President:*

A majority of your committee on temperance to whom was referred

Senate Bill No. 56.

A bill for an Act to repeal Sections 9354, 9355, 9356, 9357, 9358, 9359, 9360, 9361, 9362 and 9363 of the Revised Codes of North Dakota for 1905, as amended by Chapter 183 of the Session Laws of North Dakota for 1909, regulating the sale of intoxicating liquors by druggists who are registered pharmacists, and to provide a method of such sales, and of granting and revoking of permits to make such sales, and of any and all Acts amendatory thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. F. MUDGETT,  
WESLEY E. McDOWELL,  
L. S. HELGELAND,  
FRANK H. HYLAND,  
ALFRED STEEL,  
F. S. TALCOTT,  
H. McLEAN.

Also,

*Mr. President:*

A minority of your committee on temperance to whom was referred

Senate Bill No. 56.

A bill for an Act to repeal Sections 9354, 9355, 9356, 9357, 9358, 9359, 9360, 9361, 9362 and 9363 of the Revised Codes of North Dakota for 1905, as amended by Chapter 183 of the Session Laws of North Dakota for 1909, regulating the sale of intoxicating liquors by druggists who are registered pharmacists, and to provide a method of such sales, and of granting and revoking of permits to make such sales, and of any and all Acts amendatory thereof.

Have had the same under consideration and recommend that the same be amended as follows:

After the word "Act" in line 1 of the title, insert "to amend Section 9353 and." Strike out everything after the enactment clause and insert the following:

"Section 1. Penalty for Manufacturing or Sale. Who May Sell.) Any person, association or corporation, who shall, within this state, directly or indirectly, manufacture any spirituous, malt, vinous, fermented or other intoxicating liquor, or shall import any of the same for sale or gift as a beverage, or shall keep for sale, or sell or offer for sale, or gift, barter or trade, any of such intoxicating liquors as a beverage, shall for the first offense be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than two hundred, nor more than one thousand dollars, and be imprisoned in the county jail not less than ninety days nor more than one year; and for the second and every successive offense, shall be deemed guilty of a felony, and be punished by imprisonment in the penitentiary not exceeding two years and not less than one year.

"Section 2. That Sections 9354, 9355, 9356, 9357, 9358, 9359, 9360, 9361, 9362 and 9363 as amended by Chapter 183 of the Session Laws of North Dakota for 1909 be and the same are hereby repealed.

Section 3. That all permits granted under the provisions of said Section are hereby declared null and void, from and after the taking effect of this Act.

"Section 4. Whereas, an emergency exists, this Act shall take effect and be in force from and after its passage and approval.

And when so amended recommend the same do pass.

W. P. PORTERFIELD,  
C. GANSSLE,  
A. LEUTZ,  
E. L. GARDEN.

Mr. Mudgett moved

That the majority report of the committee to indefinitely postpone Senate Bill No. 56 be adopted.

Mr. Garden moved

As an amendment that the minority report of the committee to amend and pass Senate Bill No. 56 be adopted.

Which motion was lost.

The question being on the original motion, the same prevailed, and the further consideration of the bill was indefinitely postponed.

Also,

*Mr. President:*

Your committee on temperance to whom was referred Senate Bill No. 328.

A bill for an Act to amend Chapter 229 of the Laws of 1911, prohibiting the introduction of intoxicating liquors, narcotics or other habit-forming drugs into any of the buildings or upon the premises of any of the penal or charitable institutions of the state, or of any county, city or village in the state.

Have had the same under consideration and recommend that the same be amended as follows:

In line 6 of the printed bill, after the word "insane" insert "feeble-minded institute."

And when so amended recommend the same do pass.

C. F. MUDGETT,  
Chairman.

Mr. Mudgett moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred Senate Bill No. 118.

A bill for an Act repealing Section 6131 of the Revised Codes of 1905, and declaring void all mortgages or liens by contract hereafter placed on growing crops, with certain specific exceptions.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved  
 That the report be adopted.  
 Which motion prevailed, and  
 The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
 Senate Bill No. 302.

A bill for an Act to prevent unnecessary delay in appeals from the district court to the Supreme Court, arising from delay in making of transcripts of testimony and proceedings, and limiting time within which and prescribing proceedings under which court stenographers must prepare and deliver transcripts ordered, and providing for appointment, qualification and removal of court stenographers and deputy stenographers.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
 Chairman.

Mr. Overson moved  
 That the report be adopted.  
 Which motion prevailed and  
 The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
 Senate Bill No. 285.

A bill for an Act to amend Sections 7205, Revised Codes 1905, and Section 10139, Revised Codes 1905, limiting time within which appeals from judgments and orders in cases, civil and criminal may be taken to the Supreme Court.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
 Chairman.

Mr. Overson moved  
That the report be adopted  
Which motion prevailed and  
The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 300.

A bill for an Act to amend Chapter 218 of the Session  
Laws of 1911, relating to the salaries of judges of county  
courts.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved  
That the report be adopted.  
Which motion prevailed, and  
The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 306.

A bill for an Act to provide for the appointment of clerks  
for county courts and fixing their compensation.

Have had the same under consideration and recommend  
that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved  
That the report be adopted.  
Which motion prevailed and  
The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 351.

A bill for an Act defining unlawful obligations in writing  
and providing a penalty for the violation thereof.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 322.

A bill for an Act pertaining to verdicts and findings and  
abolishing special verdicts in civil and criminal actions.

Have had the same under consideration and recommend  
that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 71.

A bill for an Act to amend Section 7140 of the Revised  
Codes of the year 1905 of the State of North Dakota, relat-  
ing to redemption from foreclosure of real estate mort-  
gage.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

House Bill No. 358.

A bill for an Act providing the rules of practice to prevail in the district courts, county courts of increased jurisdiction, before referees appointed by such courts and in the Supreme Court, and repealing Sections 7054, 7055, 7056, 7057, 7058, 7059, 7064, 7065, 7067, 7068, 7069, 7204 and all other laws in conflict therewith.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

House Bill No. 471.

A bill for an Act to amend Sections 7140 and 7144 of the Revised Codes of 1905, relating to redemption of real estate, payment on and period for redemption, and the filing of certificate of redemption, and the rate of interest to be paid by the redemptioner.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

Which motion prevailed, and

That the report be adopted.

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

House Bill No. 495.

A bill for an Act to amend Sections 377 and 378 of the Revised Codes of 1905, relating to the penalty for failing to make reports and duties of the attorney general in connection with such failure.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on taxes and tax laws made the following report:

*Mr. President:*

Your committee on taxes and tax laws to whom was referred

House Bill No. 374.

A bill for an Act to amend Section 2770 of the Revised Codes of 1905, amended by Chapter 46 of the Laws of North Dakota, A. D. 1907, relating to sidewalk special assessment funds.

Have had the same under consideration and recommend that the same do pass.

HENRY J. LINDE,  
Chairman.

Mr. Linde moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on public printing made the following report:

*Mr. President:*

Your committee on public printing to whom was referred House Bill No. 487.

A bill for an Act to provide for the publication of the state of an unauthenticated, popular edition of the Session Laws and its distribution.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill after the word "publication" in the first line, strike out the word "of" and insert in lieu thereof the word "by." In the last line of Section 1, after the words "shall be," strike out the word "four" and insert in lieu thereof the word "three." In the last line of Section 3, after the word "and" strike out the remainder of the line and insert in lieu thereof the following words: "Ready for distribution on or before the fifteenth day of April next following the Session of the Legislature.

And when so amended recommend the same do pass.

A. L. NELSON,  
Chairman.

Mr. Nelson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on highways and bridges made the following report:

*Mr. President:*

Your committee on highways and bridges to whom was referred

Senate Bill No. 307.

A bill for an Act to repeal Section 3013 of the Revised Codes of 1905 relating to bridge tax in certain cities or municipalities.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A Bill" and insert the following:

"For an Act to amend and re-enact Section 3013 of the

Revised Codes of 1905, relating to bridge tax in certain cities or municipalities.

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

Section 1. Amendment.) That Section 3013 of the Revised Codes of North Dakota for 1905 be and is hereby amended to read as follows:

Section 3013. Bridge Funds to be Turned Over to City.) The county treasurer of each county wherein any city or municipal corporation shall have constructed a bridge or shall hereafter construct a bridge over any navigable stream shall pay to the city treasurer of such city or municipality whereby such bridge has been constructed or is about to be constructed, all money in the county treasury or which may come into the county treasury in the bridge fund of such county, which may have been or shall be levied, assessed and collected from persons and property, or either, in said city or municipality. *Provided*, however, that should any municipality incur or have received bonded indebtedness for the purpose of constructing such bridge or bridges the county commissioners of such county may submit the question of assuming such bonded indebtedness to the electors of the county, in accordance with the provisions of Section 2405 of the Revised Codes of 1905 and if a majority of the electors voting at such election vote in favor of such proposition, the county shall be deemed to have assumed such bonded indebtedness and shall henceforth be liable to the city for the total amount of such indebtedness remaining undischarged, together with interest on the same, and the county shall thereafter have supervision over such bridges and shall keep and maintain the same in accordance with the requirements of the Act of Congress authorizing the construction of such bridge or bridges. When the county shall have assumed the obligation as herein provided the taxes collected for bridge purposes in such city shall be retained in the bridge fund of such county.

And report the same back without recommendation.

CHAS. ELLINGSON,  
Chairman.

Mr. Ellingson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on agriculture made the following report:

*Mr. President:*

Your committee on agriculture to whom was referred  
House Bill No. 409.

A bill for an Act authorizing the establishment of nurseries under the supervision of a state forester, providing for the distribution of seeds and forest trees seedlings to institutions and land owners of the state.

Have had the same under consideration and recommend that the same do pass.

JAMES DUNCAN,  
Chairman.

Mr. Duncan moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on agriculture to whom was referred  
House Bill No. 256.

A bill for an Act providing for a bounty for and defining shelter hedges.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES DUNCAN,  
Chairman.

Mr. Duncan moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on agriculture to whom was referred  
House Bill No. 294.

A bill for an Act repealing Chapter 233 of the Laws of North Dakota for the year 1911.

Have had the same under consideration and recommend that the same do pass.

JAMES DUNCAN,  
Chairman.

Mr. Duncan moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on railroads made the following report:

*Mr. President:*

Your committee on railroads to whom was referred  
House Bill No. 467.

A bill for an Act requiring every railroad, railroad corporation, railway company, car company and every common carrier other than by water whether operated by steam or electricity, to keep and maintain a constant and uninterrupted lookout for animals, pedestrians or any obstructions on its track that might interfere with the moving of trains and making such railroad, railroad corporation, railway company, car company and of every such common carrier liable for any damages caused by its failure to keep and maintain such lookout and abolishing the defense of contributory negligence in such cases.

Have had the same under consideration and return the same without recommendation.

E. F. GILBERT,  
Chairman.

Mr. Gilbert moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on railroads to whom was referred  
House Bill No. 459.

A bill for an Act regulating the sweeping of railway coaches or cars while occupied by passengers and providing for a penalty therefor.

Have had the same under consideration and recommend that the same do pass.

E. F. GILBERT,  
Chairman.

Mr. Gilbert moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on education made the following report:

*Mr. President:*

Your committee on education to whom was referred

Senate Bill No. 346.

A bill for an Act to amend and re-enact Section 34 of Chapter 266 of the Session Laws of 1911, relating to salary and expenses of county superintendents.

Have had the same under consideration and recommend that the same be amended as follows:

In the printed bill, beginning at line 12, strike out all after the word "law" down to and including the word "town" in line 15.

And in line 20 thereof, change the period to a semi-colon and insert the following: "provided that it shall audit and order paid, in lieu of such mileage for a calendar month or longer, his properly verified statement of actual and necessary traveling expenses in pursuit of official duty, allowing for the use of his own conveyance at the usual public livery rate in his county seat town."

And when so amended recommend the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred

Senate Bill No. 327.

A concurrent resolution to amend Section 154 of the Constitution of the State of North Dakota, relating to the apportioning of the interest and income derived from the permanent fund of the common schools.

Have had the same under consideration and recommend that the same be amended as follows:

In the first line of the enacting clause of original bill strike out the words "House of Representatives" and insert in lieu thereof the word "Senate."

In the second line of the enacting clause strike out the word "Senate" and insert in lieu thereof the words "House of Representatives."

And when so amended recommend the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred  
Senate Bill No. 326.

A bill for an Act to provide for a state board of industrial school trustees, the organization, meetings and compensation of such board, and the purpose, maintenance and government of the state industrial school for manual training at Ellendale, the academy of science at Wahpeton and the school of forestry at Bottineau, and repealing Sections 1092 to 1099, 1172 to 1176, 1231 to 1236 of the Revised Codes of Codes of North Dakota of 1905, as amended by Sections 1092 and 1231 of Chapters 100 and 241 of the Session Laws of North Dakota of 1907.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 14, page 7, line 8, strike out the words "the purchasing agent."

And when so amended recommend the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred  
Senate Bill No. 341.

A bill for an Act to amend and re-enact Section 91 of Chapter 266 of the Session Laws of 1911, relating to school district clerk's annual report.

Have had the same under consideration and recommend that the same be amended as follows:

In the printed bill at line 19, strike out the word "and" and insert in lieu thereof the word "or."

And at line 21 thereof after the word "mileage" insert the words "or expense account."

And when so amended recommend the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 31.

A bill for an Act to amend Section 3 of Chapter 209 of the Session Laws of 1909, relating to the selling, offering or exposure of seed for sale.

Also,

Senate Bill No. 223.

A bill for an Act to provide for the creation of a fire marshal department under the management of the commissioner of insurance, for the better protection and preservation of life and property from fire; for the appointment of a fire marshal and chief assistant marshal; defining their duties and powers; providing penalty for the violation there-

of and means for the enforcement of the provisions of this Act and to provide for a tax upon mutual fire insurance companies therefor.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on elections made the following report:

*Mr. President:*

Your committee on elections to whom was referred

Senate Bill No. 388.

A bill for an Act to repeal Sections 1, 2 and 3 of Chapter 213 of the Session Laws of 1911.

Have had the same under consideration and recommend that the same do pass.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 335.

A bill for an Act to re-enact and amend Section 22 of Chapter 62 of the Session Laws of 1911, relating to the appointment of a state architect and pertaining to his duties and salary. Emergency.

Have had the same under consideration and recommend that the same be amended as follows, in the printed bill:

In Section 1, line 2, before the word "may" insert the following: "chairman of the board of control of state institutions and the state engineer."

In Section 1, line 5, after the word "architect" insert the following: "who may or may not be a resident of the state, and."

In Section 1, line 7, after the word "of" insert the word "all."

In Section 1, line 17, after the word "compensation" strike out the "sum of three" and insert in lieu thereof the following: "not to exceed five."

In Section 1, line 25, after the word "governor," insert the following: "chairman of the board of control of state institutions and state engineer."

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### MOTIONS AND RESOLUTIONS.

Mr. Allen moved

That the vote by which the majority report of the committee to indefinitely postpone House Bill No. 4 was adopted, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Hughes moved

That the Senate do now concur in the House concurrent resolution pertaining to inserting in the Blue Book Washington's Farewell Address, Lincoln's Gettysburg Address and cuts of Washington and Lincoln and the United States Flag.

Which motion prevailed and

The resolution was adopted.

Mr. Overson moved

That the vote by which Senate Bill No. 64 was passed, be reconsidered.

Which motion prevailed.

Mr. Overson moved

That Senate Bill No. 64 be re-referred to the committee on public printing.

Which motion prevailed.

Mr. Bronson moved that Senate Bill No. 307 be referred to the committee of the whole and be made a special order for tomorrow at 3 o'clock P. M.

Which motion prevailed.

### INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Unanimous consent having been granted,

Mr. Nelson introduced

senate Bill No. 389.

A bill for an Act to authorize the trustees of public property to sell at such prices as may be practicable the volumes of the Supreme Court Reports now on hand in the office of the Secretary of State.

Which was read the first and second times and

On motion of Mr. Gibbens, duly carried, was placed on the calendar for Tuesday, March 4th, without reference.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 32.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the initiative and referendum.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, 1 nay, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Davidson	Gilbert
Allen	Davis	Gronvold
Barnes	Duncan	Hanley
Bond	Elken	Helgeland
Bonzer	Ellingson	Hookway
Bronson	Ganssle	Hoverson
Cashel	Garden	Hughes
Clark	Gibbens	Hyland

Messrs.—	Messrs.—	Messrs.—
Jacobsen	Nelson	Thoreson
Leutz	Overson	Trageton
Loftsgaard	Nelson	Turner
McBride	Porterfield	Vail
McDowell	Putnam	Wartner
McLean	Steel	Williams
Mudgett	Talcott	Young

Mr. Carter voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Kretschmar	Linde
Heckle		

Messrs. Englund, Heckle and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Gibbens moved

That the vote by which Senate Bill No. 32 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 73.

A bill for an Act amending the Constitution of the State of North Dakota, providing for future amendments thereof.

Was read the third time.

Mr. Bronson moved

A call of the Senate.

Which motion prevailed.

Mr. Putnam moved

That further proceedings under the call be dispensed with.

Which motion prevailed.

The question being on the final passage of the bill.

The roll was called and there were 32 ayes, 15 nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hookway	Porterfield
Bond	Hoverson	Putnam
Clark	Hughes	Steel
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Ellingson	Kretschmar	Turner
Garden	Leutz	Vail
Gibbens	McBride	Wartner
Gilbert	Mudgett	Williams
Gronvold	Overson	Young
Hanley	Plain	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Cashel	Loftsgaard
Barnes	Duncan	McDowell
Bonzer	Elken	McLean
Bronson	Ganssle	Nelson
Carter	Helgeland	Talcott

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Heckle	Linde

Messrs. Englund, Heckle and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Gibbens moved

That the vote by which Senate Bill No. 73 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The President pro tempore presiding.

Senate Bill No. 31.

A bill for an Act to amend Section 3 of Chapter 209 of the Session Laws of 1909, relating to the selling, offering or exposure of seed for sale.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 42 ayes, no nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gilbert	McLean
Barnes	Gronvold	Overson
Bonzer	Hanley	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hvland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ganssle	Loftsgaard	Wartner
Garden	McBride	Young

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bond	Heckle	Nelson
Ellingson	Linde	Williams
Englund	Mudgett	

Messrs. Englund, Heckle and Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 330.

A bill for an Act to amend Section 35 of the Revised Codes of 1905 for North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 42 ayes, no nays, 8 absent and not voting.

**Those voting in the affirmative were:**

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bonzer	Hookway	Plain
Bronson	Hoverson	Porterfield
Carter	Hughes	Putnam
Cashel	Hyland	Steel
Clark	Jacobsen	Talcott
Davis	Kretschmar	Thoreson
Duncan	Leutz	Trageton
Elken	Loftsgaard	Turner
Ellingson	McBride	Vail
Ganssle	McDowell	Wartner
Garden	McLean	Young

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bond	Hanley	Linde
Davidson	Heckle	Williams
Englund	Helgeland	

Messrs. Englund, Heckle and Linde being excused.

So the bill passed and the title was agreed to.

There being no objection the Senate returned to the 8th order of business.

Mr. McDowell moved

That the vote by which House Bill No. 93 was indefinitely postponed be reconsidered.

Which motion prevailed.

Mr. McDowell moved

That House Bill No. 93 be recalled from the House and be re-referred to the committee on appropriations.

Which motion prevailed.

Senate Bill No. 194.

A bill for an Act making an appropriation for the Dairy Department of the State of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, no nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Overson
Allen	Gronvold	Plain
Barnes	Helgeland	Porterfield
Bond	Hookway	Putnam
Bonzer	Hoverson	Steel
Bronson	Hughes	Talcott
Carter	Hyland	Thoreson
Cashel	Jacobsen	Trageton
Clark	Kretschmar	Turner
<b>Davis</b>	Leutz	Vail
Duncan	Loftsgaard	Wartner
Elken	McBride	Williams
Ellingson	McDowell	Young
Ganssle	Mudgett	
Garden	Nelson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davidson	Hanley	McLean
Englund	Heckle	
Gibbens	Linde	

Messrs. Englund, Heckle and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved

That the vote by which Senate Bill No. 194 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Davis presiding.

There being no objection the Senate returned to the 6th order of business and

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 64.

A bill for an Act to amend Sections 38, 46, 51, 66 of the Revised Codes of 1905, to provide for the printing and prescribing the manner of distribution of the Legislative Manual, known as the North Dakota Blue Book.

Also.

Senate Bill No. 257.

A bill for an Act to provide for the payment of county warrants, when there is no money in the hands of the county treasurer for the payment of such warrants, out of the funds on which they are drawn.

Also.

Senate Bill No. 279.

A bill for an Act to provide forest tree culture, and providing for a bounty for tree planting, and the levy of a tax to pay such bounty.

And find the same correctly re-engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 3rd, 1913.

*Mr. President:*

I have the honor to return herewith House Bill No. 93.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

## Senate Bill No. 195.

A bill for an Act to provide additional Assistant Dairy Commissioners, defining their duties, salaries, expenses, and how same shall be paid.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Helgeland	Plain
Bonzer	Hookway	Porterfield
Bronson	Hoverson	Putnam
Carter	Hughes	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davis	Kretschmar	Trageton
Duncan	Leutz	Turner
Elken	Loftsgaard	Vail
Ellingson	McBride	Wartner
Ganssle	McDowell	Williams
Garden	McLean	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davidson	Gibbens	Linde
Englund	Heckle	

Messrs. Englund, Heckle and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved

That the vote by which Senate Bill No. 195 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## Senate Bill No. 246.

A bill for an Act to amend and re-enact Sections 2 and 4, Chapter 129, Session Laws of 1911, relating to election privileges.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, 1 nay, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Mudgett
Allen	Gibbens	Nelson
Barnes	Gilbert	Overson
Bond	Gronvold	Plain
Bonzer	Hookway	Porterfield
Bronson	Hoverson	Putnam
Carter	Hughes	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Trageton
Davis	Leutz	Turner
Duncan	Loftsgaard	Vail
Elken	McBride	Wartner
Ellingson	McDowell	Williams
Ganssle	McLean	Young

Mr. Helgeland voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Heckle	Linde
Hanley		

Messrs. Englund, Heckle and Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 333.

A bill for an Act creating a state highway commission, defining their duties and powers.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 0 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Mudgett
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Helgeland	Plain
Bonzer	Hookway	Porterfield
Bronson	Hoverson	Putnam
Carter	Hughes	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Trageton
Davis	Leutz	Turner
Duncan	Loftsgaard	Vail
Elken	McBride	Wartner
Ellingson	McDowell	Williams
Ganssle	McLean	Young

**Absent and not voting:**

Messrs.—  
Englund  
Gibbens

Messrs.—  
Hanley  
Heckle

Messrs.—  
Linde

Messrs. Englund, Heckle and Linde being excused.

So the bill passed and the title was agreed to.

The President presiding.

The Secretary announced that the President was about to sign

House Bill No. 287.

A bill for an Act entitled, "An Act to appropriate \$578.35 out of the general fund in the state treasury not otherwise appropriated, to the County of Burke, State of North Dakota, for the purpose of reimbursing said county for moneys paid out of the county treasury on account of glandered houses.

House Bill No. 329.

A bill for an Act providing for the proper identification of persons charged with the commission of a public offense.

House Bill No. 94.

A bill for an Act making an appropriation for a mess house on the Rock Island Military Wood Reservation near Devils Lake, North Dakota, and a stand of colors.

House Bill No. 260.

A bill for an Act making an appropriation for the Williston Experimental Station located at Williston, in Williams County, North Dakota.

House Bill No. 250.

A bill for an Act making an appropriation to pay F. O. Hellstrom for the use of land for the state penitentiary for the years 1907, 1908, 1909, 1910, 1911, 1912.

House Bill No. 233.

A bill for an Act making an appropriation to meet the deficiency incurred by the state live stock sanitary board, in carrying out the purchases of Chapter 169 of the Session Laws of 1907.

House Bill No. 193.

A bill for an Act making appropriation for the deficit, covering the support and maintenance during the last bien-

nial period of the agricultural sub-experiment station located at Hettinger.

House Bill No. 147.

A bill for an Act to appropriate the sum of five thousand dollars for the biennial period, for the purchase of books by the public library commission, with especial reference to the needs of farms, school and community libraries.

House Bill No. 105.

A bill for an Act to amend Section 3048 of the Revised Codes of North Dakota for 1905, relating to the organization of townships.

And the President signed the same in the presence of the Senate.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

March 3rd, 1913.

*Mr. President:*

I have the honor to transmit herewith

House Bill No. 361.

A bill for an Act to amend Section 1350 of the Revised Codes of 1905, as amended in Chapter 148 of the Laws of 1911, relating to laying out, altering and discontinuing roads.

Also,

House Bill No. 496.

A bill for an Act authorizing county commissioners to submit to the voters of their counties at any general or special election called for that purpose, the question of establishing at the county seat of their county a public market place for the sale of farm produce and the maintenance of such market place.

Also,

House Bill No. 405.

A bill for an Act to amend Section 1 of Chapter 177 of the Session Laws of North Dakota for 1907, relating to attorney's fees on foreclosure.

Also,

House Bill No. 274.

A bill for an Act authorizing the board of trustee of public property to acquire for the state, by purchase or condemnation proceedings in the name of the state, additional land for capitol park and site purposes and making an appropriation therefor.

Also,

House Bill No. 456.

A bill for an Act to provide for the manner of letting and making all contracts by or on the behalf of cities for work or improvements.

Also,

House Bill No. 406.

A bill for an Act to amend Chapter 156 of the Laws of 1907.

Also,

House Bill No 238.

A bill for an Act to amend Section 70 of Chapter 266 of the Session Laws of 1911, relating to the purchase of school supplies.

Also,

House Bill No. 209.

A bill for an Act to amend and re-enact Sections 9 and 12 of Chapter 109 of the Laws passed by the Tenth Legislative Assembly of the State of North Dakota and Acts amendatory thereto, relating to primary election ballots and party nominations and repealing Chapter 212 of the Laws of 1911.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

#### SPECIAL ORDER.

Senate Bill No. 214.

A bill for an Act establishing a hail insurance department and making the commissioner of agriculture and labor also the commissioner of hail insurance; prescribing rules, regulations and duties of officers and persons connected there-

with; prescribing how premiums, expense, and indemnity for losses by hail shall be paid, and repealing all Acts or parts of Acts in conflict with the provisions of this Act.

Was read the third time.

Mr. Plain offered the following amendment to Senate Bill No. 214 and moved its adoption.

Insert the figure " $\frac{1}{2}$ " after the figure "12" in line 15, on page 8 of the engrossed bill.

Which motion prevailed and

The amendment was adopted.

Mr. Plain offered the following amendments to Senate Bill No. 214, as printed in the Journal of the Senate for the 53rd day at pages 56 to 64 thereof, and moved their adoption.

In Section 6 of the bill, on page 60 of the Journal of the Senate for the 53rd day, strike out the clause following the word "occurred," in the 8th line from the bottom of said Section, beginning with the word "but" in such line and ending with the word "occurred" in the 4th line from the bottom of Section 6, on page 60 of the Journal of the Senate for the 53rd day, and insert in lieu thereof the following:

"If the total value of the crop insured be less than eight dollars per acre, then, in case of total loss, the insured shall receive the total value thereof; and the loss be partial, then the insured shall receive that percentage of value which the loss bears to the total value of the crop insured. If the value of the crop be more than eight dollars per acre, the insured shall receive the percentage of the maximum of eight dollars which the loss bears to the total value of the crop."

In Section 9, on page 61 of the Journal of the Senate for the 53rd day, strike out the words "and allowed by the state auditing board" where the same occurs in said Section at the bottom of said page 61, and in the first line on page 62 of the Journal, and after the word "fund" in the first line of said Section, on page 62 of the Journal for the 53rd day, strike out the period and insert in lieu thereof a comma, and after the comma, insert the following "on warrants drawn by the state auditor."

Strike out all of Section 12, on page 63 of the Journal of the Senate for the 53rd day, and insert in lieu thereof the following: "Section 12 $\frac{1}{2}$ . When the commissioner of hail insurance has figured up the whole year's business, as indi-

cated in Section eleven hereof, he shall prepare and furnish to the state auditor a certified list of the losses arranged by counties, showing the names and addresses of persons who have suffered loss by hail and are entitled to compensation for such losses under the provisions of this Act, the appraised losses and the amount to be paid each such person; upon receipt of this list from the commissioner of hail insurance it shall be the duty of the state auditor immediately to draw warrants for said amounts upon the state treasurer, the amounts of which shall be charged to the state hail insurance fund, in favor of each person entitled thereto and to mail such warrants forthwith to each person entitled thereto, as shown by the certified list of the state hail insurance commissioner aforesaid. It shall also be the duty of the state hail insurance commissioner to mail a copy of each such list of losses and amounts allowed to each and every person named in such list and who has suffered loss by hail during the year for which such list is made."

Which motion prevailed and

The amendments were adopted.

Mr. Davis offered the following amendment to Senate Bill No. 214 and moved its adoption:

Strike out the word "thirty" wherever it appears in the bill and insert in lieu thereof the words "thirty-five."

Which motion was lost.

Mr. McDowell offered the following amendment to Senate Bill No. 214 and moved its adoption:

Strike out of amended bill the word "state" wherever it appears as a prefix to the designation of the commissioner of hail insurance.

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 41 ayes, 1 nay, 8 absent and not voting:

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Cashel	Garden
Allen	Clark	Gibbens
Barnes	Duncan	Gilbert
Bond	Elken	Hanley
Bonzer	Ellingson	Helgeland
Bronson	Ganssle	Hookway

Messrs.—  
 Hoverson  
 Hyland  
 Jacobsen  
 Kretschmar  
 Leutz  
 Loftsgaard  
 McBride  
 McDowell

Messrs.—  
 McLean  
 Mudgett  
 Nelson  
 Overson  
 Plain  
 Porterfield  
 Putnam  
 Steel

Messrs.—  
 Talcott  
 Thoreson  
 Trageton  
 Turner  
 Wartner  
 Williams  
 Young

Mr. Davis voted in the negative.

Absent and not voting.

Messrs.—  
 Carter  
 Davidson  
 Englund

Messrs.—  
 Gronvold  
 Heckle  
 Hughes

Messrs.—  
 Linde  
 Vail

Messrs. Englund, Heckle and Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 311.

A bill for an Act declaring the island situated in the Missouri River south of the city of Williston, and all islands that may appear in said river within five miles of said city, state parks.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, no nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
 Albrecht  
 Allen  
 Barnes  
 Bond  
 Bonzer  
 Bronson  
 Cashel  
 Clark  
 Davis  
 Duncan  
 Ellingson  
 Ganssle  
 Garden  
 Gibbens  
 Gilbert

Messrs.—  
 Gronvold  
 Hanley  
 Helgeland  
 Hookway  
 Hoverson  
 Hughes  
 Hyland  
 Jacobsen  
 Kretschmar  
 Leutz  
 Loftsgaard  
 McBride  
 McDowell  
 McLean  
 Mudgett

Messrs.—  
 Nelson  
 Overson  
 Plain  
 Porterfield  
 Putnam  
 Steel  
 Talcott  
 Thoreson  
 Trageton  
 Turner  
 Wartner  
 Williams  
 Young

Absent and not voting:

Messrs.—  
 Carter  
 Davidson  
 Elken

Messrs.—  
 Englund  
 Heckle  
 Linde

Messrs.—  
 Vail

Messrs. Englund, Heckle and Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 223.

A bill for an Act to provide for the creation of a fire marshal department for the better protection and preservation of life and property from fire, for the appointment of a fire marshal, chief assistant fire marshal and deputies. Defining their duties and powers. Providing penalties for the violation and enforcement of the provisions of this Act, and to provide for a tax upon fire insurance companies therefor.

Was read the third time.

Mr. Gilbert offered the following amendment to Senate Bill No. 223 and moved its adoption:

At the end of Section 16 add the following: "And that each foreign fire insurance companies shall hereafter pay to the commissioner of insurance on or before April 1st, 1913, and annually thereafter, a tax upon its fire premiums as follows: one-fourth of one per cent of the gross premiums, less returned premiums, on all direct business received by it in this state or by its agents for it during the preceding calendar year.

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, 3 nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	Overson
Allen	Hanley	Plain
Barnes	Helgeland	Porterfield
Bond	Hookway	Putnam
Bonzer	Hoverson	Steel
Bronson	Hyland	Talcott
Carter	Jacobsen	Thoreson
Cashel	Kretschmar	Trageton
Clark	Leutz	Turner
Davidson	Loftsgaard	Vail
Duncan	McBride	Wartner
Ellingson	McDowell	Williams
Ganssle	McLean	Young
Garden	Mudgett	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Elken	Gibbens	Gilbert

**Absent and not voting:**

Messrs.—  
**Davis**  
 Englund

Messrs.—  
 Heckle  
 Hughes

Messrs.—  
 Linde  
 Nelson

Messrs. Englund, Heckle and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Garden moved

That the vote by which Senate Bill No. 223 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

There being no objection the Senate returned to the sixth order of business and

The committee on education made the following report:

*Mr. President:*

Your committee on education to whom was referred Senate Bill No. 376.

A bill for an Act to amend Section 232 of Chapter 266 of the Session Laws of 1911, relating to education.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, page 2, line 1, of the original bill, strike out the last letter in the word "therefore."

In Section 1, page 2, line 4, strike out the word "the."

In Section 1, page 2, line 23, strike out the word "each" and insert in lieu thereof the word "every."

In Section 1, page 2, line 27, strike out the word "half" and insert in lieu thereof the word "quarter."

In Section 1, page 2, line 28, after the word "nearest" insert the word "public."

In Section 1, page 2, line 30, strike out the word "half" and insert in lieu thereof the word "quarter."

In Section 1, page 2, line 31, strike out the word "half" and insert in lieu thereof the word "quarter"; in the same line after the word "nearest" insert the word "public."

In Section 1, page 3, strike out everything after the word "two," and insert in lieu thereof the following: "and chil-

dren living at a greater distance than three and one-quarter miles from the school house by the nearest public route shall be in zone number three. In providing compensation for transportation the school board shall provide a maximum compensation per family for the first zone, and compensation per family for transportation from zone number two shall be one-half greater per family than for zone number one, and compensation per family for zone number three shall be twice the compensation per family for zone number one. Provided, that when provision has been made for the transportation of pupils by the school board of any district agreeably to the provisions of this Chapter, the pupils residing therein shall be amenable to the provisions of law requiring the attendance at school of such pupils. Provided, further, that the provisions for transportation shall not apply to deaf, blind and feeble-minded children in this state, and this Section shall not be construed to apply to parents, guardians or other persons having control of any child or children between the ages of eight and fifteen, who desire to send such child or children for a total period of not exceeding six months, which may be taken in one or more years, to any parochial school for the purpose of preparing such child or children for certain religious duties. It shall be the duty of the clerk of the school board to include in his annual statement an item setting forth the amount spent for transportation of pupils."

In Section 1, page 2, line 28, strike out the word "half" and insert in lieu thereof the word "quarter."

And when so amended recommend the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on warehouses, grain and grain grading made the following report:

*Mr. President:*

Your committee on warehouses, grain and grain grading to whom was referred

Senate Bill No. 358.

A bill for an Act to require the railroad commission to formulate a uniform system of accounting for public ele-

vators and warehouses and to provide for the examination of the accounts of such elevators and warehouses when requested by not less than 15 per cent of the stockholders thereof, and prescribing fees therefor; and amending Chapter 251 of the Session Laws of 1911, relating to the filing of bonds by public warehouses.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1, Section 2, after the word "examination," insert the following: "the railroad commission may and."

And when so amended recommend the same do pass.

MARTIN THORESON,  
Chairman.

Mr. Thoreson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on cities and municipal corporations made the following report:

*Mr. President:*

Your committee on cities and municipal corporations to whom was referred

Senate Bill No. 241.

A bill for an Act to amend Sections 2772, 2775, 2776, 2777 and 2786, Revised Codes of 1905, as amended by Chapter 70 of the Laws of North Dakota, A. D. 1911, relating to the creation of improvement districts and the purpose for which special assessments may be levied in this state.

Have had the same under consideration and recommend that the same be amended as follows:

In line 10 of Section 3 of the printed bill after the word "city" insert the word "council."

In line 14 of Section 4 of printed bill, strike out the word "city."

In line 16 of Section 5 of printed bill, divide the word "watermain."

In line 17 of Section 5 of printed bill, strike out the word "collected" and insert in lieu thereof the word "levied."

In line 18, before the word "and," insert the word "fund."

In line 39 of Section 5 of printed bill, after the word "signed" insert the following: "by the mayor and countersigned by the city auditor."

And when so amended recommend the same do pass.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on cities and municipal corporations to whom was referred

Senate Bill No. 290.

A bill for an Act extending the powers of the board of trustees of incorporated villages, relative to sidewalks, sewers, paving and water mains.

Have had the same under consideration and recommend that the same do pass.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on military affairs made the following report:

*Mr. President:*

Your committee on military affairs to whom was referred

House Bill No. 377.

A bill for an Act providing for accepting by the State of North Dakota any military reservation, Indian school reservation and all property connected therewith, that the United States may cede or transfer to the State of North Dakota, subject to any conditions and requirements which Congress may make.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out the word "will" in line 1 of Section 1, and insert in lieu thereof the word "may."

And when so amended recommend the same do pass.

J. M. HANLEY,  
Chairman.

Mr. Hanley moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the fifty-third day after recess and fifty-fourth day, have carefully examined the same and recommend that the same be corrected as follows:

On page 3, line 30, correct the spelling of the word "Dakota."

On page 4, line 22, correct the spelling of the word "city."

On page 4, line 34, correct the spelling of the name "Helgeland."

On page 8, line 5, strike out the name "Heckle" and insert in lieu thereof the name "Hanley."

On page 25, line 3, after the word "committec," insert the following: "on insurance."

On page 26, line 8, strike out the word "alarms" and insert in lieu thereof the words "alarm systems."

On page 28, line 1, after the word "marshal" insert a comma.

On page 39, line 9, strike out the word "the."

On page 42, between lines 4 and 5 insert the words "Senate Bill No. 4."

On page 54, line 6, correct the word "commencing."

On page 58, line 36, strike out the word "he" and insert the word "the."

On page 61, line 25, strike out the figures "23" and insert in lieu thereof the figures "25."

On page 65, line 36, correct the spelling of the words "repeal sections."

On page 67, after line 15, insert the following "vised Codes of North Dakota for 1905."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

There being no objection, the Senate returned to the ninth order of business, and

The Joint Committee on Education introduced

Senate Bill No. 390.

A bill for an Act to amend Section 84 of Chapter 266 of the Session Laws of 1911, relating to education.

Which was read the first and second times and

Referred to the committee on education.

There being on objection, the Senate returned to the eighth order of business, and

Mr. Plain moved

That the vote by which House Bill No. 49 was indefinitely postponed be reconsidered.

Which motion prevailed.

Mr. Plain moved

That House Bill No. 49 be recalled from the House and be re-referred to the committee on appropriations.

Which motion prevailed.

Mr. Talcott moved

That the vote by which Senate Bill No. 315 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 77.

A bill for an Act to amend Sections 1851, 1852, 1853, 1858, 1859, 1860, 1862, 1863, 1866, 1867, 1868, 1869 and 1870 of the Revised Codes of 1905, and to repeal Sections 1855, 1856 and 1861 of the said Codes, and providing for the relief of poor persons.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 40 ayes, 3 nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrocht	Gronvold	Plain
Allen	Hanley	Porterfield
Barnes	Hookway	Putnam
Bond	Hoverson	Steel
Bonzer	Hughes	Talcott
Bronson	Hyland	Thoreson
Cashel	Jacobsen	Trageton
Clark	Kretschmar	Turner
Duncan	Leutz	Vail
Elken	McBride	Wartner
Ganssle	McLean	Williams
Garden	Mudgett	Young
Gibbens	Nelson	
Gilbert	Overson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Davidson	Helgeland	Loftsgaard

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Englund	McDowell
Davis	Heckle	
Ellingson	Linde	

Messrs. Englund, Heckle and Linde being excused.

So the bill passed and the title was agreed to.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., March 3, 1913.

*Mr. President:*

I have the honor to return  
House Bill No. 49.

A bill for an Act making appropriation for the current and contingent expenses of the state penitentiary, and for making permanent improvements and additions thereto.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Senate Bill No. 350.

A bill for an Act fixing priorities of liens, and requiring all persons who may be entitled to a mechanics' lien to file a notice of lien, to take a statement or acknowledgment for such lien and providing a penalty for filing unlawful liens.

Was read the third time.

Mr. Elken offered the following amendment to Senate Bill No. 350 and moved its adoption.

In Section 2, line 8 of the printed bill, strike out the words "contractor or sub-contractor."

Also in Section 2, line 1 of the printed bill, strike out the words "contractor or sub-contractor."

Which motion prevailed and

The amendment was adopted.

Mr. Ellingson offered the following amendment to Senate Bill No. 350 and moved its adoption:

In Section 1, line 22 of the printed bill, after the word "lien," insert the following: "Provided that no lien shall be filed against a homestead as limited and defined by the laws of the State of North Dakota."

Which motion was lost.

Mr. Overson offered the following amendment to Senate Bill No. 350 and moved its adoption:

In Section 2, line 6, of the printed bill strike out the word "he" and insert in lieu thereof the words "the owner of the premises."

Which motion prevailed and

The amendment was adopted.

Mr. Elken offered the following amendments to Senate Bill No. 350 and moved their adoption:

Section 1, line 2 of the printed bill, after the word "material" insert the words "or labor."

Also Section 2, line 3 of the printed bill after the word "material" insert the words "or labor."

Also Section 2, line 15 of the printed bill, after the word "material" insert the words "or labor."

Which motion prevailed and

The amendments were adopted.

Mr. Hookway offered the following amendment to Senate Bill No. 350 and moved its adoption:

In Section 1, line 15, after the word "agent" insert the following: "provided that no lien shall be filed for lumber for a sum less than fifty dollars."

Which motion prevailed and

The amendment was adopted.

Mr. Overson offered the following amendment to Senate Bill No. 350 and moved its adoption:

In Section 2, line 8 of the printed bill, after the word "owner" insert the following: "or his duly authorized agent."

Which motion prevailed and

The amendment was adopted.

Mr. Elken offered the following amendment to Senate Bill No. 350 and moved its adoption:

In all places in the bill where the word "material" appears insert the words "or labor."

Which motion prevailed and

The amendment was adopted.

Mr. Davis moved

That Senate Bill No. 196 be recalled from the House.

Which motion prevailed.

The courtesies of the floor were extended to Hon. W. C. Crawford, W. F. Burnett, H. A. Burgeson, J. V. Jessen, T. S. Hunt, Lamoure; Daniel Healy, Devils Lake; C. O. Halgrim, Sharon; R. I. Beale, Hazelton.

Mr. Talcott moved

That the Senate do now take a recess until tomorrow, March 4th, at 1 o'clock P. M.

Which motion prevailed and

The Senate took a recess.

W. D. AUSTIN,  
Secretary.

FIFTY-SIXTH DAY AFTER RECESS AND FIFTY-SEVENTH DAY.

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SENATE CHAMBER,  
BISMARCK, NORTH, DAKOTA,  
March 4, 1913.

The Senate convened at 1 o'clock P. M. pursuant to recess taken.

The President presiding.

Mr. Hanley moved

That the Senate proceed to the fourteenth order of business.

Which motion prevailed.

FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 432.

A bill for an Act to amend and re-enact Sections 2792, 2793 and 2804 of the Revised Codes of North Dakota for 1905, relating to special assessments for sewers, water mains, sidewalks and other purposes.

Was read the first and second time and

Referred to committee on cities and municipal corporations.

House Bill No. 573.

A bill for an Act to provide for the care, maintenance and instruction of blind babies and children under school age.

Was read the first and second time and

Referred to committee on ways and means.

House Bill No. 27.

A bill for an Act to prohibit insurance companies and their agents from rebating, discrimination and twisting.

Was read the first and second time and

Referred to committee on insurance.

House Bill No. 415.

A bill for an Act to amend Section 2386 of the Revised Codes of 1905, providing for the increase or diminishing of the number of county commissioners.

Was read the first and second time and

Referred to committee on state affairs.

House Bill No. 355.

A bill for an Act to provide for non-partisan municipal elections and method of making nominations for such officers.

Was read the first and second time and

Referred to committee on elections.

House Bill No. 258.

A bill for an Act to limit tax levies during the years 1913 and 1914, to restrict debt limits, and to regulate salaries of officers, which, under existing laws, depend upon assessed valuation.

Was read the first and second time and

Referred to committee on state affairs.

House Bill No. 482.

A bill for an Act authorizing and directing state board of pardons to reconsider after favorable action has been taken by them of the application of any convict in the state penitentiary for pardon or parole, on their own motion or on the application of interested parties before the release of such convict from the state penitentiary.

Was read the first and second time and

Referred to committee on state affairs.

House Bill No. 448.

A bill for an Act to amend Section 2589 of the Revised

Codes of 1905, as amended by Chapter 119 of the Session Laws of 1909, relating to fees in county court.

Was read the first and second time and

Referred to committee on judiciary.

House Bill No. 453.

A bill for an Act to amend Section 9 of Chapter 80 of the Session Laws of North Dakota for the year 1909, relating to practice in county courts having increased jurisdiction.

Was read the first and second time and

Referred to committee on judiciary.

House Bill No. 428.

A bill for an Act entitled "An Act specifying who may be sent to the state reform school and amending Section 10401 of the Revised Codes of North Dakota of 1905."

Was read the first and second time and

Referred to committee on state affairs.

House Bill No. 481.

A bill for an Act to amend Section 16 of Chapter 77 of the Laws of 1911, entitled "Commission system of government."

Was read the first and second time and

Referred to committee on cities and municipal corporations.

House Bill No. 349.

A bill for an Act providing for county treasurer's notice to taxpayers.

Was read the first and second time and

Referred to committee on ways and means.

House Bill No. 496.

A bill for an Act authorizing county commissioners to submit to the voters of their counties at any general or special election called for that purpose, the question of establishing a the county seat of their county a public market place for the sale of farm produce and the maintenance of such market place.

Was read the first and second time and

Referred to committee on state affairs.

House Bill No. 405.

A bill for an Act to amend Section 1 of Chapter 177 of the Session Laws of North Dakota for 1907, relating to attorney's fees on foreclosure.

Was read the first and second time and  
Referred to committee on judiciary.

House Bill No. 274.

A bill for an Act authorizing the board of trustees of public property to acquire for the state, by purchase or condemnation proceedings in the name of the state, additional land for capitol park and site purposes and making an appropriation therefor.

Was read the first and second time and  
Referred to committee on state affairs.

House Bill No. 456.

A bill for an Act to provide for the manner of letting and making all contracts by or on the behalf of cities for work or improvements.

Was read the first and second time and  
Referred to committee on cities and municipal corporations.

House Bill No. 406.

A bill for an Act to amend Chapter 156 of the Laws of 1907.

Was read the first and second time and  
Referred to committee on insurance.

House Bill No. 238.

A bill for an Act to amend Section 70 of Chapter 266 of the Session Laws of 1911, relating to the purchase of school supplies.

Was read the first and second time and  
Referred to committee on education.

House Bill No. 361.

A bill for an Act to amend Section 1350 of the Revised Codes of 1905, as amended in Chapter 148 of the Laws of 1911, relating to laying out, altering and discontinuing roads.

Was read the first and second time and  
Referred to committee on highways and bridges.

## House Bill No. 209.

A bill for an Act to amend and re-enact Sections 9 and 12 of Chapter 109 of the Laws passed by the Tenth Legislative Assembly of the State of North Dakota and Acts amendatory thereto, relating to primary election ballots and party nominations and repealing Chapter 212 of the Laws of 1911.

Was read the first and second time and

Referred to committee on elections.

## REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

## Senate Bill No. 302.

A bill for an Act to prevent unnecessary delay in appeals from the district court to the supreme court, arising from delay in making of transcripts of testimony and proceedings, and limiting time within which and prescribing proceedings under which court stenographers must prepare and deliver transcripts ordered, and providing for appointment, qualification and removal of court stenographers and deputy stenographers.

Also,

## Senate Bill No. 306.

A bill for an Act to provide for the appointment of clerks for county courts and fixing their compensation.

Also,

## Senate Bill No. 322.

A bill for an Act pertaining to verdicts and findings and abolishing special verdicts in civil and criminal actions.

Also,

## Senate Bill No. 327.

A bill for an Act to amend Section 154 of the Constitution of the State of North Dakota, relating to the apportioning of the interest and income derived from the permanent fund of the common schools.

Also,

Senate Bill No. 328.

A bill for an Act to amend Chapter 299 of the Laws of 1911, prohibiting the introduction of intoxicating liquors, narcotics, or other habit-forming drugs, into any of the buildings or upon the premises of any of the penal or charitable institutions of the state, or of any county, city or village in the state.

Also,

Senate Bill No. 335.

A bill for an Act to re-enact and amend Section 22 of Chapter 62 of the Session Laws of 1911, relating to the appointment of a state architect, and pertaining to his duties and salary. Emergency.

Also,

Senate Bill No. 341.

A bill for an Act to amend and re-enact Section 91 of Chapter 266 of the Session Laws of 1911, relating to school district clerk's annual report.

Also,

Senate Bill No. 346.

A bill for an Act to amend and re-enact Section 34 of Chapter 266 of the Session Laws of 1911, relating to salary and expenses of county superintendents.

Also,

Senate Bill No. 352.

A bill for an Act to define the duty of the heads of state institutions and state boards to make reports.

Also,

Senate Bill No. 361.

A bill for an Act creating a state board of chiropractic examiners; to regulate the practice of chiropractic in the State of North Dakota; defining chiropractic; providing for licensing chiropractors and to prescribe penalties for the violation of this Act.

Also,

Senate Bill No. 372.

A bill for an Act to amend Section 1 of Chapter 120, Session Laws for 1909, relating to sheriff's fees.

Also,

Senate Bill No. 381.

A bill for an Act prohibiting the sale of pure bred cattle unless accompanied by a certificate of health.

Also,

Senate Bill No. 386.

A bill for an Act to amend Section 1516 of the Revised Codes of 1905, relating to the bond and oath of assessors.

Also,

Senate Bill No. 388.

A bill for an Act to repeal Sections 1, 2 and 3 of Chapter 213 of the Session Laws of 1911.

Also,

Senate Bill No. 389.

A bill for an Act to authorize the trustees of public property to sell at such prices as may be practical the volumes of the Supreme Court now on hand in the office of the secretary of state.

And find the same correctly engrossed.

W. P. PORTERFIELD,  
Acting Chairman.

Mr. Porterfield moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on appropriations made the following report:

Your committee on appropriations to whom was referred Senate Bill No. 204.

A bill for an Act authorizing the appointment of a state business agent to investigate and promote the development of the natural resources of North Dakota and prescribing the duties and term of office, and making appropriation therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 114.

A bill for an Act to provide for the making of permanent improvements at the state normal school at Valley City, North Dakota, to assist in the maintenance thereof and for other purposes and make an appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, after line 6, change the figures from "\$50,000" to "\$45,000." Strike out the next four lines. In the last line on page 1 change the figures from "\$3,500" to "\$2,500." On page 2 change the figures in item 1, from "\$2,500" to "\$1,000." Change the figures in item 2, page 2, from "\$10,000" to "\$8,000." Change the figures in item 4, page 2, from "\$3,500" to "\$1,500." After the word "land" in line 5, page 2, insert "for athletic field and elementary agriculture."

Change figures in the total from "\$184,625" to "\$70,125."

Strike out the emergency clause.

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 192.

A bill for an Act making an appropriation for the Normal School at Minot to meet an expenditure for the erec-

tion of buildings and permanent improvements necessary in connection therewith, and for furnishing, equipment and maintenance.

Have had the same under consideration and recommend that the same be amended as follows:

In line 9 of the printed bill, strike out the figures "\$30,000" and insert in lieu thereof the figures "\$20,000." Strike out lines 10, 11 and 12. In line 14, change the figures from "\$15,000" to "\$10,000." In line 20, strike out the figures "\$65,000" and insert in lieu thereof the figures "\$5,000." In lines 21 and 22, strike out the words "main building to provide for manual training and domestic science" and insert in lieu thereof the word "dormitory."

Change the figures in line 22 from "\$40,000" to "\$30,000." In line 23 strike out the words "the same" and insert "domestic science and manual training." In line 23, change the figures from "\$10,000" to "\$2,000."

Change figures in the total so as to read "\$68,000."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 300.

A bill for an Act making an appropriation for the mining sub-station at Hebron, Morton County, for the purpose of perfecting the process or formula used in the manufacturing of briquettes.

Have had the same under consideration and recommend that the same be amended as follows:

In lines 3 and 4, Section 1 of the printed bill, after the word "hereby," insert the word "annually." After the word "appropriated" in line 4, insert "for the years 1913 and 1914." In line 5 strike out the word "twenty-five thousand" and insert in lieu thereof the words "twelve thousand five

hundred." In lines 5 and 6, strike out the figures "\$25,000." Also the printed matter in line 6. After line 6, insert "at least three-fourths of this amount shall be expended upon the sub-station at Hebron, Morton County.

Strike out the emergency clause.

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on corporations other than municipal made the following report:

*Mr. President:*

Your committee on corporations other than municipal, to whom was referred

Senate Bill No. 215.

A bill for an Act to amend and re-enact Sections 4179, 4180, 4181, 4182, 4186 and 4188, Article 1, Chapter 11 of the Revised Codes of 1905, relating to the manner of filing and recording articles of incorporation, by-laws and annual reports of corporations, and providing for their cancellation and reinstatement.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out everything after the words, "A Bill" and insert in lieu thereof the following: "For an Act to amend and re-enact Section 4188 of the Revised Codes of North Dakota for 1905, providing for the reinstatement of corporations.

Section 1. Amendment.) Section 4188 of the Revised Codes of 1905 is hereby amended and re-enacted to read as follows:

Section 4188. Corporations May Be Restored. How.) Any corporation which is pursuing an active business under its charter or certificate of authority to do business in the State of North Dakota failing to make said report at the time provided by law, may at any time within six months from such default be reinstated upon the record

of the office of the Secretary of State upon the payment of a fee in the sum of five dollars for such reinstatement and filing in said office an affidavit stating all the facts required in Section 4186, and in addition thereto the fact that it was at the time of such default and still is in active business in the State of North Dakota, or such reinstatement may be made one year after August first by fulfilling the above requirements and the payment of a fee in the sum of ten dollars; or such reinstatement may be made two years after August first by fulfilling the requirements as above stated and paying a fee in the sum of twenty dollars; or such reinstatement may be made three years after August first by fulfilling the requirements as above stated and paying a fee in the sum of thirty dollars. Any corporation failing to meet with the requirements within the time of three years as above specified, shall be cancelled on the records of the department of the Secretary of State and reinstatement can only be made by re-incorporation."

And when so amended recommend the same do pass.

H. P. JACOBSEN,  
Chairman.

Mr. Jacobsen moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 83.

A bill for an Act to provide a Probate Code for the State of North Dakota, and to repeal Sections 7872 to 8287 inclusive of the Revised Codes of 1905, Chapters 114, 115, 116, and 204 of the Session Laws of 1907, Chapters 79 and 118 of the Session Laws of 1909, Chapters 215, 216, 217, 220, 222, 224 and 234 of the Session Laws of 1911.

Have had the same under consideration and whereas, it has been made to appear that such bill proposes many changes in the practice of the law affecting county courts and that there has been no opportunity to afford a full and thorough consideration of such changes to those interested in the same throughout the state, and whereas, it has been deemed advisable that ample opportunity should be given to all interested in the proposed Probate Code to consider

the same before any changes are made in the settled procedure and practice in the county courts of this state.

Now, therefore, your committee recommends that the following resolution be adopted, to-wit: That the Probate Code commission be continued as such to advise, without salary, with the Fourteenth Legislative Assembly relative to such Probate Code; that the secretary of state be requested to collect and preserve all the printed copies of Senate Bill No. 83 and that such bill together with the printed copies of the same be presented to the Fourteenth Legislative Assembly at its next session for consideration and that the Secretary of state be further requested to write to the county judges and attorneys in the state concerning the action of this committee.

Your committee further recommends that further consideration of Senate Bill No. 83 be postponed until the next session of the Legislative Assembly.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on counties made the following report:

*Mr. President:*

Your committee on counties to whom was referred

Senate Bill No. 277.

A bill for an Act to amend and re-enact Section 2390 of the Revised Codes of 1905, relating to term of office of county commissioners.

Have had the same under consideration and recommend that the same do pass:

CHRIS GANSSLE,  
Chairman.

Mr. Ganssle moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on counties to whom was referred

Senate Bill No. 238.

A bill for an Act to amend Section 2618 of the Revised Codes of 1905, relating to deputies and clerks allowed. When.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CHRIS GANSSLE,  
Chairman.

Mr. Ganssle moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on counties to whom was referred

Senate Bill No. 237.

A bill for an Act to amend Section 2617 of the Revised Codes of 1905, relating to salaries of deputies, how determined.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CHRIS GANSSLE,  
Chairman.

Mr. Ganssle moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on counties to whom was referred

Senate Bill No. 243.

A bill for an Act to amend Section 2485 of the Revised Codes of North Dakota for 1905, relating to the annual statement of the county auditor and treasurer.

Have had the same under consideration and recommend that the same be amended as follows:

In line 16 of the printed bill after the word "treasurer" strike out the word "such" and strike out all of lines 17, 18 and 19, and insert in lieu thereof the following: "Provided that such auditor and treasurer shall not receive their December salary until such report has been made, filed and posted."

And when so amended recommend the same do pass.

CHRIS GANSSLE,  
Chairman.

Mr. Ganssle moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on railroads made the following report:

*Mr. President:*

Your committee on railroads to whom was referred

Senate Bill No. 365.

A bill for an Act to amend Section 1 of Chapter 210 of the Session Laws of 1907, relating to the lighting of depot platforms and requiring railroad companies, using steam motive power in this state, to maintain adequate platforms at passenger stations.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. F. GILBERT,  
Chairman.

Mr. Gilbert moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on elections made the following report:

*Mr. President:*

Your committee on elections to whom was referred

Senate Bill No. 35.

A bill for an Act permitting a voter to cast his vote at general elections when unavoidably absent from his regular

voting precinct outside of the county, to vote for county, district or state officers, members of the legislature, member of Congress and electors of President and Vice President of the United States, in any voting precinct where he may present himself for such purposes, on the day of such election, under regulations hereinafter prescribed.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on elections to whom was referred

Senate Bill No. 383.

A bill for an Act to amend and re-enact Section 608 of the Revised Codes of 1905, relating to inspectors and judges of elections, qualifications of duties and by whom appointed.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on elections to whom was referred

Senate Bill No. 38.

Concurrent resolution for an amendment to the Constitution of the State of North Dakota providing that the term of office of the Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, Commis-

sioner of Insurance, Commissioners of Railroads and the Commissioner of Agriculture and Labor shall be four years.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on elections to whom was referred

House Bill No. 11.

A Concurrent Resolution to amend Section 121 of Article 5 of the Constitution of the State of North Dakota and Article 2 of the amendments to the Constitution amendatory thereof, relating to elective franchise.

Have had the same under consideration and recommend that the same do pass:

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on elections to whom was referred

House Bill No. 319.

A bill for an Act to amend Section 3, of Chapter 129, of the Session Laws of 1911, relating to rates for state officers in the publicity pamphlet.

Have had the same under consideration and recommend that the same be amended as follows:

In line 8 from the bottom of the engrossed bill, after the word "sheriff" insert the words "clerk of courts."

And when so amended recommend the same do pass.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on elections to whom was referred

House Bill No. 90.

A bill for an Act relating to the printing of a proposed Constitutional Amendment.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1 of the engrossed bill strike out after the word "amendment" where it occurs on line 5, all of remainder of Section 1, and insert the following "emphasized as follows:"

"(a) In case the proposed amendment consists of the addition of new words or phrases the heading shall read:

"To amend Section . . of Article . . of the Constitution by adding the words (here insert the words added) so as to read as follows (followed by the article as amended).

"(b) In case the proposed amended consists of the omission of certain words or phrases the heading shall read:

"To amend Section . . of Article . . of the Constitution by omitting the words (here insert the words omitted) so as to read as follows (followed by the article as amended).

"(c) In case the proposed amendment causes a rearrangement and reconstruction of the particular article to be amended then the heading shall state briefly the object of such amendment."

And when so amended recommend the same do pass.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on elections to whom was referred

House Bill No. 18.

A bill for an Act to amend Sections 620 and 650 of the Revised Codes, 1905, relating to elections.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 16, strike out the words "with the same and number of."

In the beginning of line 17, Section 1, strike out the words "the precincts and."

In Section 2, line 9, strike out the words "together with the ballots securely" and in line 10 the words "wrapped in manila wrappers as hereinafter provided."

In Section 2, line 39, strike out the words "or number of the precinct and the name."

In Section 2, line 43, strike out the word "auditor" and insert in lieu thereof the word "judge."

In end of same line and the beginning of line 44, strike out the word "auditor" and insert in lieu thereof the word "judge."

In line 44 after the word "judges" insert the words "of election."

And when so amended recommend the same do pass.

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on elections to whom was referred  
House Bill No. 476.

A bill for an Act to provide for a means of removal of elective officers by the will of the people and for the political reserve powers of electors to be used through the initiative and referendum in city matter, and the form of petitions applicable to cities which have adopted or may hereafter adopt the commission system of government; also to prescribe the manner by which a city, having adopted the commission system of government, may return to the former system.

Have had the same under consideration and recommend that the same do pass:

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on elections to whom was referred  
House Bill No. 111.

A bill for an Act to provide for the non-partisan nomination and election of the state superintendent of public instruction and county superintendent of schools.

Have had the same under consideration and recommend that the same do pass:

E. L. GARDEN,  
Chairman.

Mr. Garden moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on municipal corporations made the following report:

*Mr. President:*

Your committee on municipal corporations to whom was referred

House Bill No. 425.

A bill for an Act to amend Article 4, Chapter 30 of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to powers of city councils.

Have had the same under consideration and recommend that the same be amended as follows:

In the first line of the title, after the word "amend" insert the words "and re-enact sub-division 67 of," and following the same word "amend" strike out the words "Article 4, Chapter 30 of the Political Code of North Dakota, being."

In Section 1, in lines 1, 2, 3, strike out the words "Article 4 of Chapter 30 of the Political Code of North Dakota, being sub-division 67 of."

At the close of Section 1, after the word "case" add the words "provided that before adopting or rejecting any bids, the city shall employ a competent architect or builder to make a careful and detailed statement of the estimated cost of such work."

And when so amended recommend the same do pass.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on cities and municipal corporations to whom was referred

Senate Bill No. 321.

A bill for an Act requiring corporations, associations and firms engaged in furnishing heat, light or power within any

city or village in this state to maintain its principal place of business in this state with all its records of every kind, requiring a majority of the board of directors, its secretary, treasurer and president to be residents of this state.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on cities and municipal corporations to whom was referred

Senate Bill No. 155.

A bill for an Act to amend Section 2864 of the Revised Codes of North Dakota for 1905, relating to powers of the board of trustees of villages.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on cities and municipal corporations to whom was referred

Senate Bill No. 266.

A bill for an Act to amend Subdivision 74 of Section 48 of Chapter 77 of the Laws of 1911, relating to commission system of government.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on cities and municipal corporations to whom was referred

House Bill No. 71.

A bill for an Act entitled "An Act to amend Section 2783 of the Revised Codes of the State of North Dakota of 1905, relating to cities.

Have had the same under consideration and recommend that the same be amended as follows:

In the first line of the title in the printed bill and after the word "amend" insert the words "and re-enact;" in the second line of the title and after the numerals "1905" insert the words "as amended by Chapter 45 of the Laws of North Dakota for 1907."

In Section 1 of the printed bill and line 2 after the numerals "1905" insert the words "as amended by Chapter 46 of the Laws of North Dakota for 1907.

In Section 1 and line 3 of the printed bill, after the syllable "ed" insert the words "and re-enacted."

In Section 2783, at the end of line 23, add the words "*provided* that the city council or city commission shall before adopting or rejecting any bids require the city engineer, or may employ a competent engineer to make a careful and detailed statement of the estimated cost of such work."

And when so amended recommend the same do pass.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on cities and municipal corporations to whom was referred

House Bill No. 392.

A bill for an Act to amend Sections 20 and 38 of Chapter 77 of the Laws of 1911, entitled "An Act to provide for a commission system of government in cities which shall adopt the provisions of this Act."

Have had the same under consideration and recommend that the same be amended as follows: ffl

In Section 20 and lines 11, 13, 16, 18, 20 and 22 of the printed bill, after the word "of" insert the words "not to exceed."

And when so amended recommend the same do pass.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on cities and municipal corporations to whom was referred

House Bill No. 229.

A bill for an Act creating park districts for villages and providing for the government thereof, creating a board of park commissioners, and specifying the power and authority of such commissioners.

Have had the same under consideration and recommend that the same do pass.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on cities and municipal corporations to whom was referred

House Bill No. 396.

A bill for an Act to provide that notice of foreclosure of mortgages upon personal property shall be given to the county.

Have had the same under consideration and recommend that the same do pass.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on cities and municipal corporations to whom was referred

House Bill No. 375.

A bill for an Act to amend Section 2657 of the Revised Codes of 1905, with respect to the revision and adoption of ordinances by cities.

Have had the same under consideration and recommend recommend that the same do pass.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on taxes and tax laws made the following report:

*Mr. President:*

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 379.

A bill for an Act to amend Sections 1495 and 1496 of the Revised Codes of North Dakota for 1905, relating to taxation.

Have had the same under consideration and recommend that the same be indefinitely postponed.

H. J. LINDE,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 323.

A bill for an Act requiring auctioneers to notify county treasurers of sales of personal property by public auction prior to such sales, providing for penalty for failure to so notify and making it the duty of the county treasurer to collect such tax.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. M. HANLEY,  
Acting Chairman.

Mr. Hanley moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on taxes and tax laws to whom was referred

House Bill No. 214.

A bill for an Act to amend Section 1508 of the Revised Codes of North Dakota of 1905, relating to the assessment of bank stock, and to provide a method for reviewing the same, and to repeal inconsistent provisions.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out the word "actual" in line eleven (11) of Section one (1) of the engrossed bill, and by striking out the words "or organization" wherever the same appears in said bill and substituting in lieu thereof the words "savings bank or trust company," and after the word "profits" in line seventeen (17) of the engrossed bill by adding the following words: "in excess of an amount equal to five per cent of the loans and discounts of such banks, saving banks or trust company."

And when so amended recommend the same do pass.

J. M. HANLEY,  
Acting Chairman.

Mr. Hanley moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on taxes and tax laws to whom was referred

House Bill No. 290.

A bill for an Act to repeal Section 1503 of the Revised Codes of North Dakota of 1905, relating to the assessment of property of companies or associations and the listing of the same.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out everything after the words "A bill" and substituting in lieu thereof the following:

"For an Act to amend Section 1503 of the Revised Codes of 1905, relating to the assessment of property of companies or associations and the listing of the same.

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

"Section 1. Amendment.) That Section 1503 of the Revised Codes of North Dakota of 1905 be amended to read as follows:

"Section 1503. Property of Companies or Associations, How and by Whom Listed.) The president, secretary or

principal accounting officer of any company or association, whether incorporated or unincorporated, except banking corporations whose taxation is especially provided for in this article, shall make out and deliver to the assessor a sworn statement of the amount of the capital stock, setting forth particularly:

"1. The name and location of the company and association.

"2. The amount of capital stock authorized and the number of shares into which said capital stock is divided.

"3. The amount of capital stock paid up.

"4. The market value, or if they have no market value, then the actual value of the shares of stock.

"5. The total amount of all indebtedness except the indebtedness of current expenses, excluding from such expenses the amount paid for purchase or improvement of property.

"6. The value of all real property, if any.

"7. The value of its personal property.

"The aggregate amount of the sixth and seventh items shall be deducted from the total amount of the fourth and fifth, and the remainder, if any, shall be listed as 'bonds or stocks,' under Subdivision 23 of Section 1496. The real and personal property of each company or association shall be listed and assessed the same as other real and personal property. In all cases of failure or refusal of any person, officer, company or association to make such return or statement, it shall be the duty of the assessor to make such return or statement from the best information he can obtain.

"Section 2. Emergency.) Whereas, an emergency exists, in that said Section 1503 may become an obstacle preventing a fair assessment of property of companies and associations during the year 1913, this Act shall take effect immediately upon its passage and approval."

And when so amended recommend the same do pass.

J. M. HANLEY,  
Acting Chairman.

Mr. Hanley moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on education made the following report:

*Mr. President:*

Your committee on education to whom was referred  
Senate Bill No. 390.

A bill for an Act to amend Section 84 of Chapter 266 of  
the Session Laws of 1911 relating to education.

Have had the same under consideration and recommend  
that the same do pass:

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 366.

A concurrent resolution to amend Sections 104, 105 and  
106, Article 4 of the Constitution of the State of North Da-  
kota, relating to judicial districts and judges of the dis-  
trict courts.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 369.

A concurrent resolution amending the Constitution of the State of North Dakota, relating to the legislative department and providing for the initiative and referendum as applied to laws.

Have had the same under consideration and recommend that the same be returned without recommendation.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

Senate Bill No. 226.

A bill for an Act to require all persons who may be entitled to have a mechanics' lien, to file for record a notice of his intention to file a verified account and to perfect such mechanics' lien, and to provide a penalty for not filing a notice of such intention and exempting homesteads.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

Senate Bill No. 370.

A concurrent resolution amending the Constitution of the State of North Dakota, changing the name of the state reform school located at Mandan, in the County of Morton, to that of state farm and mechanic art school.

Have had the same under consideration and recommend that the same do pass:

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 150.

A bill for an Act relating to settlements of causes of action or cases for damages sustained through personal injuries and contracts of retainer made therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In line 5 of Section 1 of the printed bill strike out everything after the word "made" to the word "within" in line 6.

In line 6 strike out the word "forty-five" and insert in lieu thereof "thirty."

In line 2 of Section 2 of printed bill, strike out "one year" and insert in lieu thereof "six months." In line 4 of said Section after the word "contract" insert the words "so above made."

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

*Mr. President:*

Your committee on judiciary to whom was referred

Also,

Senate Bill No. 367.

A bill for an Act to amend Section 9329 of the Revised Codes of 1905, relating to malicious mischief and injury to real property, emblements and fixtures.

Have had the same under consideration and recommend that the same do pass:

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was re-referred  
Senate Bill No. 368.

A bill for an Act to amend and re-enact Section 2364 of the Revised Codes of North Dakota for 1905, as amended by Chapter 61 of the Session Laws of 1907, relating to county seats.

Have had the same under consideration and recommend that the same do pass:

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 135.

A bill for an Act to amend and re-enact Chapter 172 of the Laws of the State of North Dakota for 1907, relating to who may solemnize marriages and to marriage licenses.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved  
That the report be adopted.  
Which motion prevailed and  
The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 373.

A bill for an Act to amend and re-enact Section 1904 of  
the Revised Codes of North Dakota for 1905.

Have had the same under consideration and recommend  
that the same do pass:

W. B. OVERSON,  
Chairman.

Mr. Overson moved  
That the report be adopted.  
Which motion prevailed and  
The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 387.

A bill for an Act to amend Section 8154 of the Revised  
Codes of 1905, relating to the approval of mortgages ex-  
ecuted by an administrator, executor or guardian.

Have had the came under consideration and recommend  
that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved  
That the report be adopted.  
Which motion prevailed and  
The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

House Bill No. 410.

A bill for an Act to amend and re-enact Section 7119 of the Revised Codes of North Dakota for 1905, relating to exemptions.

Have had the same under consideration and recommend that the same be amended as follows:

In line 21 of the printed bill strike out the words "either in" and insert in lieu thereof the words "as to." In the same line strike out "or in substance."

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

House Bill No. 288.

A bill for an Act providing for the inspection of freight and express books and records by the state's attorney in the enforcement of the prohibition law.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill after the word "attorney" insert the following: "And the attorney general or his assistants."

In line 4 of the printed bill after the word "counties" insert the following: "and the attorney general or his assistants."

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

House Bill No. 478.

A bill for an Act to regulate the procedure in cases of escheat of property to the state.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

House Bill No. 309.

A bill for an Act to amend Section 6295 of the Revised Codes of North Dakota for 1905, as amended by Chapter 168 of the Laws of 1907, providing for a lien for repairs upon personal property.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
House Bill No. 31.

A bill for an Act to amend and re-enact Article 3, Chapter 30, of the Code of Civil Procedure of the Revised Code of the State of North Dakota of 1905, relating to cancellation of land contracts.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A bill" and insert the following:

"For an Act to amend Section 7497 of the Revised Codes of North Dakota for the year 1905, relating to the time allowed and specifying the mode of cancellation of land contracts.

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

"Section 1. That Section 7497 of the Revised Codes of North Dakota for 1905 be and the same is hereby amended and re-enacted to read as follows:

"Section 7497. Time Allowed.) Such vendee, or purchaser, or his assigns, shall have thirty (30) days after the service of such notice upon him in which to perform the condition or comply with the provisions upon which the default shall have occurred and upon such performance and upon making such payments, together with the costs of service of such notice, such contract or other instrument shall be reinstated and shall remain in full force and effect the same as if no default had occurred therein. If, however, such vendee, or purchaser, or his assigns, shall not complete such performance or make such payment within the thirty (30) days herein provided, then and in that event the contract shall be terminated and the right, title and interest of such vendee, purchaser or his assigns in the land involved shall thereupon cease and shall not be reinstated by any subsequent offer of performance or tender of payment. No provision in any contract for the purchase of land or an interest in land shall be construed to obviate the necessity of giving the aforesaid notice and no contract shall terminate until such notice is given, any provision in such contract to the contrary notwithstanding.

“Section 2. A copy of the notice with proof of service thereof, and an affidavit of the vendor, his agent or attorney, showing that the purchaser has not complied with the terms of the notice, may be recorded with the register of deeds, and shall be prima facie evidence of the facts therein stated.

“Section 3. All Acts or parts of Acts in conflict with this Act are hereby repealed.”

And when so amended recommend the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
House Bill No. 463.

A bill for an Act prohibiting the making of false representations by agents and prescribing penalty for violation thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on temperance made the following report:

*Mr. President:*

Your committee on temperance to whom was referred  
Senate Bill No. 374.

A bill for an Act to forbid the sending of minors as mes-

sengers to houses of prostitution, saloons or other immoral places.

Have had the same under consideration and recommend that the same do pass.

C. F. MUDGETT,  
Chairman.

Mr. Mudgett moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on banks and banking made the following report:

*Mr. President:*

Your committee on banks and banking to whom was referred

Senate Bill No. 164.

A bill for an Act to amend Section 4649, Chapter 21 of the Revised Code of the State of North Dakota for 1905 relating to qualification of directors.

Have had the same under consideration and recommend that the same be indefinitely postponed.

S. N. PUTNAM,  
Chairman.

Mr. Putnam moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on banks and banking to whom was referred

Senate Bill No. 355.

A bill for an Act providing for the establishment of co-operative banks, and defining the powers and restrictions of the same.

Have had the same under consideration and recommend that the same be indefinitely postponed.

Your committee believes that this bill has merit but the late hour of its introduction preclude its receiving the attention which it merits.

S. N. PUTNAM,  
Chairman.

Mr. Putnam moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on banks and banking to whom was referred

Senate Bill No. 380.

A bill for an Act establishing a depositors' guaranty fund to insure depositors against loss when any bank, savings bank or trust company engaged in the business of receiving deposits under the laws of this state becomes insolvent, and providing penalties for the violation of such Act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

S. N. PUTNAM,  
Chairman.

Mr. Putnam moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 159.

A bill for an Act to amend Section 241 of the Revised Codes of 1905, relating to the duties of the State Historical Society of North Dakota.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 187.

A bill for an Act to require the railroad commission to formulate a uniform system of accounting for public elevators and warehouses and providing for the examination of the financial accounts of such elevators and warehouses whenever fifteen per cent of the stockholders of the stock sold request an examination and prescribing fees therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 360.

A bill for an Act amending Section 7608 of the Revised Codes of 1905, as amended in Section 1 of Chapter 52 of the Session Laws of 1907, relating to the appointment, duties, powers, qualifications and salary of the state engineer; also to amend Section 7665 of the Revised Codes of 1905, relating to the expenses of the state engineer's office.

Have had the same under consideration and recommend that the printed bill be amended as follows:

In Section 1, page 2 and in line 13, strike out the words "five hundred."

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved  
That the report be adopted.  
Which motion prevailed and  
The report was adopted.  
Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 332.

A bill for an Act to repeal Chapter 49 of the 1907 Session  
Laws of North Dakota.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Davis moved  
That the report be adopted.  
Which motion prevailed and  
The report was adopted.  
Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 57.

A Concurrent Resolution amending the Constitution of  
the State of North Dakota, establishing and locating a state  
hospital for the insane in the City of Rugby, County of  
Pierce.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Davis moved  
That the report be adopted.  
Which motion prevailed and  
The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 34.

A bill for an Act prohibiting unfair discrimination in the buying of milk, cream or butter fat and providing a penalty for the violation thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 378.

A bill for an Act to amend Section 6 of Chapter 226 of the Laws of North Dakota of 1911, being an Act relating to compensation of field officer.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 281.

A bill for an Act to create a state bureau of labor and to provide for the conduct and maintenance thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 211.

A bill for an Act to amend Section 2613 of the Revised Codes of North Dakota for 1905 as amended by Chapter 119 of the Laws of 1911, relating to compensation and office hours of county commissioners.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

The report was adopted.

Which motion prevailed and

That the report be adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 76.

A bill for an Act to provide for the extermination by the State Bank Examiner of Elevators and Warehouses, doing business in the state, whenever requested by a bona fide stockholder or shareholder of such Elevator or Warehouse, Company or Association.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 63.

Concurrent Resolution amending the Constitution of the  
State of North Dakota, establishing and locating a State  
Hospital for the insane at New Rockford in Eddy County.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 58.

A Concurrent Resolution amending the Constitution of  
the State of North Dakota, establishing and locating a state  
hospital for the insane and institution for the feeble minded  
in connection therewith at the City of Leeds, County of  
Benson.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 274.

A bill for an Act to fix and regulate obligations and liabilities as between hotel and inn keepers and their guests and boarders and those intending to become such with respect to baggage and other property of such guests and boarders and the property belonging to or in use in any hotel, lodging house, boarding or eating house, defining and fixing the liability of hotel and inn keepers for loss of or injury to property of guests or boarders or persons intending to become such and giving to such hotel and inn keepers a lien upon the baggage and other property of guests and boarders for charges due.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 190.

A bill for an Act repealing Chapter 258 of the Laws of 1907, entitled, "An Act to prohibit discrimination between different sections, communities or localities, unfair competition and providing penalties for the violation thereof."

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
House Bill No. 52.

A bill for an Act to repeal Article 21 of Chapter 32, entitled, "Townsites located on public lands," of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
House Bill No. 360.

A bill for an Act authorizing and directing the board of university and school lands and the state treasurer to allow counties, cities, villages and school districts that have sold their bonds at par to the state, to redeem any of said bonds when they have sufficient funds in their sinking fund to redeem one or more bonds at par with the accrued interest.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred  
Senate Bill No. 312.

A bill for an Act to amend and re-enact Section 3 of Chapter 76 of the Session Laws of the State of North Dakota for the year 1909, relating to terms of court in the Ninth Judicial District.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 241.

A bill for an Act to amend Sections 2772, 2775, 2776, 2777 and 2786, Revised Codes of 1905, as amended by Chapter 70 of the Laws of North Dakota, A. D. 1911, relating to the creation of improvement districts and the purpose for which special assessments may be levied in this state.

Also,

Senate Bill No. 250.

A bill for an Act to amend Section 155 of Chapter 4 of the Political Code of the State of North Dakota, and all Acts or parts amendatory thereof, providing for the investment in bonds and mortgages of all moneys belonging to the permanent funds of the common schools, university, school of mines, reform school, agricultural college, scientific school, school for the deaf and dumb, industrial school, normal school, blind asylum, insane asylum and soldier's home.

Also,

Senate Bill No. 290.

A bill for an Act extending the powers of the board of trustees of incorporated villages, relative to sidewalks, sewers, paving and water mains.

Also,

Senate Bill No. 325.

A bill for an Act to provide for a state board of industrial school trustees, the organization, meetings and compensation of such board and the purposes, maintenance and government of the state industrial school and school for manual training at Ellendale, the academy of science at Wahpeton, and the school of forestry at Bottineau, and repealing Sections 1902 to 1099, 1172 to 1176, 1231 to 1236 of the Revised Codes of North Dakota of 1905, as amended by Sections 1092 and 1231 of Chapters 100 and 241 of the Session Laws of North Dakota of 1907.

Also,

Senate Bill No. 358.

A bill for an Act to require the railroad commission to formulate a uniform system of accounting for public elevators and warehouses and to provide for the examination of the accounts of such elevators and warehouses when requested by not less than 15 per cent of the stockholders thereof, and prescribing fees therefor; and amending Chapter 251 of the Session Laws of 1911, relating to the filing of bonds by public warehouses.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on public printing made the following report:

*Mr. President:*

Your committee on public printing to whom was referred Senate Bill No. 64.

A bill for an Act to amend Sections 38, 46, 51, 66 of the Revised Codes of 1905, to provide for the printing and prescribing the manner of distribution of the Legislative Manual known as the North Dakota Blue Book.

Have had the same under consideration and recommend that the same be amended as follows:

Section 38 of the amended bill, second line, after the words "divided into" strike out the word "six" and insert in lieu thereof the word "five."

Strike out all under classes 1, 2, 3, 4, 5 and 6 in Section 38, and insert in lieu thereof classes 1, 2, 3, 4 and 5, as provided in the original printed bill, beginning with line 5 of the first page of said printed bill and ending with line 20 on page 2 of the printed bill.

And when so amended recommend the same do pass.

A. L. NELSON,  
Chairman.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., March 3, 1913.

*Mr. President:*

I have the honor to inform you that the House declines to concur in the Senate amendments to House Bill No. 340 and asks for a committee or conference, and the Speaker has named as such conferees on the part of the House, Messrs. Divet, Balsdon and Odland.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to inform you that the House declines to concur in the Senate amendments to House Bill No. 82 and asks for a committee or conference, and the Speaker has named as such conferees on the part of the House, Messrs. Thompson, Bollinger and Rancy.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

#### THIRD READING OF SENATE BILLS.

Mr. Talcott moved

That the vote by which the amendments to Senate Bill No. 350 were adopted be reconsidered.

Senate Bill No. 350.

A bill for an Act fixing priorities of liens and requiring all persons who may be entitled to a mechanics' lien to file

tural building and other permanent improvements and repairs for the North Dakota Agricultural College.

Was read the third time.

Mr. Overson offered the following amendment to Senate Bill No. 350 and moved its adoption:

In Section 2, line 8, strike out the words "contractor or sub-contractor;" and insert in lieu thereof the words "or his duly authorized agent."

Which motion prevailed, and

The amendment was adopted.

Mr. Overson offered the following amendment to Senate Bill No. 350 and moved its adoption:

In Section 2, line 6, strike out the word "he" and insert in lieu thereof the words "the owner of the premises."

Which motion prevailed and

The amendment was adopted.

Mr. Overson offered the following amendment to Senate Bill No. 350 and moved its adoption:

In Section 2, line 7, strike out the word "statement" and insert in lieu thereof the word "consent."

Which motion prevailed and

The amendment was adopted.

Mr. Davis moved

That Senate Bill No. 350 be referred to a special committee of three to report today on amendments.

Which motion prevailed and

The President appointed as such committee Messrs. Davis, Overson and Leutz.

Mr. Plain moved

That the Senate do now adjourn.

Which motion prevailed and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

TUESDAY, MARCH 4, 1913.

1149

FIFTY-SEVENTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
March 4, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Englund and Linde, who were excused.

COMMUNICATION FROM THE GOVERNOR.

EXECUTIVE OFFICE,  
BISMARCK, NORTH DAKOTA,  
March 4, 1913.

*To the Senate:*

Gentlemen: I have the honor to inform you that I have approved and filed with the secretary of state

Senate Bill No. 26.

A bill for an Act to amend and re-enact Section 618 of the Revised Codes of North Dakota for 1905, relating to elections.

Also,

Senate Bill No. 234.

A bill for an Act to amend Section 141 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to public schools.

Also,

Senate Bill No. 291.

A bill for an Act entitled "An Act to amend Chapter 56 of the laws passed by the Tenth Legislative Assembly of the State of North Dakota, being Chapter 56 of the Session Laws of 1907, relating to building and loan associations."

Also,

Senate Bill No. 170.

A bill for an Act to amend and re-enact Section 3 of Chapter 78 of the Session Laws of North Dakota for the

year 1909, entitled, "An Act to amend Section 8288 of the Revised Codes of 1905, of the State of North Dakota, relating to the increased jurisdiction of the county courts, and providing for abolishing the same."

I have the honor to be,

Very respectfully,

L. B. HANNA,  
Governor.

#### REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the fifty-fourth day after recess and fifty-sixth day, have carefully examined the same and recommend that the same be corrected as follows:

On page 7, last line, strike out the words "passed and the title was agreed to" and insert in lieu thereof the words "was lost."

On page 15, line 5, strike out the word "of" and insert in lieu thereof the word "for."

On page 16, line 11, between the words "railroad, ticket," insert following "and steamboat."

On page 16, after line 29, insert the following words: "Section 8405 of the Revised Codes of 1905, as amended by."

On page 16, strike out line 37.

On page 27, line 32, strike out the word "specified" and insert in lieu thereof the word "specific."

On page 28, line 13, correct the spelling of the word "stenographers."

On page 38, line 23, correct the spelling of the word "manual."

On page 38, line 24, correct the spelling of the word "academy."

On page 40, after line 34, insert the following "in the printed bill."

On page 51 strike out all of line 14.

On page 52, after line 34, insert the following words: "special order."

On page 62, after line 20, insert the printed title.

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Mr. Bond presented a petition signed by J. P. Peterson and 117 others, protesting against the passage of any legislation which is to amend or repeal the present mechanics' lien laws.

#### REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 376.

A bill for an Act to amend Section 252 of Chapter 266 of the Session Laws of 1911, relating to education.

Also,

Senate Bill No. 390.

A bill for an Act to amend Section 84 of Chapter 266 of the Session Laws of 1911, relating to education.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

#### MOTIONS AND RESOLUTIONS.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Mr. McLean moved

That Senate Bill No. 148 be recalled from the House.

Which motion prevailed.

Mr. Wartner moved

That the Senate do not concur in the House amendments to Senate Bill No. 200 and that a conference committee be appointed.

Which motion prevailed.

And the President appointed as such committee Messrs. Wartner, Jacobsen and Overson.

Mr. Jacobsen moved

That a conference committee of three be appointed by the President to confer with a like committee from the House on House Bill No. 340.

Which motion prevailed and

The President appointed as such committee, Messrs. Jacobsen, Nelson and Young.

Mr. Hookway moved

That a conference committee of three be appointed by the President to confer with a like committee from the House on House Bill No. 82.

Which motion prevailed and

The President appointed as such committee, Messrs. Hookway, Kretschmar and Ellingson.

Mr. Garden moved

That a conference committee of three be appointed by the President to confer with a like committee from the House on House Bill No. 170.

Which motion prevailed and

The President appointed as such committee Messrs. Garden, Elken and Porterfield.

Mr. Plain moved

That the vote by which Senate Bill No. 214 was passed be reconsidered.

Which motion prevailed.

Mr. Plain moved

That Senate Bill No. 214 be put on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 214.

A bill for an Act establishing a hail insurance department and making the commissioner of agriculture and labor also the commissioner of hail insurance; prescribing rules, regulations and duties of officers and persons connected therewith; prescribing how premiums, expense, and indemnity for losses by hail shall be paid, and repealing all Acts or parts of Acts in conflict with the provisions of this Act.

Was read the third time.

Mr. Plain offered the following amendments to Senate Bill No. 214 as printed in the Journal of the Senate for the fifty-third day at pages 56 and 64 thereof, and moved their adoption:

In Section 6 of the bill, on page 60 of the Journal of the Senate for the fifty-third day, strike out the clause following the word "occurred," in the 8th line from the bottom of said Section, beginning with the word "but" in such line and ending with the word "occurred" in the 4th line from the bottom of Section 6, on page 60 of the Journal of the Senate for the 53rd day, and insert in lieu thereof the following: "If the total value of the crop insured be less than eight dollars per acre, then in case of total loss the insured shall receive the total value thereof; and if the loss be partial, then the insured shall receive that percentage of value which the loss bears to the total value of the crop insured. If the value of the crop be more than eight dollars per acre, the insured shall receive that percentage of the maximum of eight dollars which the loss bears to the total value of the crop."

In Section 9, on page 61 of the Journal of the Senate for the fifty-third day, strike out the words "and allowed by the state auditing board" where the same occur in said Section at the bottom of page 61, and in the first line on page 62 of the Journal, and after the word "fund" in the first line of said Section, on page 62 of the Journal for the fifty-third day, strike out the period and insert in lieu thereof a comma, and after the comma, insert the following "on warrants drawn by the state auditor."

Strike out all of Section 13 after the word "follows" in the second line of said Section 13, on page 63 of the Journal of the Senate for the fifty-third day, and insert in lieu thereof the following: "(Section 12. Payment of Losses.) When the commissioner of hail insurance has figured up the whole year's business, as indicated in Section 11 hereof, he shall

prepare and furnish to the state auditor a certified list of the losses arranged by counties, showing the names and addresses of persons who have suffered loss by hail and are entitled to compensation for such losses under the provisions of this Act, the appraised losses and the amount to be paid each such person; upon receipt of this list from the commissioner of hail insurance it shall be the duty of the state auditor immediately to draw warrants for said amounts upon the state treasurer, the amounts of which shall be charged to the state hail insurance fund, in favor of each person entitled thereto and to mail such warrants forthwith to each person entitled thereto, as shown by the certified list of the state hail insurance commissioner aforesaid. It shall also be the duty of the state hail insurance commissioner to mail a copy of each such list of losses and amounts allowed to each and every person named in such list and who has suffered loss by hail during the year for which such list is made."

Correct the numbering of Sections "16," "17" and "18," on pages 63 and 64 of the Journal of the Senate for the fifty-third day so as to read, Sections "15," "16" and "17," respectively.

Which motion prevailed and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 44 ayes, no nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gilbert	Nelson
Barnes	Gronvold	Plain
Bond	Hanley	Porterfield
Bonzer	Heckle	Putnam
Bronson	Helgeland	Steel
Carter	Hookway	Talcott
Cashel	Hoverson	Thoreson
Clark	Hughes	Trageton
Davidson	Hyland	Turner
Duncan	Jacobsen	Vail
Elken	Kretschmar	Wartner
Ellingson	Loftsgaard	Williams
Ganssle	McDowell	Young
Garden	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Leutz	McBride
Englund	Linde	Overson

Messrs Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which Senate Bill No. 214 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

There being no objection the Senate returned to the fifth order of business, and the following communication was received:

Mandan, N. D., February 26, 1913.

*Honorable Gentlemen of the Thirteenth Legislative Assembly of North Dakota.*

We, as a committee, have been delegated by the boys and girls of the North Dakota reform school to extend to you our sincere thanks for the great pleasure you have conferred upon us in inviting us to visit you at the state capitol, and to partake of your very kind hospitality. This will ever be remembered by us as one the bright days of our lives, and the thought of your kindness will ever be to us an added incentive to pure and honest lives. It is our hope that some time in the future it may again be our pleasure to meet you, not as boys and girls in the reform school, but as men and women, in our homes and in the business of life, earnestly striving to advance the interest of this great state which you now represent. May the thought of your kindness bestowed upon us be with you as a bright memory when you shall return to your homes after your duties here shall have been concluded.

Very sincerely yours, in behalf of the entire school.

Signed by a committee of five of the boys.

Mr. Garden moved

That the foregoing communication be printed in the journal.

Which motion prevailed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., March 4, 1913.

*Mr. President:*

I have the honor to transmit herewith  
House Bill No. 424.

A bill for an Act to repeal Chapter 145 of the Laws of 1907.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 158.

A bill for an Act to repeal Chapters 132 and 133 of the Session Laws of 1907, and Chapter 139 of the Session Laws of 1909, relating to the historical society of North Dakota, and making an appropriation.

Also,

Senate Bill No. 201.

A bill for an Act amending Section 1070 of the Revised Codes of North Dakota for 1905, and making an appropriation to meet the necessary expenses of the State Geological Survey.

Also,

Senate Bill No. 70.

A bill for an Act to provide for the erection of an industrial building at the school for the Deaf and Dumb at Devils Lake, North Dakota, and making an appropriation therefor.

Also,

Senate Bill No. 104.

A bill for an Act to amend Chapter 165 of the Laws of 1911 relating to the maintenance of inmates of the Institution for the Feeble Minded.

Also,

Senate Bill No. 171.

A bill for an Act to provide an appropriation for the purpose of expenses incurred as a part of and during the Twelfth Legislative Assembly of the State of North Dakota.

Also,

Senate Bill No. 162.

A bill for an Act to create a board to prepare and publish a history of North Dakota troops in the Spanish American War and Philippine Insurrection, and appropriating money to pay therefor.

Also,

Senate Bill No. 25.

A bill for an Act to appropriate the sum of Sixty Thousand Dollars, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Also,

Senate Bill No. 7.

A bill for an Act to appropriate money for maintenance, equipment and permanent improvements at the State University and School of Mines of North Dakota.

Also,

Senate Bill No. 43,

A bill for an Act to authorize the Superintendent of Public Instruction to publish the report of the State Inspector of Rural and Graded Schools for 1912 and to appropriate money to defray the expense of the same and to meet the deficiency in the expenses of the State Inspector of Rural and Graded Schools.

Also,

Senate Bill No. 140.

A bill for an Act making an appropriation for a suitable building and an experimental mine at the mining experiment sub-station at Hebron, Morton County.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to inform you that the House declines to concur in the Senate amendments to House Bill No. 170, and asks for a committee or conference, and the Speaker has named as such conferees on the part of the House, Messrs. Divet, Roble and Ryan.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 273.

A concurrent resolution for an amendment to the Constitution of the State of North Dakota, providing for the apportionment of road taxes derived from railroad companies, express companies, freight line companies, car equipment companies, sleeping car companies, dining car companies, telegraph and telephone companies, equally among the civil townships of the various counties of the state.

Was read the third time.

Mr. Elken offered the following amendments to Senate Bill No. 273 and moved their adoption:

In the title of the bill strike out the word "equally."

Also, in Section 1, line 25 of the printed bill strike out the word "equally."

In Section 1, line 26 of the printed bill, after the word "townships," insert the words "according to the assessed value."

Also in Section 1, line 26 of the printed bill after the word "state" insert the following: "through which the companies operate."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 21 ayes, 22 nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Heckle	Plain
Bond	Helgeland	Putnam
Bonzer	Hoverson	Steel
Cashel	Hyland	Talcott
Duncan	McLean	Thoreson
Elken	Mudgett	Vail
Gibbens	Nelson	Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McDowell
Allen	Gronvold	Porterfield
Bronson	Hanley	Trageton
Carter	Hughes	Turner
Clark	Jacobsen	Wartner
Davidson	Kretschmar	Williams
Ellingson	Loftsgaard	
Ganssle	McBride	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Hookway	Overson
Englund	Leutz	
Garden	Linde	

Messrs. Englund and Linde being excused.

So the bill was lost.

The President pro tempore presiding.

Senate Bill No. 386.

A bill for an Act to amend Section 1516 of the Revised Codes of 1905, relating to the bond and oath of assessors.

Was read the third time.

Mr. Plain moved

That Senate Bill No. 386 be recommitted to the committee on insurance.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., March 4, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 148.

A bill for an Act to amend Section 36 of Chapter 128 of the Laws of 1909, and Sections 8, 35 and 45 of Chapter 128,

Laws of 1909, as amended by Chapter 141 of the Laws of 1911, relating to fish and game; providing for the removal of beavers causing damage to property.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Senate Bill No. 389.

A bill for an Act to authorize the trustees of public property to sel lat such prices as may be practicable the volumes of the Supreme Court reports now on hand in the office of teh secretary of state.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 42 ayes, no nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Plain
Bond	Heckle	Porterfield
Bonzer	Helgeland	Putnam
Bronson	Hookway	Steel
Carter	Hoverson	Talcott
Cashel	Hughes	Thoreson
Clark	Hyland	Trageton
Davidson	Jacobsen	Turner
Duncan	Kretschmar	Vail
Elken	Loftsgaard	Wartner
Ganssle	McBride	Williams
Gibbens	McLean	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Garden	McDowell
Ellingson	Leutz	Overson
Englund	Linde	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., March 4, 1913.

*Mr. President:*

I have the honor to return herewith the Senate concurrent resolution relating to education, care, health and mainte-

nance of Indians within the State of North Dakota.  
Which the House adopted.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to transmit herewith the following concurrent resolution:

*Be it Resolved by the House of Representatives of the State of North Dakota, the Senate concurring:*

*Whereas,* The reports of the state officers, institutions and boards were not placed in the hands of the Knight Printing Company, the state printer, until long after the time prescribed by law; and

*Whereas,* A special committee of the House of Representatives was appointed for the purpose of providing some means for the speedy publication of said reports; and,

*Whereas,* On the 24th day of January, 1913, the chairman of the select committee of the House of Representatives did communicate with the said Knight Printing Company and authorized and directed them to rush said reports even though extra expense be incurred; and

*Whereas,* Pursuant to said direction the said Knight Printing Company did employ extra help, work extra shifts and incurred large extra expense in the printing of said reports, pursuant to instructions of said committee of the House of Representatives.

*Now, Therefore be it Resolved,* That the commissioners of public printing and the officers having charge of the printing of the reports above referred to and of the allowance and payment of the compensation for the same, is hereby authorized and directed to pay to the Knight Printing Company, in addition to the contract price therefor, the amount of the extra expense, actually incurred, in compliance with the order and direction of the chairman of the select committee appointed by the House of Representatives.

*Provided,* however, that the total amount to be paid for extra help and expenses incurred as hereinbefore stated, shall not exceed the sum of \$2,000.00.

Which the House adopted and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Senate Bill No. 372.

A bill for an Act to amend Section 1 of Chapter 120, Session Laws for 1909, relating to sheriff's fees.

Was read the third time.

Mr. Elken offered the following amendment to Senate Bill No. 372 and moved its adoption.

In line 34, page 2, of the printed bill, strike out the word "three" and insert in lieu thereof the word "two."

Which motion prevailed and

The amendment was adopted.

Mr. Wartner offered the following amendment to Senate Bill No. 372 and moved its adoption:

Strike out Section 21, being lines 54, 55 and 56 of the printed bill.

Which motion prevailed and

The amendment was adopted.

Mr. Kretschmar offered the following amendment to Senate Bill No. 372 and moved its adoption:

Strike out Sections 14, 15 and 16 of the bill.

Which motion prevailed and

The amendment was adopted.

Mr. Elken offered the following amendment to Senate Bill No. 372 and moved its adoption:

Re-number the Sections to correspond with amendments made.

Which motion prevailed and

The amendment was adopted.

Mr. Kretschmar offered the following amendment to Senate Bill No. 372 and moved its adoption:

Strike out Section 26 of the bill.

Which motion prevailed and

The amendment was adopted.

Mr. Hyland moved

That Senate Bill No. 372 be referred to a special committee of three with instructions to report to the Senate this afternoon.

Which motion prevailed and

The President appointed as such committee Messrs. Kretschmar, Trageton and Wartner.

Senate Bill No. 381.

A bill for an Act prohibiting the sale of pure bred cattle unless accompanied by a certificate of health.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, no nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Nelson
Allen	Gronvold	Plain
Barnes	Hanley	Porterfield
Bond	Heckle	Putnam
Bonzer	Helgeland	Stuel
Bronson	Hookway	Talcott
Carter	Hoverson	Thoreson
Cashel	Hughes	Trageton
Clark	Hyland	Turner
Davidson	Jacobsen	Vail
Duncan	Kretschmar	Wartner
Elken	Loftsgaard	Williams
Ellingson	McBride	Young
Ganssle	McDowell	
Gibbens	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Leutz	Overson
Englund	Linde	
Garden	Mudgett	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. McLean moved

That the vote by which Senate Bill No. 148 was passed be reconsidered.

Which motion prevailed.

Mr. McLean moved

That Senate Bill No. 148 be put on its third reading and final passage.

Which motion prevailed.

## Senate Bill No. 148.

A bill for an Act to amend Sections 2 and 36 of Chapter 128 of the Laws of 1909, and Sections 4, 6 and 10 of Chapter 141 of the Laws of 1911, relating to fish and game; providing for the removal of beavers causing damage to property and making an appropriation therefor.

Was read the third time.

Mr. McLean offered the following amendment to Senate Bill No. 148 and moved its adoption:

On page 4 of printed bill (Senate Bill No. 148) after the word "fund" on line 28, add the following:

"That annually after January 1, 1913, there shall be transferred from the game and fish fund by the game and fish board of control the sum of \$2,000.00 to be known as the expense and improvement fund, to defray the necessary expense in and about the fish hatchery as directed by the fish commission, on vouchers duly audited by the president and secretary of the board of control and paid by the treasurer, as provided by law.

Also in line 4 of the printed bill; on page 7 after the word "government" insert "or any other suitable person."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 42 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gronvold	Nelson
Barnes	Heckle	Plain
Bond	Helgeland	Porterfield
Bonzar	Hookway	Putnam
Bronson	Hoverson	Steel
Carter	Hughes	Talcott
Cashel	Hyland	Thoreson
Clark	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Loftsgaard	Vail
Ellingson	McBride	Wartner
Ganssle	McDowell	Williams
Gibbens	McLean	Young

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davidson	Garden	Linde
Davis	Hanley	Overson
Englund	Leutz	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 250.

A bill for an Act to amend Section 155 of Chapter 4 of the Political Code of the State of North Dakota, and all Acts or parts amendatory thereof, providing for the investment in bonds and mortgages of all moneys belonging to the permanent funds of the common schools, University, School of Mines, Reform School, Agricultural College, Scientific School, School for the Deaf and Dumb, Industrial School, Normal Schools, Blind Asylum, Insane Asylum and Soldiers' Home.

Was read the third time.

Mr. Hyland offered the following amendments to Senate Bill No. 250 and moved their adoption:

On page 2, line 18 of the printed bill, strike out the word "one-third" and insert in lieu thereof the word "one-half."

On page 2, line 25 of the printed bill, strike out the word "six" and insert in lieu thereof the word "five."

Which motion prevailed and

The amendments were adopted.

Mr. Bronson offered the following amendment to Senate Bill No. 250 and moved its adoption:

On page 2, line 18, of the printed bill, insert before the word "not" the following:

"At least one-third but."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 42 ayes, 1 nay, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Barnes	Gilbert	Mudgett
Bond	Gronvold	Nelson
Bonzer	Hanley	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hoverson	Steel
Clark	Hyland	Talcott
<b>Davis</b>	Jacobsen	Thoreson
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Loftsgaard	Wartner
Ganssle	McBride	Williams
Garden	McDowell	Young

Mr. Heckle voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Hughes	Trageton
Davidson	Linde	
Englund	Overson	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Hyland moved

That the vote by which Senate Bill No. 250 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The President presiding.

Senate Bill No. 352.

A bill for an Act to define the duty of the heads of state institutions and state boards to make reports.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 42 ayes, no nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Carter	Ellingson
Allen	Cashel	Ganssle
Barnes	Clark	Garden
Bond	Davidson	Gibbens
Bonzer	Duncan	Gilbert
Bronson	Elken	Gronvold

Messrs.—  
 Hanley  
 Heckle  
 Helgeland  
 Hookway  
 Hoverson  
 Jacobsen  
 Leutz  
 Loftsgaard

Messrs.—  
 McBride  
 McDowell  
 McLean  
 Mudgett  
 Overson  
 Plain  
 Porterfield  
 Putnam

Messrs.—  
 Steel  
 Thoreson  
 Trageton  
 Turner  
 Vail  
 Wartner  
 Williams  
 Young

**Absent and not voting:**

Messrs.—  
 Davis  
 Englund  
 Hughes

Messrs.—  
 Hyland  
 Kretschmar  
 Linde

Messrs.—  
 Nelson  
 Talcott

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 328.

A bill for an Act to amend Chapter 229 of the Laws of 1911, prohibiting the introduction of intoxicating liquors, narcotics or other habit-forming drugs into any of the buildings or upon the premises of any of the penal or charitable institutions of the state, or of any county, city or village in the state.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, no nays, 9 absent and not voting.

**Those voting in the affirmative were:**

Messrs.—  
 Albrecht  
 Allen  
 Barnes  
 Bond  
 Bronson  
 Carter  
 Cashel  
 Clark  
 Davidson  
 Duncan  
 Elken  
 Ellingson  
 Ganssle  
 Garden

Messrs.—  
 Gibbens  
 Gilbert  
 Gronvold  
 Hanley  
 Heckle  
 Helgeland  
 Hookway  
 Hoverson  
 Hyland  
 Leutz  
 Loftsgaard  
 McDowell  
 McLean  
 Mudgett

Messrs.—  
 Nelson  
 Overson  
 Plain  
 Porterfield  
 Putnam  
 Steel  
 Thoreson  
 Trageton  
 Turner  
 Vail  
 Wartner  
 Williams  
 Young

**Absent and not voting:**

Messrs.—  
 Bonzer  
 Davis  
 Englund

Messrs.—  
 Hughes  
 Jacobsen  
 Kretschmar

Messrs.—  
 Linde  
 McBride  
 Talcott

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 302.

A bill for an Act to prevent unnecessary delay in appeals from the district court to the Supreme Court, arising from delay in making transcripts of testimony and proceedings, and limiting time within which and prescribing proceedings under which court stenographers must prepare and deliver transcripts ordered, and providing for appointment, qualification and removal of court stenographers and deputy stenographers.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 36 ayes, 2 nays, 12 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Mudgett
Allen	Garden	Overson
Barnes	Gibbens	Plain
Bond	Gilbert	Putnam
Bonzer	Gronvold	Steel
Bronson	Heckle	Thoreson
Carter	Helgeland	Trageton
Cashel	Hoverson	Turner
Clark	Hyland	Vail
Davidson	Leutz	Wartner
Duncan	McDowell	Williams
Ellingson	McLean	Young

Messrs. Hookway and Loftsgaard voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Hughes	McBride
Elken	Jacobsen	Nelson
Englund	Kretschmar	Porterfield
Hanley	Linde	Talcott

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 306.

A bill for an Act to provide for the appointment of clerks for county courts and fixing their compensation.

Was read the third time.

Mr. Bronson offered the following amendment to Senate Bill No. 306 and moved its adoption:

At the end of line 18 on page 2 of the printed bill, after the word "therefor" insert the following:

*"Provided, however, that in any county the board of county commissioners thereof may allow additional clerk hire and salaries therefor."*

Which motion prevailed and

The amendment was adopted.

Mr. Jacobsen offered the following amendments to Senate Bill No. 306 and moved their adoption:

In line 5 of the printed bill strike out the word "five" and insert in lieu thereof the word "seven."

Also in line 6 strike out the word "five" following the word "of" and insert in lieu thereof the word "seven" and strike out the word "six" in same line and insert in lieu thereof the word "eight."

Also in line 7 of the printed bill strike out the word "six" and insert in lieu thereof the word "eight."

Which motion prevailed and

The amendments were adopted.

Mr. Allen moved

That the Senate take a recess for ten minutes.

Which motion prevailed.

#### AFTER RECESS.

Mr. Jacobsen moved

That the vote by which the amendments offered by Mr. Jacobsen were adopted be reconsidered.

Which motion prevailed.

Mr. Jacobsen offered the following amendments to Senate Bill No. 306 and moved their adoption:

In line 5 of the printed bill, strike out "5,000" and insert in lieu thereof "8,000." In line 6 of the printed bill, strike out "5,000" and insert in lieu thereof "8,000." Also in line 6 of the printed bill, strike out "6,000" and insert "9,000." Also in line 7 of the printed bill, strike out "6" and insert "9." In line 8 of the printed bill, strike out "500." Also in

line 8 of the printed bill, strike out "9,000" and insert "10,000." In line 9 of the printed bill, strike out "9,000 and insert "10,000." In line 10 of the printed bill, strike out "12,000" and insert "15,000." Also in line 10 of the printed bill, strike out "eight hundred dollars" and insert "seven hundred dollars." Also in line 11, strike out "12,000" and insert "15,000."

Which motion prevailed and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 31 ayes, 10 nays, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hookway	Plain
Allen	Hoverson	Porterfield
Barnes	Hughes	Steel
Bond	Jacobsen	Thoreson
Bonzer	Leutz	Turner
Bronson	McBride	Vail
Carter	McDowell	Wartner
Duncan	McLean	Williams
Ellingson	Mudgett	Young
Hanley	Nelson	
Heckle	Overson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cashel	Gilbert	Putnam
Clark	Gronvold	Trageton
Davidson	Helgeland	
Ganssle	Loftsgaard	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Garden	Kretschmar
Elken	Gibbens	Linde
Englund	Hyland	Talcott

Messrs Englund and Linde being excused.

Mr. McDowell offered the following amendment to Senate Bill No. 306 and moved its adoption:

Strike out the title of the bill and insert in lieu thereof the following:

"For an Act to provide for the compensation of clerks for county courts, appointed under Section 7885 of the Revised Codes of North Dakota of 1905."

Which motion prevailed and  
The amendment was adopted.

So the bill passed and the title as amended was agreed  
to.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., March 4, 1913.

*Mr. President:*

I have the honor to inform you that the House has adopted the conference committee's amendments to Senate Bill No. 98.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to transmit herewith

House Bill No. 330.

A bill for an Act to amend Section 4463 of the Revised Codes of 1905, relating to conditions of admission of foreign insurance companies to do business in this state.

Also,

House Bill No. 500.

A bill for an Act to amend and re-enact Sections 44, 45 and 73 of the Revised Codes of North Dakota of 1905, relating to printing and distribution of journals, bills and public documents.

Also,

House Bill No. 413.

A bill for an Act providing for the inspection of coal imported into this state and charging the state oil inspector and his deputies with the performance of the duties imposed by this Act.

Also,

House Bill No. 442.

A bill for an Act to prohibit township treasurers from depositing township moneys in their own name.

House Bill No. 165.

A bill for an Act to define co-operative associations, to authorize their incorporation and to declare an emergency.

Also,

House Bill No. 488.

A bill for an Act extending the powers and duties of state and district veterinarians and providing for the testing of animals exposed to the disease known as glanders.

Also,

House Bill No. 429.

A bill for an Act to amend and re-enact Section 9452 of the Revised Code of 1905, pertaining to the promiscuous distribution of drug samples.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 10.

A bill for an Act making an appropriation of a sum sufficient to complete payment for the silver service to be donated by the State of North Dakota to the Battleship North Dakota.

Which the House has indefinitely postponed.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Senate Bill No. 322.

A bill for an Act pertaining to verdicts and findings and abolishing special verdicts in civil and criminal actions.

Was read the third time.

The question being on the final passage of the bill.

Th roll was called and there were 42 ayes, no nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gilbert	Overson
Barnes	Gronvold	Plain
Bond	Heckle	Porterfield
Bonzer	Helgeland	Putnam
Bronson	Hookway	Steel
Carter	Hoverson	Talcott
Cashel	Hyland	Thoreson
Clark	Jacobsen	Trageton
Davidson	Leutz	Turner
Duncan	Loftsgaard	Vail
Elken	McBride	Wartner
Ellingson	McDowell	Williams
Ganssle	McLean	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Hanley	Linde
Englund	Hughes	Nelson
Garden	Kretschmar	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 325.

A bill for an Act to provide for a state board of industrial school trustees, the organization, meetings and compensation of such board, and the purpose, maintenance and government of the state industrial school and school for manual training at Ellendale, the academy of science at Wahpeton and the school of forestry at Bottineau, and repealing Sections 1092 to 1099, 1172 to 1176, 1231 to 1236 of the Revised Codes of North Dakota of 1905, as amended by Sections 1092 and 1231 of Chapters 100 and 241 of the Session Laws of North Dakota of 1907.

Was read the third time.

Mr. Talcott offered the following amendment to Senate Bill No. 325 and moved its adoption:

On page 7, line 8 of the printed bill, strike out the word "shall" and insert in lieu thereof the word "may."

Which motion prevailed, and

The amendment was adopted.

Mr. Talcott offered the following amendment to Senate Bill No. 325 and moved its adoption.

On page 7, line 8 of the printed bill, reinsert the words

“the purchasing agent” after the word “officer” which were stricken out by amendment of committee.

Which motion prevailed, and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 43 ayes, no nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Heckle	Plain
Bond	Helgeland	Porterfield
Bonzer	Hookway	Putnam
Bronson	Hoverson	Steel
Carter	Hughes	Talcott
Cashel	Hyland	Thoreson
Clark	Jacobsen	Trageton
Davidson	Kretschmar	Turner
Duncan	Leutz	Vail
Elken	Loftsgaard	Williams
Ellingson	McBride	Young
Ganssle	McDowell	
Gibbens	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Hanley	Wartner
Englund	Linde	
Garden	Overson	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

## REPORT OF CONFERENCE COMMITTEE.

*Mr. President:*

The committee on conference appointed to confer with the House committee as to the amendment to House Bill No. 170, as made by the Senate and in which the House did not concur, do hereby report:

Said conference committee has agreed that the amended bill, as passed by the Senate and printed on page 18 of the House Journal of March 3rd, be amended so that Section 1 thereof shall read as follows:

“Section 1. Prohibiting Unnecessary Duplication of Exchanges.) No telephone exchange for furnishing local service to subscribers shall be installed in any city or village where there is already a telephone exchange in operation, nor shall any farm or toll lines be paralleled without a declaration being first secured from the state board of railroad commissioners after a public hearing of all parties interested, that public convenience and necessity require it, such hearing to be had on thirty days notice to all parties interested.”

When thus amended we do recommend that the bill pass, as passed by the Senate.

A. G. DIVET,  
J. J. RYAN,  
T. O. ROBLE,  
House Committee.  
E. L. GARDEN,  
W. P. PORTERFIELD,  
G. L. ELKEN,  
Senate Committee.

Mr. Elken moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

House Bill No. 170.

A bill for an Act providing for physical connections and joint rates between companies, defining the same and giving the state board of railroad commissioners certain powers in connection therewith.

The question being on the final passage of the bill as amended by the conference committee.

The roll was called and there were 43 ayes, no nays 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson  
Carter  
Cashel  
Clark  
Davidson  
Duncan  
Elken  
Ellingson  
Gansle  
Gibbens

Messrs.—  
Gilbert  
Gronvold  
Heckle  
Helgeland  
Hookway  
Hoverson  
Hughes  
Hyland  
Jacobsen  
Kretschmar  
I eutz  
Loftsgaard  
McBride  
McDowell  
McLean

Messrs.—  
Mudgett  
Nelson  
Plain  
Porterfield  
Putnam  
Steel  
Talcott  
Thoreson  
Trageton  
Turner  
Vail  
Williams  
Young

Absent and not voting:

Messrs.—  
Davis  
Englund  
Garden

Messrs.—  
Hanley  
Linde  
Overson

Messrs.—  
Wartner

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Vail moved

That the rules be suspended and Senate Bill No. 361 be put on its third reading and final passage.

Which motion prevailed.

Mr. Leutz moved

That the vote by which Senate Bill No. 361 was placed on its third reading and final passage be reconsidered.

Which motion was lost.

Senate Bill No. 361.

A bill for an Act creating a state board of chiropractic examiners to regulate the practice of chiropractic in the State of North Dakota; defining chiropractic; providing for licensing chiropractors and to prescribe penalties for the violation of this Act.

Was read the third time.

Mr. Elken offered the following amendments to Senate Bill No. 316 and moved their adoption: "and must also give evidence which will be satisfactory to said board, of preliminary education which would be necessary to admit to the University of the State of North Dakota, or some equally reputable American school or college to be added after the figures "1913" on page 3 at line 13.

Also to amend at page 3, line 12, by changing the word "six" to "eight."

Which motion prevailed and

The amendments were adopted.

Mr. Bronson offered the following amendment to Senate Bill No. 361 and moved its adoption:

At the end of Section 6, line 8 of the printed bill after the word "applicant" insert the following:

"*Provided* further that such resident practitioner have the qualifications required at the time this Act takes effect as provided herein."

Which motion was losot.

Mr. Davis offered the following amendment to Senate Bill No. 361, and moved its adoption;

In Section 4 of the engrossed bill strike out the words: "except as herein stated," which motion prevailed and the amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 22 ayes, 23 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Hyland	Steel
Carter	Jacobsen	Thoreson
Clark	Loftsgaard	Trageton
Gibbens	McDowell	Turner
Gilbert	Mudgett	Vail
Helgeland	Nelson	Williams
Hookway	Overson	
Hoverson	Putnam	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Ellingson	McBride
Bond	Ganssle	McLean
Bonzer	Gronvold	Plain
Bronson	Hanley	Porterfield
Cashel	Heckle	Talcott
Davidson	Hughes	Wartner
Duncan	Kretschmar	Young
Elken	Leutz	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Englund	Linde
Davis	Garden	

Messrs. Englund and Linde being excused.

So the bill was lost.

Mr. Davidson gave notice that at 3 o'clock P. M. tomorrow he would move for a reconsideration of the vote by which Senate Bill No. 361 was lost.

There being no objection, the Senate returned to the seventh order of business.

## REPORT OF SPECIAL COMMITTEE.

The special committee to consider Senate Bill No. 372 made the following report:

*Mr. President:*

Your special committee to whom was referred  
Senate Bill No. 372.

A bill for an Act to amend Section 1 of Chapter 120, Session Laws for 1909, relating to sheriff's fees.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Sections 14, 15, 21, 26, 32.

Also change numbers of Sections so as to number them consecutively.

Section 12, line 34, strike out the word "three" and insert in lieu thereof the word "two."

And when so amended recommend the same do pass.

P. KRETSCHMAR,  
Chairman.

Mr. Kretschmar moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Mr. Kretschmar moved

That the rules be suspended and Senate Bill No. 372 be put on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 372.

A bill for an Act to amend Section 1 of Chapter 120, Session Laws for 1909, relating to sheriff's fees.

Was read the third time.

The question being on the final passage of the bill as amended by special committee.

The roll was called and there were 40 ayes, 3 nays, 7 absent and not voting.

**Those voting in the affirmative were:**

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Nelson
Allen	Gibbens	Overson
Barnes	Gilbert	Plain
Bond	Gronvold	Porterfield
Bonzer	Heckle	Putnam
Bronson	Helgeland	Steel
Carter	Hookway	Talcott
Cashel	Hoverson	Trageton
Clark	Hyland	Turner
Davidson	Jacobsen	Vail
Davis	Kretschmar	Wartner
Duncan	Loftsgaard	Williams
Elken	McDowell	
Ellingson	McLean	

**Those voting in the negative were:**

Messrs.—	Messrs.—	Messrs.—
Hanley	Hughes	Young

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Englund	Linde	Thoreson
Garden	McBride	
Leutz	Mudgett	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., March 4, 1913.

*Mr. President:*

I have the honor to transmit herewith the following concurrent resolution:

*Be it Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring:*

The following proposed amendment to Article 7, Section 135, of the Constitution of the State of North Dakota, is hereby agreed, to be referred to the Legislative Assembly to be chosen at the next general election of the State of North Dakota, and to be by said last mentioned Legislative Assembly submitted to the qualified electors of this state for their approval or rejection, in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota.

Amendment.) That Article 7 of Section 135 of the Constitution of the State of North Dakota be amended to read

as follows: In all elections for directors or managers of a corporation, each member or shareholder may cast the whole number of his votes for one candidate, or distribute them upon two or more candidates, as he may prefer; *provided*, the provisions of this Section shall not be so construed as to apply to co-operative associations, corporations or companies the by-laws of which provide for each member or shareholder the privilege of one vote regardless of the number of certificates of stock held.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to transmit herewith the following concurrent resolution:

Mr. Smith of Ward introduced the following resolution and moved its adoption:

*Whereas*, The Tariff Act of August 5, 1909, on imports into the United States provides that wheat can be imported in bond without paying duty, provided it be manufactured and exported according to conditions prescribed by the secretary of the treasury; and,

*Whereas*, The Tariff Act of August 5, 1909, on imports into the United States provides that an importer of wheat upon which duty has been paid, when converted into manufactured articles shall be allowed on the exportation of such articles a draw back equal to the duty paid less one per cent of such duties; and,

*Whereas*, Under the provisions of the above entitled Act the United States treasury department has ruled that whole wheat may be handled in bond including exportations without any process of manufacture; and,

*Whereas*, The treasury department of the United States has also ruled that a period of three years is a reasonable limit of time in which wheat can be moved in bond through the United States; and,

*Whereas*, We believe the agricultural interests of the grain growing states are suffering loss upon the price of their product by the provisions of the "Draw Back Clause" in the above entitled Tariff Act; and,

*Whereas*, The farmers of the grain growing states are suffering loss in the price of their product by the way in which whole wheat is handled in bond; and,

*Whereas*, We believe sixty days is ample time in which to move wheat or any other commodity in bond through the United States.

*Now, Therefore, Be it Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring*, That our members of Congress each be provided with a copy of these resolutions and that they be hereby instructed to do all in their power to repeal the "Draw Back Clause" in the Tariff Act of August 5, 1909, on imports into the United States.

*And be it Further Resolved*, That we hereby make these resolutions a protest against the ruling of the United States treasury department in respect to the way whole wheat is handled in bond, and against the ruling regarding the length of time allowed for handling wheat in bond by sending a copy of these resolutions to the secretary of the treasury and recommending that sixty days be the time limit for any commodity to pass in bond through the United States.

*And be it Further Resolved*, That a copy of these resolutions be sent to the governors of each of the following states with an urgent request herein contained that they submit these or resolutions of a similar nature to their respective state legislatures as follows:

California, Oregon, Washington, Montana, South Dakota, Nebraska, Kansas, Oklahoma, Minnesota, Wisconsin, Illinois, Indiana, Ohio and Pennsylvania.

Which the House adopted and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

#### REPORT OF SPECIAL COMMITTEE.

Mr. Davidson moved that the foregoing resolutions be referred to the committee on state affairs.

Your special committee to whom was referred,

Senate Bill No. 350.

A bill for an Act fixing priorities of liens and requiring all persons who may be entitled to a mechanic's lien to file a notice of lien, take a statement or acknowledgement for such lien and providing a penalty for filing unlawful liens.

Have had the same under consideration and recommend the same be amended as follows:

Strike out everything after the words "A Bill" and insert the following:

"For an Act fixing priorities of liens, and requiring all persons who may be entitled to a mechanic's lien to file a notice of lien and the owner's consent for such lien and providing a penalty for filing unlawful liens.

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

Section 1. Notice to be Filed.) Every person who shall be entitled to have a mechanic's lien for material under the provisions of Section 6237 of the Revised Codes for 1905 and Acts amendatory thereof, and who wishes to avail himself of the provisions of said Section shall in addition to the requirements of said Section file with the clerk of the district court of the county in which such land, building or improvement is situated, a notice in writing giving the name of the possessor of the land, a description of the property to be charged with the lien, the date of the contract, and that he will claim and thereafter file a verified account thereof, as provided by statute, and perfect a mechanic's lien against the said described building, improvements or premises according to law, in the event the same shall not have been paid. This notice shall be signed by such person so entitled to such mechanic's lien or by authorized agent. The clerk of court shall file and record such notice in a book to be entitled the "Book of Mechanic's Liens Notice" upon the receipt of a fee of twenty-five cents for filing and indexing the same. A mechanic's lien shall be void against the owner or holder of any mortgage or deed or conveyance, whose mortgage deed or conveyance shall have been filed and recorded prior to the filing for record of the herein prescribed notice of mechanic's lien.

Sec. 2. Notice to and Consent of Owner, Required.) Every person who shall be entitled to a mechanic's lien for material under the provisions of said Chapter and Acts amendatory thereto, and who wishes to avail himself of the provisions of said section shall in addition to the requirements of said section file with his lien a statement to the effect that the owner of the premises has consented that said lien may be filed, which statement must be signed by the owner of said premises, and which statement must be made in duplicate and duplicate delivered to the owner of the premises and both original and duplicate notice be signed on or before the time the first material is furnished; *provid-*

*ed*, that when the owner of the premises has consented that a lien may be filed against the premises by a contractor it shall not be necessary for any sub-contractor or material man to obtain any further consent to the filing of liens for materials furnished for the improvement of said premises. Such notice must be substantially in the following form:

I hereby acknowledge that notice has been given me, that a mechanic's lien may be filed for material furnished, under may contract with (*name of contractor or person furnishing material*) made on this.....day of....., 191....., and I hereby consent that such lien may be filed as security for material furnished to me (*character of improvement.*)

Sec. 3. Penalty for Filing Unlawful Lien.) Whoever signs and files a mechanic's lien under the provisions of Section 6237 of the Revised Codes of 1905 and Acts amendatory thereto, and knowing and willfully includes in said lien classes of said material for which the law does not permit the filing of a lien, shall be guilty of a misdemeanor.

And when so amended, recommend that same do pass.

W. B. OVERSON.

F. LEUTZ.

J. E. DAVIS.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Mr. Overson moved

That the rules be suspended and Senate Bill No. 350 be put on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 350.

A bill for an Act fixing priorities of liens and requiring all persons who may be entitled to a mechanics' lien to file a notice of lien, to take a statement or acknowledgment for such lien, and providing a penalty for filing unlawful liens.

The question being on the final passage of the bill as amended by special committee.

The roll was called and there were 34 ayes, 9 nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Nelson
Barnes	Gilbert	Overson
Bond	Hanley	Plain
Bonzer	Helgeland	Porterfield
Carter	Hyland	Putnam
Cashel	Jacobsen	Steel
Clark	Kretschmar	Talcott
Davidson	Leutz	Trageton
Davis	Loftsgaard	Turner
Duncan	McBride	Williams
Elken	McLean	
Ganssle	Mudgett	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Heckle	Thoreson
Bronson	Hookway	Vail
Ellingson	Hughes	Young

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Englund	Hoverson	Wartner
Garden	Linde	
Gronvold	McDowell	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Leutz moved

That the vote by which Senate Bill No. 350 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 4th, 1913.

*Mr. President:*

I have the honor to inform you that the conference committee on House Bill No. 340 has been discharged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Senate Bill No. 327.

A concurrent resolution to amend Section 154 of the Constitution of the State of North Dakota, relating to the ap-

portioning of the interest and income derived from the permanent fund of the common schools.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 25 ayes, 19 nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ellingson	Nelson
Allen	Ganssle	Plain
Barnes	Gronvold	Porterfield
Bond	Hanley	Steel
Bonzer	Heckle	Talcott
Carter	Leutz	Vail
Cashel	McBride	Wartner
Davis	McDowell	
Duncan	Mudgett	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Hyland	Thoreson
Clark	Jacobsen	Trageton
Davidson	Kretschmar	Turner
Gibbens	Loftsgaard	Williams
Helgeland	McLean	Young
Hookway	Overson	
Hoverson	Putnam	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Elken	Garden	Hughes
Englund	Gilbert	Linde

Messrs. Englund and Linde being excused.

So the bill was lost.

Mr. Talcott moved

That the vote by which Senate Bill No. 327 was lost, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Davis moved

That the vote by which the committee report indefinitely postponing Senate Bill No. 219 was adopted be reconsidered.

Which motion prevailed.

Mr. Davis moved

That the rules be suspended and that Senate Bill No. 219

be put on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 219.

A bill for a concurrent resolution to amend Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 39 ayes, 1 nay, 10 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Overson
Allen	Gronvold	Plain
Barnes	Heckle	Porterfield
Bonzer	Helgeland	Putnam
Bronson	Hookway	Steel
Carter	Hoverson	Talcott
Cashel	Hyland	Thoreson
Clark	Jacobsen	Trageton
Davidson	Kretschmar	Turner
Duncan	Leutz	Vail
Elken	Loftsgaard	Wartner
Ellingson	McLean	Williams
Ganssle	Nelson	Young

Mr. McDowell voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Gilbert	McBride
Davis	Hanley	Mudgett
Englund	Hughes	
Garden	Linde	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

There being no objection the Senate proceeded to the 14th order of business.

#### FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 424.

A bill for an Act to repeal Chapter 145 of the Laws of 1907.

Was read the first and second time and

Referred to the committee on insurance.

House Bill No. 429.

A bill for an Act to amend and re-enact Section 9452 of the Revised Code of 1905, pertaining to the promiscuous distribution of drug samples.

Was read the first and second time and

Referred to the committee on public health.

House Bill No. 488.

A bill for an Act extending the power and duties of state and district veterinarians and providing for the testing of animals exposed to the disease known as glanders.

Was read the first and second time and

Referred to the committee on live stock.

House Bill No. 165.

A bill for an Act to define co-operative associations, to authorize their incorporation and to declare an emergency.

Was read the first and second time and

Referred to the committee on corporations other than municipal.

House Bill No. 442.

A bill for an Act to prohibit township treasurers from depositing township moneys in their own name.

Was read the first and second times and

Referred to the committee on ways and means.

House Bill No. 413.

A bill for an Act providing for the inspection of coal imported into this state and charging the state oil inspector and his deputies with the performance of the duties imposed by this Act.

Was read the first and second times and

Referred to the committee on ways and means.

House Bill No. 500.

A bill for an Act to amend and re-enact Sections 44, 45 and 73 of the Revised Codes of North Dakota of 1905, relating to printing and distribution of journals, bills and public documents.

Was read the first and second times and

Referred to the committee on public printing.

House Bill No. 330.

A bill for an Act to amend Section 4463 of the Revised Codes of 1905, relating to conditions of admission of foreign insurance companies to do business in this state.

Was read the first and second times and

Referred to the committee on insurance.

Mr. Overson moved

That the Senate take a recess until 8 o'clock this evening.

Mr. Allen moved

As an amendment that the Senate take a recess until 10 o'clock.

Which motion was lost.

The question being on the original motion, the motion prevailed and

The Senate took a recess until 8 o'clock this evening.

W. D. AUSTIN,  
Secretary.

FIFTY-SEVENTH DAY AFTER RECESS AND FIFTY-EIGHTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
March 4, 1913.

The Senate convened at 8 o'clock P. M. pursuant to recess taken.

The President pro tempore presiding.

There being no objection, the Senate returned to the sixth order of business, and

The committee on insurance made the following report:

*Mr. President:*

Your committee on insurance to whom was referred

Senate Bill No. 386.

A bill for an Act to amend Section 1516 of the Revised Codes of 1905, relating to the bond and oath of assessors.

Have had the same under consideration and recommend that the same be amended as follows:

In line 6 of the printed bill after the word "bond" insert "issued by the state bonding department" and in the same line after the word "Dakota" strike out the words "with at least."

In line 7 of the printed bill strike out the first four words.

And when so amended recommend the same do pass.

JOHN E. WILLIAMS,  
Chairman.

Mr. Williams moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

### MOTIONS AND RESOLUTIONS.

Mr. Williams moved

That the rules be suspended, and that Senate Bill No. 386 be considered re-engrossed and placed on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 386.

A bill for an Act to amend Section 1516 of the Revised Codes of 1905, relating to the bond and oath of assessors.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were 31 ayes, no nays, 19 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Hanley	Porterfield
Bonzer	Heckle	Putnam
Bronson	Helgeland	Steel
Cashel	Hoverson	Trageton
Clark	Hyland	Turner
Duncan	Jacobsen	Vail
Elken	Loftsgaard	Wartner
Ellingson	McDowell	Williams
Ganssle	McLean	Young
Gilbert	Overson	
Gronvold	Plain	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McBride
Allen	Gibbens	Mudgett
Bond	Hookway	Nelson
Carter	Hughes	Talcott
Davidson	Kretschmar	Thoreson
Davis	Leutz	
Englund	Linde	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Williams moved.

That the vote by which Senate Bill No. 386 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Plain moved

That the rules be suspended and House Bills Nos. 192 and 114 be placed on their third reading and final passage.

Which motion prevailed.

House Bill No. 114.

A bill for an Act to provide for the making of permanent improvements at the state normal school at Valley City, North Dakota, to assist in the maintenance thereof and for other purposes and make an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 35 ayes, no nays, 15 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Gronvold	Plain
Bond	Hanley	Porterfield
Bonzer	Heckle	Putnam
Bronson	Helgeland	Steel
Cashel	Hoverson	Thoreson
Clark	Hyland	Trageton
Davis	Jacobsen	Turner
Duncan	Loftsgaard	Vail
Elken	McDowell	Wartner
Ellingson	McLean	Williams
Ganssle	Mudgett	Young
Gilbert	Overson	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Leutz
Allen	Gibbens	Linde
Carter	Hookway	McBride
Davidson	Hughes	Nelson
Englund	Kretschmar	Talcott

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which House Bill No. 114 passed, be re-

considered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 192.

A bill for an Act making an appropriation for the Normal School at Minot to meet an expenditure for the erection of buildings and permanent improvements necessary in connection therewith, and for furnishing, equipment and maintenance.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 35 ayes, no nays, 15 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Gronvold	Plain
Bond	Hanley	Porterfield
Bonzer	Heckle	Putnam
Bronson	Helgeland	Steel
Cashel	Hoverson	Thoreson
Clark	Hyland	Trageton
Davis	Jacobsen	Turner
Duncan	Loftsgaard	Vail
Elken	McDowell	Wartner
Ellingson	McLean	Williams
Ganssle	Mudgett	Young
Gilbert	Overson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Leutz
Allen	Gibbens	Linde
Carter	Hookway	McBride
Davidson	Hughes	Nelson
Englund	Kretschmar	Talcott

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which House Bill No. 192 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 588.

A bill for an Act to repeal Sections 1, 2 and 3 of Chapter 213 of the Session Laws of 1911.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 34 ayes, 2 nays, 14 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Porterfield
Barnes	Gronvold	Putnam
Bond	Heckle	Steel
Bonzer	Helgeland	Talcott
Bronson	Hoverson	Thoreson
Cashel	Hyland	Trageton
Clark	Jacobsen	Turner
Davis	Kretschmar	Vail
Duncan	Loftsgaard	Williams
Elken	Mudgett	Young
Ellingson	Overson	
Ganssle	Plain	

Messrs. McDowell and McLean voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Gibbens	Linde
Carter	Hanley	McBride
Davidson	Hookway	Nelson
Englund	Hughes	Wartner
Garden	Leutz	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Steel moved

That the vote by which Senate Bill No. 388 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 335.

A bill for an Act to re-enact and amend Section 22, Chapter 62 of the Session Laws of 1911, relating to the appointment of a state architect and pertaining to his duties and salary. Emergency.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 32 ayes, 7 nays, 11 absent and not voting.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Porterfield
Allen	Gilbert	Putnam
Barnes	Gronvold	Steel
Bond	Hoverson	Talcott
Bonzer	Hyland	Thoreson
Cashel	Jacobsen	Trageton
Clark	McDowell	Vail
Davis	McLean	Wartner
Duncan	Mudgett	Williams
Elken	Overson	Young
Ellingson	Plain	

## Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Helgeland	Turner
Hanley	Leutz	
Heckle	Loftsgaard	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Gibbens	Linde
Davidson	Hookway	McBride
Englund	Hughes	Nelson
Garden	Kretschmar	

Messrs. Englund and Linde being excused.

So the bill passed without the emergency clause and the title was agreed to.

Mr. Elken moved

That the vote by which Senate Bill No. 335 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 376.

A bill for an Act to amend Section 232 of Chapter 266 of the Session Laws of 1911, relating to education.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 38 ayes, 2 nays, 10 absent and not voting.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Bonzer	Davis
Allen	Bronson	Duncan
Barnes	Cashel	Elken
Bond	Clark	Ellingson

Messrs.—  
 Ganssle  
 Gilbert  
 Gronvold  
 Hanley  
 Heckle  
 Hoverson  
 Hyland  
 Jacobsen  
 Kretschmar

Messrs.—  
 Leutz  
 McDowell  
 McLean  
 Mudgett  
 Overson  
 Plain  
 Porterfield  
 Putnam  
 Steel

Messrs.—  
 Talcott  
 Thoreson  
 Trageton  
 Turner  
 Vail  
 Wartner  
 Williams  
 Young

Messrs. Helgeland and Loftsgaard voted in the negative.

Absent and not voting:

Messrs.—  
 Carter  
 Davidson  
 Englund  
 Garden

Messrs.—  
 Gibbens  
 Hookway  
 Hughes  
 Linde

Messrs.—  
 McBride  
 Nelson

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Elken moved

That the vote by which Senate Bill No. 376 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 358.

A bill for an Act to require the railroad commission to formulate a uniform system of accounting for public elevators and warehouses and to provide for the examination of the accounts of such elevators and warehouses when requested by not less than 15 per cent of the stockholders thereof, and prescribing fees therefor; and amending Chapter 251 of the Session Laws of 1911, relating to the filing of bonds by public warehouses.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 42 ayes; no nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
 Allen  
 Barnes  
 Bond  
 Bonzer  
 Bronson  
 Cashel

Messrs.—  
 Clark  
 Davidson  
 Davis  
 Duncan  
 Elken  
 Ellingson

Messrs.—  
 Ganssle  
 Gibbens  
 Gilbert  
 Gronvold  
 Hanley  
 Heckle

Messrs.—	Messrs.—	Messrs.—
Helgeland	McDowell	Talcott
Hoverson	McLean	Thoreson
Hyland	Mudgett	Trageton
Jacobsen	Overson	Turner
Kretschmar	Plain	Vail
Leutz	Porterfield	Wartner
Loftsgaard	Putnam	Williams
McBride	Steel	Young

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Linde
Carter	Hookway	Nelson
Englund	Hughes	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Elken moved

That the vote by which Senate Bill No. 358 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 241.

A bill for an Act to amend Sections 2772, 2775, 2776, 2777 and 2786, Revised Codes of 1905, as amended by Chapter 70 of the Laws of North Dakota, A. D. 1911, relating to the creation of improvement districts and the purpose for which special assessments may be levied in this state.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, no nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Overson
Allen	Gronvold	Plain
Barnes	Hanley	Porterfield
Bond	Heckle	Putnam
Bonzer	Helgeland	Steel
Bronson	Hoverson	Talcott
Cashel	Hughes	Thoreson
Clark	Hyland	Trageton
Davidson	Jacobsen	Turner
Davis	Leutz	Vail
Duncan	Loftsgaard	Wartner
Elken	McBride	Williams
Ellingson	McDowell	Young
Ganssle	McLean	
Gibbens	Mudgett	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Hookway	Nelson
Englund	Kretschmar	
Garden	Linde	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Elken moved

That the vote by which Senate Bill No. 241 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 290.

A bill for an Act extending the powers of the board of trustees of incorporated villages, relative to sidewalks, sewers, paving and water mains.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, 1 nay, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	Overson
Allen	Hanley	Plain
Barnes	Heckle	Porterfield
Bond	Helgeland	Putnam
Bonzer	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Davis	Kretschmar	Turner
Duncan	Leutz	Vail
Elken	Loftsgaard	Wartner
Ellingson	McBride	Williams
Ganssle	McDowell	Young
Gibbens	McLean	
Gilbert	Mudgett	

Mr. Bronson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Garden	Linde
Englund	Hookway	Nelson

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Elken moved

That the vote by which Senate Bill No. 290 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 346.

A bill for an Act to amend and re-enact Section 34 of Chapter 266 of the Session Laws of 1911, relating to salary and expenses of county superintendents.

Was read the third time.

Mr. Jacobsen moved

That the further consideration of Senate Bill No. 346 be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

So the bill was lost.

Mr. Elken moved

That the vote by which Senate Bill No. 346 was lost, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

There being no objection, the Senate returned to the sixth order of business, and

The committee on education made the following report:

*Mr. President:*

A majority of your committee on education to whom was referred

Senate Bill No. 310.

A bill for an Act to amend and re-enact Sections 232 and 269 of Chapter 266 of the Session Laws of 1911, relating to school age, who exempt from compulsory attendance, and teachers' register, what to contain.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. S. TALCOTT,  
Chairman.

Also,

*Mr. President:*

A minority of your committee on education to whom was referred

Senate Bill No. 310.

A bill for an Act to amend and re-enact Sections 232 and 269 of Chapter 266 of the Session Laws of 1911, relating to school age, who exempt from compulsory attendance, and teachers' register, what to contain.

Have had the same under consideration and recommend that the same do pass.

L. C. ALBRECHT,  
J. L. CASHEL,  
ED. HOVERSON,  
JOHN E. WILLIAMS.

Mr. Albrecht moved

That the minority report of the committee to pass Senate Bill No. 310 be adopted.

Mr. Talcott moved

As an amendment that the majority report of the committee to indefinitely postpone Senate Bill No. 310 be adopted.

Which motion was lost.

The question being on the original motion, the same prevailed and the minority report of the committee was adopted.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 54.

A bill for an Act regulating the manner in which payments shall be made for any service or fee prescribed by law from any department of the State of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the words "A bill" and insert the following title:

"Section 1. All fees and profits arising from any of the state offices which are required by law to be paid into the

state treasury shall be covered into the state treasury at the end of each month.

“Sec. 2. Emergency.) Whereas, there are no adequate provisions of law prescribing when certain fees and profits arising from the state offices shall be covered into the state treasury, therefore, this Act shall take effect and be in force from and after its passage and approval.”

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 293.

A bill for an Act to provide for the preparing of an annual county budget.

Have had the same under consideration and recommend that the printed bill be amended as follows:

In Section 1, Line 15, strike out the words “May 15th” and insert in lieu thereof the words “March 1st.” In Section 2, line 3, strike out the word “July” and insert the word “April.” In Section 3, line 1, strike out the word “beginning” and insert in lieu thereof the words “April meeting” in the same line strike out the word “fiscal.” In line 8 of Section 3, after the word “showing” insert the word “detailed.” On page 3, Section 3, line 18, after the word “published” insert the words “at least once.” In line 19 of the same Section, strike out the “period” and insert in lieu thereof a “comma” and add the words “during the month of May.” Strike out Section 4.

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 362.

A bill for an Act to amend Section 38 of Chapter 62 of the Session Laws of 1911, relating to estimates and the purchase of supplies for state institutions.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the words "A Bill" and insert the following:

"For an Act to amend and re-enact Sections 35 and 38 of Chapter 62 of the Session Laws of 1911, relating to salaries, estimates and the purchase of supplies for state institutions.

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

"Section 1. That Sections 35 and 38 of Chapter 62 of the Session Laws of 1911 be amended to read as follows:

"35. Institution Salaries.) The board shall, prior to July 1st, 1911, and annually thereafter, fix, with the written approval of the governor, the annual or monthly salaries of all the officers and employes in the several institutions, except such as are fixed by the legislative assembly. The board shall classify the officers and employes into grades and the salaries and wages to be paid in each grade shall be uniform in similar institutions in this state. The schedule of wages so fixed shall become operative on July 1st of each year. *Provided*, however, that the salaries of officers and employes of said institutions, except the local treasurers thereof, who are now holding for a definite term, and a salary fixed by law or by contract according to law shall remain the same until the expiration of such term. The salaries and wages shall be included in the monthly estimates as hereinafter provided, and paid in the same manner as other expenses of the several institutions. Officers shall be entitled to the necessary food supplies for their families, and shall receive such allowance from the supplies of the institution, but shall not be entitled to delicacies when not in season. The word "family" shall be construed to mean only the wife and minor children of an officer.

"Sec. 38. Triplicate Estimates, Revisions. Purchase of

Supplies.) The superintendent, warden or other chief executive officers, as may be designated by the board of control, shall, on or before the fifteenth day of February, May, August and November cause to be prepared triplicate estimates in minute detail, including estimated cost of each item, of all the expenditures required for the institution for the ensuing quarterly period beginning on the 1st day of January, April, July and October. Such estimates shall also include a statement of the source and amount of all the revenues received by the said institution and accounted for to the state treasury on the first day of each month. Two of the said triplicate estimates shall be sent to the officer of the board and the third shall be kept by the superintendent, warden or other chief executive officer. The board may revise the estimates for supplies or other expenditures either as to quantity, quality or the estimated cost thereof, and shall certify that it has carefully examined the same, and that the articles contained in such estimate, as approved or revised by it, are actually required for the use of said institution. The board shall thereupon advertise for bids for such supplies, requiring samples in every possible case, and such supplies purchased shall in all cases be at the least equal in value to the sample submitted by the successful bidder. Where samples are submitted and bids are the same, the firm in the State so bidding shall have the preference. This, provision, however, shall not apply to the purchase of fibre for the twine plant, but the Board of Control and the warden shall jointly purchase such necessary fibre in the manner thought to be the most economical to and for the best interests of the state. When the estimates have been so certified and revised and bids for the supplies enumerated and described therein have been received and contracts for furnishing the supplies have been let, a copy of such revised estimates and the contract for furnishing the supplies enumerated and described in such revised estimates, duly certified shall be sent to the institution, and another copy retained by the board. The certified copy sent to the institution shall be sufficient authority to the management of the institution to purchase the supplies enumerated in said estimates at prices not to exceed those named in the contract and not otherwise. Said supplies shall be so purchased as to permit at least thirty days time to pay therefor, and the steward, clerk or other officer of the institution designated by the board, shall require itemized bills to be rendered by the person who furnished supplies, in duplicate, for all purchases whether made upon contract, or otherwise, which shall be in the following form:

"The State of North Dakota, on account of..... institution (date),

"To.....Dr. (here insert an itemized account of goods or property purchased.)

"The State of.....

"County of..... ss

"I, ....., on oath, say that the foregoing bill of account is correct and just, and wholly unpaid; that the exact consideration therein charged for was received by the said institution; that neither the same nor any party thereof have since been commuted, and that neither bonus, commission or discount, nor any other consideration, directly or indirectly has been given or stipulated within my knowledge or belief, because of the purchase thereof, as herein set forth, or for any other reason. (To be signed by the person having personal knowledge of the facts herein set forth.)

"Sworn to and subscribed before this.....day of

"I hereby certify that the above account is correct, and that the articles therein charged have been received in good order by the.....institution.

Steward, clerk or other designated officer.

"It shall be endorsed as follows:

"No..... Institution \$.....

Passed upon by the board of control, on the .....day of....., and ordered paid.

Secretary of the Board of Control.

And when so amended recommend the same do pass.

J. E. DAVIS, Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on taxes and tax laws made the following report:

*Mr. President:*

Your committee on taxes and tax laws to whom was referred

House Bill No. 143.

A bill for an Act providing for taxation and fixing the tax rate for taxation on inheritances, devises, bequests, legacies and gifts providing for the manner of payment and the manner of enforcing the payment thereof.

Have had the same under consideration and recommend that the same be amended as follows:

In lines two and three of Section Two, page two of the engrossed bill, strike out the words and figures "fifty thousand (\$50,000.00) dollars," and substitute in lieu thereof one hundred thousand (\$100,000.00) dollars.

In line four, strike out the words and figures "ten thousand (\$10,000.) dollars," and substitute in lieu thereof "twenty thousand (\$20,000.) dollars."

In line six, strike out the words and figures "five thousand (\$5,000.) dollars" and substitute in lieu thereof "ten thousand (\$10,000.) dollars."

In lines nine and ten, strike out the words and figures "fifty thousand (\$50,000.00) dollars up to one hundred thousand (\$100,000) dollars" and substitute in lieu thereof "one hundred thousand dollars up to two hundred and fifty thousand (\$250,000.) dollars"; and in lines eleven and twelve strike out the words and figures "one hundred thousand (\$100,000.) dollars" and substitute in lieu thereof "two hundred and fifty thousand (\$250,000) dollars."

And when so amended recommend the same do pass.

J. M. HANLEY,  
Acting Chairman.

Mr. Hanley moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 163.

A bill for an Act creating the office of county assessor, defining his duties, abolishing the offices of township assessor, village assessor and city assessor, and amending Sections 1513, 1525, 1528, 1530 and 1533 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same do pass.

J. M. HANLEY,  
Acting Chairman.

Mr. Hanley moved

That the report be adopted

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 116.

A bill for an Act providing for an inheritance tax and to repeal Sections 8320, 8321, 8322, 8323, 8324, 8325, 8326, 8327, 8328, 8329, 8330, 8331, 8332, 8333, 8334, 8335, 8336, 8337, 8338, and 8339 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. M. HANLEY,  
Acting Chairman.

Mr. Hanley moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on education made the following report:

*Mr. President:*

Your committee on education to whom was referred

House Bill No. 282.

A bill for an Act to amend Sections 921, 923, 924, 925, 928 and 933 of the Revised Codes of the State of North Dakota of 1905, relating to city and school depositories.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. S. TALCOTT,  
Chairman

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred Senate Bill No. 299.

A bil for an Act to amend Section 43, Chapter 266, Laws of 1911, entitled "An Act to provide a system of free public schools for the State of North Dakota."

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted

Which motion prevailed, and

The report was adopted.

The committee on enrolled and engrossed bills made the following report:

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 214.

A bill for an Act to amend Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of Chapter 23 of the Session Laws of 1911, and to repeal Sections 14, 15 and 16 of said Chapter, establishing a hail insurance department and making the commissioner of insurance ex-officio commissioner of hail insurance; prescribing rules, regulations and duties of officers and persons connected therewith; prescribing how premi-

ums, expenses and indemnity for losses by hail shall be paid, and providing a penalty.

And find the same corerctly re-engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which mouon prevailed, and

The report was adopted.

Unanimous consent having been granted, the Senate returned to the ninth order of business, and

Mr. Mudgett introduced

Senate Bill No. 391.

A bill for an Act to amend Section 2596 of the 1905 Revised Codes of North Dakota as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907, providing the clerk hire for the register of deeds in various counties of the state.

Which was read the first and second times and

Referred to the committee on state affairs.

Senate Bill No. 341.

A bill for an Act to amend and re-enact Section 91 of Chapter 266 of the Session Laws of 1911, relating to school district clerk's annual report.

Was read the third time.

Mr. Talcott offered the following amendment to Senate Bill No. 341, and moved its adoption:

On page 2, line 19, of the printed bill, strike out the words "and expenses."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill, as amended.

The roll was called and there were 42 ayes, no nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen

Messrs.—  
Barnes  
Bond

Messrs.—  
Bonzer  
Bronson

Messrs.—	Messrs.—	Messrs.—
Cashel	Helgeland	Plain
Clark	Hookway	Porterfield
Davidson	Hyland	Putnam
Duncan	Jacobsen	Steel
Elken	Kretschmar	Talcott
Ellingson	Leutz	Thoreson
Ganssle	Loftsgaard	Trageton
Gibbens	McBride	Turner
Gilbert	McDowell	Vail
Gronvold	McLean	Wartner
Hanley	Mudgett	Williams
Heckle	Overson	Young

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Carter	Garden	Linde
Davis	Hookway	Nelson
Englund	Hughes	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Elken moved

That the vote by which Senate Bill No. 341 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**THIRD READING OF HOUSE BILLS.**

House Bill No. 357.

A bill for an Act to amend and re-enact Section 1189 of the Revised Codes of North Dakota for 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 27 ayes, 15 nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Overson
Allen	Hoverson	Plain
Barnes	Hyland	Porterfield
Bond	Jacobsen	Steel
Bonzer	Leutz	Talcott
Cashel	McBride	Thoreson
Clark	McDowell	Vail
Elken	McLean	Wartner
Ganssle	Mudgett	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Gronvold	Loftsgaard
Davidson	Hanley	Putnam
Duncan	Heckle	Trageton
Ellingson	Helgeland	Turner
Gilbert	Kretschmar	Young

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Carter	Garden	Linde
Davis	Hookway	Nelson
Englund	Hughes	

Messrs. Englund and Linde being excused.

So the bill passed without the emergency clause and the title was agreed to.

Mr. Thorson moved

That the vote by which House Bill No. 357 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 122.

A bill for an Act to amend Sections 1, 2 and 4 of Chapter 258 of the Session Laws of 1907, relating to trade discrimination and unfair competition.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 34 ayes, 9 nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Overson
Allen	Hanley	Plain
Barnes	Heckle	Porterfield
Bond	Helgeland	Putnam
Bonzer	Hoverson	Steel
Bronson	Hyland	Talcott
Cashel	Jacobsen	Thoreson
Clark	Kretschmar	Trageton
Davidson	Leutz	Vail
Elken	Loftsgaard	Williams
Ellingson	McBride	
Gibbens	McDowell	

Those voting in the negative were:

Messrs.—  
Davis  
Duncan  
Ganssle

Messrs.—  
Gronvold  
McLean  
Mudgett

Messrs.—  
Turner  
Wartner  
Young

**Absent and not voting:**

Messrs.—  
Carter  
Englund  
Garden

Messrs.—  
Hookway  
Hughes  
Linde

Messrs.—  
Nelson

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Bronson moved

That the vote by which House Bill No. 122 was passed be reconsidered.

Which motion prevailed.

Mr. Talcott moved

That House Bill No. 122 head the Calendar list at 10:00 A. M. March 5th.

Which motion prevailed.

House Bill No. 228.

A bill for an Act declaring to be common nuisances any house, building, room, or place where gambling paraphernalia is kept, and where persons resort, or are permitted to resort for gambling or disorderly purpose, and prescribing remedies for the prevention, and penalties for the violation of the same.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 32 ayes, 10 nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Barnes  
Bond  
Bronson  
Cashel  
Clark  
Davidson  
Davis  
Duncan  
Elken  
Ellingson  
Ganssle

Messrs.—  
Gibbens  
Gilbert  
Gronvold  
Hanley  
Heckle  
Helgeland  
Hoverson  
Hyland  
Loftsgaard  
McDowell  
McLean

Messrs.—  
Mudgett  
Plain  
Putnam  
Steel  
Talcott  
Thoreson  
Trageton  
Turner  
Wartner  
Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Kretschmar	Vail
Allen	Leutz	Young
Bonzer	McBride	
Jacobsen	Porterfield	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Hookway	Nelson
Englund	Hughes	Overson
Garden	Linde	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Trageton moved

That the vote by which House Bill No. 228 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 314.

A bill for an Act to legalize deeds, judgments and decrees.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, no nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Overson
Allen	Gronvold	Plain
Barnes	Hanley	Porterfield
Bond	Heckle	Putnam
Bonzer	Helgeland	Steel
Bronson	Hoverson	Talcott
Cashel	Hyland	Thoreson
Clark	Jacobsen	Trageton
Davidson	Kretschmar	Turner
Davis	Leutz	Vail
Duncan	Loftsgaard	Wartner
Elken	McBride	Williams
Ellingson	McDowell	Young
Ganssle	McLean	
Gibbens	Mudgett	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Hookway	Nelson
Englund	Hughes	
Garden	Linde	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Talcott moved

That the Senate do now take a recess until 10 o'clock, March 5th.

Which motion prevailed, and

The Senate took a recess until 10 o'clock A. M., March 5th.

W. D. AUSTIN,  
Secretary.

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FIFTY-SEVENTH DAY AFTER RECESS AND FIFTY-  
EIGHTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
March 5th, 1913.

The Senate convened at 10 o'clock A. M., pursuant to recess taken.

The President presiding.

REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 360.

A bill for an Act amending Section 7608 of the Revised Codes of 1905 as amended in Section 1 of Chapter 52 of the Session Laws of 1907, relating to the appointment, duties, powers, qualifications and salary of the state engineer. Also to amend Section 7665 of the Revised Codes of 1905 relating to the expenses of the state engineer's office.

Also,

Senate Bill No. 367.

A bill for an Act to amend Section 9329 of the Revised Codes of 1905 relating to malicious mischief and injury to real property and emblements and injury to real property and emblements and fixtures.

Also,

Senate Bill No. 368.

A bill for an Act to amend and re-enact Section 2364 of the Revised Codes of North Dakota for 1905, as amended by Chapter 61 of the Session Laws of 1907, relating to county seats.

Also,

Senate Bill No. 374.

A bill for an Act to forbid the sending of minors as messengers to houses of prostitution, saloons or other immoral places.

And find the same correctly engrossed.

O. O. TRAGETON,  
Acting Chairman.

Mr. Trogeton moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 7.

A bill for an Act to appropriate money for maintenance, equipment and permanent improvements at the State University and School of Mines of North Dakota.

Also,

Senate Bill No. 25.

A bill for an Act to appropriate the sum of thirty thousand dollars, or as much thereof, as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Also,

Senate Bill No. 43.

A bill for an Act to authorize the superintendent of public instruction to publish the report of the state inspector of rural and graded schools for 1912, and to appropriate money to defray the expenses of the same, and to meet the deficiency in the expenses of the state inspector of rural and graded schools.

Also,

Senate Bill No. 70.

A bill for an Act to provide for the erection of an industrial building at the school for the deaf and dumb at Devils Lake, North Dakota, and making an appropriation therefor.

Also,

Senate Bill No. 104.

A bill for an Act to provide for the maintenance of inmates of the institution for the feeble-minded, and to amend Section 1 of Chapter 165 of the Laws of 1911, relating thereto.

Also,

Senate Bill No. 140.

A bill for an Act making an appropriation for a suitable building at the Mining Experiment Sub-station at Hebron, Morton County.

Also,

Senate Bill No. 158.

A bill for an Act to repeal Chapters 132 and 133 of the Session Laws of 1907, and Chapter 139 of the Session Laws of 1909, relating to the Historical Society of North Dakota, and making an appropriation.

Also,

Senate Bill No. 162.

A bill for an Act to create a board to prepare and publish a history of North Dakota troops in the Spanish-American War and appropriating money to pay therefor.

Also,

Senate Bill No. 171.

A bill for an Act to provide an appropriation for the purpose of expenses incurred as a part of and during the Twelfth Legislative Assembly of the State of North Dakota.

Also,

Senate Bill No. 201.

A bill for an Act amending Section 1070 of the Revised Codes of North Dakota for 1905, and making an appropriation to meet the necessary expenses of the State Geological Survey.

And find the same correctly enrolled.

O. O. TRAGETON,  
Acting Chairman.

Mr. Trageton moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on appropriations made the following report:

*Mr. President:*

Your committee on appropriations to whom was referred

Senate Bill No. 37.

A bill for an Act providing for an appropriation to pay expenses of construction of drains benefitting school lands situated in Cass County.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on insurance made the following report:

*Mr. President:*

Your committee on insurance to whom was referred

## Senate Bill No. 275.

A bill for an Act to provide for state insurance on buildings of the state and of the counties of this state under the supervision of the commissioner of insurance.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN E. WILLIAMS,  
Chairman.

Mr. Williams moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on highways and bridges made the following report:

*Mr. President:*

Your committee on highways and bridges to whom was referred

## Senate Bill No. 377.

A bill for an Act to amend and re-enact Sections 1348 and 1349 of the Revised Codes of North Dakota for the year 1905, relating to public highways.

Have had the same under consideration and recommend that the same be indefinitely postponed.

CHAS. ELLINGSON,  
Chairman.

Mr. Ellingson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on highways and bridges to whom was referred

## House Bill No. 361.

A bill for an Act to amend Section 1350 of the Revised

Codes of 1905, as amended in Chapter 148 of the Laws of 1911, relating to laying out, altering or discontinuing roads.

Have had the same under consideration and recommend that the same do pass.

CHAS. ELLINGSON,  
Chairman.

Mr. Ellingson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The Secretary announced that the President was about to sign

Senate Bill No. 7.

A bill for an Act to appropriate money for maintenance, equipment and permanent improvements at the State University and School of Mines of North Dakota.

Senate Bill No. 25.

A bill for an Act to appropriate the sum of thirty thousand dollars, or as much thereof, as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Senate Bill No. 43.

A bill for an Act to authorize the superintendent of public instruction to publish the report of the state inspector of rural and graded schools for 1912, and to appropriate money to defray the expenses of the same, and to meet the deficiency in the expenses of the state inspector of rural and graded schools.

Senate Bill No. 70.

A bill for an Act to provide for the erection of an industrial building at the school for the deaf and dumb at Devils Lake, North Dakota, and making an appropriation therefor.

Senate Bill No. 104.

Being a bill for an Act to provide for the maintenance of inmates of the institution for the feeble-minded, and to amend Section 1 of Chapter 165 of the Laws of 1911, relating thereto.

Senate Bill No. 140.

A bill for an Act making an appropriation for a suitable

building at the Mining Experiment Sub-station at Hebron, Morton County.

Senate Bill No. 158.

A bill for an Act to repeal Chapters 132 and 133 of the Session Laws of 1907, and Chapter 139 of the Session Laws of 1909, relating to the Historical Society of North Dakota, and making an appropriation.

Senate Bill No. 162.

A bill for an Act to create a board to prepare and publish a history of North Dakota troops in the Spanish-American War and appropriating money to pay therefor.

Senate Bill No. 171.

A bill for an Act to provide an appropriation for the purpose of expenses incurred as a part of and during the Twelfth Legislative Assembly of the State of North Dakota.

Senate Bill No. 201.

A bill for an Act amending Section 1070 of the Revised Codes of North Dakota for 1905, and making an appropriation to meet the necessary expenses of the state geological survey.

And the President signed the same in the presence of the Senate.

### THIRD READING OF SENATE BILLS.

House Bill No. 122.

A bill for an Act to amend Sections 1, 2, and 4 of Chapter 258 of the Session Laws of 1907, relating to trade discrimination and unfair competition.

Was read the third time.

Mr. Wartner offered the following amendments to House Bill No. 122 and moved their adoption:

In line 6 of the printed bill strike out the word "grain" and insert after the word "commodity" the words "except grain."

Also in line 16 of the printed bill strike out the word "grain" and after the word "commodity" insert the words "except grain."

Roll call demanded and

The question being on the adoption of the amendment.

The roll was called and there were 16 ayes, 28 nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	Steel
Bronson	McBride	Turner
Davis	McDowell	Wartner
Duncan	McLean	Young
Ganssle	Mudgett	
Hughes	Porterfield	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Garden	Nelson
Barnes	Gibbens	Overson
Bond	Gilbert	Plain
Bonzer	Heckle	Putnam
Carter	Helgeland	Talcott
Cashel	Hoverson	Thoreson
Clark	Hyland	Trageton
Davidson	Jacobsen	Williams
Elken	Leutz	
Ellingson	Loftsgaard	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Hookway	Linde
Hanley	Kretschmar	Vail

Messrs. Englund and Linde being excused.

So the motion failed and the amendment was lost.

Mr. Mudgett offered the following amendment to House Bill No. 122 and moved its adoption.

At the end of Section 1, line 20 of the printed bill, add the following:

“Provided, however, that the provisions of this Act shall not apply to wheat purchased on the gluten test.”

Roll call demanded and

The question being on the adoption of the amendment.

The roll was called and there were 23 ayes, 22 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—

Albrecht  
Bond  
Bronson  
Davis  
Duncan  
Ganssle  
Gilbert  
Gronvold

Messrs.—

Heckle  
Jacobsen  
Kretschmar  
Leutz  
McBride  
McDowell  
McLean  
Mudgett

Messrs.—

Nelson  
Porterfield  
Steel  
Turner  
Vail  
Wartner  
Young

Those voting in the negative were:

Messrs.—

Allen  
Barnes  
Bonzer  
Carter  
Cashel  
Clark  
Davidson  
Elken

Messrs.—

Ellingson  
Gar'en  
Gibbens  
Helgeland  
Hoverson  
Hyland  
Loftsgaard

Messrs.—

Overson  
Plain  
Putnam  
Talcott  
Thoreson  
Trageton  
Williams

Absent and not voting:

Messrs.—

Englund  
Hanley

Messrs.—

Hookway  
Hughes

Messrs.—

Linde

Messrs. Englund and Linde being excused.

So the motion prevailed and the amendment was adopted.

Mr. Elken moved

That the further consideration of House Bill No. 122 be indefinitely postponed.

Which motion was lost.

The question being on the final passage of the bill as amended.

The roll was called and there were 43 ayes, 3 nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—

Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson  
Carter  
Cashel  
Clark  
Davidson  
Davis

Messrs.—

Duncan  
Ellingson  
Ganssle  
Garden  
Gibbens  
Gilbert  
Gronvold  
Heckle  
Helgeland  
Hoverson  
Hyland

Messrs.—

Jacobsen  
Kretschmar  
Loftsgaard  
Leutz  
Mudgett  
McBride  
McDowell  
McLean  
Nelson  
Overson  
Plain

Messrs.—  
Porterfield  
Putnam  
Steel  
Talcott

Messrs.—  
Thoreson  
Trageton  
Turner  
Vail

Messrs.—  
Wartner  
Williams

Those voting in the negative were:

Messrs.—  
Elken

Messrs.—  
Hughes

Messrs.—  
Young

Absent and not voting:

Messrs.—  
Englund  
Hanley

Messrs.—  
Hookway

Messrs.—  
Linde

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Th committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 150.

A bill for an Act relating to settlements of causes of action or cases for damages sustained through personal injuries, and contracts of retainer made therefor.

Also,

Senate Bill No. 159.

A bill for an Act to amend Section 241 of the Revised Codes of 1905, relating to the duties of the state historical society of North Dakota.

Also,

Senate Bill No. 190.

A bill for an Act repealing Chapter 258 of the Laws of 1907 entitled "An Act to prohibit discrimination between different sections, communities or localities, unfair competition and providing penalties for the violation thereof."

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

The report was adopted.

Which motion prevailed and

That the report be adopted.

Mr. Talcott moved

That the rules be suspended and all bills reported in by the committees be considered engrossed and be put on their third reading and final passage.

Which motion prevailed.

Senate Bill No. 360.

A bill for an Act amending Section 7608 of the Revised Codes of 1905, as amended in Section 1 of Chapter 52 of the Session Laws of 1907, relating to the appointment, duties, powers, qualifications and salary of the state engineer; also to amend Section 7665 of the Revised Codes of 1905, relating to the expenses of the state engineer's office.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, 4 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Nelson
Allen	Gilbert	Overson
Barnes	Gronvold	Plain
Bond	Hoverson	Porterfield
Bonzer	Hughes	Putnam
Carter	Hyland	Steel
Cashel	Jacobsen	Talcott
Clark	Kretschmar	Thoreson
Davidson	Leutz	Turner
Davis	Loftsgaard	Vail
Duncan	McBride	Wartner
Ellingson	McDowell	Williams
Ganssle	McLean	Young
Garden	Mudgett	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Helgeland	Trageton
Elken		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Heckle	Linde
Hanley		

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 368.

A bill for an Act to amend and re-enact Section 2364 of the Revised Codes of North Dakota for 1905, as amended by Chapter 61 of the Session Laws of 1907, relating to county seats.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 40 ayes, 5 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Nelson
Allen	Gilbert	Overson
Bond	Gronvold	Porterfield
Bonzer	Heckle	Putnam
Bronson	Helgeland	Steel
Carter	Hoverson	Talcott
Cashel	Hughes	Thoreson
Clark	Hyland	Trageton
Davis	Leutz	Turner
Duncan	Loftsgaard	Vail
Elken	McBride	Wartner
Ellingson	McDowell	Williams
Ganssle	Mudgett	Young
Garden		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Davidson	Kretschmar	Plain
Jacobsen	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Barnes	Hanley	Linde
Englund	Hookway	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

## Senate Bill No. 243.

A bill for an Act to amend Section 2485 of the Revised Codes of North Dakota for 1905, relating to the annual statement of the county auditor and treasurer.

Also,

## Senate Bill No. 250.

A bill for an Act to amend Section 155 of Chapter 4 of the Political Code of the State of North Dakota, and all Acts or parts amendatory thereof, providing for the investment in bonds and mortgages of all moneys belonging to the permanent funds of the common schools, university, school of mines, reform school, agricultural college, scientific school, school for the deaf and dumb, industrial school, normal schools, blind asylum, insane asylum and soldiers' home.

And find the same correctly re-engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

## Senate Bill No. 150.

A bill for an Act relating to settlements of causes of action or cases for damages sustained through personal injuries and contracts of retainer made therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 29 ayes, 15 nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McBride
Bond	Gibbens	McDowell
Bonzer	Gilbert	McLean
Bronson	Gronvold	Mudgett
Cashel	Heckle	Nelson
Clark	Helgeland	Porterfield
Davidson	Hoverson	Trageton
Davis	Hyland	Wartner
Elken	Kretschmar	Williams
Ellingson	Loftsgaard	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Jacobsen	Steel
Carter	Leutz	Talcott
Duncan	Overson	Thoreson
Ganssle	Plain	Turner
Hughes	Putnam	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Barnes	Hanley	Linde
Englund	Hookway	Vail

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 159.

A bill for an Act to amend Section 241 of the Revised Codes of 1905, relating to the duties of the State Historical Society of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 42 ayes, no nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McLean
Allen	Gilbert	Nelson
Bond	Gronvold	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hoverson	Putnam
Cashel	Hughes	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Davis	Kretschmar	Trageton
Duncan	Loftsgaard	Turner
Elken	McBride	Wartner
Ellingson	Mudgett	Williams
Ganssle	McDowell	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Barnes	Hanley	Linde
Englund	Hookway	Vail
Gibbens	Leutz	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

## COMMUNICATION FROM THE GOVERNOR.

STATE OF NORTH DAKOTA,  
EXECUTIVE OFFICE,  
Bismarck, March 5, 1913.

*To the Senate:*

Gentlemen: I have the honor to inform you that I have approved and filed with the secretary of state,

Senate Bill No. 192.

A bill for an Act to amend and re-enact Section 1283 of the Revised Codes of 1905 for North Dakota, prohibiting excessive expenditures out of appropriations and providing for an emergency commission, and penalty.

I have the honor to be,

Very respectfully,

L. B. HANNA,  
Governor.

Senate Bill No. 243.

A bill for an Act to amend Section 2485 of the Revised Codes of North Dakota for 1905, relating to the annual statement of the county auditor and treasurer.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 36 ayes, 3 nays, 11 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	McDowell
Allen	Garden	Nelson
Barnes	Gronvold	Overson
Bond	Heckle	Porterfield
Bonzer	Helgeland	Putnam
Bronson	Hoverson	Steel
Carter	Hughes	Talcott
Cashel	Kretschmar	Thoreson
Clark	Loftsgaard	Trageton
Davidson	Leutz	Turner
Duncan	Mudgett	Wartner
Elken	McBride	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
McLean	Plain	Young

## Absent and not voting:

Messrs.—  
 Davis  
 Ellingson  
 Englund  
 Gibbens

Messrs.—  
 Gilbert  
 Hanley  
 Hookway  
 Hyland

Messrs.—  
 Jacobsen  
 Linde  
 Vail

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

There being no objection the Senate returned to the sixth order of business, and

The committee on public health made the following report:

*Mr. President:*

Your committee on public health to whom was referred Senate Bill No. 356.

A bill for an Act relating to the issuing and filling of physicians', surgeons' and other medical practitioners' prescriptions, recipes and formulæ; the preparation, compounding and manufacture and dispensing of medicines, drugs and remedies; and providing a penalty for the violation thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. T. GRONVOLD,  
 Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on ways and means made the following report:

*Mr. President:*

Your committee on ways and means to whom was referred

House Bill No. 442.

A bill for an Act to prohibit township treasurers from depositing township moneys in their own name.

Have had the same under consideration and recommend that the same do pass:

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on ways and means to whom was referred

Senate Bill No. 359.

A bill for an Act to require auctioneers to notify the county sheriff of the sale of personal property at public auction.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 4 of the printed bill after the word "than" strike out the word "four" and insert in lieu thereof the word "six."

In Section 1, line 5 of the printed bill, insert after the word "sale" the following: "If such party was engaged as auctioneer of such sale previous to the six days' limit."

And when so amended recommend the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Senate Bill No. 367.

A bill for an Act to amend Section 9329 of the Revised Codes of 1905, relating to malicious mischief and injury to real property, emblements and fixtures.

Was read the third time.

Mr. Overson offered the following amendment to Senate Bill No. 367 and moved its adoption:

In lines 12 and 13 of the printed bill strike out the words "or who shall tear down or open any such fence, gate or bars."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 39 ayes, 2 nays, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Nelson
Allen	Gronvold	Overson
Barnes	Heckle	Plain
Bond	Helgeland	Porterfield
Bonzer	Hoverson	Putnam
Carter	Hughes	Steel
Cashel	Hyland	Talcott
Clark	Loftsgaard	Thoreson
Davidson	Leutz	Trageton
Duncan	McBride	Turner
Elken	McDowell	Vail
Ganssle	McLean	Williams
Garden	Mudgett	Young

Messrs. Bronson and Wartner voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Gilbert	Jacobsen
Ellingson	Hanley	Kretschmar
Englund	Hookway	Linde

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Thoreson moved

That the vote by which Senate Bill No. 367 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 359.

A bill for an Act to require auctioneers to notify the county sheriff of the sale of personal property at public auction.

Was read the third time.

Mr. Overson moved

That the further consideration of Senate Bill No. 359 be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 370.

A bill for an Act amending the Constitution of the State of North Dakota changing the name of the state reform school located at Mandan, in the county of Morton, to that of state farm and mechanic art school.

Also,

Senate Bill No. 373.

A bill for an Act to amend and re-enact Section 1904 of the Revised Codes of North Dakota for 1905.

Also,

Senate Bill No. 387.

A bill for an Act to amend Section 8154 of Revised Codes of 1905, relating to the **approval of mortgages** executed by an administrator, executor or guardian.

Also,

Senate Bill No. 215.

A bill for an Act to amend and re-enact Section 4188 of the Revised Codes of North Dakota for 1905, providing for the reinstatement of corporations.

Also,

Senate Bill No. 274.

A bill for an Act to fix and regulate obligations and liabilities as between hotel and in keepers and their guests and boarders and those intending to become such with respect

to baggage and other property of such guests and boarders and the property belonging to or in use in any hotel, lodging house, boarding or eating house, defining and fixing the liability of hotel and inn keepers for loss of or injury to property of guests or boarders, or persons intending to become such and giving to such hotel and innkeepers a lien upon the baggage and other property of guests and boarders for charges due; providing the time and manner of foreclosure of such lien, the sale of property thereunder and disposition of the proceeds thereof; providing a penalty for obtaining any food, lodging or other accommodation at any hotel, lodging house, boarding or eating house with intent to defraud the owner or manager thereof and defining what shall constitute prima facie evidence of such intent and to repeal all laws in conflict therewith.

Also,

Senate Bill No. 277.

A bill for an Act to amend and re-enact Section 2390 of the Revised Codes of 1905, relating to the term of office of county commissioners.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Mr. Nelson moved

That the report of the committee on Senate Bill No. 64 be adopted.

Which motion prevailed, and

The report was adopted.

Mr. Hanley presiding.

Senate Bill No. 215:

A bill for an Act to amend and re-enact Sections 4179, 4180, 4181, 4182, 4186 and 4188, (Article 1, Chapter 11) of the Revised Codes of 1905, relating to the manner of filing and recording articles of incorporation, by-laws and annual reports of corporations, and providing for their cancellation and reinstatement.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 37 ayes, 2 nays, 11 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Overson
Allen	Hanley	Porterfield
Barnes	Heckle	Putnam
Bond	Helgeland	Steel
Bonzer	Hoverson	Talcott
Carter	Hughes	Thoreson
Cashel	Hyland	Trageton
Clark	Jacobsen	Turner
Duncan	Loftsgaard	Vail
Elken	Leutz	Wartner
Ganssle	McBride	Young
Garden	McDowell	
Gibbens	Nelson	

Messrs. Bronson and Davidson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Hobkway	Mudgett
Ellingson	Kretschmar	Plain
Englund	Linde	Williams
Gronvold	McLean	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 274.

A bill for an Act to fix and regulate obligations and liabilities as between hotel and inn keepers and their guests and boarders and those intending to become such with respect to baggage and other property of such guests and boarders and the property belonging to or in use in any hotel, lodging house, boarding or eating house, defining and fixing the liability of hotel and inn keepers for loss of or injury to property of guests or boarders or persons intending to become such and giving to such hotel and in keepers a lien upon the baggage and other property of guests and boarders for charges due.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 35 ayes, 1 nay, 14

absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Overson
Allen	Garden	Plain
Barnes	Gibbens	Porterfield
Bond	Heckle	Putnam
Bonzer	Helgeland	Steel
Carter	Hoverson	Talcott
Cashel	Hughes	Thoreson
Clark	Hyland	Trageton
Davidson	Jacobsen	Turner
Davis	Loftsgaard	Vail
Duncan	Leutz	Young
Elken	McDowell	

Mr. Bronson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Ellingson	Hookway	Mudgett
Englund	Kretschmar	Nelson
Gilbert	Linde	Wartner
Gronvold	McBride	Williams
Hanley	McLean	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 277.

A bill for an Act to amend and re-enact Section 2390 of the Revised Codes of 1905, relating to term of office of county commissioners.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Duncan	Hoverson
Allen	Elken	Hughes
Barnes	Ganssle	Hyland
Bond	Garden	Jacobsen
Bonzer	Gibbens	Kretschmar
Bronson	Gilbert	Loftsgaard
Carter	Gronvold	Leutz
Cashel	Hanley	McBride
Clark	Heckle	McDowell
Davis	Helgeland	McLean

Messrs.—	Messrs.—	Messrs.—
Mudgett	Putnam	Turner
Nelson	Steel	Vail
Overson	Talcott	Wartner
Plain	Thoreson	Williams
Porterfield	Trageton	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davidson	Englund	Linde
Ellingson	Hookway	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved

That the vote by which Senate Bill No. 277 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 370.

A concurrent resolution amending the Constitution of the State of North Dakota, changing the name of the state reform school located at Mandan, in the County of Morton, to that of state farm and mechanic arts school.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 42 ayes, 2 nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	Nelson
Allen	Hanley	Overson
Barnes	Heckle	Plain
Bond	Helgeland	Porterfield
Bonzer	Hoverson	Putnam
Bronson	Hyland	Steel
Carter	Jacobsen	Talcott
Cashel	Kretschmar	Thoreson
Davis	Loftsgaard	Trageton
Duncan	Leutz	Turner
Elken	McBride	Vail
Ganssle	McDowell	Wartner
Gibbens	McLean	Williams
Gilbert	Mudgett	Young

Messrs. Clark and Hughes voted in the negative.

Absent and not voting:

Messrs.—  
Davidson  
Ellingson

Messrs.—  
Englund  
Garden

Messrs.—  
Hookway  
Linde

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 373.

A bill for an Act to amend and re-enact Section 1904 of the Revised Codes of North Dakota for 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, no nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson  
Carter  
Cashel  
Clark  
Davidson  
Davis  
Duncan  
Ganssle  
Garden  
Gibbens

Messrs.—  
Gilbert  
Gronvold  
Hanley  
Heckle  
Helgeland  
Hoverson  
Hyland  
Jacobsen  
Kretschmar  
Loftsgaard  
Leutz  
McBride  
McDowell  
McLean  
Mudgett

Messrs.—  
Nelson  
Overson  
Plain  
Porterfield  
Putnam  
Steel  
Talcott  
Thoreson  
Trageton  
Turner  
Vail  
Wartner  
Williams  
Young

Absent and not voting:

Messrs.—  
Elken  
Ellingson

Messrs.—  
Englund  
Hookway

Messrs.—  
Hughes  
Linde

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Nelson moved

That the rules be suspended and Senate Bill No. 64 be reconsidered engrossed and placed on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 64.

A bill for an Act to amend Sections 38, 46, 51, 66 of the

Revised Codes of 1905, to provide for the printing and prescribing the manner of distribution of the Legislative Manual known as the North Dakota Blue Book.

Was read the third time.

Mr. Talcott offered the following amendment to Senate Bill No. 64 and moved its adoption:

“Take the printing of the blue book out of class 2 and place it in class 6, as the bill was originally amended and passed.”

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 40 ayes, 1 nay, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Nelson
Allen	Gilbert	Overson
Bond	Gronvold	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hoverson	Steel
Cashel	Hyland	Talcott
Clark	Kretschmar	Thoreson
Davidson	Loftsgaard	Trageton
Davis	McBride	Turner
Duncan	McDowell	Vail
Ganssle	McLean	Wartner
Garden	Mudgett	Williams

Mr. Jacobsen voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Barnes	Englund	Leutz
Elken	Hanley	Linde
Ellingson	Hookway	Young

Messrs. Englund and Linde being excused.

Mr. Jacobsen explained his vote.

So the bill passed and the title was agreed to.

Mr. Hyland moved

That the vote by which Senate Bill No. 64 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

There being no objection the Senate returned to the sixth order of business, and

The committee on railroads made the following report:

*Mr. President:*

Your committee on railroads to whom was referred .

Senate Bill No. 357.

A bill for an Act to amend Section 5701 of the Revised Codes of North Dakota for 1905, relating to damages for postponing or refusing messages.

Have had the same under consideration and recommend that the same do pass.

E. F. GILBERT,  
Chairman.

Mr. Gilbert moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 252.

A bill for an Act to amend and re-enact Section 2 and Section 6 of Chapter 44 of the Session Laws of 1911, relating to the State Tuberculosis Sanitarium at Dunseith.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 391.

A bill for an Act to amend Section 2596 of the 1905 Revised Codes of North Dakota as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907, providing the clerk hire for the register of deeds in various counties of the state.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred House Bill No. 342.

A bill for an Act to prevent procreation of confirmed criminals, insane, idiots, defectives and rapists; providing for a board of medical examiners and making provision for carrying out the same.

Have had the same under consideration and recommend that the printed bill be amended as follows:

In Section 2, page 2, line 16, after the word "day," insert "while in actual performance of their duties." Add to Section 8, "that no such operation shall be performed without the consent of the Board of Control."

And when so amended recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have ex-

amined:

Senate Bill No. 54.

A bill for an Act prescribing the time when payments of fees and profits arising from the several state offices shall be covered into the state treasury.

Also,

Senate Bill No. 293.

A bill for an Act to provide for the preparing of an annual county budget.

Also, .

Senate Bill No. 310.

A bill for an Act to amend and re-enact Section 232 and 269 of Chapter 266 of the Session Laws of 1911, relating to school age, who are exempt from compulsory attendance, and teacher's register, what to contain.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Mr. Trageton moved

That the rules be suspended and Senate Bill No. 307 be put on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 307.

A bill for an Act to repeal Section 3013 of the Revised Codes of 1905 relating to bridge tax in certain cities or municipalities.

Was read the third time.

Mr. Trageton offered the following amendment to Senate Bill No. 307 and moved its adoption:

Strike out everything after the words "A Bill" and insert the following:

• "For an Act to amend Section 3013 of the Revised Codes

of 1905, relating to bridge funds to be turned over to cities of certain classes.

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

Section 1. Amendment.) That Section 3013 of the Revised Codes of 1905, be and is hereby amended to read as follows:

Section 3013. The County Treasurer of each county in this state wherein any city or municipal corporation shall have constructed a bridge or bridges, or shall hereafter construct any bridge or bridges over any navigable stream, shall pay to the treasurer of such city or municipality whereby such bridge or bridges have been constructed, so much of the money which may come into the county treasury in the bridge fund of such county which may have been or may be levied, assessed and collected from persons and property, or either, in such city or municipality, as may be necessary in the judgment of the board of county commissioners for the care, maintenance and repair of said bridge or bridges. The city auditor shall present to the board of county commissioners at their regular meeting in January, April, July and October, a verified account of the expenditures of said city in the maintenance, care and operation of such bridge or bridges during the preceding three months.

Mr. Bronson moved

As an amendment that the report of the committee on highways and bridges be adopted.

Mr. Hanley moved the previous question.

The question being, shall the amended motion be now put.

Which motion prevailed and

The question being on the amended motion.

The same was lost and

The question being on the original motion.

The same prevailed and

The amendment was adopted.

Mr. Hyland moved

That the further consideration of Senate Bill No. 307 be indefinitely postponed.

Which motion was lost.

Mr. Allen moved the previous question.

The question being, shall the main question be now put.

Which motion prevailed and

The question being on the final passage of the bill as amended.

The roll was called and there were 26 ayes, 15 nays, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gilbert	McLean
Bond	Gronvold	Nelson
Bonzer	Hanley	Plain
Carter	Heckle	Porterfield
Davidson	Hoverson	Talcott
Duncan	Jacobsen	Thoreson
Ellingson	Leutz	Trageton
Ganssle	Loftsgaard	Young
Gibbens	McBride	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Hyland	Steel
Cashel	McDowell	Turner
Clark	Mudgett	Vail
Davis	Overson	Wartner
Garden	Putnam	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Englund	Hughes
Barnes	Helgeland	Kretschmar
Elken	Hookway	Linde

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Mr. Trageton moved

That the vote by which Senate Bill No. 307 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred

## Senate Bill No. 382.

A bill for an Act requiring notice to be given by registered mail to the mortgagor before real estate mortgage foreclosure proceedings may be started, and before the full amount of deferred payments may be declared due or default in the payment of a portion of the deferred payment and before costs and charges can be made against the mortgagor.

Have had the same under consideration and recommend that the same be reported without recommendation.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on education made the following report:

*Mr. President:*

Your committee on education to whom was referred

Senate Bill No. 384.

A bill for an Act to require publishers of school books to furnish bond, file copies of their publications and sworn price lists in the office of the state superintendent of public instruction as a condition precedent to doing business in this state, and to require dealers in school furniture and supplies to file price lists and statements in said office and to give a bond before selling or offering for sale such furniture or equipment in this state, and providing penalties for the violation thereof.

Have had the same under consideration and recommend the same without recommendation.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on education to whom was referred  
House Bill No. 238.

A bill for an Act to amend Section 70 of Chapter 266 of the Session Laws of 1911, relating to the purchase of school supplies.

Have had the same under consideration and recommend that the same do pass.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on public printing made the following report:

*Mr. President:*

Your committee on public printing to whom was referred  
Senate Bill No. 364.

A bill for an Act to repeal Chapter 117 of the Session Laws of 1911, relating to official papers.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. L. NELSON,  
Chairman.

Mr. Nelson moved.

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on ways and means made the following report:

*Mr. President:*

Your committee on ways and means to whom was referred

House Bill No. 413.

A bill for an Act providing for the inspection of coal imported into this state and charging the state oil inspector and his deputies with the performance of the duties imposed

by this Act.

Have had the same under consideration and recommend the same without recommendation.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred

Senate Bill No. 317.

A bill for an Act to establish a legislative drafting bureau in connection with the legislative reference department of the state library commission.

Have had the same under consideration and recommend that the printed bill be amended as follows:

In Section 2, line 2, strike out the word "three" and insert in lieu thereof the word "one."

In line 3 of the same Section, strike out the letter "s" in the word "persons."

In the same Section and line strike out the words "be and" after the word "Act," insert "with the legislative librarian, who shall be ex-officio chief of such drafting board."

In Section 2, page 2, line 14, insert a comma between the words "person" and "or," also between the words "persons" and "to."

In the same Section and page, line 16, strike out the word "twelve" and insert in lieu thereof the word "four." In line 17 strike out the word "three" and insert in lieu thereof the word "two."

In Section 3, page 2, line 2, strike out the letter "s" in the word "members." In the same line after the word "bureau" insert the following: "who acts with the legislative librarian." In line 6 of the same Section strike out the word "their" and insert in lieu thereof the word "his." In Section 5, page 3, line 1, strike out the word "each" and insert in lieu thereof the word "the." In line 2 of Section 5 after the

word "commission" insert the following: "to act with the legislative librarian." In line 3 of the same Section strike out the word "ten" and insert in lieu thereof the word "fifteen." Strike out all of Section 9 and insert in lieu thereof the following: "Section 9. The salaries and compensation of all persons appointed according to the provisions of this Act, shall be paid out of the same fund and in the same manner as all legislative expenses are paid."

Strike out all of Section 10.

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on ways and means made the following report:

*Mr. President:*

Your committee on ways and means to whom was referred

House Bill No. 349.

A bill for an Act providing for county treasurer's notice to taxpayers.

Have had the same under consideration and recommend the same without recommendation.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on ways and means to whom was referred

House Bill No. 373.

A bill for an Act to provide for the care, maintenance and instruction of blind babies and children under school age.

Have had the same under consideration and recommend that the same do pass.

G. L. ELKEN,  
Chairman.

Mr. Elken moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Mr. McDowell moved

That Senate Bill No. 371 be recalled from the committee.

Which motion prevailed.

Mr. Davidson moved

That the Senate take a recess until 1 o'clock today.

Which motion prevailed, and

The Senate took a recess.

#### AFTER RECESS.

Mr. Bond moved

That the rules be suspended and Senate Bill No. 369 be considered engrossed and be put on its third reading and final passage.

Which motion was lost.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 362.

A bill for an Act to amend and re-enact Sections 35 and 38 of Chapter 62 of the Session Laws of 1911, relating to estimates, salaries and the purchase of supplies for state institutions.

Also,

## Senate Bill No. 163.

A bill for an Act creating the office of county assessor, defining his duties, abolishing the offices of township assessor, village assessor and city assessor, and amending Sections 1513, 1525, 1528, 1530 and 1533 of the Revised Codes of 1905.

And find the same correctly engrossed.

W. P. PORTERFIELD,  
Acting Chairman.

Mr. Porterfield moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

## Senate Bill No. 387.

A bill for an Act to amend Section 8154 of the Revised Codes of 1905, relating to the approval of mortgages executed by an administrator, executor or guardian.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 42 ayes, no nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Mudgett
Allen	Gilbert	Overson
Barnes	Gronvold	Plain
Bond	Heckle	Porterfield
Bonzer	Helgeland	Putnam
Bronzer	Hoverson	Steel
Carter	Hughes	Talcott
Cashel	Hyland	Thoreson
Clark	Jacobsen	Trageton
Davidson	Leutz	Turner
Davis	Loftsgaard	Vail
Duncan	McBride	Wartner
Ellingson	McDowell	Williams
Elken	McLean	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Hanley	Linde
Garden	Hookway	Nelson
Gibbens	Kretschmar	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 54.

A bill for an Act regulating the manner in which payments shall be made for any service or fee prescribed by law from any department of the State of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, no nays, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Mudgett
Barnes	Gilbert	Overson
Bond	Gronvold	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Trageton
Davidson	Jacobsen	Turner
Davis	Leutz	Vail
Duncan	Loftsgaard	Wartner
Elken	McBride	Williams
Ellingson	McDowell	Young
Ganssle	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Hanley	Linde
Englund	Hookway	Nelson
Gibbens	Kretschmar	Thoreson

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 293.

A bill for an Act to provide for the preparing of an annual county budget.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 39 ayes, no nays, 11 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	McLean
Allen	Garden	Mudgett
Barnes	Gronvold	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hoverson	Putnam
Carter	Hughes	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Turner
Davis	Leutz	Vail
Duncan	Loftsgaard	Wartner
Elken	McBride	Williams
Ellingson	McDowell	Young

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Cashel	Hanley	Nelson
Englund	Hookway	Thoreson
Gibbens	Kretschmar	Trageton
Gilbert	Linde	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

**Senate Bill No. 310.**

A bill for an Act to amend and re-enact Sections 232 and 269 of Chapter 266 of the Session Laws of 1911, relating to school age, who exempt from compulsory attendance, and teachers' register, what to contain.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 31 ayes, 7 nays, 12 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	McLean
Allen	Hanley	Mudgett
Barnes	Heckle	Plain
Bond	Helgeland	Porterfield
Bonzer	Hoverson	Putnam
Bronson	Hughes	Thoreson
Carter	Hyland	Wartner
Clark	Leutz	Williams
Davis	Loftsgaard	Young
Ellingson	McBride	
Ganssle	McDowell	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Davidson	Jacobsen	Turner
Duncan	Steel	
Elken	Talcott	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Cashel	Gilbert	Nelson
Englund	Hookway	Overson
Garden	Kretschmar	Trageton
Gibbens	Linde	Vail

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 391.

A bill for an Act to amend Section 2596 of the 1905, Revised Codes of North Dakota as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907, providing the clerk hire for the Register of Deeds in various counties of the State.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 36 ayes, 5 nays, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	McLean
Allen	Garden	Mudgett
Barnes	Gilbert	Plain
Bond	Gronvold	Porterfield
Bonzer	Heckle	Putnam
Bronson	Helgeland	Steel
Carter	Hoverson	Talcott
Cashel	Hyland	Thoreson
Clark	Jacobsen	Turner
<b>Davis</b>	Leutz	Vail
Duncan	McBride	Wartner
Ellingson	McDowell	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Davidson	Hughes	Young
Gibbens	Loftsgaard	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Elken	Hookway	Nelson
Englund	Kretschmar	Overson
Hanley	Linde	Trageton

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 252.

A bill for an Act to amend and re-enact Section 2 and

Section 6 of Chapter 44 of the Session Laws of 1911, relating to the State Tuberculosis Sanitarium at Dunsceith.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 42 ayes, 1 nay, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McLean
Allen	Gibbens	Mudgett
Barnes	Gilbert	Nelson
Bond	Gronvold	Overson
Bonzer	Heckle	Plain
Carter	Helgeland	Porterfield
Cashel	Hoverson	Putnam
Clark	Hughes	Steel
Davidson	Hyland	Talcott
Davis	Jacobsen	Trageton
Duncan	Leutz	Turner
Elken	Loftsgaard	Vail
Ellingson	McBride	Williams
Ganssle	McDowell	Young

Mr. Bronson voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Englund	Kretschmar	Wartner
Hanley	Linde	
Hookway	Thoreson	

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 357.

A bill for an Act to amend Section 5701 of the Revised Codes of North Dakota for 1905, relating to damages for postponing or refusing messages.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 37 ayes, 5 nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Bronson	Davis
Allen	Carter	Duncan
Barnes	Cashel	Elken
Bond	Clark	Ellingson
Bonzer	Davidson	Ganssle

Messrs.—  
Garden  
Gibbens  
Gilbert  
Gronvold  
Heckle  
Helgeland  
Hoverson  
Hughes

Messrs.—  
Hyland  
Leutz  
Loftsgaard  
McBride  
McLean  
Mudgett  
Nelson  
Overson

Messrs.—  
Plain  
Porterfield  
Steel  
Turner  
Wartner  
Young

Those voting in the negative were:

Messrs.—  
Jacobsen  
McDowell

Messrs.—  
Putnam  
Vail

Messrs.—  
Williams

Absent and not voting:

Messrs.—  
Englund  
Hanley  
Hookway

Messrs.—  
Kretschmar  
Linde  
Talcott

Messrs.—  
Thoreson  
Trageton

Messrs. Englund and Linde being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 163.

A bill for an Act creating the office of county assessor, defining his duties, abolishing the offices of township assessor, village assessor and city assessor, and amending Sections 1513, 1525, 1528, 1530 and 1533 of the Revised Codes of 1905.

Was read the third time.

Mr. Elken offered the following amendments to Senate Bill No. 163 and moved their adoption:

In line 4, Section 4 of the printed bill, strike out the word "four" and insert in lieu thereof the word "two."

Also in Section 4, line 6, of the printed bill, insert after the word "court" the following: "provided, that all moneys to be paid county assessors and deputies together to be no more than sixty dollars per annum for each township, town or village in said county."

Which motion prevailed and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 22 ayes, 19 nays, 9 absent and not voting.

Those voting in the affirmative were.

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Steel
Barnes	Hanley	Thoreson
Bond	Heckle	Turner
Carter	Hyland	Vail
Cashel	Leutz	Wartner
Clark	McDowell	Williams
Davidson	Mudgett	
Elken	Nelson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Jacobsen	Plain
Duncan	Kretschmar	Porterfield
Ganssle	Linde	Putnam
Gilbert	Loftsgaard	Trageton
Helgeland	McBride	Young
Hookway	McLean	
Hoverson	Overson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Ellingson	Gronvold
Bonzer	Englund	Hughes
Davis	Gibbens	Talcott

Mr. Englund being excused.

So the bill was lost.

Mr. Overson gave notice that at 3:30 o'clock P. M., March 5th, he would move for a reconsideration of the vote by which Senate Bill No. 163 was lost.

There being no objection, the Senate returned to the eighth order of business, and

Mr. Overson introduced the following concurrent resolution:

*Whereas*, Senate Bill No. 132 has been passed by the House and the Senate, and has been duly signed by the Speaker of the House and the President of the Senate, and is now in the hands of the Governor for approval or rejection; and,

*Whereas*, It is desired by the Senate and the House that such bill be returned to the Legislative Assembly for the purpose of amending the said bill.

*Therefore, be it Resolved by the Senate, the House of Representatives concurring*, That the Governor be requested to return Senate Bill No. 132 to the Senate.

## Senate Bill No. 362.

A bill for an Act to amend Section 38 of Chapter 62 of the Session Laws of 1911, relating to estimates and the purchase of supplies for state institutions.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 34 ayes, 11 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Helgeland	Overson
Borl	Hookway	Plain
Carter	Overson	Porterfield
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Davis	Leutz	Turner
Elken	Linde	Vail
Ellingson	Loftsgaard	Wartner
Ganssle	McBride	Williams
Gronvold	McLean	
Heckle	Nelson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Garden	Putnam
Bonzer	Gilbert	Steel
Bronson	McDowell	Young
Duncan	Mudgett	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Gibbens	Kretschmar
Englund	Hanley	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Overson moved

That all Senate Bills in the hands of committees be placed upon the calendar for third reading and final passage without recommendation.

Which motion prevailed.

Senate Bill No. 317.

A bill for an Act to establish a legislative drafting bureau in connection with the legislative reference department of

the state library commission.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 36 ayes, 9 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Linde
Barnes	Garden	McLean
Bond	Gibbins	Mudgett
Bonzer	Gilbert	Nelson
Bronson	Gronvold	Overson
Carter	Hanley	Plain
Cashel	Helgeland	Porterfield
Clark	Hookway	Steel
Davidson	Hoverson	Talcott
Davis	Hughes	Thoreson
Duncan	Hyland	Turner
Ellingson	Leutz	Wartner

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Elken	McBride	Vail
Jacobsen	McDowell	Williams
Loftsgaard	Putnam	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Heckle	Trageton
Englund	Kretschmar	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Gronvold moved

That the vote by which Senate Bill No. 317 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Davidson moved

That the vote by which Senate Bill No. 361 was lost be reconsidered.

Mr. Allen moved

That the motion be laid on the table.

Which motion prevailed.

The courtesies of the floor were extended to Professor

Love and the Civics Class of the Mandan High School.

Mr. Hughes moved

That the Senate do now adjourn.

Which motion prevailed and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

#### FIFTY-EIGHTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
March 5, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Mr. Englund.

Who was excused.

#### REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 307.

A bill for an Act to amend Section 3013 of the Revised Codes of 1905, relating to the bridge fund to be turned over to cities of certain classes.

And find the same correctly re-engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on railroads made the following report:

*Mr. President:*

Your committee on railroads to whom was referred  
Senate Bill No. 303.

A bill for an Act providing for the construction and maintenance of sidetracks by railways at points near the International boundary.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. F. GILBERT,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The majority of the committee on railroads made the following report:

*Mr. President:*

Your committee on railroads to whom was referred  
Senate Bill No. 334.

A bill for an Act to protect the lives and property of the traveling public, and the employees of the railroads in the State of North Dakota, by providing for full crews on trains.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. F. GILBERT,  
Chairman.

E. A. HUGHES,  
JAMES DUNCAN,  
W. L. CARTER,  
J. L. CASHEL,  
JOHN YOUNG.

A minority of the committee on railroads made the following report:

*Mr. President:*

A minority of your committee on railroads to whom was referred

Senate Bill No. 334.

A bill for an Act to protect the lives and property of the traveling public, and the employees of the railroads in the State of North Dakota, by providing for full crews on trains.

Have had the same under consideration and recommend the same be amended as follows:

Strike out all of Section 1.

In Section 3, line 1, change the word "forty" to "fifty," in line 7 of the same Section, change word "forty" to "fifty."

In Section 4, line 1, change the word "forty" to "fifty," in line 7 of the same Section, change word "forty" to "fifty." In line 1 of Section 2, change word "two" to "one." In line 1 of Section 3 change the word "three" to "two." In line 1 of Section 4, change word "four" to "three." In line 1 of Section 5, change the word "five" to "four." In line 1 of Section 16, change the word "six" to "five."

And when so amended recommend the same to pass

M. L. McBRIDE,  
C. W. HOOKWAY,  
M. THORESON.

Mr. Hughes objected to the consideration of the committee reports on Senate Bill No. 334.

Mr. Bronson moved

That the rules be suspended to remove the objection of Mr. Hughes and that the minority report of the committee to amend and pass Senate Bill No. 334 be adopted.

Mr. Hughes moved

A call of the Senate.

Which motion prevailed.

Mr. Talcott moved

That further proceedings under the call be dispensed with.

Which motion prevailed.

The question being on the suspension of the rules,

The same was lost, and

The objection made by Mr. Hughes was sustained.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred Senate Bill No. 134.

A bill for an Act to amend Chapter 62 of the Session Laws of 1911, entitled, "An Act to create a state board of control and provide for the management and control of the charitable and penal institutions of the state, and to make an appropriation therefor, and for the defining of certain offenses and providing penalties therefor.

Have had the same under consideration and recommend that the same be amended as follows:

And when so amended recommend the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The conference committee made the following report:

*Mr. President:*

Your conference committee to whom was referred House Bill No. 82.

A bill for an Act to regulate the manufacture of pneumatic rubber tires for motor vehicles and to prevent fraud and deception in the sale thereof.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the following words: "the name of the manufacturer and" be reinstated and adopted.

And when so amended recommend the same do pass.

C. W. HOOKWAY,  
P. F. KRETSCHMAR,  
CHAS. ELLINGSON,  
A. M. THOMPSON,  
ADAM BOLLINGER,  
A. E. RANEY.

Mr. Hookway moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

House Bill No. 82,

A bill for an Act to regulate the manufacture of pneumatic rubber tires for motor vehicles and to prevent fraud and deception in the sale thereof.

Was read the third time.

The question being on the final passage of the bill as amended by conference committee.

The roll was called and there were 32 ayes, 7 nays, 11 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Helgeland	Plain
Carter	Hookway	Porterfield
Cashel	Hughes	Putnam
Clark	Hyland	Steel
Davis	Hoverson	Talcott
Duncan	Kretschmar	Thoreson
Ellingson	Leutz	Trageton
Ganssle	McDowell	Turner
Garden	McLean	Wartner
Hanley	Nelson	Williams
Heckle	Overson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Davidson	Young
Barnes	Elken	
Bronson	Gronvold	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Land	Gilbert	McBride
Bonzer	Jacobsen	Mudgett
Englund	Linde	Vail
Gibbens	Loftsgaard	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Hanley moved

That the vote by which House Bill No. 82 passed, be re-

considered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MOTIONS AND RESOLUTIONS.

Mr. Hanley moved

That Senate Bill No. 382 be referred to a special committee to report this afternoon.

Which motion prevailed and

The president appointed as such committee Messrs. McDowell, Mudgett and Hanley.

Mr. Trageton offered the following resolution:

*Whereas*, England, Germany, France, Norway and Sweden and nearly all the enlightened nations of the world have a national department of health; and,

*Whereas*, The United States is about the only civilized nation without such a department; and,

*Whereas*, The federal government endeavors to protect forests, plants and domestic animals from disease, but does not so endeavor to protect its people; therefore

*Be it Resolved by the Senate of the Thirteenth Legislative Assembly of the State of North Dakota*, That we respectfully urge our Senators and Representatives in Congress to support any measure providing for the establishment of a national department of health and to use their influence in securing its enactment into law; and,

*Be it Further Resolved*, That a copy of these resolutions be sent to each of our Representatives and Senators in Congress and to the President of the United States.

Mr. Trageton moved

That the foregoing resolution be adopted.

Mr. Hanley moved

As an amendment that the resolution be referred to the committee on public health.

Which motion was lost.

And the question being on the original motion the same prevailed and the resolution was adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., March 5, 1913.

*Mr. President:*

I have the honor to inform you that the House requests the return of concurrent resolution relating to the reports of the state officers and boards and the Knight Printing Co.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to transmit herewith  
House Bill No. 414.

A bill for an Act to provide for the collection, arrangement and display of the products and resources of the State of North Dakota at the Centennial Exposition to be held in Christiania, Norway, in 1914, and providing for a board of commissioners therefor, and making an appropriation for such purpose.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

## THIRD READING OF SENATE BILLS.

Senate Bill No. 384.

A bill for an Act to require publishers of school books to furnish bond, file copies of their publications and sworn price lists in the office of the state superintendent of public instruction as a condition precedent to doing business in this state; and to require dealers in school furniture and supplies to file price lists and statements in said office and to give a bond before selling or offering for sale such furniture or equipment in this state, and providing penalties for the violation thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 24 ayes, 18 nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Cashel  
Clark  
Davidson  
Davis  
Elken  
Ellingson  
Garden

Messrs.—  
Gibbens  
Hanley  
Helgeland  
Hyland  
Linde  
McBride  
McLean  
Nelson

Messrs.—  
Overson  
Plain  
Putnam  
Talcott  
Thoreson  
Trageton  
Turner  
Williams

Those voting in the negative were:

Messrs.—  
Allen  
Barnes  
Bonzer  
Bronson  
Carter  
Duncan

Messrs.—  
Ganssle  
Gronvold  
Heckle  
Heverson  
Jacobsen  
Kretschmar

Messrs.—  
Loftsgaard  
McDowell  
Porterfield  
Steel  
Wartner  
Young

Absent and not voting:

Messrs.—  
Bond  
Englund  
Gilbert

Messrs.—  
Hookway  
Hughes  
Leutz

Messrs.—  
Mudgett  
Vail

Mr. Englund being excused.

So the bill was lost.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 64.

A bill for an Act to amend Sections 38, 46, 51, 66 of the Revised Codes of 1905, to provide for the printing and prescribing the manner of distribution of the Legislative Manual, known as the North Dakota Blue Book.

And find the same correctly re-engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted

Which motion prevailed and

The report was adopted.

There being no objection the Senate returned to the eighth order of business and Mr. Allen offered the following concurrent resolution:

*Whereas*, Under Joint Rule No. 10, provides that no bill which has passed one House shall be sent for concurrence to the other on either of the last three days of the session.

*Whereas*, There are a number of bills that have not yet been sent from the respective houses for concurrence in the other house, and it is impossible to properly consider all of said bills under said rule; now, therefore,

*Be it Resolved by the Senate and House of Representatives concurring*, That the operation of said Rule Ten be suspended until 10 o'clock P. M. on Wednesday, March 5th, being the fifty-eighth day of the session, at which time both Houses shall be in session.

Mr. Allen moved

That the resolution be adopted.

Mr. Hanley moved

As an amendment that the resolution be referred to the committee on rules to report in one hour.

Which amended motion prevailed.

Mr. Hyland moved

That the Senate return to the House the House concurrent resolution relating to the Knight Printing Company as requested by the House.

Which motion prevailed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., March 5, 1913.

*Mr. President:*

I have the honor to inform you that the House has concurred in the concurrent resolution requesting the governor to return to the Senate Senate Bill No. 132.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Hanley presiding.

Senate Bill No. 390.

A bill for an Act to amend Section 84 of Chapter 266 of the Session Laws of 1911, relating to education.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 37 ayes, 2 nays, 11 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Barnes	Gilbert	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Hookway	Porterfield
Carter	Hooverson	Putnam
Cashel	Hughes	Steel
Clark	Kretschmar	Talcott
Davis	Linde	Turner
Duncan	Loftsgaard	Wartner
Ellingson	Mudgett	Young
Ganssle	McBride	
Garden	McDowell	

Messrs. Davidson and Helgeland voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Hyland	Trageton
Elken	Jacobsen	Vail
Englund	Leutz	Williams
Gronvold	Thoreson	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Hanley moved

That the vote by which Senate Bill No. 390 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The President presiding.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 5th, 1913.

*Mr. President:*

I have the honor to return herewith Senate Bill No. 196 in accordance with the request of Senate.

Very respectfully

M. J. GEORGE,  
Chief Clerk.

Senate Bill No. 134.

A bill for an Act to amend Chapter 62 of the Session Laws of 1911, entitled "An Act to create a state board of control and provide for the management and control of charitable and penal institutions of the state, and to make an appropriation therefor, and for the defining of certain offences and providing penalties therefor."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 35 ayes, 8 nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Mudgett
Allen	Gibbens	Overson
Barnes	Gilbert	Plain
Carter	Heckle	Putnam
Cashel	Hookway	Steel
Clark	Hovey	Talcott
Davidson	Hughes	Thoreson
Davis	Hyland	Trageton
Duncan	Kretschmar	Vail
Elken	Linde	Wartner
Ellingson	McBride	Young
Ganssle	McLean	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Loftsgaard	Turner
Hanley	McDowell	Williams
Helgeland	Porterfield	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Gronvold	Nelson
Bonzer	Jacobsen	
Englund	Leutz	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Hanley moved

That the vote by which Senate Bill No. 134 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Secretary announced that the President was about to sign

House Bill No. 57.

A bill for an Act to prevent fraudulent registration and sale of animals as being pure bred, and to amend Section 9007 of the Revised Codes of 1905.

House Bill No. 61.

A bill for an Act to repeal Sections 3187, 3188, 3189, 3190 and 3191 of the Revised Codes of North Dakota for the year 1905, relating to guideposts.

House Bill No. 92.

A bill for an Act to amend Section 1 of Chapter 77 of the Laws of 1911, entitled "An Act to provide for a commission system of government in cities which shall adopt the provisions of this Act."

House Bill No. 152.

A bill for an Act to provide for the making of improvements at the North Dakota School of forestry, to assist in the maintenance thereof, and making appropriation therefor.

House Bill No. 172.

A bill for an Act authorizing the cities to incur indebtedness and issue bonds for certain city purposes, when such proposition for issuing such bonds shall have been approved by a majority vote of the electors of such city, and fixing a limit to the indebtedness to be thereby incurred.

House Bill No. 194.

A bill for an Act making an appropriation annually for the support and maintenance of the Agricultural Sub-experiment Station located at Hettinger, Adams County.

House Bill No. 197.

A bill for an Act to amend Article 4, of Chapter 30 of the

Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota for 1905, relating to powers of city councils.

House Bill No. 198.

A bill for an Act to amend Article 4, Chapter 30, of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to power of city council, as amended by Chapter 79 of the Session Laws of 1911.

House Bill No. 218.

A bill for an Act entitled, "An Act amending Section 2693 of the Revised Codes of 1905, relating to cities."

House Bill No. 264.

A bill for an Act providing for failure to close gates on private roadways.

House Bill No. 321.

A bill for an Act to amend Section 2020 of the Revised Codes of 1905, relating to registration fees and compensation of the state board of veterinary examiners, and the amendment thereto, Chapter 282, Session Laws of 1911.

House Bill No. 369.

Being a bill for an Act to provide for suspension of modification of sentence of persons convicted of misdemeanors.

House Bill No. 380.

A bill for an Act entitled "An Act authorizing private associations or organizations to work upon and improve the public roads at their own expense and to name said roads under the authority and with the approval of the county commissioners of the various counties."

House Bill No. 393.

Being a bill for an Act providing for the satisfaction of judgments pending an appeal therefrom to the Supreme Court.

And the President signed the same in the presence of the Senate.

Senate Bill No. 196.

A bill for an Act to provide for the establishment, organization, regulation and management of a state board of

health, township boards of health and village boards of health, and making an appropriation for the expenses of the state board of health, and to repeal Sections 252 to 287 inclusive, of Article 10, Chapter 4, Revised Codes of 1905.

Was read the third time.

Mr. Plain offered the following amendment to Senate Bill No. 196 and moved its adoption:

On page 4, line 5, of the printed bill, insert after the word "duty" the following: "provided, that the salaries and expenses shall have the approval of the state auditing board and all expenses and salaries audited and allowed by it."

Which motion prevailed and

The amendment was adopted.

Mr. Davis offered the following amendment to Senate Bill No. 196 and moved its adoption:

In Section 6, line 20 of the engrossed bill, strike out the word "three" and insert in lieu thereof the word "six."

Which motion was lost.

Mr. Davis moved

That the further consideration of Senate Bill No. 196 be indefinitely postponed.

Which motion was lost.

Mr. Overson moved

That the rules be suspended and Senate Bill No. 196 be amended in Section 6, line 20, of the engrossed bill, to read "six thousand dollars" instead of "three thousand dollars."

Which motion prevailed, and

The amendment was adopted.

Mr. Talcott moved

That the further consideration of Senate Bill No. 196 be deferred for thirty minutes.

Which motion prevailed.

#### REPORT OF STANDING COMMITTEE.

The committee on rules made the following report:

*Mr. President:*

Your committee on rules to whom was referred

Concurrent resolution relative to Joint Rule No. 10.

Beg leave to report and recommend the following amendments:

In next to the last line, strike out the figure "2" and insert in lieu thereof the figure "10"; in the same line, strike out the word "Thursday" and insert in lieu thereof the word "Wednesday"; also in same line strike out the figure "6th" and insert in lieu thereof the figure "5th"; and in the last line following the word "session" add the words "at which time both houses shall be in session."

Aid when so amended recommend the same do pass.

H. W. ALLEN,  
Chairman.

Mr. Allen moved.

That the report be adopted.

Which motion prevailed and

The report was adopted.

Mr. Allen moved

That the concurrent resolution relative to joint rule No. 10, as amended, be adopted.

Which motion prevailed.

### THIRD READING OF HOUSE BILLS.

House Bill No. 11,

A concurrent resolution to amend Section 121 of Article 5 of the Constitution of the State of North Dakota, and Article 2 of the amendments to the Constitution amendatory thereof, relating to elective franchise.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 21 ayes, 20 nays, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
 Albrecht  
 Barnes  
 Bond  
 Bonzer  
 Cashel  
 Duncan  
 Garden

Messrs.—  
 Gronvold  
 Hanley  
 Heckle  
 Loveless  
 Hughes  
 Hyland  
 Loftsgaard

Messrs.—  
 McBride  
 Mudgett  
 Porterfield  
 Steel  
 Vail  
 Wartner  
 Williams

Those voting in the negative were:

Messrs.—  
 Allen  
 Bronson  
 Carter  
 Clark  
 Davis  
 Elken  
 Ganssle

Messrs.—  
 Helgeland  
 Hookway  
 Jacobsen  
 Kretschmar  
 Linde  
 McLean  
 Plain

Messrs.—  
 Putnam  
 Talcott  
 Thoreson  
 Trageton  
 Turner  
 Young

Absent and not voting:

Messrs.—  
 Davidson  
 Ellingson  
 Englund

Messrs.—  
 Gibbens  
 Gilbert  
 Leutz

Messrs.—  
 McDowell  
 Nelson  
 Overson

Mr. Englund being excused.

So the bill was lost.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
 Bismarck, N. D., March 5, 1913.

*Mr. President:*

I have the honor to inform you that the Speaker has appointed as conferees on part of the House for Senate Bill No. 152, Messrs. Gardiner, Wiley and Walsh.

Very respectfully,

M. J. GEORGE,  
 Chief Clerk.

Mr. Overson moved

That the President appoint a member on the conference committee on Senate Bill No. 152 to take the place of Mr. Englund, who is ill.

Which motion prevailed and

The President appointed as such member Mr. Elken.

House Bill No. 319.

A bill for an Act to amend Section 3 of Chapter 129 of

the Session Laws of 1911, relating to rates for state officers in the publicity pamphlet.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, 2 nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gilbert	Overson
Barnes	Gronvold	Plain
Bond	Hanley	Porterfield
Bonzer	Heckle	Putnam
Bronson	r. overson	Teel
Carter	Hughes	Talcott
Cashel	Hyland	Thoreson
Clark	Jacobsen	Trageton
Davidson	Kretschmar	Turner
Davis	Linde	Vail
Duncan	Loftsgaard	Wartner
Elken	McBride	Young
Garden	McLean	

Messrs. Helgeland and Hookway voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Ellingson	Leutz	Williams
Englund	McDowell	
Ganssle	Nelson	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 90.

A bill for an Act relating to the printing of a proposed Constitutional Amendment.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, no nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Bronson	Duncan
Allen	Cashel	Elken
Barnes	Clark	Ellingson
Bond	Davidson	Ganssle
Bonzer	Davis	Garden

Messrs.—  
 Gibbens  
 Gronvold  
 Hanley  
 Heckle  
 Helgeland  
 Hookway  
 Hughes  
 Jacobsen  
 Kretschmar  
 Linde

Messrs.—  
 Loftsgaard  
 McBride  
 McDowell  
 McLean  
 Mudgett  
 Nelson  
 Overson  
 Plain  
 Porterfield  
 Putnam

Messrs.—  
 Steel  
 Talcott  
 Thoreson  
 Trageton  
 Turner  
 Vail  
 Wartner  
 Williams  
 Young

Absent and not voting:

Messrs.—  
 Carter  
 Englund

Messrs.—  
 Gilbert  
 Overson

Messrs.—  
 Hyland  
 Leutz

Mr. Englund being excused.

So the bill passed and the title was agreed to.

#### COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the governor:

Bismarck, North Dakota, March 5th, 1913.

*To the Senate:*

Gentlemen: I am in receipt of your communication in the form of a concurrent resolution passed by the Senate and adopted by the House, asking for the return to the Senate of Senate Bill No. 132.

I would call your attention to page 251 of Book 14 of Lawyer's Reports, annotated and to the following decision printed therein.

“Withdrawal of bill from Governor. In *People vs. Devlin*, 33 N. Y. 269, after a bill had been acted on by both branches of the Legislature and sent to the Governor, the Assembly requested the Governor to return it to them and the Governor complied with the request, sending with the bill a message stating that it was returned in accordance with the request of the Assembly. The court in considering the validity of this action determined that when a bill has passed both branches of the Legislature and been signed by appropriate officers and sent to the Governor for his approval and signature it has passed beyond the control of either House and cannot be recalled except perhaps by the joint action of the two Houses, the court saying that if the power to control it does exist it is not found in the Constitution, nor in a statute, nor is it shown to be custom or usage,

and that although each House has power to determine the rules of its own proceedings no rule permitting the recall of a bill was shown to exist, and that the Act of courtesy of the Governor in returning a bill conferred no power upon the House of the Assembly to further act upon it.

The question again arose in Virginia, in *Wolfe v. McCaull*, 76 Va. 876, in which it appears that the Legislature passed a bill and presented it to the Governor but before action by him it was recalled by joint resolution. It will be seen that here the point was distinctly raised which was not passed upon in the New York case, and the court viewed the matter in two lights: First, as to the effect of the Governor's returning the bill at the request of the Legislature, and it was decided that the Governor's duty was fixed by Constitution and that he could not evade it by allowing the Legislature to recall the bill from his hands and to defeat by mere non-action, a measure which they have once declared with due solemnity to have passed; that the Governor must choose one of two courses, he must act by either approving or disapproving a bill or allowing it to become a law without his approval by the force and effect of the Constitution itself; and no power is given him to return a bill to the Legislature except in case of veto and by failing to veto it or return it with his objections he allowed it to become a law without his approval; that an Act of courtesy in returning a bill was of no legal effect and in contemplation of law the bill never left the governor's hands until it was placed in the hands of the keeper of the rolls. Secondly, as to the right of the Legislature to withdraw a bill, it was decided that a construction in favor of the powers of the Legislature which would permit it to recall a bill from the hands of the governor would trench upon the latter's power and prerogative."

In view of the above decision, I respectfully decline to return the bill as requested.

I have the honor to be,

Very respectfully,

L. B. HANNA,  
Governor.

Mr. Overson moved

That the vote by which Senate Bill No. 163 was lost, be reconsidered.

Which motion prevailed.

Mr. Overson moved

That Senate Bill No. 163 be placed on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 163.

A bill for an Act creating the office of county assessor, defining his duties, abolishing the office of township assessor, village assessor and city assessor, and amending Sections 1413, 1523, 1528, 1530 and 1533 of the Revised Codes of 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 30 ayes, 15 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Nelson
Barnes	Gibbens	Overson
Bond	Hanley	Putnam
Carter	Heckle	Steel
Cashel	Hookway	Talcott
Clark	Hughes	Thoreson
Davidson	Hyland	Turner
Davis	McBride	Vail
Elken	McDowell	Wartner
Ellingson	Mudgett	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gronvold	McLean
Bonzer	Helgeland	Plain
Bronson	Hooveron	Porterfield
Duncan	Jacobsen	Trageton
Gilbert	Loftsgaard	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Kretschmar	Linde
Ganssle	Leutz	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Overson moved

That the vote by which Senate Bill No. 163 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., March 5, 1913.

*Mr. President:*

I have the honor to return herewith the following concurrent resolution, relating to suspension of rules to message bills, which the House has amended as follows:

Strike out "10 o'clock A. M. on Wednesday, March 5," and insert in lieu thereof "1 o'clock P. M., Thursday, March 6th."

And your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Hanley moved

That the Senate do now concur in the House amendment to the Senate concurrent resolution relating to the suspension of rules.

Which motion prevailed and

The amendment was adopted.

## COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the Governor:

STATE OF NORTH DAKOTA,  
EXECUTIVE OFFICE,  
Bismarck, March 5, 1913.

*To the Senate:*

Gentlemen: I return herewith Senate Bill No. 132, "A bill for an Act to amend Section 2596 of the 1905 Revised Codes of North Dakota, as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907, providing the clerk hire for the register of deeds in the various counties of the state," without my approval, for the following reason:

This bill would increase the amount of money that county commissioners may use for compensation of register of deeds and his deputies from the present law, which provides that counties having less than fifteen thousand population may expend five thousand (\$5,000.00) dollars and raises the amount to eight thousand (\$8,000.00) dollars, and in coun-

ties having fifteen to twenty-five thousand population, it raises the amount that may be expended from six thousand (\$6,000.00) dollars to ten thousand (\$10,000.00) dollars. The bill also provides that if there are not fees enough received and paid into the special salary fund to pay the amount of compensation allowed to the register of deeds and deputies, then the salaries shall be paid from the general fund.

Such a large increase in the cost of the register of deeds office in the various counties as might result from the passage of this bill would be against the public interest and I therefore withhold my approval.

I have the honor to be,

Respectfully,

L. B. HANNA,  
Governor.

House Bill No. 18.

A bill for an Act to amend Sections 620 and 650 of the Revised Codes, 1905, relating to elections.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, no nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gronvold	Nelson
Barnes	Heckle	Overson
Bond	Helgeland	Plain
Bonzer	Hookway	Porterfield
Bronson	Hoverson	Putnam
Carter	Hughes	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Turner
Davis	Linde	Vail
Elken	Loftsgaard	Wartner
Ellingson	McBride	Williams
Ganssle	McDowell	Young
Garden	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Duncan	Gilbert	Leut
Englund	Hanley	Trageton

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Talcott moved

That Senate Bill No. 196 be put on its third reading and final passage.

Which motion prevailed.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 163.

A bill for an Act creating the office of county assessor, defining his duties, abolishing the offices of township assessor, village assessor and city assessor, and amending Sections 1513, 1525, 1528, 1530 and 1533 of the Revised Codes of 1905.

And find the same correctly re-engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Senate Bill No. 196.

A bill for an Act to provide for the establishment, organization, regulation and management of a State Board of Health, County Boards of Health, Township Boards of Health and Village Boards of Health, and making an appropriation for the expenses of the State Board of Health, and to repeal Sections 252 to 287, inclusive, of Article 10, Chapter 4, Revised Codes of 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 39 ayes, 6 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
 Albrecht  
 Allen  
 Barnes  
 Bond  
 Bronson  
 Carter  
 Cashel  
 Clark  
 Davis  
 Duncan  
 Ellingson  
 Ganssle  
 Garden

Messrs.—  
 Gibbens  
 Gronvold  
 Hanley  
 Heckle  
 Hoverson  
 Hughes  
 Hyland  
 Jacobsen  
 Kretschmar  
 Linde  
 Loftsgaard  
 McBride  
 McDowell

Messrs.—  
 McLean  
 Mudgett  
 Nelson  
 Overson  
 Plain  
 Porterfield  
 Putnam  
 Steel  
 Talcott  
 Thoreson  
 Turner  
 Vail  
 Williams

Those voting in the negative were:

Messrs.—  
 Bonzer  
 Davidson

Messrs.—  
 Helgeland  
 Hookway

Messrs.—  
 Wartner  
 Young

Absent and not voting:

Messrs.—  
 Elken  
 Englund

Messrs.—  
 Gilbert  
 Leutz

Messrs.—  
 Trageton

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved

That the vote by which Senate Bill No. 196 passed, be reconsidered, and the motion to reconsider be laid on the table.

Which motion was lost.

House Bill No. 476.

A bill for an Act to provide for a means of removal of elective officers by the will of the people and for the political reserve powers of electors to be used through the initiative and referendum in city matter, and the form of petitions applicable to cities which have adopted or may hereafter adopt the commission system of government; also to prescribe the manner by which a city, having adopted the commission system of government, may return to the former system.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 27 ayes, 17 nays, 6 absent and not voting.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Garden	Overson
Barnes	Heckle	Plain
Bonzer	Hoverson	Porterfield
Bronson	Hughes	Putnam
Carter	Hyland	Steel
Cashel	Kretschmar	Thoreson
Clark	McDowell	Turner
Duncan	Mudgett	Wartner
Ellingson	Nelson	Williams

## Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	Loftsgaard
Bond	Hanley	McBride
Davidson	Helgeland	McLean
Davis	Hookway	Talcott
Elken	Jacobsen	Young
Ganssle	Linde	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Gilbert	Trageton
Gibbens	Leutz	Vail

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Hanley moved

That the vote by which House Bill No. 476 passed, be reconsidered.

Which motion prevailed.

Mr. Hanley moved

That the further consideration of House Bill No. 476 be laid over until tomorrow.

Which motion prevailed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., March 5, 1913.

*Mr. President:*

I have the honor to inform you that the House declines to concur in the Senate amendments to House Bill No. 122 and asks for a committee or conference, and the Speaker has named as such conferees on the part of the House,

Messrs. Burnett, Nyhus and Hendrickson.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to inform you that the House declines to concur in the Senate amendments to House Bill No. 192, and asks for a committee or conference, and the Speaker has named as such conferees on the part of the House, Messrs. Buck, Ryan and Taylor.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to inform you that the House declines to concur in the Senate amendments to House Bill No. 114 and asks for a committee or conference, and the Speaker has named as such conferees on the part of the House, Messrs. France, Kelly and Morrison.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to inform you that the House declines to concur in the Senate amendments to House Bill No. 357 and asks for a committee or conference, and the Speaker has named as such conferees on the part of the House, Messrs. Twichell, Buck and Isaak.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Overson moved

That the Senate take a recess for ten minutes.

Which motion prevailed and

The Senate took a recess.

## AFTER RECESS.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 5th, 1913.

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 178.

A bill for an Act making an appropriation for carrying out provisions of law relating to the duties of the commission of agriculture and labor.

Also,

Senate Bill No. 272.

A bill for an Act to provide that public records and files shall be open to inspection and examination.

Also,

Senate Bill No. 208.

A bill for an Act to amend Section 2613 of the Revised Codes of North Dakota for 1905 as amended by Chapter 119, Session Laws of 1911, relating to compensation and office hours of county commissioners.

Also,

Senate Bill No. 261.

A bill for an Act to amend and re-enact Section 455 of the Revised Codes of 1905, relating to official seal, and filing oath and bond of notary public.

Also,

Senate Bill No. 188.

A bill for an Act to amend and re-enact Section 3, Chapter 137 of the Session Laws of 1907, as amended by Chapter 155 of the Session Laws of 1911, relating to the payment of costs of treatment and board of patients in the insane hospital.

Also,

Senate Bill No. 305.

A bill for an Act providing for the appointment of short-

hand reporters by referees, coroners, and committing magistrates, and providing for their compensation.

Also,

Senate Bill No. 232.

A bill for an Act to amend Section 7497 of the Revised Codes of North Dakota for the year 1905, relating to the time allowed and specifying the mode of cancellation of land contracts.

Also,

Senate Bill No. 244.

A bill for an Act to amend Section 1 of Chapter 266 of the Session Laws of 1911 in order to raise the qualifications of the state superintendent of public instruction to that degree that the present salary would justify.

Also,

Senate Bill No. 308.

A bill for an Act to amend and re-enact Section 273 of Chapter 266 of the Session Laws of 1911, relating to teachers' institute and training schools.

Also,

Senate Bill No. 296.

A bill for an Act to enlarge the power of state's attorneys.

Also,

Senate Bill No. 268.

A bill for an Act in reference to declaring churches and church societies extinct and disposing of the property of extinct church and church societies.

Also,

Senate Bill No. 301.

A bill for an Act to amend and re-enact Section 1541 of the Revised Codes of 1905, as amended by Chapter 112 of the 1911 Session Laws, relating to tax lists made out by county auditors.

Also,

Senate Bill No. 137.

A bill for an Act providing for a contract system of legis-

lative clerical work and employment.

Also,

Senate Bill No. 255.

A bill for an Act to encourage the creation of Farmers' Clubs in order to further the interest of the farmers in this state educationally, socially and industrially.

Also,

Senate Bill No. 210.

A bill for an Act repealing Sections 2082, 2083, 2084 and 2085, also Chapter 41 of the Laws of 1907 and Chapter 50 of the Laws of 1909.

Also,

Senate Bill No. 40.

A bill for an Act making an appropriation for the erection of a new building, and other improvements, and for the current and contingent expenses of the Reform School of North Dakota, located at Mandan, N. D.

Which the House has indefinitely postponed.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

The President announced the appointment of the following conference committees:

House Bill No. 114, Messrs. Wartner, McDowell and Elken.

House Bill No. 192, Messrs. Linde, Kretschmar and Davidson.

House Bill No. 357, Messrs. Steel, Mudgett and Williams.

House Bill No. 122, Messrs. Gibbens, Wartner and Jacobsen.

### THIRD READING OF HOUSE BILLS.

Mr. Davis presiding.

House Bill No. 111.

A bill for an Act to provide for the non-partisan nomination and election of the state superintendent of public instruction and county superintendent of schools.

Was read the third time.

Mr. McDowell offered the following amendments to House Bill No. 111 and moved their adoption:

Strike out all of Section 2 and insert the following:

“Section 2. Separate Ballots for State Superintendent and County Offices.) At all primary elections at which candidates for all county offices and state superintendent of public instruction are to be nominated, there shall be separate ballots, which shall be entitled the “Non-Partisan Ballot,” and the names of such candidates shall be placed thereon without party designation.

Also in Section 1, strike out the words county superintendent of schools,” in line 4, page 1, and insert the words “county officers.”

Also wherever the words “school ballots” appear in the bill insert the words “non-partisan.”

Roll call demanded and

Mr. McDowell moved

That further consideration of House Bill No. 111 be indefinitely postponed.

Which motion was lost.

The question being on the adoption of the amendment.

The roll was called and there were 16 ayes, 27 nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Gibbens	Putnam
Bonzer	Hyland	Turner
Cashel	Linde	Williams
Clark	McDowell	Young
Davis	Overson	
Garden	Porterfield	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Fianley	McLean
Allen	Heckle	Mudgett
Bond	Helgeland	Plain
Bronson	Hookway	See
Carter	Hoverson	Talcott
Duncan	Hughes	Thoreson
Elken	Jacobsen	Trageton
Ganssle	Loftsgaard	Vail
Gilbert	McBride	Wartner

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Davidson	Gronvold	Nelson
Ellingson	Kretschmar	
Englund	Leutz	

Mr. Englund being excused.

So the motion failed and the amendment was lost.

The question being on the final passage of the bill.

The roll was called and there were 28 ayes, 14 nays, 8 absent and not voting.

**Those voting in the affirmative were:**

Messrs.—	Messrs.—	Messrs.—
Albrecht	Heckle	Putnam
Barnes	Hookway	Steel
Bronson	Hoverson	Talcott
Carter	Hyland	Thoreson
Cashel	Jacobsen	Trageton
Clark	Loftsgaard	Turner
Davis	McBride	Vail
Ellingson	McDowell	Wartner
Garden	Mudgett	
Gibbens	Porterfield	

**Those voting in the negative were:**

Messrs.—	Messrs.—	Messrs.—
Allen	Gilbert	Overson
Bonzer	Hanley	Plain
Duncan	Helgeland	Williams
Elken	Hughes	Young
Ganssle	McLean	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bond	Gronvold	Linde
Davidson	Kretschmar	Nelson
Englund	Leutz	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., March 5, 1913.

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 194.

A bill for an Act making an appropriation for the dairy department of the State of North Dakota.

Also,

Senate Bill No. 193.

A bill for an Act authorizing the governor of the State of North Dakota to employ chartered public accountants to examine, audit and check the accounts of the several departments of the state government, etc.

Also,

Senate Bill No. 72.

A bill for an Act to appropriate money to reimburse the citizens of Mandan, North Dakota, for moneys advanced by them for the purchase of certain lands in Morton County, North Dakota, to be deeded to the board of trustees of the North Dakota Agricultural College, and to be used in connection with the experiment station established by Act of Congress, and located near Mandan, North Dakota.

Also,

Senate Bill No. 31.

A bill for an Act to amend Section 3 of Chapter 209 of the Session Laws of 1909, relating to the selling, offering or exposure of seed for sale.

Also,

Senate Bill No. 330.

A bill for an Act to amend Section 35 of the Revised Codes of 1905 for North Dakota.

Also,

Senate Bill No. 113.

A bill for an Act making an appropriation for the Experimental Station of the School of Mines and the Mining Substation at Hebron, Morton County.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 16.

A bill for an Act appropriating money for the current and contingent expenses of the state tuberculosis sanitarium at Dunseith.

Which the House has amended as follows:

On page 1 of the engrossed bill, strike out all of Section 2, Emergency.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 185.

A bill for an Act for an appropriation to reimburse Prof. E. F. Ladd for disbursements and expenses incurred in the enforcement of the Pure Food Laws.

Which the House has amended as follows:

On page 1 and in line 7 of Section 2 of the engrossed bill, after the word "Dakota," strike out the period and insert in lieu thereof a "colon" and "such payment to be made only upon the filing of sworn vouchers therefor."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 147.

A bill for an Act to provide for making permanent improvements at the State Tuberculosis Sanitarium at Dunseith, to assist in the maintenance thereof, and for other purposes and making appropriations therefor.

Which the House has amended as follows:

On page 1 and line 7 of Section 1 of the engrossed bill,

strike out the figures "\$12,000.00" and insert in lieu thereof the figures "\$4,000.00." On page 1 and in line 10 of Section 1 of the engrossed bill after the word "plant" insert "and equipment." On page 1 and in line 12 of Section 1 of the engrossed bill strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$2,500.00." On page 1 and in line 14 of Section 1 of the engrossed bill, strike out the figures "\$35,700.00" and insert in lieu thereof the figures "\$27,200.00."

And when so amended recommend the same do pass.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 146.

A bill for an Act relating to the fish hatchery at Fish Lake in Rolette County, and making appropriation therefor.

Which the House has amended as follows:

On page 1 of the engrossed bill, strike out all of Section 3, (Emergency.)

And when so amended recommend the same do pass.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 125.

A bill for an Act making an appropriation for the state normal school located at Mayville, North Dakota, for a demonstration rural school, improvement of campus, an additional storage room for fuel, a greenhouse, a barn, horses and wagon, a system of automatic temperature regulation in the main building, completing the ventilation system in the main building, and rewiring the main building.

Which the House has amended as follows:

On page 1 of the engrossed bill, strike out all of Section 2, Emergency.)

And when so amended recommend the same do pass.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

House Bill No. 425.

A bill for an Act to amend Article 4, Chapter 30 of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to powers of city councils.

Was read the third time.

Mr. Hughes moved

That the further consideration of House Bill No. 425 be indefinitely postponed.

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 22 ayes, 20 nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Heckle	Putnam
Bond	Helgeland	Steel
Bonzer	Hoverson	Trageton
Bronson	Hyland	Turner
Cashel	Loftsgaard	Wartner
Ellingson	McDowell	Williams
Garden	Mudgett	
Gilbert	Overson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Nelson
Allen	Gronvold	Plain
Carter	Hookway	Porterfield
Clark	Hughes	Talcott
Davis	Jacobsen	Thoreson
Duncan	McBride	Young
Ganssle	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davidson	Hanley	Linde
Elken	Kretschmar	Vail
Englund	Leutz	

Mr. Englund being excused.

So the bill was lost.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., March 5, 1913.

*Mr. President:*

I have the honor to transmit herewith

House Bill No. 501.

A bill for an Act to authorize the trustees of public property to sell at such prices as may be practicable the volumes of the Supreme Court reports now on hand in the office of the secretary of state.

Also,

House Bill No. 472.

A bill for an Act entitled "An Act creating a board of immigration, prescribing its powers and duties, directing the disbursement of appropriations therefor and repealing Sections 131 and 132 of the Revised Codes of North Dakota of 1905."

Also,

House Bill No. 378.

A bill for an Act to amend Sections 259, 262, 263, 264, 267, 275, 3116 and 3117 of the Revised Codes of 1905, relating to county and township boards of health and relating to the meetings and duties of officers of county boards of health.

Also,

House Bill No. 403.

A bill for a concurrent resolution to amend Section 119 of the Constitution of the State of North Dakota, pertaining to candidacy of judges of the Supreme and District Courts for other offices during the term for which they have been elected.

Also,

House Bill No. 477.

A bill for an Act enabling certain school districts in this state to consolidate and to maintain dormitories for the

housing of children and pertaining to the care of school children.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

### REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 306.

A bill for an Act to provide for the appointment of clerks for county courts and fixing their compensation.

And find the same correctly re-engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 317.

A bill for an Act to establish a legislative bureau drafting in connection with the legislative reference department of the state library commission.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Mr. Davis gave notice that he would move for a reconsideration of the vote by which House Bill No. 425 was lost.

THIRD READING OF HOUSE BILLS.

House Bill No. 50.

A bill for an Act to amend Chapter 306 of the Session Laws of 1911, relating to the election and appointment of township officers and their terms of office and to repeal Section 3111 of the Revised Codes of 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 37 ayes, 10 nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	McLean
Allen	Garden	Overson
Barnes	Gibbens	Plain
Pond	Gilbert	Porterfield
Bonzer	Gronvold	Putnam
Bronson	Hanley	Steel
Carter	Heckle	Talcott
Cashel	Helgeland	Thoreson
Clark	Hookway	Turner
Davis	Hoverson	Vail
Duncan	Hughes	Wartner
Elken	Loftsgaard	
Ellingson	McDowell	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Davidson	McBride	Williams
Hyland	Mudgett	Young
Jacobsen	Nelson	
Kretschmar	Trageton	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Leutz	Linde

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Hanley gave notice that he would move for a reconsideration of the vote by which House Bill No. 50 was passed.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 5th, 1913.

*Mr. President:*

I have the honor to transmit herewith the following concurrent resolution:

*Be it Resolved by the House of Representatives of the State of North Dakota, the Senate concurring:*

*Whereas*, The reports of the state officers, institutions and boards were not placed in the hands of the Knight Printing Company, the state printer, until long after the time prescribed by law; and,

*Whereas*, A special committee of the House of Representatives was appointed for the purpose of providing some means for the speedy publication of said reports; and

*Whereas*, On the 24th day of January, 1913, the chairman of the select committee of the House of Representatives did communicate with the said Knight Printing Company and authorized and directed them to rush said reports even though extra expense be incurred; and,

*Whereas*, Pursuant to said direction the said Knight Printing Company did employ extra help, work extra shifts and incurred large extra expense in the printing of said reports, pursuant to instructions of said committee of the House of Representatives.

*Now, Therefore be it Resolved*, That the commissioners of public printing and the officers having charge of the printing of the reports above referred to and of the allowance and payment of the compensation for the same, is hereby authorized and directed to pay to the Knight Printing Company, in addition to the contract price therefor, the amount of the extra expense, actually incurred, in compliance with the order and direction of the chairman of the select committee appointed by the House of Representatives.

*Provided*, however, that the total amount to be paid for extra work and expenses incurred as hereinbefore stated shall not exceed the sum of \$2,000.00.

Which the House adopted and your favorable considera-

tion is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

**House Bill No. 10.**

A bill for an Act to provide a method of voting at any general or primary election by electors absent or anticipating being absent on the day of such election, from the county in which they are electors.

Was read the third time.

The question being on the final passage of the bill.

The roll was called, and there were 42 ayes, 6 nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Mudgett
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Trageton
Davis	Linde	Turner
Duncan	Loftsgaard	Vail
Ellingson	McBride	Wartner
Ganssle	McLean	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Elken	Helgeland	McDowell
Gibbens	Hughes	Young

Absent and not voting, Messrs. Englund and Leutz.

Mr. Englund being excused.

So the bill passed and the title was agreed to.

**REPORTS OF CONFERENCE COMMITTEES.**

*Mr. President:*

Your committee appointed to confer with a like committee from the House relative to

House Bill No. 192.

A bill for an Act making an appropriation for the normal school at Minot to meet an expenditure for the erection of buildings and permanent improvements necessary in connection therewith, and for furnishing, equipment and maintenance.

Beg leave to report that your committee has had under consideration said House Bill and recommend that the House concur in the Senate amendments to said House Bill No. 192.

HENRY LINDE,  
C. E. DAVIDSON,  
C. F. KRETSCHMAR,  
C. S. BUCK,  
B. W. TAYLOR,  
JOHN J. RYAN,

Conference Committee.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

*Mr. President:*

Your conference committee on  
Senate Bill No. 200.

A bill for an Act providing for the payment of expenses of District Judges when acting outside of the counties of their residence, and to amend Chapter 175 of the Session Laws of 1911.

Beg leave to report that we have had same under consideration and recommend that the House recede from its amendment.

ALOYS WARTNER,  
H. P. JACOBSEN,  
W. B. OVERSON,  
FRANK E. PLOYHAR,  
L. D. WILEY,  
C. C. TURNER.

Mr. Wartner moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

## REFERENCE OF THE JOURNAL OF THE SENATE.

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the fifty-sixth day after recess and fifty-seventh day, have carefully examined the same and recommend that the same be corrected as follows:

On page 4, line 9, strike out the letters "gy" and insert in lieu thereof the word "by."

On page 17, line 26, strike out the word "amended" and insert in lieu thereof the word "amendment."

On page 24 strike out all of line 5 after the word "Act." Strike out all of lines 6 and 7, and insert the following: "To amend Section 2801 of the Revised Codes of North Dakota for 1905, relating to special assessments in cities."

On page 28, after line 4, insert the printed title of bill which is as follows: "For an Act to amend Section 84 of Chapter 266 of the Session Laws of 1911, relating to education."

On page 31, in line 18, correct the spelling of the word "relating."

On page 48, after line 37, insert the following words: "Which motion prevailed."

"On page 50, in line 29, after the word "amend" insert the following: "and re-enact Section 4610 of the Revised Codes of 1905, as amended by."

On page 51, in line 4, strike out the word "abolishing" and insert the following after the word for "the abolishment of."

On page 52, strike out all of line 32 and on page 53 constituting line 1, insert the following: "Motions and Resolutions."

On page 73, in line 6, correct the spelling of the word "powers."

On page 77, line 24, strike out the figures "316" and insert in lieu thereof the figures "361."

On page 77, line 27, after the word "admit" insert the following "said student."

On page 77, line 41, strike out the word "provided" and insert in lieu thereof the word "prescribed."

On page 78, line 1, correct the spelling of the word "lost."

On page 79, line 17, after the word "P" insert the word "T."

On page 82, strike out all of line 32, and after line 34, insert the following: "Report of special committee."

On page 84, line 9, strike out the word "may" and insert in lieu thereof the word "my."

On page 84, line 12, after the word "me" insert the word "for."

On page 86, line 2, correct the spelling of the word "permanent."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

### THIRD READING OF HOUSE BILLS.

House Bill No. 389.

A bill for an Act to amend and re-enact Section 5 of Chapter 109 of the Laws of 1907, relating to primary elections.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, no nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Bond  
Bonzer  
Bronson  
Carter  
Cashel  
Clark  
Davidson

Messrs.—  
Davis  
Duncan  
Elken  
Ellingson  
Ganssle  
Garden  
Gibbens  
Gilbert  
Gronvold

Messrs.—  
Hanley  
Heckle  
Helgeland  
Hookway  
Hoverson  
Hughes  
Hyland  
Linde  
Loftsgaard

Messrs.—  
 McBride  
 McDowell  
 McLean  
 Nelson  
 Overson  
 Plain

Messrs.—  
 Porterfield  
 Putnam  
 Steel  
 Talcott  
 Thoreson  
 Trageton

Messrs.—  
 Turner  
 Vail  
 Wartner  
 Williams  
 Young

Absent and not voting:

Messrs.—  
 Barnes  
 Englund

Messrs.—  
 Jacobsen  
 Kretschmar

Messrs.—  
 Leutz  
 Mudgett

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which Senate Bill No. 196 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 423.

A bill for an Act to amend Sections 628, 629 and 631 of the Revised Codes of North Dakota of 1905, relating to elections.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, 1 nay, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
 Albrecht  
 Allen  
 Barnes  
 bond  
 Bonzer  
 Bronson  
 Carter  
 Cashel  
 Clark  
 Davis  
 Duncan  
 Elken  
 Ellingson  
 Gansle  
 Garden

Messrs.—  
 Gibbens  
 Gilbert  
 Gronvold  
 Hanley  
 Heckle  
 Helgeland  
 Hookway  
 Hooverson  
 Hughes  
 Hyland  
 Jacobsen  
 Kretschmar  
 Linde  
 Loftsgaard  
 McDowell

Messrs.—  
 McLean  
 Mudgett  
 Nelson  
 Overson  
 Plain  
 Porterfield  
 Putnam  
 Steel  
 Talcott  
 Thoreson  
 Trageton  
 Turner  
 Vail  
 Williams  
 Young

Mr. Davidson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	McBride	Wartner
Leutz		

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 225.

A bill for an Act to amend Section 10 of Chapter 129, Laws of 1911, relating to charitable contributions by candidates.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 42 ayes, 5 nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McLean
Allen	Gibbens	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hookway	Steel
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Duncan	Jacobsen	Trageton
Elken	Kretschmar	Turner
Ellingson	Linde	Vail
Gaussle	Loftsgaard	Wartner
Garden	McBride	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Davis	McDowell	Young
Hyland	Overson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davidson	Englund	Leutz

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 267.

A bill for an Act to amend Sections 1, 2, 3 and 5 of Chapter 279 of the Session Laws of 1911, entitled "An Act to

amend Sections 1, 3, 5, 8 and 13 of Chapter 161 of the Session Laws of 1909.”

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, 4 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McLean
Allen	Gibbens	Mudgett
Barnes	Gilbert	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Carter	Helgeland	Putnam
Cashei	Hookway	Steel
Clark	Hoverson	Talcott
Davidson	Hughes	Thoreson
Davis	Hyland	Turner
Duncan	Jacobsen	Wartner
Elken	Kretschmar	Williams
Ellingson	Linde	Young
Ganssle	Loftsgaard	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	McDowell	Porterfield
McBride		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Leutz	Vail
Gronvold	Trageton	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Elken moved

That the Senate do now concur in the House amendment to Senate Bill No. 125.

The question being on the concurrence in the amendment to Senate Bill No. 125.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashei	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Turner
Duncan	Kretschmar	Wartner
Elken	Linde	Williams
Ellingson	Loftsgaard	Young
Ganssle	McBride	
Garden	McDowell	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Englund	Trageton	Vail
Leutz		

Mr. Englund being excused.

So the amendment was concurred in.

**FIRST AND SECOND READING OF HOUSE BILLS.**

**House Bill No. 378.**

A bill for an Act to amend Sections 259, 262, 263, 264, 267, 275, 3116 and 3117 of the Revised Codes of 1905, relating to county and township boards of health and relating to the meetings and duties of officers of county boards of health.

Was read the first and second time and

Referred to the committee on public health.

**House Bill No. 403.**

A bill for a concurrent resolution to amend Section 119 of the Constitution of the State of North Dakota, pertaining to candidacy of judges of the Supreme and District Courts for other offices during the term for which they have been elected.

Was read the first and second time and

Referred to the committee on judiciary.

**House Bill No. 414.**

A bill for an Act to provide for the collection, arrangement and display of the products and resources of the State

of North Dakota at the Centennial Exposition to be held in Christiania, Norway, in 1914, and providing for a board of commissioners therefor, and making an appropriation for such purpose.

Was read the first and second time and  
Referred to the committee on appropriations.

House Bill No. 472.

A bill for an Act entitled "An Act creating a board of immigration, prescribing its powers and duties, directing the disbursement of appropriations therefor and repealing Sections 131 and 132 of the Revised Codes of North Dakota of 1905."

Was read the first and second time and  
Referred to the committee on immigration.

House Bill No. 501.

A bill for an Act to authorize the trustees of public property to sell at such prices as may be practicable the volumes of the Supreme Court reports now on hand in the office of the secretary of state.

Was read the first and second time and  
Referred to the committee on judiciary.

House Bill No. 477.

A bill for an Act enabling certain school districts in this state to consolidate and to maintain dormitories for the housing of children and pertaining to the care of school children.

Was read the first and second time and  
Referred to the committee on education.

Mr. Hyland moved

That the House concurrent resolution relating to Knight Printing Company be referred to the committee on state affairs.

Which motion prevailed.

Mr. Overson moved

That the Senate take a recess until 10 o'clock A. M., on March 7th.

Which motion prevailed and

The Senate took a recess.

W. D. AUSTIN,  
Secretary.

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FIFTY-EIGHTH DAY AFTER RECESS AND FIFTY-  
NINTH DAY.

SENATE CHAMBER,  
BISMARCH, NORTH DAKOTA,  
March 6, 1913.

The Senate convened at 10 o'clock a. m., pursuant to recess taken.

The President presiding.

REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 350.

A bill for an Act fixing priorities of liens, and requiring all persons who may be entitled to a mechanic's lien to file a notice of lien and the owner's consent for such lien and providing a penalty for filing unlawful liens.

Also,

Senate Bill No. 372.

A bill for an Act to amend Section 1 of Chapter 120, Session Laws for 1909, relating to sheriff's fees.

Also

Senate Bill No. 386.

A bill for an Act to amend Section 1516 of the Revised Codes of 1905, relating to the bond and oath of assessors.

Also,

Senate Bill No. 148.

A bill for an Act to amend Section 36 of Chapter 128 of the Laws of 1909, and Sections 8, 35 and 45 of Chapter 128, Laws of 1909, as amended by chapter 141 of the Laws of 1911, relating to fish and game; providing for the removal of beavers causing damage to property.

Also,

Senate Bill No. 196.

A bill for an Act to provide for the establishment, organization, regulation and management of the State Board of Health, and making an appropriation for the expenses of the State Board of Health, and repeal Sections 252 to 258, inclusive, of Article 10, Chapter 4, Revised Codes of 1905.

And find the same correctly re-engrossed.

F. T. GRONVOLD,  
Acting Chairman.

Mr. Gronvold moved

That the report be adopted

Which motion prevailed.

And the report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 134.

A bill for an Act to amend Sections 1 and 8 of Chapter 62 of the Session Laws of 1911, entitled, "An Act to create a State Board of Control, and provide for the management and control of the charitable and penal institutions of the state, and to make an appropriation therefor, and for the defining of certain offenses and providing penalties therefor."

Also,

Senate Bill No. 390.

A bill for an Act to amend Section 84 of Chapter 266 of the Session Laws of 1911, relating to Education.

And find the same correctly engrossed.

F. T. GRONVOLD,  
Acting Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed.

And the report was adopted.

### THIRD READING OF HOUSE BILLS.

House Bill No. 372.

A bill for an Act to amend Section 4588 of the Revised Codes of North Dakota of 1905, relating to the powers of cemetery corporations.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 32 ayes, 0 nays, 18 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ellingson	McLean
Allen	Ganssle	Ellingson
Barnes	Garden	Nelson
Bond	Gilbert	Overson
Bonzer	Gronvold	Plain
Bronson	Heckle	Porterfield
Carter	Helgeland	Putnam
Cashel	Hoverson	Talcott
Clark	Hughes	Turne
Duncan	Loftsgaard	Young
Elken	McDowell	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davidson	Hyland	Steel
Davis	Jacobsen	Thoreson
Englund	Kretschmar	Trageton
Gibbens	Leutz	Vail
Hanley	Linde	Wartner
Hookway	McBride	

Mr. Englund being excused.

So the bill passed without the emergency clause and the title was agreed to.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, N. D., March 6, 1913.

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 221

A bill for an Act to amend Sections 6, 7 and 8, and to repeal Section 14 of Chapter 303 of the Session Laws of 1911, relating to the organization and expenses of the state tax commission.

Also,

Senate Bill No. 247.

A bill for an Act to amend and re-enact Section 1129 of the Revised Codes of North Dakota for the year 1905, relating to the agricultural and geological survey and appropriation therefor.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 283.

A bill for an Act to provide an annual contingency fund to be placed at the disposal of the commissioner of insurance.

Which the House has amended as follows

On page 1 of engrossed bill after the words "for an Act to provide an annual contingency fund to be placed at the disposal of the Commissioner of Insurance" strike out all lines down to the enacting clause.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 30.

A bill for an Act to provide an appropriation for the current and contingent expenses, and for permanent improvements for the institution for feeble-minded at Grafton, North Dakota.

Which the House has amended as follows.

On page 1 of the engrossed bill, and in line 8 of Section 1, strike out the figures "\$4,500.00" and insert in lieu thereof the figures "\$6,000.00."

On page 1 of the engrossed bill, and in line 9 of Section 1, strike out the figures "\$13,000.00" and insert in lieu thereof the figures "\$15,000.00."

Strike out all of Section 2, Emergency.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 145.

A bill for an Act to provide an appropriation for the current and contingent expenses and for the permanent improvements for the state school of science at Wahpeton.

Which the House has amended as follows.

On page 1 of the engrossed bill, and in lines 6 and 7 of Section 1, strike out the words and figures "thirty-three thousand, nine hundred and eighty-five and 12-100 dollars (\$33,985.12)" and insert in lieu thereof the words and figures "forty-eight thousand, nine hundred and eighty-five and 12-100 (\$48,985.12)." On page 1 of the engrossed bill, strike out lines 8, 9, 10, 11, 12, 13 and 14, on Section 1, and insert in lieu thereof the following:

For deficit in maintenance and current expenses in 1911 and 1912.....	\$18,895.12
For maintenance, 1913.....	5,000.00
For maintenance, 1914.....	5,000.00
For grading and improving grounds.....	1,000.00
For completing assembly hall and gymnasium..	15,000.00
For remodeling main building, including plumbing, heating and ventilation.....	4,000.00
Total.....	\$48,985.12

On page 1 of the engrossed bill strike out Section 2, Emergency.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 121.

A bill for an Act to provide an appropriation for the current and contingent expenses, for the erection of necessary additional buildings, for other necessary improvements and repairs at the State Hospital for the Insane of North Dakota, at Jamestown, and for purchasing additional land for the use of such State Hospital.

Which the House has amended as follows.

On page 1 of the engrossed bill, and in lines 6 and 7 of Section 1, strike out the words and figures, "three hundred and forty thousand dollars (\$340,000.00" and insert in lieu thereof the words and figures, "two hundred and eighty-three thousand dollars (\$283,000.00.)"

On page 1 of the engrossed bill, strike out all of lines 8, 9, 10, 11, 12, 13, 14, 15 and 16, of Section 1, and insert in lieu thereof the following:

Power house and equipment.....	\$40,000.00
Receiving ward .....	90,000.00
Tuberculosis hospital .....	100,000.00
Repairing administration building.....	5,000.00
Erection of outside ward and farm house.....	30,000.00
Erection of piggery.....	1,500.00
Erection of chicken house.....	1,000.00
Additional water supply.....	7,000.00
Re-location and improvement of two horse barns	1,500.00
Laundry equipment .....	1,000.00
Incidentals .....	2,500.00
Repair .....	2,500.00
Improvements on grounds.....	1,000.00
Total .....	<u>\$283,000.00</u>

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 167.

A bill for an Act providing for the making of necessary repairs upon the executive mansion and making appropriation therefor.

Which the House has amended as follows.

On page 1, of the engrossed bill, in line 6, Section one strike out the words "twenty-five hundred and insert in lieu thereof the words "fifteen hundred."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 139.

A bill for an Act providing for the cancellation of all North Dakota live stock brands or marks; providing for re-recording of same; notices to record owners; publication of notices; manner of re-recording and future recording fees; expenses; appropriation; repeal.

Which the House has amended as follows.

On page 3 of the engrossed bill, strike out all of Section 6.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 97.

A bill for an Act amending Section 1307 of the Revised Codes of North Dakota for the year 1905, relating to state affairs.

Which the House has amended as follows.

On page 1 of the engrossed bill and in lines 5 and 6 Section 1, strike out the words "fifteen thousand dollars and insert in lieu thereof the words "ten thousand dollars for premiums and five thousands dollars for maintenance."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Ellingson moved

That the Senate do now concur in the House amendments to Senate Bill No. 283.

Which motion prevailed.

And the amendments were concurred in.

Senate Bill No. 283.

A bill for an Act to appropriate the sum of Sixty Thousand Dollars, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Was read the third time.

The question being upon the final passage of the bill as amended by the House.

The roll was called and there were 37 ayes, 0 nays, 13 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Mudgett
Allen	Gibbens	Nelson
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hoverson	Talcott
Cashel	Hughes	Thoreson
Clark	Linde	Turner
Duncan	Loftsgaard	Williams
Elken	McBride	Young
Ellingson	McDowell	
Ganssle	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davidson	Hyland	Trageton
Davis	Jacobsen	Vail
Englund	Kretschmar	Wartner
Gibbens	Leutz	
Hookway	Steel	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 343.

A bill for the relief of Company L, First Regiment, North Dakota National Guard Training School, a corporation.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 33 ayes, 0 nays, 17 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ellingson	McBride
Allen	Ganssle	McDowell
Barnes	Garden	McLean
Bond	Gilbert	Mudgett
Bonzor	Gronvold	Nelson
Bronson	Hanley	Overson
Carter	Heckle	Plain
Cashel	Helgeland	Putnam
Clark	Hoverson	Turner
Duncan	Hughes	Williams
Elken	Loftsgaard	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davidson	Jacobsen	Talcott
Davis	Kretschmar	Thoreson
Englund	Leutz	Trageton
Gibbens	Linde	Vail
Hookway	Porterfield	Wartner
Hyland	Steel	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Steel moved

That the Senate do not concur in the House amendments to Senate Bill No. 121, and that a conference committee be appointed.

Which motion prevailed.

And the president appointed as such committee, Messrs. Plain, McDowell and Steel.

Mr. Cashel moved

That the Senate do now concur in the House amendments to Senate Bill No. 30.

Which motion prevailed.

And the amendments were concurred in.

Senate Bill No. 30.

A bill for an Act to provide an appropriation for the current and contingent expense, and for permanent improvements for the Institution for Feeble Minded, at Grafton, North Dakota.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 39 ayes, 0 nays, 11 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Mudgett
Allen	Garden	Nelson
Barnes	Gilbert	Overson
Bond	Gronvold	Plain
Bonzer	Hanley	Porterfield
Bronson	Heckle	Putnam
Carter	Helgeland	Steel
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Davidson	Linde	Turner
Duncan	Loftsgaard	Vail
Elken	McBride	Williams
Ellingson	McLean	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Hyland	McDowell
Englund	Jacobsen	Trageton
Gibbens	Kretschmar	Wartner
Hookway	Leutz	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 297.

A bill for an Act to reimburse John Harold for work done under the direction of the capitol commission in grading Ninth Street to the State Capitol.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 37 ayes, 2 nays, 11 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ellingson	McLean
Allen	Ganssle	Overson
Barnes	Gilbert	Plain
Bond	Gronvold	Porterfield
Bonzer	Hanley	Putnam
Bronson	Heckle	Steel
Carter	Hoverson	Talcott
Cashel	Hughes	Thoreson
Clark	Leutz	Turner
Davidson	Linde	Vail
Duncan	Loftsgaard	Williams
Elken	McBride	Young

Messrs. Garden and Helgeland voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Hyland	Nelson
Englund	Jacobsen	Trageton
Gibbens	Kretschmar	Wartner
Hookway	McDowell	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Bronson moved

That the Senate do not concur in the House amendments to Senate Bill No. 97, and that a conference committee be appointed.

Which motion prevailed.

And the president appointed as such committee, Messrs. Brown, Talcott and Bond.

Mr. Carter moved

That the Senate do now concur in the House amendments to Senate Bill No. 145.

Mr. Plain moved, as an amendment,

That the Senate do not concur in the House amendments to Senate Bill No. 145, and that a conference committee be appointed.

Which motion prevailed, and

The President appointed as such committee Messrs. Vail, Davis and Davidson.

Mr. McDowell moved

That further consideration of House Bill No. 442 be indefinitely postponed.

Which motion was lost.

Mr. McDowell offered the following amendment to House Bill No. 442, and moved its adoption.

In line 6 of Section 1 of the printed bill, after the period strike out all of the rest of Section 1.

Which motion prevailed, and

The amendment was adopted.

House Bill No. 442.

A bill for an Act to prohibit township treasurers from depositing township moneys in their own name.

Was read the third time.

The question being on the final passage of the bill as amended.

The roll was called and there were 38 ayes, 1 nay, 11 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Ganssle	Mudgett
Barnes	Garden	Nelson
Bond	Gronvold	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hoverson	Putnam
Cashel	Hughes	Steel
Clark	Hyland	Thoreson
Davidson	Kretschmar	Turner
Davis	Linde	Vail
Duncan	Loftsgaard	Williams
Elken	McDowell	Young
Ellingson	McLean	

Mr. Albrecht voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Hookway	Talcott
Gibbens	Jacobsen	Trageton
Gilbert	Leutz	Wartner
Hanley	McBride	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

#### CONFERENCE COMMITTEE REPORT.

*Mr. President:*

Your conference committee to whom was referred

House Bill No. 122.

A bill for an Act to amend Sections 1, 2 and 4 of Chapter 258 of the Session Laws of 1907, relating to trade discrimination and unfair competition.

Have had the same under consideration and are unable to agree.

A. S. GIBBENS,  
Chairman.

A. WARTNER,  
H. P. JACOBSEN,  
W. J. BURNETT,  
S. HENDRICKSON,  
OLE NYHUS,

Mr. Gibbens moved

That the report be adopted and the committee discharged.

Which motion prevailed, and

The report was adopted.

Mr. Cashel moved

That the vote by which Senate Bill No. 30 as amended by the House was passed, be reconsidered.

Which motion prevailed.

Mr. Cashel moved

That the vote by which the House amendments to Senate Bill No. 30, were concurred in be reconsidered.

Which motion prevailed.

Mr. Cashel moved

That the Senate do not concur in the House amendments to Senate Bill No. 30 and that a conference committee be appointed.

The President appointed as such committee, Messrs. Cashel, Putnam and McBride.

Mr. Bronson moved

That the vote by which House Bill No. 111 was lost be reconsidered.

Mr. Davis moved

That the motion be laid on the table.

Which motion prevailed.

House Bill No. 143.

A bill for an Act providing for taxation and fixing the rate for taxation on inheritances, devises, bequests, legacies and gifts and providing for the manner of payment as well as the manner of enforcing the payment thereof.

Was read the third time.

Mr. Hughes moved

That the further consideration of House Bill No. 143 be indefinitely postponed.

Mr. Overson moved, as an amendment,

That the bill be re-referred to the Committee on Taxes and Tax Laws.

Which motion prevailed.

Mr. Hanley moved

That House Bill No. 133 be put in its place on the calendar and placed on its third reading and final passage.

Which motion prevailed.

Mr. Bronson moved

That the further consideration of House Bill No. 133 be indefinitely postponed.

Mr. Jacobson moved

A call of the Senate.

Which motion prevailed.

Mr. Wartner moved

That the Sergeant at Arms be instructed to bring in the absent Senators.

Which motion prevailed.

Mr. Overson moved

That further proceedings under the call be dispensed with.

Which motion prevailed.

Mr. Gilbert moved that

House Bill No. 133 be made a special order for 1:40 o'clock P. M. today.

Which motion prevailed.

House Bill No. 410.

A bill for an Act to amend and re-enact Section 7119 of the Revised Codes of North Dakota for 1905, relating to exemptions.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 34 ayes, 3 nays, 13 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Hyland	Albrecht
Bond	Leutz	Allen
Bonzer	Linde	Helgeland
Cashel	Loftsgaard	Hoverson
Clark	McBride	Steel
Elken	McDowell	Talcott
Ellingson	Mudgett	Thoreson
Ganssle	Nelson	Turner
Garden	Overson	Williams
Gibbens	Plain	Young
Gilbert	Porterfield	
Heckle	Putnam	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Jacobsen	Wartner

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Gronvold	McLean
Davidson	Hanley	Trageton
Davis	Hookway	Vail
Duncan	Hughes	
Englund	Kretschmar	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

Bismarck, North Dakota, March 6th, 1913.

*Mr. President:*

I have the honor to inform you that the Speaker has appointed as House conference to further consider House Bill No. 122, Messrs. Anderson, Walsh and Hedalen.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Overson moved

That a conference committee be appointed by the President to confer with a like committee from the House on House Bill No. 122.

Which motion prevailed, and

The President appointed as such committee, Messrs. Gilbert, Heckle and Thoreson.

Mr. Linde moved

That House Bill No. 143 be now placed on its third reading and final passage.

Which motion prevailed.

House Bill No. 143.

A bill for an Act providing for taxation and fixing the rate of taxation on inheritances, devises, bequests, legacies and gifts and providing for the manner of payment as well as the manner of enforcing the payment thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 40 ayes, 4 nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Overson
Allen	Gronvold	Plain
Barnes	Hanley	Porterfield
Bond	Heckle	Putnam
Bonzer	Helgeiland	Steel
Bronson	Hoverson	Talcott
Cashel	Jacobsen	Thoreson
Clark	Kretschmar	Trageton
Davidson	Linde	Turner
Davis	Loftsgaard	Vail
Elken	McDowell	Wartner
Ellingson	McLean	Williams
Ganssle	Mudgett	
Garden	Nelson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Carter	Leutz	
Duncan	Young	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Hookway	Hyland
Gibbens	Hughes	McBride

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## MESSAGE FROM THE HOUSE.

Bismarck, North Dakota, March 6th, 1913.

*Mr. President:*

I have the honor to inform you that the Speaker has named as such conferees on the part of the House, Messrs. Thompson, Gardiner and Lewis, for Senate Bill No. 121.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to inform you that the Speaker has named as such conferees on the part of the House, Messrs. C. C. Turner, Klein, and Wiley, on Senate Bill No. 145.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to inform you that the Speaker has named as such conferees on the part of the House, Messrs. Kelly, Owens and Wiley, for Senate Bill No. 97.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Bronson moved

That the vote by which a conference committee was appointed on Senate Bill No. 97, be reconsidered.

Which motion prevailed.

Mr. Bronson moved

That the Senate do now concur in the House amendment to Senate Bill No. 97.

Which motion prevailed and

The amendments were concurred in.

Senate Bill No. 97.

A bill for an Act to provide for the making of permanent improvements at the State Normal School at Valley City, North Dakota, to assist in the maintenance thereof and for other purposes and make an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 38 ayes, no nays, and 12 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	Mudgett
Allen	Hanley	Nelson
Barnes	Heckle	Overson
Bond	Helgeland	Plain
Bonzer	Hoverson	Porterfield
Bronson	Hyland	Putnam
Carter	Jacobsen	Steel
Cashel	Kretschmar	Talcott
Clark	Leutz	Thoreson
Duncan	Linde	Turner
Ellingson	Loftsgaard	Williams
Ganssle	McBride	Young
Garden	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davidson	Gibbens	McDowell
Davis	Gilbert	Trageton
Elken	Hookway	Vail
Englund	Hughes	Wartner

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 288.

Being a bill for an Act providing for the inspection of freight and express books and records by the state's attorney in the enforcement of the prohibition law.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 34 ayes, 4 nays, 12 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	Mudgett
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Putnam
Cashel	Hoverson	Steel
Clark	Hyland	Talcott
Elken	Jacobsen	Thoreson
Ellingson	Kretschmar	Turner
Ganssle	Leutz	Wartner
Garden	Loftsgaard	Williams
Gibbens	McDowell	
Gilbert	McLean	

Those voting in the negative were:

Messrs.—  
Bronson  
Young

Messrs.—  
Hughes

Messrs.—  
Linde

Absent and not voting:

Messrs.—  
Allen  
Carter  
Davidson  
Davis

Messrs.—  
Duncan  
Englund  
Hookway  
McBride

Messrs.—  
Nelson  
Porterfield  
Trageton  
Vail

Mr. Englund being excused.

So the bill passed and the title was agreed to.

There being no objection the Senate returned to the eighth order of business and

Mr. Vail moved

That when Senate Bill No. 193 is enrolled that the name of Representative Gunderson be included as one of the authors of the bill.

Which motion prevailed.

There being no objections the Senate returned to the sixth order of business and

The committee on taxes and tax laws made the following report:

*Mr. President:*

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 354.

A bill for an Act to provide for the levy of a tax by cities for the support of a musical band.

Have had the same under consideration and recommend that the same be indefinitely postponed.

HENRY J. LINDE,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed.

And the report was adopted.

The minority of the committee on state affairs made the following report:

*Mr. President:*

The minority of your committee on state affairs to whom was referred

House Bill No. 307.

A bill for an Act to amend and re-enact Section 2231 of the Revised Codes of North Dakota as amended by Chapter 1 of the 1907 Session Laws, relating to abstracters of title, and to repeal Chapter 329 of the Session Laws of 1911, relating to abstracters of title.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. L. ELKEN,  
E. H. MUDGETT.

The majority of the committee on state affairs made the following report:

*Mr. President:*

House Bill No. 307.

A bill for an Act to amend and re-enact Section 2231 of the Revised Codes of North Dakota as amended by Chapter 1 of the 1907 Session Laws, relating to abstracters of title, and to repeal Chapter 329 of the Session Laws of 1911, relating to abstracters of title.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

FRANK H. HYLAND,  
E. L. GARDEN,  
E. F. GILBERT,  
JOHN YOUNG,  
F. LEUTZ.

Mr. Mudgett moved

That the minority report of the Committee to indefinitely postpone House Bill No. 307, be adopted.

Mr. Hyland moved

As an amendment, that the majority report of the committee to pass House Bill No. 307, be adopted.

Which motion prevailed, and

The majority report of the committee was adopted.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred  
Senate Bill No. 224.

A bill for an Act entitled an Act to prevent procreation of confirmed criminals, idiots and rapists; providing that superintendents and boards of managers of institutions where such persons are confined shall have the authority and are empowered to appoint a committee of experts, consisting of two physicians, to examine into the mental condition of such inmates.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Hyland moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred  
House Bill No. 258.

A bill for an Act to limit tax levies during the years 1913 and 1914 to restrict debt limits and to regulate salaries of officers which under existing laws depend upon assessed valuation.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

House Bill No. 328.

A bill for an Act to regulate the certification of public accountants and the practicing of the profession of accountancy in North Dakota.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred

House Bill No. 177.

A bill for an Act entitled "An Act to amend and re-enact Section 1546 of the Revised Codes of North Dakota of 1905, relating to duties of county treasurer."

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

House Bill No. 168.

A bill for an Act to regulate in certain class of cases, the entry by county auditors of notations of prior tax sales of land upon the tax lists for subsequent years; and when and

how empowered to erase, cancel and annul any already entered and noted in cases of that same class.

J. E. DAVIS,  
Chairman.

Have had the same under consideration and recommend that the same do pass.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred House Bill No. 338.

A bill for an Act to establish a day in the State of North Dakota to be known as "Mother's Day."

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred House Bill No. 415.

A bill for an Act to amend Section 2386 of the Revised Codes of 1905, providing for the increase or diminishing of the number of county commissioners.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred

House Bill No. 30.

A bill for an Act to amend Section No. 11 of the Revised Codes of 1905, relating to the duties of the state treasurer.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred

House Bill No. 341.

A bill for an Act to amend Section 8 of Chapter 177, Session Laws of 1911, relating to dependent and neglected children.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred

House Bill No. 159.

A bill for an Act to amend Section 2607 of the Revised Codes of North Dakota for 1905, relating to coroner fees.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on state affairs to whom was referred House Bill No. 242.

A bill for an Act to prohibit the soliciting or receiving of gratuities or tips by the patron or employees of public places or public service corporations; and prohibiting the giving or tendering of tips or gratuities and providing a penalty for the violation of this Act.

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also.

*Mr. President:*

Your committee on state affairs to whom was referred House Bill No. 416.

A bill for an Act to compensate persons who have been wrongfully and innocently incarcerated and imprisoned in state penitentiary.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted

Which motion prevailed and

The report was adopted.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred

House Bill No. 453.

A bill for an Act to amend Section 9 of Chapter 80 of the Session Laws of North Dakota for the year 1909, relating to practice in county courts having increased jurisdiction.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred

House Bill No. 226.

A bill for an Act authorizing the Supreme Court of North Dakota to direct the Bar Association of North Dakota to institute legal proceedings for the disbarment, or other discipline, of practicing attorneys of the State of North Dakota, providing for the payment of counsel in the conduct of such disbarment proceedings and authorizing the Supreme Court to fix the amount and direct the payment thereof.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved  
 That the report be adopted  
 Which motion prevailed and  
 The report was adopted.

Also,

*Mr. President:*

Your committee on judiciary to whom was referred  
 House Bill No. 448.

A bill for an Act to amend Section 2589 of the Revised Codes of 1905, as amended by Chapter 119 of the Session Laws of 1909, relating to fees in county court.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
 Chairman.

Mr. Oversop moved  
 That the report be adopted.  
 Which motion prevailed and  
 The report was adopted.

The committee on appropriations made the following report:

*Mr. President:*

Your committee on appropriations to whom was referred  
 House Bill No. 234.

A bill for an Act to amend Section 19 of Chapter 169 of the Laws of 1907, entitled "An Act to establish the live stock sanitary board of North Dakota and to provide for the suppression and control of dangerous, contagious and infectious diseases of domestic animals," and the amendments thereto, Chapter 37, Session Laws of 1909.

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
 Chairman.

Mr. Plain moved  
 That the report be adopted.  
 Which motion prevailed and  
 The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 49.

A bill for an Act making appropriation for the current and contingent expenses of the State Penitentiary and for making permanent improvements and additions thereto.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the heading "State Penitentiary Appropriation."

Change the figures in line 7, Section 1, of the printed bill, so as to read \$4,000. Insert line 7½, Warden's expenses, \$1,000.

Change figures in line 10 so as to read \$1,400.

Change figures in line 14 so as to read \$32,500.

Change figures in line 15 so as to read \$12,100.

Change figures in line 16, so as to read \$4,000.

Change figures in line 17, so as to read \$1,000.

Change figures in line 18, so as to read \$2,500.

Strike out the figures in lines 19 and 20.

Change figures in line 22, so as to read \$2,000.

Strike out lines 23, 24 and 26. Change figures in line 27, so as to read \$2,000. In line 25, strike out the word "building" and after the word "insane" insert the word "ward." Change the figures in the same line so as to read \$2,500. Change the figures in the total so as to read \$97,800.

Insert the following in the printed bill:

Sec. 2. (Giving directions to Board of Control.) Whereas, there was appropriated the sum of one thousand (\$1,000) dollars in the last biennial appropriation under the head of "Warden's Expense," which said sum was intended to operate as an increase in the Warden's compensation, and Whereas, the Attorney General has given his opinion that the wording of the law is not sufficiently clear to warrant the payment of this account. Now, therefore, be it enacted that the Board of Control shall pay all of the money remaining in said fund, amounting to \$833.34, to Warden F. C. Hellstrom as additional compensation for the last biennial

term. And be it further resolved, that the Board of Control are hereby authorized and directed to pay the Warden for the next biennial term, for personal expense, the sum of \$1,000 (payable \$500 annually), said sum being item 7½ of the printed bill.

Sec. 3. (Cancelling appropriation for condemned prisoners building.) Be it further enacted, that whereas, an appropriation of \$2,500 for building for condemned prisoners, which was enacted by Chapter 19 of the Session Laws of 1900, has not been used, that the State Auditor is hereby directed to cancel said appropriation and transfer of said sum to the General Fund of the State.

Sec. 4. (Emergency.- Whereas, an emergency exists in this, that funds hereby appropriated are needed before July 1st, 1913, therefore this Act shall take effect and be in force on and after its passage and approval.

And when so amended recommend that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 93.

A bill for an Act to amend Section 1787 of the Revised Codes of the State of North Dakota for 1905.

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 414.

A bill for an Act to provide for an information bureau, arrangement and display of the State of North Dakota at the Norway Centennial celebration to be held at Christiania, Norway, in 1914, and providing for a board of commissioners therefor, and making an appropriation for such purposes.

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 21.

A bill for an Act making appropriation for the erection of a new building and other necessary improvements of the reform school of North Dakota at Mandan, N. D.

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 15.

A bill for an Act to amend Section 12 of Chapter 35, of the Laws of 1911 to encourage elementary education, and make appropriation therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 38.

A bill for an Act to appropriate money for maintenance equipment and permanent improvements at the State University and Schools of Mines of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Mr. Plain moved

That the Senate do now take a recess.

Which motion prevailed and

The Senate took a recess.

#### AFTER RECESS.

Mr. Putnam moved

That the Senate do now concur in the House amendments to Senate Bill No. 185.

Which motion prevailed and

The amendments were concurred in.

Senate Bill No. 185.

A bill for an Act to amend and re-enact Section 1129 of the Revised Codes of North Dakota for the year 1905, relating to the agricultural and geological survey and appropriation therefor.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 36 ayes, no nays, 14 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Elken	Linde
Allen	Ellingson	Loftsgaard
Barnes	Ganssle	McBride
Bond	Garden	McLean
Bonzer	Gronvold	Mudgett
Bronson	Hanley	Nelson
Carter	Helgeland	Overson
Cashel	Hoverson	Putnam
Clark	Hughes	Talcott
Davidson	Hyland	Turner
Davis	Jacobsen	Williams
Duncan	Kretschmar	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Leutz	Thoreson
Gibbens	McDowell	Trageton
Gilbert	Plain	Vail
Heckle	Porterfield	Wartner
Hookway	Steel	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 5, 1913.

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 185.

A bill for an Act for an appropriation to reimburse Prot. E. F. Ladd for disbursements and expenses incurred in the enforcement of the Pure Food Laws.

Which the House has amended as follows:

On page 1 and in line 7 of Section 2 of the engrossed bill, after the word "Dakota," strike out the "period" and insert in lieu thereof a "colon" and "such payment to be made only upon the filing of sworn vouchers therefor."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 51.

A bill for an Act to amend and re-enact Sections 1031, 1032, 1033, 1034, 1035, 1036, 1037 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907 and Chapter 267 of the General Laws of 1911; and to amend Sections 1, 2, 3, 4, 5 of Chapter 40 of the General Laws of 1911, and to repeal Sections 6, 7, 8, 9, 10, 11, of Chapter 40 of the General Laws of 1911.

Which the House has amended as follows:

Strike out all after the words "A Bill", and insert in lieu thereof, the following:

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

Section 1. Amendment.) Section 5 of Chapter 40 of the Session Laws of 1911, is hereby amended to read as follows:

Section 5. Appropriations.) For carrying out the provisions of this Act there is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated: For the year ending June 30, 1914, the sum of \$12,500. For the year ending June 30, 1915, the sum of \$12500. Provided, that no more than one school in any county shall be added to the list of state schools receiving state aid under this Act in any two years.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 136.

A bill for an Act to provide for increased maintenance and contingent expenses, for establishing and maintaining an Agricultural Extension Department and other permanent improvements and repairs for the North Dakota Agricultural College.

Which the House has amended as follows:

On page 1 of the engrossed bill and in line 22 of Section 1, strike out all of said line. Strike out all of line 23 of Section 1. Strike out all of line 24 of Section 1, and insert the following lines: "For dairy and Creamery building and equipment thereof; and for model barn therein, \$50,000.00," and "for dairy herd, \$5,000.00." On page 1 of the engrossed bill and in line 28 of Section 1, strike out the figures "\$110,400.00" and insert in lieu thereof the figures "\$162,000.00."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to inform you that the House declines to concur in the Senate amendments to House Bill No. 442 and asks for a committee on conference, and the Speaker has named as such conferees on the part of the House, Messrs. Watt, Warriner and Jacobsen.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to inform you that the House requests the return of Senate Bill No. 31 as this bill was amended.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. McLean moved

That Senate Bill No. 31 be returned to the House as requested.

Which motion prevailed.

Mr. Cashel moved

That the Senate do not concur in the House amendments to Senate Bill No. 51, and that a conference committee be appointed.

Which motion prevailed.

The President appointed as such committee, Messrs. Talcott, Cashel and Hoverson.

Mr. Hookway moved

That House Bill No. 472 be recalled from the Committee on Immigration and be re-referred to the Committee on Appropriations.

Which motion prevailed and

The bill was so re-referred.

Mr. Davis moved

That House Bill No. 201 be recalled from the committee on State Affairs and be re-referred to the Committee on Appropriations.

Which motion prevailed and

The bill was so re-referred.

Mr. Overson moved

That a conference committee be appointed to confer with the conference committee from the House on House Bill No. 442.

Which motion prevailed and

The President appointed as such committee, Messrs. Hyland, Hanley and Bonzer.

Mr. Leutz moved

That the Senate do not concur in the House amendments to Senate Bill No. 139, and that a conference committee be appointed.

Which motion prevailed and

The President appointed as such committee, Messrs. Leutz, Albrecht and Clark.

Mr. Overson moved

That the Senate do not concur in the House amendments to Senate Bill No. 136 and that a conference committee be appointed.

Which motion prevailed, and

The President appointed as such committee, Messrs. Hughes, Wartner and Williams.

Mr. Nelson moved

That the Senate do now concur in the House amendment to Senate Bill No. 146.

Which motion prevailed and

The amendment was concurred in.

Senate Bill No. 146.

A bill for an Act relating to the fish hatchery at Devils Lake and Fish Lake in Rolette County, and making appropriation therefor.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 35 ayes, no nays, 15 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	McLeã
Allen	Hanley	Mudgett
Barnes	Heckle	Nelson
Bond	Helgeland	Putnam
Bonzer	Hookway	Talcott
Bronson	Hoverson	Thoreson
Cashel	Hughes	Turner
Clark	Hyland	Vail
Davis	Jacobsen	Wartner
Duncan	Kretschmar	Williams
Elken	Loftsgaard	Young
Gansle	McBride	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Gibbens	Overson
Davidson	Gilbert	Plain
Ellingson	Leutz	Porterfield
Englund	Linde	Steel
Garden	McDowell	Trageton

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Nelson moved

That the Senate do not concur in the House amendment to Senate Bill No. 147 and that a conference committee be appointed.

Which motion prevailed and

The President appointed as such committee, Messrs. Nelson, Gronvold and Turner.

## REPORT OF CONFERENCE COMMITTEE.

*Mr. President:*

Your conference committee on House Bill No. 114, beg leave to report as follows:

That the committee has agreed that House Bill No. 114 should be amended as follows:

For maintenance .....	\$45,000
For library .....	2,500
For barn .....	1,000
For apparatus and furniture.....	5,000
For improvements of ground.....	1,000
For heat regulation and control.....	3,500
For rural school for demonstration purposes, furniture and equipment .....	3,500
For purchase of land.....	5,625
Total .....	\$67,125

And when so amended recommend that the bill do pass.

Very respectfully yours,

H. H. FRANCE.  
M. W. KELLY.  
NORMAN MORRISON.  
ALOYS WARTNER.  
WESLEY McDOWELL.  
G. L. ELKEN.

Mr. Wartner moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Mr. Nelson moved

That the Senate do now concur in the House amendment to Senate Bill No. 16.

Which motion prevailed and

The amendment was concured in.

Senate Bill No. 16.

A bill for an Act appropriating money for the current and contingent expenses of the State Tuberculosis Sanatorium at Dunseith.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 35 ayes, no nays, 13 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Loftsgaard
Allen	Garden	McBride
Barnes	Gronvold	McLean
Bond	Hanley	Nelson
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hookway	Thoreson
Cashel	Hoverson	Trageton
Clark	Hyland	Turner
Duncan	Jacobsen	Wartner
Elken	Kretschmar	Young
Ellingson	Linde	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davidson	Hughes	Plain
Davis	Leutz	Steel
Englund	McDowell	Talcott
Gibbens	Mudgett	Vail
Gilbert	Overson	Williams

So the bill passed and the title was agreed to.

Mr. Englund being excused.

## REPORT OF CONFERENCE COMMITTEE.

*Mr. President:*

Your committee appointed to confer with a like committee from the House, relative to House Bill No. 357, beg leave to report that said conference committee has had under consideration said House Bill No. 357, and recommend that the same be amended as follows:

In the title of the printed bill strike out the figures "1198" and insert in lieu thereof the figures "1189"; in line 10 of the printed bill after the word "Dakota," insert "For 1905"; in line 10 of the printed bill, strike out the words "the Board of Control shall, when"; in line 11 of the printed bill strike out the words "deem such an appointment necessary"; in line 14 of the printed bill strike out the words "Steward and"; and after the word "Matron" change the comma to a semi-colon and insert "the Board of Control shall appoint a steward"; strike out all of Section 2.

And when so amended recommend that the same do pass.

ALFRED STEEL,  
 JOHN E. WILLIAMS,  
 C. F. MUDGETT,  
 R. R. TWICHELL,  
 C. S. BUCK,  
 AUG. ISAAK,

Conference Committee.

Mr. Steel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### REPORTS OF STANDING COMMITTEES.

The committee on cities and municipal corporations made the following report:

*Mr. President:*

Your committee on cities and municipal corporations to whom was referred

House Bill No. 456.

A bill for an Act to provide for the manner of letting and making all contracts by or on behalf of cities for work or improvements.

Have had the same under consideration and recommend that the same be amended as follows:

Be amended by striking out in line 9 of the printed bill the words and figures "62 of the Laws of 1905," and inserting in lieu thereof "30 of the Political Code of the Revised Statutes of North Dakota of 1905 as the same is amended by Chapter 46 of the Session Laws of North Dakota of 1907; Chapter 229 of the Session Laws of North Dakota of 1907; Chapter 53 of the Session Laws of North Dakota of 1909; Chapter 57 of the Session Laws of North Dakota of 1909 and Chapter 70 of the Session Laws of North Dakota of 1911."

Also in line 4 of Section 1 of the engrosed bill after the word "Improvements" insert "when the cost of such work shall exceed two hundred dollars,"

And when so amended recommend the same do pass.

ALFRED STEEL,  
 Chairman.

Mr. Thoreson moved  
That the report be adopted.  
Which motion prevailed and  
The report was adopted.

Also,

*Mr. President:*

Your committee on cities and municipal corporations to whom was referred

House Bill No. 481.

A bill for an Act to amend Section 16 of Chapter 77 of the Laws of 1911, entitled "Commission system of government."

Have had the same under consideration and recommend that the same do pass.

ALFRED STEEL,

Chairman.

Mr. Thoreson moved  
That the report be adopted.  
Which motion prevailed and  
The report was adopted.

The committee on elections made the following report:

*Mr. President:*

Your committee on elections to whom was referred

House Bill No. 355.

A bill for an Act to provide for the non-partisan nomination and election of municipal officers.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 2 after the line 6 of engrossed bill insert the following: "that in cities operating under the commission plan the required petition may be signed by the electors at large residing within such city, and provided further."

And when so amended recommend the same do pass.

E. L. GARDEN,

Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on elections to whom was referred

House Bill No. 209.

A bill for an Act to amend and re-enact Sections 9 and 12 of Chapter 109 of the Laws passed by the Tenth Legislative Assembly of the State of North Dakota and Acts amendatory thereto, relating to primary elections, ballots and party nominations and repealing Chapter 212 of the Laws of 1911.

Have had the same under consideration and recommend that the same do pass.

E. L. GARDEN,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on public health made the following report:

*Mr. President:*

Your committee on public health to whom was referred

House Bill No. 429.

A bill for an Act to amend and re-enact Sections 9452 of the Revised Codes of 1905 pertaining to the promiscuous distribution of drug samples.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. T. GRONVOLD,  
Chairman.

Mr. Gronvold moved.

That the report be adopted.  
Which motion prevailed and  
The report was adopted.

## CONFERENCE COMMITTEE.

*Mr. President:*

Your conference committee on House Bill No. 122, beg  
leave to report that we could not agree.

C. O. HECKLE.

MARTIN THORESON.

C. A. HECKLE.

Mr. Gilbert moved

That the report be adopted and the committee discharged.  
Which motion prevailed, and  
The report was adopted.

## SPECIAL ORDER.

House Bill No. 133.

A concurrent resolution for amendment of the Constitu-  
tion, providing for the initiative and referendum and the  
provisions thereof, the recall of public officers and future  
amendments to the Constitution.

Was read the third time.

Mr. Hanley offered the following Amendments to House  
Bill No. 133, and moved its adoption:

In line 5, page 1 of the printed bill after the word "submit-  
ted" insert the following:

"Separately as to the Initiative and Referendum with ref-  
erence to the Constitution; separately as to the Initiative and  
Referendum with reference to Statutory law and separately  
as to the Recall and as to future Amendments."

Which motion prevailed and

The Amendment was adopted.

The following opinion was received from the office of the  
Attorney General and on motion of Mr. Hanley, duly car-  
ried, was ordered printed in the Journal.

March 6, 1913.

Honorable E. L. Garden, Chairman.  
State Senator,  
Bismarck, N. D.

Dear Sir:

There has been submitted to this office, the question whether or not under House Bill No. 133, introduced by Mr. Ployhar and Mr. Blakemore, the Secretary of State would have to submit the resolution as a whole or whether the several amendments therein provided may be submitted separately to the electors?

The constitution provides, "If two or more amendments shall be submitted at the same time they shall be submitted in such manner that the electors shall vote for or against each of said amendments separately." Under these requirements of the constitution each section of this bill must be submitted separately to the electors. The bill contains seven distinct amendments namely: Sections 25, 57, 58, 59 and 65 of Article 2 and Section 201 of Article 14 and Section 202 of Article 15. These are to be printed separately and the voter is to be given the right to vote "yes" or "no" on each separately. The electors may adopt any one or all such amendments or may reject any one or all.

The Recall provided for in the Amendment of Article 14 by Section 201a of this bill must be separately submitted to the voters by the Secretary of State.

Very respectfully,

ALFRED ZUGER,  
Assistant Attorney General.

The question being on the final passage of the bill; as amended.

The roll was called and there were ayes 26, nays 23, absent and not voting 1.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Bonzer  
Cashel  
Clark  
Ganssle  
Garden  
Gilbert  
Hanley

Messrs.—  
Hookway  
Hoverson  
Hughes  
Jacobsen  
Kretschmar  
Leutz  
Linde  
Loftsgaard  
McBride

Messrs.—  
Mudgett  
Plain  
Porterfield  
Thoreson  
Trageton  
Turner  
Wartner  
Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Ellingson	Nelson
Bond	Gibbens	Overson
Bronson	Gronvold	Putnam
Carter	Heckle	Steel
Davidson	Helgeland	Talcott
Davis	Hyland	Vail
Duncan	McDowell	Williams
Elken	McLean	

Absent and not voting, Mr. Englund.

Mr. Englund being excused.

Mr. McDowell explained his vote.

So the bill passed and the title was agreed to.

Mr. Hanley moved

That the vote by which House Bill No. 133 passed, be reconsidered and the motion to reconsider be laid on the table.

Roll Call demanded.

The roll was called and there were ayes 24, nays 24, absent and not voting 2.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	McBride
Allen	Hookway	Mudgett
Bonzer	Hoverson	Plain
Cashel	Jacobsen	Porterfield
Clark	Kretschmar	Thoreson
Ganssle	Leutz	Turner
Garden	Linde	Wartner
Gilbert	Loftsgaard	Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Ellingson	McLean
Bond	Gibbens	Nelson
Bronson	Gronvold	Overson
Carter	Heckle	Putnam
Davidson	Helgeland	Steel
Davis	Hughes	Talcott
Duncan	Hyland	Vail
Elken	McDowell	Williams

Absent and not voting, Messrs. Englund and Trageton.

Mr. Englund being excused.

The vote being a tie, the President voted no.

So the motion was lost.

Mr. Jacobsen moved.

That the Senate do now adjourn.

Which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

## FIFTY-NINTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
March 6, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present.

Except Mr. Englund who was excused.

The president pro tempore presiding.

## MESSAGE FROM THE HOUSE.

Bismarck, N. D., March 6, 1913.

*Mr. President:*

I have the honor to inform you that the House declines to concur in the Senate amendments to House Bill No. 122 and asks for a committee on conference, and the Speaker has named as such conferees on the part of the House, Messrs. Burnett, Anderson and Walsh.

Very respectfully,

M. J. GEORGE,

Chief Clerk.

Also,

*Mr. President:*

I have the honor to inform you that the House declines to concur in the Senate amendments to House Bill No. 200, and asks for a committee on conference, and the Speaker has named as such conferees on the part of the House, Messrs. Batzer, Butler of Ransom, Hjelmstad.

Very respectfully,

M. J. GEORGE,

Chief Clerk.

## REPORTS OF STANDING COMMITTEES.

The committee on Enrolled and Engrossed Bills made the following report:

*Mr. President:*

Your committee on Enrolled and Engrossed Bills have examined:

Senate Bill No. 72.

A bill for an Act to appropriate money to reimburse the

citizens of Mandan, North Dakota, for moneys advanced by them for the purchase of certain lands in Morton County, North Dakota to be deeded to the Board of Trustees of the North Dakota Agricultural College and to be used in connection with the Experiment Station established by Act of Congress and located near Mandan, North Dakota.

Also,

Senate Bill No. 97.

A bill for an Act amending Section 1307 of the Revised Codes of North Dakota for the year 1905, relating to State Fairs.

Also.

Senate Bill No. 113.

A bill for an Act to make an appropriation for the experimental station of the school of mines and mining substation at Hebron, Morton County.

Also,

Senate Bill No. 125.

A bill for an Act making an appropriation for the State Normal School at Mayville, North Dakota, for a demonstration school, improvement of campus, an additional storage room for fuel, a greenhouse, a barn, horses and wagons, a system of automatic temperature regulation in the main building, completing the ventilation system in the main building, and rewiring the main building.

Also,

Senate Bill No. 194.

A bill for Act amending Sections 1 and 2 of Chapter 19, of the Session Laws of 1911, making an appropriation for the dairy department of the State of North Dakota.

Also,

Senate Bill No. 200.

A bill for an Act providing for the payment of expenses of district judges when acting outside of the counties of their residence, and to amend Chapter 175 of the Session Laws of 1911.

Also,

Senate Bill No. 221.

A bill for an act to amend Sections 6, 7, and 8 and to repeal Section 14 of Chapter 303 of the Session Laws of 1911, relating to the organization and expenses of the State Tax Commission.

Also,

Senate Bill No. 283.

A bill for an Act to provide an annual contingency fund to be placed at the disposal of the commissioner of insurance.

Also,

Senate Bill No. 247.

A bill for an Act to amend and re-enact Section 1129 of the Revised Codes of North Dakota for the year 1905, relating to the agricultural and geological survey, and appropriation therefor.

Also,

Senate Bill No. 330.

A bill for an Act to amend Section 35 of the Revised Codes of 1905 for North Dakota.

And find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Thoreson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on taxes and tax laws made the following report:

*Mr. President:*

Your committee on taxes and tax laws to whom was referred

House Bill No. 63.

A bill for an Act to amend Section 1584 of the Revised Codes of the State of North Dakota for the year 1905, as amended by Chapter 220 of the Session Laws of 1907, relating to the rights of purchasers of land at sale for the non-payment of taxes.

Have had the same under consideration and recommend that the same do pass.

HENRY J. LINDE,  
Chairman.

Mr. Thoreson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on taxes and tax laws to whom was referred

House Bill No. 227.

A bill for an Act to authorize changes in the schedule of items to be listed and valued for purposes of taxation.

Have had the same under consideration and reports the same without recommendation.

HENRY J. LINDE,  
Chairman.

Mr. Thoreson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Th committee on Live Stock made the following report:

*Mr. President:*

Your committee on live stock to whom was referred

House Bill No. 488.

A bill for an Act extending the powers and duties of the State Live Stock Sanitary Board and providing for the testing of animals exposed to the infection of a disease known as glanders.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Section 2 after the word "incurred" in the sixth line of said section of the engrossed bill.

Immediately following Section 3 of the engrossed bill insert the following:

"Section 4. If the funds appropriated and available for the use of the Live Stock Sanitary Board have been exhaust-

ed or are insufficient to meet the expenses of carrying out the provisions of Act, the owner of any exposed animals may have such animals tested under the direction of the Live Stock Sanitary Board and the expenses of such testing shall be borne jointly and in equal shares by the owner of the exposed animals and the county wherein said owner resides. The fees for such testing or examination shall not exceed the fee prescribed in Section 2 of this Act".

Renumber Section 4 of the Engrossed Bill as Section 5.

And when so amended recommend the same do pass.

A. S. GIBBENS,  
Chairman.

Mr. Gibbens moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### REPORT OF CONFERENCE COMMITTEE.

Your committee appointed to confer with House committee in regard to amendments to Senate Bill No. 145 beg leave to report an agreement as follows:

That the amendment of the House giving maintenance for the year 1913 of \$5,000.00 be agreed to.

That the amendment of the House giving maintenance for the year 1914 of \$5,000.00 be not agreed to, but by compromise the maintenance for the year of 1914 be placed at \$2,500.00.

That the amendment of the House placing the amount to be allowed for completing assembly hall and gymnasium at \$15,000.00 be not concurred in, but that the said item remain at the sum allowed by the Senate Bill, viz. \$10,000.00.

F. W. VAIL,  
J. E. DAVIS,  
C. E. DAVIDSON,  
Senate Committee.  
C. C. TURNER,  
HENRY KLEIN,  
L. D. WILEY,  
House Committee.

Mr. Vail moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

## Senate Bill No. 145.

A bill for an Act to provide an appropriation for the current and contingent expenses and for the permanent improvements of the State School of Science at Wahpeton.

Was read the third time.

The question being on the final passage of the bill; as amended by conference committee.

The roll was called and there were ayes 41, nays, 0, absent and not voting 9.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Loftsgaard
Allen	Gibbens	McDowell
Barnes	Gilbert	McLean
Bond	Gronvold	Porterfield
Bonzer	Hanley	Putnam
Bronson	Heckle	Talcott
Carter	Helgeland	Thoreson
Cashei	Hookway	Trageton
Clark	Hoverson	Turner
Davidson	Hughes	Vail
Davis	Hyland	Wartner
Duncan	Jacobsen	Williams
Ellingson	Kretschmar	Young
Ganssle	Leutz	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Elken	McBride	Overson
Englund	Mudgett	Plain
Linde	Nelson	Steel

Mr. Englund being excused.

So the bill passed and the title was agreed to.

The President presiding.

Mr. Hughes gave notice that he would move for a reconsideration of the vote by which House Bill No. 133 was passed.

## THIRD READING OF HOUSE BILLS.

## House Bill No. 309.

A bill for an Act to amend Section 6295 of the Revised Codes of North Dakota for 1905, as amended by Chapter 168 of the Laws of 1907, providing for a lien for repairs upon personal property.

Was read the third time.

Mr. Hyland offered the following amendments to House Bill No. 309 and moved their adoption.

In line 9, page 1 strike out the words "and material furnished."

In line 10 strike out all after the word "paid" and in line 11 strike out all to the word "provided."

Line 13 strike out the words "materials are furnished or," and insert in lieu thereof the word "the."

Line 14 after the word "labor" insert the word "is."

In line 16, page 2 strike out the words "or materials furnished."

In lines 19 and 20 strike out the words "or to whom materials were furnished, or both."

In line 34 page 2 strike out all after the word "thereto" strike out all of the balance of the bill.

After the word "thereto" line 34, page 2 insert the following: "Said lien to be foreclosed under Section 6296 of the Revised Code of North Dakota of the year 1905."

Roll Call demanded and

The question being on the adoption of the amendment.

The roll was called and there were ayes 22, nays 14, absent and not voting 14.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Ellingson	Loftsgaard
Barnes	Gansle	Porterfield
Bonzar	Gibbens	Putnam
Carter	Gronvold	Talcott
Clark	Heckle	Thoreson
Davidson	Hyland	Vail
Davis	Jacobsen	
Duncan	Linde	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Helgeland	McLean
Bronson	Hookway	Vail
Cashel	Hoverson	Williams
Elken	Hughes	Young
Garden	Leutz	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Kretschmar	Overson
Englund	McBride	Plain
Gilbert	Mudgett	Steel
Hanley	Nelson	Wartner

Mr. Englund being excused.

So the motion failed

And the amendment was lost.

Mr. Garden moved

That the further consideration of House Bill No. 309 be indefinitely postponed.

Which motion prevailed, and the further consideration of the bill was indefinitely postponed.

The Secretary announced that the President was about to sign

House Bill No. 145.

A bill for an Act entitled "An Act to amend and re-enact Section 15 of Chapter 137 of the Session Laws of 1907, relating to the payment of costs of treatment and board of patients in the insane hospital."

House Bill No. 180.

A bill for an Act to amend Article 4, Chapter 30, of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to powers of city councils.

And the President signed the same in the presence of the Senate.

House Bill No. 31.

A bill for an Act to amend and re-enact Article 3, Chapter 30 of the Code of Civil Procedure of the Revised Codes of the state of North Dakota of 1905, relating to cancellation of land contracts.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 34, nays 0, absent and not voting 16.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Ganssle	McLean
Barnes	Garden	Porterfield
Bond	Gibbens	Putnam
Bonzer	Gilbert	Talcott
Bronson	Heckle	Thoreson
Carter	Helgeland	Trageton
Cashel	Hookway	Vail
Clark	Hoverson	Wartner
Davidson	Hyland	Williams
Davis	Jacobsen	Young
Duncan	Kretschmar	
Ellingson	Leutz	

Those absent and not voting.

Messrs.—

Albrecht  
Elken  
Englund  
Gronvold  
Hanley  
Hughes

Messrs.—

Linde  
Loftsgaard  
McBride  
McDowell  
Mudgett  
Nelson

Messrs.—

Overson  
Plain  
Steel  
Turner

Mr. Englund being excused.

So the bill passed and the title was agreed to.

The Secretary announced that the President was about to sign

Senate Bill No. 72.

A bill for an Act to appropriate money to reimburse the citizens of Mandan, North Dakota, for moneys advanced by them for the purchase of certain lands in Morton County, North Dakota, to be deeded to the board of trustees of the North Dakota Agricultural College, and to be used in connection with the experiement station established by Act of Congress, and located near Mandan, North Dakota.

Senate Bill No. 97.

A bill for an Act amending Section 1307 of the Revised Codes of North Dakota for the year 1905, relating to state affairs.

Senate Bill No. 113.

A bill for an Act making an appropriation for the experimental station of the school of mines and the mining substation at Hebron, Morton County.

Senate Bill No. 125.

A bill for an Act making an appropriation for the state normal school located at Mayville, North Dakota, for a demonstration rural school, improvement of campus, an additional storage room for fuel, a greenhouse, a barn, horses and wagon, a system of automatic temperature regulation in the main building, completing the ventilation system in the main building, and rewiring the main building.

Senate Bill No. 194.

A bill for an Act making an appropriation for the dairy department of the State of North Dakota.

Senate Bill No. 200.

A bill for an Act for the payment of expenses of district judges when acting outside of the counties of their resi-

dence, and to amend Chapter 175 of the Session Laws of 1911.

Senate Bill No. 221.

A bill for an Act to amend Section 6, 7 and 8, and to repeal Section 14 of Chapter 303 of the Session Laws of 1911, relating to the organization and expenses of the state tax commission.

Senate Bill No. 247.

A bill for an Act to amend and re-enact Section 1129 of the Revised Codes of North Dakota for the year 1905, relating to the agricultural and geological survey and appropriation therefor.

Senate Bill No. 283.

A bill for an Act to provide an annual contingency fund to be placed at the disposal of the commissioner of insurance.

Senate Bill No. 330.

A bill for an Act to amend Section 35 of the Revised Codes of 1905 for North Dakota.

And the President signed the same in the presence of the Senate.

#### COMMUNICATION FROM THE GOVERNOR.

Bismarck, N. D., March 6, 1913.

To the Senate.

Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State, Senate Bill No. 104, A Bill for an Act to Provide for the Maintenance of Inmates of the Institution for the Feeble-Minded, and to Amend Section 1 of Chapter 165 of the Laws of 1911, Relating Thereto.

I have the honor to be,

Very respectfully,

H. B. HANNA,  
Governor.

House Bill No. 434.

A bill for an Act to amend and re-enact Section 1349 of the Revised Codes, relating to the jurisdiction of township supervisors and county commissioners in laying out public highways.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 35, nays 1, absent and not voting 14.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Linde
Allen	Garden	Loftsgaard
Barnes	Gibbens	McLean
Bond	Gilbert	Nelson
Bonzer	Hanley	Porterfield
Carter	Heckle	Putnam
Cashel	Helgeland	Thoreson
Clark	Hookway	Vail
Davis	Hoverson	Wartner
Duncan	Hyland	Williams
Elken	Jacobsen	Young
Ellingson	Leutz	

Mr. Bronson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davidson	McBride	Plain
Englund	McDowell	Steel
Gronvold	Mudgett	Talcott
Hughes	Nelson	Trageton
Kretschmar	Overson	Turner

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Gilbert moved

That a conference committee be appointed to confer with the House conference committee on House Bill No. 122.

Which motion prevailed, and the President appointed as such committee, Messrs. Gibbens, Helgeland, Ellingson.

There being no objection the Senate returned to the eighth order of business, and

Mr. Williams moved

That the House Concurrent Resolution relating to sale of lands and reserving to the State the coal deposits be referred to the committee on Mines and Minerals.

Which motion prevailed.

### THIRD READING OF HOUSE BILLS.

House Bill No. 229.

A bill for an Act creating park districts for villages and providing for the government thereof, creating a board of park commissioners, and specifying the power and authority of such commissioners.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 30, nays 3, absent and not voting 17.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Loftsgaard
Allen	Garden	McLean
Barnes	Gilbert	Mudgett
Bond	Hanley	Overson
Bonzer	Heckle	Porterfield
Carter	Hookway	Talcott
Cashel	Hoverson	Thoreson
Clark	Hyland	Trageton
Davis	Jacobsen	Vail
Duncan	Kretschmar	Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Putnam	Wartner

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davidson	Helgeland	Nelson
Elken	Hughes	Plain
Ellingson	Leutz	Steel
Englund	Linde	Turner
Gibbens	McBride	Williams
Gronvold	McDowell	

Mr. Englund being excused.

So the bill passed without the emergency clause and the title was agreed to.

Mr. Kretschmar moved

That the further consideration of House Bill No. 300 be indefinitely postponed.

Which motion prevailed, and the further consideration of the bill was indefinitely postponed.

House Bill No. 214.

A bill for an Act to amend Section 1508 of the Revised Codes of North Dakota of 1905, relating to the assessment of bank stock, and to provide a method for reviewing the same, and to repeal inconsistent provisions.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 24, nays 12, absent and not voting 14.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Hyland
Barnes	Gibbens	McBride
Bond	Gilbert	McLean
Bonzer	Hanley	Putnam
Bronson	Heckle	Talcott
Clark	Helgeland	Vail
Duncan	Hookway	Wartner
Ellingson	Hoverson	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Ganssle	Leutz
Carter	Hughes	Overson
Cashel	Jacobsen	Porterfield
Davis	Kretschmar	Young

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Davidson	Loftsgaard	Steel
Elken	McDowell	Thoreson
Englund	Mudgett	Trageton
Gronvold	Nelson	Turner
Linde	Plain	

Mr. Englund being excused.

So the bill was lost.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, . . . . .

BISMARCK, NORTH DAKOTA,

March 6, 1913.

*Mr. President:*

I have the honor to inform you that the Speaker has appointed as conferees on the part of the House, on Senate Bill No. 51, Messrs. Hill of Cass, Hjelmstad and Hjort.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to inform you that the Speaker has appointed as conferees on part of the House, on Senate Bill No. 30, Messrs. Hedalen, C. C. Turner and Weis.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to inform you that the Speaker has appointed as conferees on the part of the House, on Senate Bill No. 147, Messrs. Small, Fox and Endreson.

Very respectfully,

M. J. GEORGE,  
Chief Clerk. .

Also,

*Mr. President:*

I have the honor to inform you that the Speaker has appointed as conferees on part of the House, on Senate Bill No. 136, Messrs. Twichell, Curry and Davis.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

*Mr. President:*

I have the honor to inform you that the Speaker has appointed as conferees on part of the House, on Senate Bill No. 139, Messrs. Calnan, Carcy and Bope.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

House Bill No. 408.

A bill for an Act to repeal Section 9202 of the Revised Codes of 1905, as amended by Chapter 43 of the Session Laws of 1907, and Section 9203 of the Revised Codes of 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 37 ayes, 2 nays, 11 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Carter  
Cashel  
Clark  
Davis  
Duncan  
Ellingson  
Ganssle  
Garden

Messrs.—  
Gibbens  
Hanley  
Heckle  
Hookway  
Hoverson  
Hyland  
Jacobsen  
Kretschmar  
Leutz  
Loftsgaard  
McBride  
McDowell  
McLean

Messrs.—  
Mudgett  
Overson  
Porterfield  
Putnam  
Talcott  
Thoreson  
Trageton  
Vail  
Wartner  
Williams  
Young

Those voting in the negative were: Messrs. Bronson and Helgeland.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davidson	Gronvold	Plain
Elken	Hughes	Steel
Englund	Linde	Turner
Gilbert	Nelson	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 392.

A bill for an Act to amend Sections 20 and 38 of Chapter 77 of the Laws of 1911, entitled "An Act to provide for a commission system of government in cities which shall adopt the provisions of this Act."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 37 ayes, 2 nays, 11 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gronvold	Overson
Barnes	Hanley	Plain
Bond	Heckle	Porterfield
Bonzer	Hoverson	Steel
Bronson	Hughes	Talcott
Carter	Hyland	Trageton
Cashel	Jacobsen	Turner
Clark	Kretschmar	Vail
Davis	Loftsgaard	Wartner
Duncan	McBride	Williams
Ganssle	McDowell	Young
Garden	McLean	
Gilbert	Nelson	

Those voting in the negative were: Messrs. Hookway and Putnam.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Englund	Linde
Davidson	Gibbens	Mudgett
Elken	Helgeland	Thoreson
Ellingson	Leutz	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## REPORT OF CONFERENCE COMMITTEE.

*Mr. President:*

Your conference committee appointed on House Bill No. 442, recommend that the Senate amendment be adhered to.

J. M. HANLEY,  
FRANK H. HYLAND,  
A. L. BONZER,  
WM. WATT,  
D. L. WARRINER,  
G. A. TUCKER.

Mr. Hanley moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

House Bill No. 290.

A bill for an Act to repeal Section 1503 of the Revised Codes of North Dakota of 1905. relating to the assessment of property of companies or associations and the listing of the same.

Was read the third time.

The question being on the final passage of the bill as amended.

The roll was called and there were 37 ayes, no nays, 13 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Heckle	Plain
Barnes	Hookway	Porterfield
Bond	Hoverson	Putnam
Bonzer	Hughes	Steel
Bronson	Kretschmar	Talcott
Carter	Linde	Thoreson
Cashel	Loftsgaard	Trageton
Davis	McBride	Vail
Duncan	McDowell	Wartner
Ganssle	McLean	Williams
Garden	Mudgett	Young
Gilbert	Nelson	
Hanley	Overson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Englund	Jacobsen
Clark	Gibbens	Leutz
Davidson	Gronvold	Turner
Elken	Helgeland	
Ellingson	Hyland	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 6, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 85.

A bill for an Act creating a teachers' insurance and retirement fund and providing for its maintenance and disbursement.

Also,

Senate Bill No. 270.

A bill for an Act to amend Section 2272 of the Revised Codes of the State of North Dakota for the year 1905, relating to the storage of unclaimed goods, wares and merchandise carried by railroads and transportation companies.

Also,

Senate Bill No. 48.

A bill for an Act entitled "An Act relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the Food Commissioner of the North Dakota Government

Also,

Senate Bill No. 292.

A bill for an Act to amend Section 1, Chapter 168 of the Session Laws of 1911, relating to the Tenth Judicial District.

Also,

Senate Bill No. 249.

A bill for an Act to amend Section one of Chapter 108 of the Session Laws of 1909 of the State of North Dakota, relating to qualifications of embalmers.

Senate Bill No. 309.

A bill for an Act to legalize acts and proceedings of county commissioners in calling and giving notices of general or special elections and to legalize such general or special elections attempted held pursuant to such calls and notices, under the provisions of Chapter 265 of the Session Laws of 1911.

Also,

Senate Bill No. 271.

A bill for an Act to amend and re-enact Sections 4395 of the Revised Codes of North Dakota for 1905, as amended by chapter 51, Section 51, Session Laws of 1907, relating to the maximum freight rate on coal and briquettes, and defining the term briquettes.

Also,

Senate Bill No. 256.

A bill for an Act to require persons selling or disposing of second-hand furniture to disinfect the same before offering such furniture for sale or exchange.

Also,

Senate Bill No. 174.

A bill for an Act repealing Section 7 of Chapter 235 of Session Laws of 1911, relating to the payment of premiums on bonds and insurance.

Also,

Senate Bill No. 245.

A bill for an Act to provide for the establishment, equipment and government of a cottage or cottages on the site at Dunseith of the State Tuberculosis Sanitarium by any Fraternal Corporation or Society, organized under the laws of this state or authorized to do business in this state, for the treatment of all members of such corporation or society or members of their families affected with pulmonary tuberculosis.

Also,

Senate Bill No. 173.

A bill for an Act to amend Section 1972, Section 1973 as amended by Chapter 117 of the Laws of 1907, and Section 1974 of the Revised Codes of 1905, relating to notice of taking up estrays.

Also,

Senate Bill No. 89.

A bill for an Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Also,

Senate Bill No. 102.

A bill for an Act providing for the inspection of refined petroleum, illuminating oils, gasolines and other low flash test petroleum products, defining the ports of entry, appointment of oil inspectors and deputies, and fixing the salaries of the same.

Also,

Senate Bill No. 319.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the establishment and location of a state hospital for the insane and institution for the feeble-minded in connection therewith.

Also,

Senate Bill No. 183.

A bill for an Act to amend Section 1531 of the Revised Codes of 1905 relating to the State Board of Equalization, how constituted, its meetings, rules for equalizing.

Also,

Senate Bill No. 23.

A bill for an Act to amend Chapter 290 of the Laws of 1911 relating to property exempt from taxation.

Also,

Senate Bill No. 288.

A bill for an Act to amend and re-enact Sections 9987 and 10078 of the Revised Codes of North Dakota for 1905, relating to instructions in criminal cases and to repeal Section 9988 thereof.

Also,

Senate Bill No. 280.

A bill for an Act defining minority as regards persons sentenced to the state reform school.

Also

Senate Bill No. 144.

A bill for an Act to amend and re-enact Section 3147 of the Revised Codes of North Dakota for the year 1905, relating to duties of township treasurers and the method of drawing township funds from the county treasurer.

Also

Senate Bill No. 206.

A bill for an Act to amend and re-enact Section 11 of Chapter 210 of the Laws of North Dakota for 1909, relating to seed grain, contract for re-payments extended on tax list.

Also

Senate Bill No. 338.

A bill for an Act providing that persons in charge of school children shall furnish suitable text books in districts wherein the free text book system has not been adopted.

Also

Senate Bill No. 343.

A bill for an Act to amend and re-enact Section 81 of Chapter 266 of the Session Laws of 1911, relating to school house sites.

Also,

Senate Bill No. 345.

A bill for an Act to amend Section 85 of Chapter 266 of the Session Laws of 1911, relating to additional school time.

A bill for an Act to require auctioneers to notify the county sheriff of the sale of personal property at public auction.

Also.

Senate Bill No. 337.

A bill for an Act to amend Section 282 of Chapter 266 of the Session Laws of 1911, relating to conductors and county superintendents filing statement of number of schools with the county auditor.

Also

Senate Bill No. 339.

A bill for an Act to amend and re-enact Section 113 of Chapter 266 of the Session Laws of 1911, relating to county treasurer's accounts kept with school corporations.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 20.

A bill for an Act amending and re-enacting Section 2597 of the Revised Codes of 1905, as amended by Chapter 257 of the Session Laws of 1911, relating to the fees in the office of the register of deeds.

Also.

Senate Bill No. 22.

A bill for an Act to amend Section 6246 of the Revised Codes of 1905 relating to Mechanics' Liens and the enforcement thereof.

Which the House has indefinitely postponed.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 263.

A bill for an Act to amend Section 6245, Chapter 79, of the Revised Codes of North Dakota for 1905, relating to the enforcement of mechanics' liens.

Which the House has amended as follows:

In the engrossed bill, strike out all of line 9 after the word "service" and all of line 10 and all of line 11 up to and including the word "made" and insert in lieu thereof the word "or."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 88.

A bill for an Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in the transportation of passengers or property in this state to equip locomotives with headlights of not less than twelve hundred candle power and to provide a penalty for violation of the same.

Which the House has amended as follows:

In the engrossed bill after the last word in Section 1, add the following: "Provided, however, that in passing through or working within the yard limit of any station or terminal a light of lesser candlepower may be used."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 175.

A bill for an Act to amend Section 73 of the Revised Codes of 1905 relating to reports of officers, departments, boards, commissions and state institutions by law required to be made to the Governor and the Legislative Assembly of the state, requiring the person or persons, having contracts for printing with the state to give a bond, providing a penalty for failure to make, transmit and print such reports at the time required, and repealing all existing provisions of law inconsistent herewith.

Which the House has amended as follows:

In Section 1, on line 3, page 1 of the printed bill, after the figures "73" insert "reports of governor and Legislative Assembly to be made, how, when."

In Section 1, on line 7, page 1 of the printed bill, strike out the word "manuscript" and insert the word "typewritten," and in the same line after the word "copies" insert the words "in triplicate."

In Section 1 on line 12, page 2 of the printed bill, strike out the words "to be printed" and add after the word "printing" a period.

In Section 1, line 14, same page, after the word "same" insert "revised and condensed as hereinafter provided."

In line 19, same Section, strike out the words "have authority to" and in the same line after the word "revise" strike out the word "and" and insert "and condense all such reports so as to."

In line 20, same Section, strike out the words "such matter" and before the word "report" insert the word "such." In the same line strike out the comma and the word "as" following, and insert "when published, any and all matter the elimination of which." In the same line strike out the words "in their judgment." In line 21 of same Section strike out the word "may" and insert the word "shall."

In line 22, same Section, after the word "also" insert "in the interest of strict economy." Strike out in lines 22 and 23 the phrase "when deemed advisable in the interest of economy."

After the word "notwithstanding" in line 25 of same Section, add "the governor shall retain one copy of each report filed with him, shall deliver one copy to the commissioners of printing for their files, and one copy shall be filed by him with the secretary of state."

Also,

Senate Bill No. 175.

A bill for an Act to amend Section 73 of the Revised Codes of 1905 relating to reports of officers, departments, boards, commissions and state institutions by law required to be made to the Governor and the Legislative Assembly of the State, requiring the person or persons, having contracts for printing with the state to execute a bond, providing a penalty for failure to make, transmit and print such reports at the time required, and repealing all existing provisions of law inconsistent herewith.

Which the House has amended as follows:

In the engrossed bill, Section 3, line 34, strike out the word "ten" and insert in lieu thereof "five."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 106.

A bill for an Act to appropriate moneys for maintenance, equipment and permanent improvement at the Ellendale State Normal and Industrial School.

Which the House has amended as follows:

On page 1 of the engrossed bill, after the words "for teachers' salaries for the biennial period" strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$20,000.00." On page 1 of the engrossed bill, after the word "total" strike out the figures "\$29,300.00" and insert in lieu thereof the figures "\$39,300.00."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Davis moved

That the vote by which House Bill No. 214 was lost be reconsidered.

Which motion prevailed.

Mr. Davis moved

That House Bill No. 214 be put on its third reading and final passage.

Which motion prevailed.

House Bill No. 214.

A bill for an Act to amend Section 1508 of the Revised Codes of North Dakota of 1905, relating to the assessment of bank stock, and to provide a method for reviewing the same, and to repeal inconsistent provisions.

Was read the third time.

The question being on the final passage of the bill as amended.

The roll was called and there were 41 ayes, 1 nay, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Heckle	Overson
Barnes	Helgeland	Plain
Bonzer	Hookway	Porterfield
Bronson	Hoverson	Putnam
Cashel	Hughes	Steel
Davis	Hyland	Talcott
Duncan	Jacobsen	Thoreson
Ellingson	Kretschmar	Trageton
Ganssle	Linde	Turner
Garden	Loftsgaard	Vail
Gibbens	McDowell	Wartner
Gilbert	McLean	Williams
Gronvold	Mudgett	Young
Hanley	Nelson	

Mr. Carter voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Davidson	Leutz
Bond	Elken	McBride
Clark	Englund	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Linde moved

that a conference committee be appointed to confer with the House conference committee on House Bill No. 200.

Which motion prevailed and

The President appointed as such committee, Messrs. Linde, Hookway and Mudgett.

The Secretary announced that the President was about to sign

Senate Bill No. 146.

A bill for an Act relating to the fish hatchery at Devils Lake and Fish Lake in Rolette County, and making appropriation therefor.

Senate Bill No. 185.

A bill for an Act for an appropriation to reimburse Professor E. F. Ladd for disbursements and expenses incurred in the enforcement of the pure food laws.

And the President signed the same in the presence of the Senate.

#### MOTIONS AND RESOLUTIONS.

Mr. Hyland offered the following resolution:

WHEREAS the Senate Chamber is in urgent need of repair and presents a most dilapidated and unattractive appearance, and,

WHEREAS, The lighting fixtures are out of repair, defective and unsightly, and,

WHEREAS, The rug or carpet covering the floor of the Senate Chamber is in the last stages of wear and is insanitary and unsightly;

*Therefore be it Resolved by the Senate, That the Board of Trustees of Public Property be and is hereby urged and di-*

rected to arrange for the repainting or repapering of the walls and ceilings of the Senate Chamber, for the installation of new electric lighting fixtures, for the purchase of a new rug for the floor of the Senate Chamber, and, and the Purchase of new curtains, and

*Be it Further Resolved*, That the repairs herein directed to be made shall be completed before the opening of the session of the Fourteenth Legislative Assembly of the State of North Dakota.

Mr. Garden moved

That the Resolution be adopted.

Which motion prevailed and the Resolution was adopted.

Mr. Bronson moved

That the Senate take a recess for ten minutes.

Which motion prevailed, and the Senate took a recess.

#### AFTER RECESS.

Mr. McBride moved

That the Senate do now concur in the House amendment to Senate Bill No. 88.

Which motion prevailed, and the amendment was concurred in.

Senate Bill No. 88.

A bill for an Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in the transportation of passengers or property in this state to equip locomotives with electric headlights.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 34 ayes, 3 nays, 13 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson  
Carter  
Cashel  
Clark  
Davis  
Duncan  
Elken

Messrs.—  
Ganssle  
Garden  
Gibbens  
Gronvold  
Hanley  
Heckle  
Helgeland  
Hyland  
Jacobsen  
Kretschmar  
Loftsgaard  
McBride

Messrs.—  
McLean  
Overson  
Plain  
Porterfield  
Putnam  
Steel  
Talcott  
Thoreson  
Turner  
Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Ellingson	Hughes	Young
Hoverson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davidson	Leutz	Nelson
Englund	Linde	Trageton
Gilbert	McDowell	Vail
Hookway	Mudgett	Wartner

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Putnam moved

That the Senate do now concur in the House amendments to Senate Bill No. 263.

Which motion prevailed and

The amendments were concurred in.

Senate Bill No. 263.

A bill for an Act to amend Section 6245, Chapter 79, of the Revised Codes of North Dakota for 1905, relating to the enforcement of mechanics' liens.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 42 ayes, no nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	Mudgett
Allen	Hanley	Overson
Barnes	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hoverson	Putnam
Carter	Hughes	Steel
Clark	Hyland	Talcott
Duncan	Jacobsen	Thoreson
Elken	Kretschmar	Trageton
Ellingson	Leutz	Turner
Ganssle	Loftsgaard	Vail
Garden	McBride	Wartner
Gibbens	McDowell	Williams
Gilbert	McLean	Young

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Davis	Linde
Cashel	Englund	Nelson
Davidson	Hookway	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 6, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 342.

A bill for an Act to amend Section 80 of Chapter 266 of the Session Laws of 1911, relating to board of inspection.

Also.

Senate Bill No. 184.

A bill for an Act to provide for the payment of costs and expenses in extradition cases brought under the laws of the United States on application of the Governor of this state.

Also.

Senate Bill No. 340.

A bill for an Act to repeal Section 28 of Chapter 266 of the Session Laws of 1911, relating to office postage and stationery of county superintendents.

Also.

Senate Bill No. 253.

A bill for an Act fixing the terms of court in the Twelfth Judicial District.

Also.

Senate Bill 344.

A bill for an Act to repeal Section 43½ of Chapter 266 of the Session Laws of 1911, relating to boundaries of school districts.

Also.

Senate Bill No. 157.

A concurrent resolution for an amendment to the Constitution providing for the elective franchise.

Also.

Senate Bill No. 235.

A bill for an Act to provide for the submission and printing of the requests for appropriations and proposed legislation in advance of the meeting of the legislature.

Also.

Senate Bill No. 294.

A bill for an Act to amend Sections 8, 9 and 10 of Chapter 137 of the Session Laws of 1907, relating to the time and manner of levying taxes in each county in order to raise funds to pay the amount chargeable to the county for the care, board and treatment of patients in the hospital for the insane, and fixing the time when such payments shall be made into the state treasury, and providing a penalty for failure to make such payments.

Also.

Senate Bill No. 86.

A bill for an Act to enable incorporated villages to provide or contract for the furnishing of water for fire protection and for light for streets, alleys, public buildings, and grounds.

Also.

Senate Bill No. 212.

A bill for an Act to amend and re-enact Sections 2262, 2263 and 2264, Article 47, Chapter 24 of the Revised Codes of 1905, relating to the licensing and bonding of storage companies.

Which the House has passed unchanged.

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to inform you that the House requests the return of Senate Bills No. 86 and 145.

Very respectfully,  
M. J. GEORGE,  
Chief Clerk.

Mr. Barnes moved

That the Senate do now concur in the House amendments to Senate Bill No. 106.

Mr. Plain moved

As an amendment that the Senate do not concur in the House amendments to Senate Bill No. 106, and that a conference committee be appointed.

Which motion prevailed, and the President appointed as such committee, Senators Cashel, Trageton and Kretschmar.

### CONFERENCE COMMITTEE REPORT.

*Mr. President:*

Your committee appointed to confer with the like committee from the House have had Senate Bill No. 152 under consideration, and recommend that the Senate concur in the House amendment to Senate Bill No. 152.

G. L. ELKEN,  
C. E. DAVIDSON,  
HENRY LINDE,  
Senate Committee.

A. J. GARDINER,  
JAMES WALSH,  
L. D. WILEY,  
House Committee.

Mr. Elken moved

That the report be adopted.

Which motion prevailed.

The report was adopted.

Mr. Eklen moved

That the Senate do now concur in the House amendments to Senate Bill No. 152.

Which motion prevailed, and the amendments were concurred in.

Senate Bill No. 152.

A bill for an Act relating to the transfer of messages by telegraph companies and penalty for the violation thereof.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 41 ayes, no nays, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hoverson	Steel
Clark	Hughes	Talcott
Davis	Hyland	Thoreson
Duncan	Jacobsen	Turner
Elken	Kretschmar	Wartner
Ellingson	Loftsgaard	Williams
Ganssle	McBride	Young
Garden	McDowell	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Cashel	Hookway	Nelson
Davidson	Leutz	Trageton
Englund	Linde	Vail

Mr. Englund being excused.

So the bill passed and the title was agreed to.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 6, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 375.

A joint resolution authorizing the board of trustees of the soldiers' home to expend a portion of the interest and income fund of the soldiers' home for the purpose of aiding the North Dakota Union and Confederate Soldiers of the Civil War to attend the reunion to be held at Gettysburg, Pa., in the month of July, 1913.

Also, •

Senate Bill No. 176.

A bill for an Act to amend and re-enact Section 1577 of the Revised Codes of North Dakota for the year 1905, relat-

THURSDAY, MARCH 6, 1913.

1379

ing to certificate of sale and purchase for taxes and the form of such certificate.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,

Chief Clerk.

Also.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 202.

A bill for an Act to amend and re-enact Section 2171 of the Revised Codes of North Dakota for 1905, relating to automobiles.

Which the House has indefinitely postponed.

Very respectfully,

M. J. GEORGE,

Chief Clerk.

Also.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 284.

A bill for an Act to amend and re-enact Chapter 72 of the Session Laws of 1909, relating to the times and place for holding general terms of the Supreme Court, and providing for special terms, and to fix the time in which appeals shall be heard.

Which the House has amended as follows:

In the printed bill, beginning in line 5 on page 2, strike out all after the word "term" down to and including the word "appeal" in line 7 of the same page.

Very respectfully,

M. J. GEORGE,

Chief Clerk.

Also.

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 347.

A bill for an Act to amend Section 258 of Chapter 266 of the Session Laws of 1911, relating to high school diplomas.

Which the House has amended as follows:

By striking out on line 7 of the printed bill the word "twenty" and insert in lieu thereof the word "eighteen" and in same line strike out the word "State."

Very respectfully,  
M. J. GEORGE,  
Chief Clerk.

Also.

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 348.

A bill for an Act to amend and re-enact Section 72 of Chapter 266 of the Session Laws of 1911, relating to teachers employed by district school boards and their salaries.

Which the House has amended as follows:

Strike out all on line 5 of the printed bill after the words "it may" and all of that part of line 6 up to and including the word "superintendent."

Very respectfully,  
M. J. GEORGE,  
Chief Clerk.

#### REPORT OF CONFERENCE COMMITTEE.

*Mr. President:*

Your conference committee on House Bill No. 122, to whom was referred

House Bill No. 122.

A bill for an Act to amend Sections 1, 2, and 4 of Chapter 258 of the Session Laws of 1907, relating to trade discrimination and unfair competition.

Have the same under consideration and recommend that the Senate recede from its amendment.

W. J. BURNETT,  
Chairman.

A. S. GIBBENS.  
L. S. HELGELAND.  
CHAS. ELLINGSON.  
BERT ANDERSON.  
JAMES WALSH.

Mr. Gibbens moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

House Bill No. 122.

A bill for an Act to amend Sections 1, 2, and 4 of Chapter 258 of the Session Laws of 1907, relating to trade discrimination and unfair competition.

Was read the third time.

The question being on the final passage of the bill; as amended by the conference committee.

The roll was called and there were ayes 34, nays 6, absent and not voting 10.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Heckle	Mudgett
Allen	Helgeland	Overson
Barnes	Hoverson	Plain
Bond	Hughes	Porterfield
Bonzer	Hyland	Putnam
Clark	Jacobsen	Talcott
Davis	Kretschmar	Thoreson
Elken	Leutz	Trageton
Ellingson	Linde	Turner
Garden	Loftsgaard	Vail
Gibbens	McBride	
Gronvold	McDowell	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Duncan	Wartner
Carter	McLean	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Cashel	Gilbert	Steel
Davidson	Hanley	Williams
Englund	Hookway	
Ganssle	Nelson	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Gibbens moved

That the vote by which House Bill No. 122 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Davis moved

That House Bill No. 274, be recalled from the committee on State Affairs and be re-referred to the Committee on Appropriations.

Which motion prevailed.

Mr. Talcott moved

That the House be requested to return Senate Bill No. 325.

Which motion prevailed.

Mr. Talcott moved

That the Senate do now concur in the House amendments to Senate Bill No. 347.

Which motion prevailed, and the amendments were concurred in.

Senate Bill No. 347.

A bill for an Act to amend Section 258 of Chapter 266 of the Session Laws of 1911, relating to high school diplomas.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were ayes 43, nays 0, absent and not voting 7.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Overson
Allen	Gronvold	Plain
Barnes	Heckle	Porterfield
Bond	Helgeland	Putnam
Bonzer	Hookway	Steel
Bronson	Hoverson	Talcott
Carter	Hughes	Thoreson
Cashel	Hyland	Trageton
Clark	Jacobsen	Turner
Duncan	Kretschmar	Vail
Elken	Leutz	Wartner
Englund	Loftsgaard	Williams
Ganssle	McBride	Young
Garden	McLean	
Gibbens	Mudgett	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Davidson	Hanley	Nelson
Davis	Linde	
Englund	McDowell	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

**MESSAGE FROM THE HOUSE.**

Bismarck, N. D., March 6, 1913.

*Mr. President:*

I have the honor to transmit herewith House Bill No. 114, for concurrence on conference committee amendments.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

House Bill No. 114.

A bill for an Act to provide for the making of permanent improvements at the state normal school at Valley City, North Dakota, to assist in the maintenance thereof and for other purposes and make an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill; as amended by conference committee.

The roll was called and there were ayes 42, nays 0, absent and not voting 8.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Plain
Bond	Heckle	Porterfield
Bonzer	Helgeland	Putnam
Bronson	Hoverson	Steel
Carter	Hughes	Talcott
Cashel	Hyland	Thoreson
Clark	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Englund	Loftsgaard	Wartner
Ganssle	McBride	Williams
Garden	McDowell	Young

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Davidson	Hanley	Nelson
Davis	Hookway	Overson
Englund	Linde	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## CONFERENCE COMMITTEE REPORT.

*Mr. President:*

The Conference Committee to whom was referred  
Senate Bill No. 30.

Have had the same under consideration and recommend  
that the same be amended as follows:

That where "Twenty-Eight Thousand" appears in the bill,  
and the same be stricken out and that "Thirty-One Thou-  
sand and Five Hundred" be inserted in lieu thereof. And  
recommend that the Senate concur in the House Amend-  
ments.

And when so amended recommend the same do pass.

J. L. CASHEL  
S. N. PUTNAM.  
M. L. McBRIDE,  
Senate Committee.

N. D. HEDALEN,  
C. C. TURNER,  
ALBERT WEIS,  
House Committee.

Mr. Cashel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Senate Bill No. 30.

A bill for an Act to provide an appropriation for the cur-  
rent and contingent expenses, and for permanent improve-  
ments for the Institution for Feeble Minded, at Grafton,  
North Dakota.

Was read the third time.

The question being on the final passage of the bill; as  
amended by conference committee.

The roll was called and there were ayes 41, nays 0, absent  
and not voting 9.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson

Messrs.—  
Carter  
Cashel  
Clark  
Duncan  
Elken  
Ganssle

Messrs.—  
Garden  
Gibbens  
Gilbert  
Gronvold  
Heckle  
Helgeland

Messrs.—  
 Hoverson  
 Hughes  
 Hyland  
 Jacobsen  
 Kretschmar  
 Loftsgaard  
 McBride  
 McDowell

Messrs.—  
 McLean  
 Mudgett  
 Nelson  
 Overson  
 Plain  
 Porterfield  
 Putnam  
 Steel

Messrs.—  
 Talcott  
 Thoreson  
 Trageton  
 Vail  
 Wartner  
 Williams  
 Young

Absent and not voting:

Messrs.—  
 Davidson  
 Davis  
 Englund

Messrs.—  
 Hanley  
 Hookway  
 Leutz

Messrs.—  
 Linde  
 Turner

Mr. Englund being excused.

So the bill passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE.

*Mr. President:*

Your Conference Committee appointed to confer with a like committee from the House in regard to Senate Bill No. 147, have had the same under consideration and report as follows:

That the Engrossed Bill be amended as follows:

On page 1 and line 7, strike out the figures "\$12,000" and insert in lieu thereof the figures "\$6,000." On page 1 and line 12 of Section 1 of the Engrossed Bill, strike out the figures "\$3,000" and insert in lieu thereof the figures "\$2,500." On page 1 and line 13 of Section 1 of the Engrossed Bill strike out the figures "\$15,000.00" and insert in lieu thereof the figures "\$21,500.00."

On page 1 and line 14 of Section 1 of the Engrossed Bill strike out the figures "\$35,700.00" and insert in lieu thereof the figures "\$35,700.00."

A. L. NELSON.  
 JAMES TURNER. ..  
 F. G. GRONVOLD.  
 W. A. SMALL.  
 BERT ANDERSON.  
 FRANK J. FOX.

Mr. Nelson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

## Senate Bill No. 147.

A bill for an Act to provide for making permanent improvements at the state tuberculosis sanitarium at Dunseith, to assist in the maintenance thereof, and for other purposes and making appropriations therefor.

Was read the third time.

The question being on the final passage of the bill; as amended by conference committee.

The roll was called and there were ayes 42, nays 0, absent and not voting. 8.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gilbert	McLean
Barnes	Gronvold	Mudgett
Bond	Hanley	Nelson
Bonzer	Heckle	Overson
<b>Bronson</b>	Helgeland	Plain
Carter	Hoverson	Porterfield
Cashel	Hughes	Putnam
Clark	Hyland	Steel
Davidson	Jacobsen	Talcott
Duncan	Kretschmar	Thoreson
Elken	Linde	Turner
Ganssle	Loftsgaard	Vail
Garden	McBride	Young

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Hookway	Wartner
Ellingson	Leutz	Williams
Englund	Trageton	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Davidson moved

That we do now concur in the House amendments to Senate Bill No. 175.

Which motion prevailed, and the amendments were concurred in.

## Senate Bill No. 175.

A bill for an Act to amend Section 73 of the Revised Codes of 1905 relating to reports of officers, departments, boards, commissions and state institutions by law required to be made to the Governor and the Legislative Assembly of the

State, requiring the person or persons, having contracts for printing with the state to execute a bond, providing a penalty for failure to make, transmit and print such reports at the time required, and repealing all existing provisions of law inconsistent herewith.

Was read the third time.

The question being on the final passage of the bill; as amended by the House.

The roll was called and there were ayes 40, nays 0, absent and not voting 10.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Grosvold	Mudgett
Allen	Hanley	Nelson
Bonzer	Heckle	Porterfield
Carter	Helgeland	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Duncan	Jacobsen	Trageton
Elken	Kretschmar	Turner
Ellingson	Linde	Vail
Ganssle	Loftsgaard	Wartner
Garden	McBride	Young
Gibbens	McDowell	
Gilbert	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Barnes	Englund	Plain
Bond	Hookway	Williams
Bronson	Leutz	
Davis	Overson	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

#### SENATE COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

The committee on Enrolled and Engrossed Bills made the following report:

*Mr. President:*

Your committee on Enrolled and Engrossed Bills have examined:

Senate Bill No. 146.

A bill for an Act relating to the fish hatchery at Fish Lake, in Rolette County, and making appropriations therefor.

Also,

Senate Bill No. 185.

A bill for an Act for an appropriation to reimburse Prof. E. F. Ladd for disbursements and expenses incurred in the enforcement of the Pure Food Laws.

And find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Mr. Talcott moved

That the Senate do not concur in the House amendment to Senate Bill No. 348.

Which motion prevailed, and the President appointed as such committee, Messrs. Taclott, Hoverson and McDowell.

Mr. Overson moved

That the Senate do now concur in the House amendment to Senate Bill No. 284.

Which motion prevailed, and the amendment was concurred in.

Senate bill No. 284.

A bill for an Act fixing the times and place for holding the general terms of the Supreme Court, providing for special terms in certain cases and fixing the time at which appeals shall be heard.

Was read the third time.

The question being on the final passage of the bill; as amended by the House.

The roll was called and there were ayes 41, nays 0, absent and not voting 9.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Cashel	Ellingson
Allen	Clark	Ganssle
Barnes	Davidson	Garden
Bonzer	Davis	Gilbert
Bronson	Duncan	Grosvold
Carter	Elken	Hanley

Messrs.—	Messrs.—	Messrs.—
Heckle	Loftsgaard	Putnam
Helgeland	McBride	Steel
Hoverson	McDowell	Thoreson
Hyland	McLean	Trageton
Jacobsen	Mudgett	Turner
Kretschmar	Nelson	Vail
Leutz	Overson	Young
Linde	Plain	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bond	Hookway	Talcott
Englund	Hughes	Wartner
Gibbens	Porterfield	Williams

Mr. Englund being excused.

So the bill passed and the title was agreed to.

**REFERENCE OF THE JOURNAL OF THE SENATE.**

The committee on revision and correction of the Journal made the following report:

*Mr. President:*

Your committee on revision and correction of the Journal of the 56th day after recess and 57th day, have carefully examined the same and recommend that the same be corrected as follows:

On page 9, in line 6 strike out the words "Section 1."

On page 9, line 9, strike out the figures "\$9,000.00" and insert in lieu thereof "\$15,000.00." In the same line strike out the figures "\$1000.00" and insert the figures "\$10,000.00."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on revision and correction of the Journal of the 57th day after recess and 58th day, have carefully examined the same and recommend that the same be corrected as follows:

On page 10, line 26, strike out the word "minority" and in-

sert in lieu thereof the word "majority." On page 11, line 35 insert the title of the bill as per proof. On page 16, line 7 after the word "the" insert the word "tax." Also in line 9, strike out the words "as well." In line 10, strike out the word "as," and insert in lieu thereof the word "and." On page 19, after line 13 insert the title of the bill according to the proof. On page 22, line 29, strike out the figures "11" and insert in lieu thereof the figures "10." On page 24, line 15, strike out the figures "1" and insert in lieu thereof the figures "10" on the same line strike out the letter "P" and insert in lieu thereof the letter "A". On page 29, line 27, before the word "and" insert the word "rural," and in line 26, after the word "the" insert the following: "deficiency in the expense of the state inspector of." On page 40, line 19, strike out the word "then" and insert the word "than." On page 50, after line 1, insert the title of the bill according to proof. On page 57 strike out lines 10 and 11 and insert in lieu thereof the words "and when so amended recommend the same do pass." On page 57, strike out line 12 and insert the following: "J. E. Davis, Chairman." Page 62, after line 9, insert the title of the bill according to proof. On page 71 line 14, strike out the word "that." On page 76, line 33, correct the spelling of the word "concurrent." On page 104, line 29, after the word "bureau" insert the word "drafting."

And when so amended recommend that the same be approved.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### REPORT OF STANDING COMMITTEES.

The committee on Mines and Minerals made the following report:

*Mr. President:*

Your committee on Mines and Minerals to whom was referred

#### A CONCURRENT RESOLUTION.

A Concurrent Resolution proposing an amendment to the Constitution of the State of North Dakota, Providing for the sale of all lands, granted by the State under the Act entitled

“An Act to Provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana and Washington to form constitutions and state governments and to be admitted into the Union on an equal footing with the original states and to make donations of public lands to such states, and Reserving to the State the Coal Deposits.”

Have had the same under consideration and recommend that the same do pass.

F. LEUTZ,  
Chairman.

Mr. Leutz moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on Agriculture made the following report:

*Mr. President:*

Your committee on Agriculture to whom was referred

House Bill No. 255.

A bill for an Act to amend and re-enact Chapter 41 of the Session Laws of 1907, Chapter 308 of the Session Laws of 1911 and Section 2083 of the Revised Codes of 1905, relating to the planting of trees and providing a bounty for the encouragement of same.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES DUNCAN,  
Chairman.

Mr. Duncan moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on appropriations made the following report:

*Mr. President:*

Your committee on appropriation to whom was referred

House Bill No. 422.

A bill for an Act to provide funds for the erection, lease or

establishment of a terminal elevator system in the state of Wisconsin, or in the state of Minnesota, or in both said states, and for the maintenance and operating of the same, and for the establishment of additional duties of the Board of Control of State Institutions in relation thereto.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN  
*Chairman.*

Mr. Plain moved

That the report be adopted.

Mr. Jacobson moved

That House Bill No. 422 be referred to the committee of the whole Senate, which motion prevailed.

The committee on Military Affairs made the following report:

*Mr. President:*

Your committee on Military Affairs to whom was referred House Bill No. 335.

A bill for an Act amending and re-enacting Section 1213, Chapter 278, of the Session Laws of 1911, relating to boards of trustees of the soldiers' home.

Have had the same under consideration and recommend that the same be amended as follows:

At the end of Section one of the bill insert the following: "Provided that said compensation and expenses, shall be paid from the funds of said institution, known as "The Soldiers Home Fund."

And when so amended recommend the same do pass.

J. M. HANLEY,  
*Chairman.*

Mr. Hanley moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on Military Affairs to whom was referred House Bill No. 311.

A bill for an Act to amend Section 1217 of the Revised Codes of 1905, relating to funds of soldiers' home. How kept.

Have had the same under consideration and recommend that the same do pass.

J. M. HANLEY,  
Chairman.

Mr. Hanley moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on State Affairs made the following report:

*Mr. President:*

Your committee on State Affairs to whom was referred House Bill No. 239.

A bill for an Act to amend and re-enact Chapter 301 of Session Laws of 1911, relating to auditor's notice of tax sale and providing for the manner of preparing copy for and the publication of auditor's notice of tax sale and for the furnishing of bond by the person or persons publishing the newspapers in which such tax list shall be published.

Have had the same under consideration and report that the same be returned without recommendation.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also,

*Mr. President:*

Your committee on State Affairs to whom was referred House Bill No. 496.

A bill for an Act authorizing county commissioners to submit to the voters of their counties at any general or special election called for that purpose, the question of establishing at the county seat of their county a public market place for

the sale of farm products and the maintenance of such market place.

Have had the same under consideration and report that the same be returned without recommendation.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also.

*Mr. President:*

Your committee on State Affairs to whom was referred  
House Bill No. 482.

A bill for an Act authorizing and directing state board of pardons to reconsider after favorable action has been taken by them of the application of any convict in the state penitentiary for pardon or parole, on their own motion or on the application of interested parties before the release of such convict from the state penitentiary.

Have had the same under consideration and report that the same be returned without recommendation.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also.

*Mr. President:*

Your committee on State Affairs to whom was referred  
House Bill No. 283.

A bill for an Act to prohibit false and misleading advertising of all kinds, and providing a penalty therefor.

Have had the same under consideration and report that the same be returned without recommendation.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also.

*Mr. President:*

Your committee on State Affairs to whom was referred

House Bill No. 248.

A bill for an Act to amend Section 26 of Chapter 62, Laws of 1911, relating to board of control and providing for the commitment of non-resident insane patients to the state hospital by county board of commissioners of insanity.

Have had the same under consideration and report that the same be returned without recommendation.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also.

*Mr. President.*

Your committee on State Affairs to whom was referred

House Bill No. 252.

A bill for an Act to amend Section 8 of Chapter 62 of the Session Laws of 1911, relating to institutions under jurisdiction of the board of control of state institutions

Have had the same under consideration and report that the same be returned without recommendation.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also.

*Mr. President:*

Your committee on State Affairs to whom was referred  
House Bill No. 428.

A bill for an Act entitled "An Act specifying who may be sent to the state reform school and amending Section 10401 of the Revised Codes of North Dakota of 1905."

Have had the same under consideration and recommend that the same do pass.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on Cities and Municipal Corporations made the following report:

*Mr. President:*

Your committee on Cities and Municipal Corporations to whom was referred

House Bill No. 432.

A bill for an Act to amend and re-enact Sections 2792, 2793 and 2804 of the Revised Codes of North Dakota for 1905, relating to special assessments for sewers, water mains, sidewalks and other purposes.

Have had the same under consideration and recommend that the same do pass.

ALFRED STEEL,  
Chairman.

Mr. Steel moved

That the report be adopted.

Which motion prevailed and

The report of the committee was adopted.

The committee on Public Printing made the following report:

*Mr. President:*

Your committee on public printing to whom was referred  
House Bill No. 500.

A bill for an Act to amend and re-enact Sections 44, 45 and 73 of the Revised Codes of North Dakota of 1905, relating to printing and distribution of journals, bills and public documents.

Have had the same under consideration and recommend that the same do pass.

A. L. NELSON,  
Chairman.

Mr. Nelson moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on Education made the following report:

*Mr. President:*

Your committee on Education to whom was referred

House Bill No. 477.

For an Act enabling certain school districts in this state to consolidate and to maintain dormitories for the housing of children and pertaining to the care of school children.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. S. TALCOTT,  
Chairman.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on Railroads made the following report:

*Mr. President:*

Your committee on Railroads to whom was referred

House Bill No. 296.

A bill for an Act providing for stopping of passenger trains at junction points.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. F. GILBERT,  
Chairman.

Mr. Gilbert moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

#### REPORT OF CONFERENCE COMMITTEE.

Your Committee appointed to confer with the like Committee from the House relative to Senate Bill No. 139. For an Act providing for the Cancellation of all North Dakota Live Stock Brands and Marks: Providing for Re-recording of same; Notices to Record Owners; Publication of Notices, Manner of Re-recording the Future Recording: Fees: Expenses; Appropriation: Repeal.

Have had the same under consideration and recommend that the House recede from its amendment.

P. LEUTZ.  
L. C. ALBRECHT.  
O. J. CLARK.  
J. W. CALNAN.  
C. U. CAREY.  
GEO. G. BOPE.

Mr. Leutz moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Mr. Davis moved

A call of the Senate.

Which motion prevailed.

Mr. Nelson gave notice

That he would move for a reconsideration of the vote by which Senate Bill No. 16 was passed.

Mr. Hanley moved

That further proceedings under the call be dispensed with.

Which motion was lost.

Mr. Linde moved

That further proceedings under the call of the House be dispensed with.

Which motion was lost.

Mr. Hanley moved

That the Senate do now adjourn.

Roll call demanded and the question being on the motion to adjourn.

The roll was called and there were 12 ayes, 36 nays, 21 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Kretschmar	McBride
Hanley	Leutz	Porterfield
Hookway	Linde	Wartner
Jacobsen	Loftsgaard	Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Ganssle	Mudgett
Barnes	Garden	Nelson
Bonzer	Gibbens	Overson
Bronson	Gilbert	Plain
Carter	Gronvold	Putnam
Cashel	Heckle	Steel
Clark	Helgeland	Talcott
Davidson	Hoverson	Thoreson
Davis	Hughes	Trageton
Duncan	Hyland	Turner
Elken	McDowell	Vail
Ellingson	McLean	Williams

Absent and not voting, Messrs. Bond and Englund.

Mr. Englund being excused.

So the motion was lost.

Mr. Plain moved

That further proceedings under the call be dispensed with.

Which motion was lost.

Mr. Plain moved

That further proceedings under the call of the Senate be dispensed with.

Which motion prevailed.

### MOTIONS AND RESOLUTIONS.

Mr. Plain moved

That House Bill No. 422 be put on its third reading and final passage.

Mr. Hughes moved

That the vote by which House Bill No. 133 was passed be reconsidered.

Roll call demanded, and the question being on the reconsideration of the vote by which House Bill No. 133 was passed.

The roll was called and there were 25 ayes, 24 nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Gibbens	Overson
Bond	Gronvold	Putnam
Bronson	Heckle	Steel
Davidson	Helgeland	Talcott
Davis	Hughes	Trageton
Duncan	Hyland	Vail
Elken	McDowell	Williams
Ellingson	McLean	
Garden	Nelson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	McBride
Allen	Hookway	Mudgett
Bonzer	Hoverson	McLean
Carter	Jacobsen	Porterfield
Cashel	Kretschmar	Thoreson
Clark	Leutz	Turner
Ganssle	Linde	Wartner
Gilbert	Loftsgaard	Young

Absent and not voting, Mr. Englund.

Mr. Englund being excused.

So the motion prevailed.

MESSAGE FROM THE HOUSE.

Bismarck, North Dakota, March 6th, 1913.

*Mr. President:*

I have the honor to inform you that the House requests the return of Senate Bill No. 121.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also.

*Mr. President:*

I have the honor to inform you that the House requests that Senate Bill No. 20, be returned.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Hanley presiding.

REPORT OF CONFERENCE COMMITTEE.

*Mr. President:*

Your conference committee on Senate Bill No. 121.

A bill for an Act to provide an appropriation for the current and contingent expenses, for the creation of necessary additional buildings, for other necessary improvements and repairs at the State Hospital for the Insane of North Dakota at Jamestown, and for purchasing additional land for the use of such State Hospital.

Beg leave to report that we have had same under consideration and recommend that the printed bill be amended as follows:

In line 7, Section 1, of the printed bill, strike out the words "four hundred nineteen thousand eight hundred," and insert in lieu thereof, the words "Three hundred thirteen thousand five hundred."

In the same line and line eight, strike out the figures "\$419,800.00" and insert in lieu thereof, the figures "\$313,500.00."

Strike out lines, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20,

21 and 22 and insert in lieu thereof, the following:

Power house and equipment.....	\$65,000.00
Tuberculosis hospital .....	100,000.00
Receiving ward .....	100,000.00
Erection of outside ward and farm house.....	30,000.00
Additional water supply .....	10,000.00
Relocation and improvements of two horse barns	1,500.00
Laundry equipment .....	1,000.00
Incidentals .....	2,500.00
Repairs .....	25,000.00
Improvements on grounds .....	1,000.00

Change the figures in the total, so as to read \$313,500.00.

Strike out the Emergency Clause.

And when so amended recommend the same do pass.

C. W. PLAIN,  
ALFRED STEEL,  
WESLEY McDONALD,  
Senate Committee.  
A. M. THOMPSON.  
R. J. GARDINER,  
D. S. LEWIS,  
House Committee.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The question being on the final passage of the bill as amended by conference committee.

Senate Bill No. 121.

A bill for an Act to provide an appropriation for the current and contingent expenses, for the erection of necessary additional buildings, for other necessary improvements and repairs at the State Hospital for the Insane of North Dakota, at Jamestown, and for purchasing additional land for the use of such State Hospital.

Was read the third time.

The question being on the final passage of the bill as amended by conference committee.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Davis	Kretschmar	Turner
Duncan	Loftsgaard	Vail
Elken	Linde	Wartner
Ellingson	Leutz	Williams
Ganssle	McBride	Young
Garden	McDowell	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Gilbert	Mudgett

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Steel moved

That the further consideration of House Bill No. 133 be indefinitely postponed.

Roll call demanded and the question being on the indefinite postponement of the further consideration of House Bill No. 133.

The roll was called and there were 24 ayes, 25 nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Gibbens	Nelson
Bond	Gronvold	Overson
Bronson	Heckle	Putnam
Davidson	Helgeland	Steel
Davis	Hughes	Talcott
Duncan	Hyland	Trageton
Elken	McDowell	Vail
Ellingson	McLean	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Clark	Hookway
Allen	Ganssle	Hoverson
Bonzer	Garden	Jacobsen
Carter	Gilbert	Kretschmar
Cashel	Hanley	Leutz

Messrs.—	Messrs.—	Messrs.—
Linde	Plain	Wartner
Loftsgaard	Porterfield	Young
McBride	Thoreson	
Mudgett	Turner	

Mr. Englund being excused.

So the motion was lost.

Mr. Garden moved

That House Bill No. 133 be put on its third reading and final passage.

Which motion prevailed.

House Bill No. 133,

Being a concurrent resolution providing for the initiative and referendum and the provisions thereof, the recall of public officers and future amendments to the Constitution.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 25 ayes, 24 nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	Mudgett
Allen	Hookway	Plain
Bonzer	Hoverson	Porterfield
Carter	Jacobsen	Thoreson
Cashel	Kretschmar	Turner
Clark	Leutz	Wartner
Ganssle	Linde	Young
Garden	Loftsgaard	
Gilbert	McBride	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Gibbens	Nelson
Bond	Gronyold	Overson
Bronson	Heckle	Putnam
Davidson	Helgeland	Steel
Davis	Hughes	Talcott
Duncan	Hyland	Trageton
Elken	McDowell	Vail
Ellingson	McLean	Williams

Absent and not voting, Mr. Englund.

Mr. Englund being excused.

So the bill was lost.

Mr. Davidson moved

That the vote by which House Bill No. 133 was lost, be reconsidered and the motion to reconsider be laid on the table.

Roll call demanded.

And the question being on the reconsideration of the vote by which House Bill No. 133 was lost and the laying of the motion on the table.

The roll was called and there were 24 ayes, 25 nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Gibbens	Nelson
Bond	Gronvold	Overson
Bronson	Heckle	Putnam
Davidson	Helgeland	Steel
Davis	Hughes	Talcott
Duncan	Hyland	Trageton
Elken	McDowell	Vail
Ellingson	McLean	Young

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	Mudgett
Allen	Hookway	Fin
Bonzer	Hoverson	Porterfield
Carter	Jacobsen	Thoreson
Cashel	Kretschmar	Turner
Clark	Leutz	Wartner
Ganssle	Linde	Williams
Garden	Loftsgaard	
Gilbert	McBride	

Absent and not voting, Mr. England who was excused.

So the motion was lost.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
Bismarck, North Dakota, March 6th, 1913.

*Mr. President:*

I have the honor to inform you that the House requests the return of Senate Bill No. 20.

Also.

I have the honor to inform you that the Speaker has appointed as conferees on the part of the House on Senate Bill No. 106, Messrs. France, Harty, Weis.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

I have the honor to inform you that the Speaker has appointed as conferees on the part of the House on Senate Bill No. 348, Messrs. Dynes, Fritz, Bonzer.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Talcott moved

That the Senate take a recess until 8 o'clock tonight, and that House Bill No. 422 be made a special order for 8:30 o'clock tonight.

Which motion prevailed and

The Senate took a recess.

#### AFTER RECESS.

#### THIRD READING OF BILLS.

House Bill No. 396.

A bill for an Act to provide that notice of foreclosure of mortgages upon personal property shall be given to the county.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 34 ayes, 3 nays, 13 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Hanley	Plain
Barnes	Heckle	Porterfield
Bond	Helgeland	Putnam
Bonzer	Hoverson	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Leutz	Trageton
Davis	Loftsgaard	Turner
Ganssle	McDowell	Williams
Garden	McLean	Young
Gibbens	Mudgett	
Gilbert	Nelson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Duncan	Ellingson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hookway	Overson
Carter	Hughes	Vail
Elken	Kretschmar	Wartner
Englund	Linde	
Gronvold	McBride	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 375.

A bill for an Act to amend Section 2657 of the Revised Codes of 1905, with respect to the revision and adoption of ordinances by cities.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 39 ayes, 0 nays, 11 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	McLean
Allen	Garden	Mudgett
Barnes	Gibbens	Nelson
Bond	Gilbert	Plain
Bonzer	Hanley	Porterfield
Bronson	Heckle	Putnam
Cashel	Helgeland	Steel
Clark	Hoverson	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Leutz	Turner
Elken	Loftsgaard	Williams
Ellingson	McDowell	Young

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Hughes	Overson
Englund	Kretschmar	Vail
Gronvold	Linde	Wartner
Hookway	McBride	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 342.

A bill for an Act to prevent procreation of confirmed criminals, insane, idiots, defectives and rapists; providing for a board of medical examiners and making provision for carrying out the same.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 34 ayes, 4 nays, 12 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ellingson	McLean
Allen	Ganssle	Mudgett
Barnes	Garden	Nelson
Bond	Gibbens	Plain
Bonzer	Gilbert	Porterfield
Bronson	Hanley	Putnam
Cashel	Heckle	Steel
Clark	Hoverson	Talcott
Davidson	Hughes	Turner
Davis	Hyland	Young
Duncan	Leutz	
Elken	McBride	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Helgeland	Loftsgaard	Thoreson
Jacobsen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Kretschmar	Trageton
Englund	Linde	Vail
Gronvold	McBride	Wartner
Hookway	Overson	Williams

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## House Bill No. 71.

A bill for an Act entitled "An Act to amend Section 2783 of the Revised Codes of the State of North Dakota of 1905, relating to cities.

Was read the third time.

Mr. Hughes moved

That the further consideration of House Bill No. 71 be indefinitely postponed.

Roll call demanded and the question being on the indefinite postponement of the House Bill No. 71.

The roll was called and there were 19 ayes, 23 nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Heckle	Nelson
Clark	Hughes	Porterfield
Davis	Jacobsen	Putnam
Duncan	Kretschmar	Talcott
Ganssle	Leutz	Young
Gibbens	Loftsgaard	
Gilbert	McLean	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ellingson	Mudgett
Barnes	Garden	Plain
Bond	Hanley	Steel
Bonzer	Helgeland	Thoreson
Bronson	Hoverson	Trageton
Cashel	Hughes	Turner
Davidson	Linde	Williams
Elken	McDowell	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Hookway	Vail
Englund	McBride	Wartner
Gronvold	Overson	

Mr. Englund being excused.

So the motion was lost.

Mr. Talcott offered the following amendment to House Bill No. 71 and moved its adoption.

Before the word "or" in line 13, Page 1, insert the following: \*

Provided—That the city or the proper authorities of the city must put in a sealed tender at the same time that the

contractors put in theirs, and if their tender is not low, the work must be awarded to the lowest responsible bidder.”

Which motion prevailed and the amendment was adopted.

Mr. Hyland moved that the further consideration of House Bill No. 11 be made a special order for 2:30 p. m. tomorrow.

Which motion was lost.

The question being on the final passage of the bill as amended.

The roll was called and there were 32 ayes, 11 nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	McLean
Barnes	Garden	Mudgett
Bond	Gibbens	Plain
Bonzer	Hanley	Putnam
Bronson	Heckle	Steel
Cashel	Helgeland	Talcott
Clark	Hoverson	Williams
Davidson	Hyland	Vail
Duncan	Kretschmar	Turner
Elken	Linde	Thoreson
Ellingson	McDowell	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Jacobsen	Young
Davis	Leutz	
Gilbert	Loftsgaard	
Hookway	Nelson	
Hughes	Porterfield	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	McBride	Wartner
Englund	Overson	
Gronvold	Trageton	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 238.

A bill for an Act to amend Section 70 of Chapter 266 of the Session Laws of 1911, relating to the purchase of school supplies.

Was read the third time.

Mr. Talcott offered the following amendments, to House Bill No. 238 and moved their adoption:

In line 9 of the printed bill after the word "dollars" insert the following: "Nor less than ten \$10.00 dollars.

In line 10 of the printed bill strike out the words "or separate department thereof."

Which motion prevailed and the amendments were adopted.

Mr. Davidson offered the following amendments to House Bill No. 238 and moved its adoption:

In line 8 of the printed bill strike out the word "shall" and insert in lieu thereof the word "may."

Which motion was lost.

The question being on the final passage of the bill as amended.

The roll was called and there were 39 ayes, 6 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Hanley	Nelson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Carter	Hookway	Putnam
Cashel	Hughes	Steel
Clark	Hyland	Talcott
Davis	Jacobsen	Trageton
Elken	Kretschmar	Williams
Ellingson	Leutz	Young
Ganssle	Linde	Turner
Garden	McDowell	Vail

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bonzer	Duncan	Loftsgaard
Davidson	Hoverson	Thoreson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	McBride	Wartner
Gronvold	Overson	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

### SPECIAL ORDER.

Mr. Plain moved

That the report of the committee on House Bill No. 422, which indefinitely postponed the bill be now adopted.

Mr. Talcott moved

As an amendment that House Bill No. 422 be reported to the Senate without recommendation.

Which amendment prevailed.

Mr. Garden moved

That House Bill No. 422 be now put on its third reading and final passage.

Which motion prevailed.

House Bill No. 422.

A bill for an Act to provide funds for the erection, purchase, lease or establishment of a terminal elevator system in the State of Wisconsin, or in the State of Minnesota, or in both said states, and for the maintenance and operating of the same, and for the establishment of additional duties of the board of control of state institutions in relation thereto.

Was read the third time.

Mr. Garden offered the following amendments to House Bill No. 422 and moved its adoption:

In line 3, page 1, of the printed bill insert after the word "years" the following: "one-half of."

Which motion prevailed and the amendment was adopted.

Mr. Talcott offered the following amendment to House Bill No. 422 and moved its adoption:

In lines 1 and 2 of Section 2, of the printed bill strike out the words "of state institutions of this state."

Which motion prevailed and the amendment was adopted.

Mr. Garden offered the following amendment to House Bill No. 422 and moved its adoption:

In line 8, Section 1, of the printed bill, before the word "equipment" insert the word "leasing."

Which motion prevailed and the amendment was adopted.

Mr. Bronson offered the following amendment to House Bill No. 422, and moved their adoption:

In line 10, of Section 1, of the printed bill after the word "Wisconsin" insert the following: "Or in this State," and strike out the word "both."

Which amendment was lost.

Mr. Elken offered the following amendment to House Bill No. 422, and moved its adoption:

In line 1, Section 1, of the printed bill after the word "dollar" insert the following: "On the present basis of valuation."

Which motion was lost.

Mr. Overson moved the previous question.

The question being

"Shall the main question be now put

The motion prevailed.

The question being on the final passage of the bill as amended.

The roll was called and there were 32 ayes, 16 nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Young	Garden	Leutz
Wartner	Hanley	Linde
Albrecht	Heckle	Loftsgaard
Allen	Helgeland	McBride
Barnes	Hookway	McDowell
Bond	Hoverson	Nelson
Bonzer	Hyland	Trageton
Bronzer	Turner	Porterfield
Clark	Thoreson	Putnam
Davidson	Jacobsen	Talcott
Ellingson	Kretschmar	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Carter	Gibbens	Steel
Cashel	Gilbert	Vail
Davis	McLean	Williams
Duncan	Mudgett	
Elken	Overson	
Ganssle	Plain	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Gronvold	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Garden moved

That the vote by which House Bill No. 422 passed, be reconsidered and the motion to consider be laid on the table.

Which motion prevailed.

House Bill No. 373.

A bill for an Act to provide for the care, maintenance and instruction of blind babies and children under school age.

Mr. Elken offered the following amendments to House Bill No. 373 and moved their adoption:

In line 6, of Section 1, of the engrossed bill before the word "without" insert the following: "inside or."

In line 1, of Section 1, of the printed bill, insert before the word "board" the word "State," and and strike out the word "of State institutions."

Which motion prevailed and the amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 46 ayes, 0 nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McDowell
Allen	Gibbens	McLean
Barnes	Gilbert	Mudgett
Bond	Hanley	Nelson
Bonzer	Heckle	Overson
Bronson	Helgeland	Plain
Carter	Hookway	Porterfield
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Leutz	Wartner
Ellingson	Loftsgaard	Williams
Ganssle	McBride	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Gronvold	Vail
Linde		

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 163.

A bill for an Act to provide for a state budget.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, 0 nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Nelson	Mudgett
Allen	Gilbert	Young
Barnes	Hanley	Overson
Bond	Heckle	Porterfield
Bonzer	Helgeland	Putnam
Bronson	Hookway	Steel
Carter	Hoverson	Talcott
Cashel	Hyland	Thoreson
Clark	Jacobsen	Trageton
Davidson	Kretschmar	Turner
Duncan	Leutz	Vail
Elken	Linde	Wartner
Ganssle	Loftsgaard	Williams
Garden	McBride	Young
Gibbens	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Gronvold	McDowell
Ellingson	Hughes	Plain
Englund		

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 426.

A bill for an Act to amend Section 473 of the Revised Codes of North Dakota for the year 1905, as amended by Chapter 74 of the Session Laws of 1909, relating to the boundaries of, and terms of court in, the Fifth Judicial District.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 40 ayes, 0 nays, 10 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Bond	Carter
Allen	Bonzer	Cashel
Barnes	Bronson	Clark

Messrs.—

Duncan  
Ellingson  
Ganssle  
Garden  
Gilbert  
Gronvold  
Heckle  
Helgeland  
Hookway  
Hyland  
Jacobsen

Messrs.—

Leutz  
Loftsgaard  
McBride  
McDowell  
McLean  
Mudgett  
Nelson  
Overson  
Plain  
Porterfield  
Putnam

Messrs.—

Steel  
Talcott  
Thoreson  
Trageton  
Turner  
Vail  
Wartner  
Williams  
Young

**Absent and not voting:**

Messrs.—

Davidson  
Davis  
Elken  
Englund

Messrs.—

Gibbens  
Hanley  
Hoverson  
Hughes

Messrs.—

Kretschmar  
Linde

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Wartner moved

That the vote by which House Bill No. 426 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Talcott moved

That the Senate do now concur in the House amendments to Senate Bill No. 348, and that the conference committee be discharged.

Which motion prevailed.

House Bill No. 348.

A bill for an Act to amend and re-enact Chapter 196 of the Session Laws of 1909, as amended by Chapter 301 of the Session Laws of 1911, relating to auditor's notice of tax sale.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 45 ayes, 0 nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hookway	Steel
Cashel	Hoverson	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Davis	Leutz	Turner
Duncan	Linde	Vail
Elken	Loftsgaard	Wartner
Ellingson	McBride	Williams
Ganssle	McDowell	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Hughes	Nelson
Garden	Kretschmar	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 420.

A bill for an Act to amend Section 470 of the Revised Codes of 1905 of the State of North Dakota, as amended by Chapter 172 of the Session Laws of 1911, of the State of North Dakota, relating to the boundaries of, and terms of court in, the Second Judicial District.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, 0 nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Hoverson
Allen	Plain	Heckle
Barnes	Porterfield	Helgeland
Bond	Putnam	Hyland
Bonzer	Steel	Jacobsen
Bronson	Talcott	Kretschmar
Carter	Thoreson	Leutz
Cashel	Trageton	Linde
Clark	Turner	Loftsgaard
Davidson	Vail	McBride
Davis	Wartner	McDowell
Duncan	Williams	McLean
Elken	Young	Mudgett
Ellingson	Gilbert	Overson
Ganssle	Gronvold	
Garden	Hanley	

**Absent and not voting:**

Messrs.—  
Englund  
Hookway

Messrs.—  
Hughes

Messrs.—  
Nelson

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Hyland moved

That the vote by which House Bill No. 420 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 421.

A bill for an Act to amend Section 474 of the Revised Codes of North Dakota for 1905, as amended by Chapter 171 of the Laws of 1911, relating to the boundaries of, and terms of court in, the Sixth Judicial district.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 47 ayes, 0 nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson  
Carter  
Cashel  
Clark  
Davidson  
Davis  
Duncan  
Elken  
Ellingson  
McBride  
Garden

Messrs.—  
Gibbens  
Gronvold  
Hanley  
Heckle  
Helgeland  
Hookway  
Hoverson  
Hughes  
Hyland  
Jacobsen  
Kretschmar  
Leutz  
Linde  
Loftsgaard  
McDowell  
McLean

Messrs.—  
Ganssle  
Mudgett  
Overson  
Plain  
Porterfield  
Putnam  
Steel  
Talcott  
Turner  
Vail  
Wartner  
Young  
Williams  
Trageton  
Thoreson

**Absent and not voting:**

Messrs.—  
Englund

Messrs.—  
Gilbert

Messrs.—  
Nelson

Mr. Englund being excused.

The question being on the final passage of the bill.

Mr. Allen moved.

That the vote by which House Bill No. 421 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 377.

A bill for an Act providing for accepting by the State of North Dakota any military reservation, Indian school reservation and all property connected therewith, that the United States may cede or transfer to the State of North Dakota, subject to any conditions and requirements which Congress may make.

Was read the third time.

Mr. Overson offered the following amendment to House Bill No. 377, and moved its adoption:

In line 1, Section 1, of the printed bill, strike out the word "will", and insert in lieu thereof the word "may."

Which motion prevailed and the amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 47 ayes, 0 nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McLean
Allen	Gibbens	Mudgett
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hookway	Steel
Cashel	Hoverson	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Davis	Kretschmar	Turner
Duncan	Ieutz	Vail
Elken	Linde	Wartner
Ellingson	Loftsgaard	Williams
Ganssle	McBride	Young
Garden	McDowell	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Hughes	Nelson

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 294.

A bill for an Act repealing Chapter 233 of the Laws of North Dakota for the year 1911.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, 4 nays, 5 absent, and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Overson
Barnes	Hanley	Plain
Bond	Heckle	Porterfield
Bonzer	Hookway	Putnam
Carter	Hoverson	Steel
Cashel	Jacobsen	Talcott
Clark	Kretschmar	Thoreson
Davis	Leutz	Trageton
Duncan	Linde	Turner
Elken	Loftsgaard	Vail
Ellingson	McBride	Wartner
Ganssle	McDowell	Young
Gibbens	McLean	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Helgeland	Williams
Davidson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Hughes	Nelson
Garden	Hyland	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 179.

A bill for an Act appropriating money for the maintenance and protection of the Military Wood Reservation in Ramsey County, North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, 2 nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Mudgett
Allen	Gibbens	Overson
Barnes	Gilbert	Plain
Bond	Gronvold	Porterfield
Bonzer	Hanley	Putnam
Bronson	Heckle	Steel
Carter	Helgeland	Talcott
Cashel	Hoverson	Thoreson
Clark	Hyland	Trageton
Davidson	Jacobsen	Turner
Davis	Lutz	Vail
Duncan	Loftsgaard	Wartner
Elken	McBride	Williams
Ellingson	McDowell	Young
Ganssle	McLean	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hookway	Linde	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Kretschmar	Nelson
Hughes		

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 45.

A bill for an Act appropriating money for experiments to determine the milling value of cereals, the baking and other chemical properties of the flours produced therefrom and the chemical composition thereof, and providing for the publication of the information thereby obtained and making an appropriation for such work.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, 1 nay, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—

Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson  
Carter  
Cashel  
Clark  
Davidson  
Duncan  
Elken  
Fillingson  
Ganssle  
Gibbens

Messrs.—

Gilbert  
Gronvold  
Heckle  
Helgeland  
Hookway  
Hoverson  
Hyland  
Jacobsen  
Kretschmar  
Leutz  
Linde  
Loftsgaard  
McBride  
McDowell  
McLean

Messrs.—

Mudgett  
Overson  
Plain  
Porterfield  
Putnam  
Steel  
Talcott  
Thoreson  
Trageton  
Turner  
Vail  
Wartner  
Young

Mr. Williams voted in the negative.

Absent and not voting:

Messrs.—

Davidson  
Englund

Messrs.—

Garden  
Hanley

Messrs.—

Hughes  
Nelson

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Talcott moved.

That the Senate do now take a recess until 9:45 o'clock a. m. March 7th 1913.

Which motion prevailed.

And the Senate took a recess.

W. D. AUSTIN,  
Secretary.

FIFTY-NINTH DAY AFTER RECESS AND  
SIXTIETH DAY.

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SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

The Senate convened at 9:45 o'clock A. M.

Pursuant to recess taken.

The President presiding.

REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 23.

A bill for an Act to amend Chapter 290 of the Laws of 1911, relating to property exempt from taxation.

Also,

Senate Bill No. 48.

A bill for an Act entitled, "An Act relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the Food Commissioner of the North Dakota Government Agricultural Experiment Station in relation thereto and providing penalties for the violation thereof.

Also,

Senate Bill No. 85.

A bill for an Act creating a teachers' insurance and retirement fund, and providing for its maintenance and disbursement.

Also,

Senate Bill No. 152.

A bill for an Act relating to the transfer of messages by telegraph companies and penalty for the violation thereof.

Also,

Senate Bill No. 157.

A concurrent resolution for an amendment to the constitution providing for the elective franchise.

Also,

Senate Bill No. 184.

A bill for an Act to provide for the payment of costs and expenses in extradition cases brought under the laws of the United States on application of the governor of this state.

Also,

Senate Bill No. 212.

A bill for an Act to amend and re-enact Sections 2262, 2263 and 2264, Article 47, Chapter 24 of the Revised Codes of 1905, relating to the licensing and bonding of storage companies.

Also,

Senate Bill No. 235.

A bill for an Act to provide for the submission and printing of the requests for appropriations and proposed legislation in advance of the meeting of the Legislature.

Also,

Senate Bill No. 263.

A bill for an Act to amend Section 6245, Chapter 79, of the Revised Codes of North Dakota for 1905, relating to the enforcement of mechanic's liens.

And find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 29.

A bill for an Act to amend Section 2864 of the Revised Codes of North Dakota for 1905, as amended by Chapter 186 of the Session Laws of 1905, and reamended by Chapter 268 of the Session Laws of 1907, relating to the general powers of the boards of trustees of incorporated villages.

Which the House has amended as follows:

In Sub-division 20 of the bill as re-engrossed, after the word "purposes" where the same occurs in line 6 of the re-engrossed bill, insert the words "for a period not exceeding twenty years," such words to be inserted between the said word "purposes" and the comma following.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 31.

A bill for an Act to amend Section 3 of Chapter 209, of the Session Laws of 1909, relating to the selling, offering or exposure of seed for sale.

Which the House has amended as follows:

Have had the same under consideration and recommend that the same be amended as follows:

On page 2 of the engrossed bill strike out all of Section 5. On page 2 of the engrossed bill, strike out the figure "Section 6," and insert in lieu thereof the figure "Section 5." On page 3 of the engrossed bill strike out the figure "Section 7," and insert in lieu thereof the figure "Section 6."

And when so amended recommend the same do pass.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Cashel moved

That the Senate do now concur in the House amendments to Senate Bill No. 29.

Which motion prevailed and

The amendments were concurred in.

Senate Bill No. 29.

A bill for an Act to amend Section 2864 of the Revised Codes of North Dakota for 1905, as amended by Chapter 186 of the Session Laws of 1905, and re-amended by Chapter 268 of the Session Laws of 1907, relating to the general powers of the boards of trustees of incorporated villages.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 28 ayes, no nays, 22 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ellingson	Overson
Barnes	Ganssle	Porterfield
Bond	Gilbert	Talcott
Bonzer	Heckle	Thoreson
Bronson	Helgeland	Trageton
Carter	Hoverson	Turner
Cashel	Kretschmar	Williams
Clark	Loftsgaard	Young
Davidson	McLean	
Duncan	Nelson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Hookway	Mudgett
Davis	Hughes	Plain
Elken	Hyland	Putnam
Englund	Jacobsen	Steel
Garden	Leutz	Vail
Gibbens	Linde	Wartner
Gronvold	McBride	
Hanley	McDowell	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. McLean moved

That the Senate do now concur in the House amendments to Senate Bill No. 31.

Which motion prevailed and

The amendments were concurred in.

## Senate Bill No. 31.

A bill for an Act to amend Section 3 of Chapter 209 of the Session Laws of 1909, relating to the selling, offering or exposure of seed for sale.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 30 ayes, no nays, 20 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Nelson
Barnes	Gilbert	Overson
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Talcott
Carter	Hoverson	Thoreson
Cashel	Kretschmar	Trageton
Clark	Leutz	Turner
Davidson	Loftsgaard	Vail
Duncan	McLean	Williams
Ellingson	Mudgett	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Gronvold	McBride
Bond	Hanley	McDowell
Davis	Hookway	Plain
Elken	Hughes	Putnam
Englund	Hyland	Steel
Garden	Jacobsen	Wartner
Gibbens	Linde	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 193.

A bill for an Act authorizing the Governor of the State of North Dakota to employ chartered public accountants to examine, audit and check the accounts of the several departments of the state government, to list, examine and appraise the securities of all kinds in possession of any of the

state officers, to make a complete appraisal on a date certain of all buildings and property of all kinds belonging to the state, to suggest improvements in bookkeeping and methods of handling the business of the state; extending the duties of the state examiner prescribed in Section 141 of Article 9 of the Political Code of 1905, to cover all examination of the books and accounts of auditor and treasurer of the cities of the State of North Dakota, and prescribing fees therefor; requiring the Governor to make report to the Legislature next succeeding any such examination of the result of such examination, credit and check of the several state departments of the state property by the chartered public accountants by him employed and appropriating money to carry out the provisions of this Act.

Which the House has amended as follows:

On page 4 of the engrossed bill and in line 1 of Section 5, strike the words and figures "twenty-five thousand dollars (\$25,000.00)" and insert in lieu thereof the words and figures "fifteen thousand dollars (\$15,000.00.)"

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Vail moved

That the Senate do now concur in the House amendments to Senate Bill No. 193.

Which motion prevailed and

The amendments were concurred in.

Senate Bill No. 193.

A bill for an Act authorizing the Governor of the State of North Dakota to employ chartered public accountants to examine, audit and check the accounts of the several departments of the state government, to list, examine and appraise the securities of all kinds in possession of any of the state officers, to make a complete appraisal on a date certain of all buildings and property of all kinds belonging to the state, to suggest improvements in bookkeeping and methods of handling the business of the state; extending the duties of the state examiner prescribed in Section 141 of Article 9 of the Political Code of 1905, to cover all examinations of the books and accounts of auditor and treasurer of the cities of the State of North Dakota, and prescribing fees therefor; requiring the Governor to make report to the Legislature next succeeding any such examination of the result of such examination, credit and check of the several

state departments of the state property by the chartered public accountants by him employed and appropriating money to carry out the provisions of this Act.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 30 ayes, no nays, 20 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Overson
Barnes	Heckle	Porterfield
Bond	Helgeland	Putnam
Bonzer	Hoverson	Steel
Bronson	Hughes	Talcott
Carter	Leutz	Thoreson
Clark	Loftsgaard	Trageton
Davidson	McLean	Turner
Duncan	Mudgett	Vail
Ganssle	Nelson	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Gibbens	Linde
Cashel	Gronvold	McBride
Davis	Hanley	McDowell
Elken	Hookway	Plain
Englund	Hyland	Wartner
Ellingson	Jacobsen	Williams
Garden	Kretschmar	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

#### REPORTS OF STANDING COMMITTEES.

The committee on appropriations made the following report:

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 17.

A bill for an Act to provide for the erection of an industrial building and necessary improvements for the school for the deaf at Devils Lake, North Dakota, and making an appropriation therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Thoreson moved  
 That the report be adopted.  
 Which motion prevailed, and  
 The report was adopted.  
 Also.

*Mr. President:*

Your committee on appropriations to whom was referred  
 House Bill No. 211.

A bill for an Act to appropriate money for the maintenance, care and repair of the state park at Fort Abercrombie, in Richland County, North Dakota.

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
 Chairman.

Mr. Ganssle moved  
 That the report be adopted.  
 Which motion prevailed and  
 The report was adopted.  
 Also.

*Mr. President:*

Your committee on appropriations to whom was referred  
 House Bill No. 87.

A bill for an Act relating to the White Stone Hill Memorial Park and making an appropriation therefor.

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
 Chairman.

Mr. Ganssle moved  
 That the report be adopted.  
 Which motion prevailed and  
 The report was adopted.

Also.

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 37.

A bill for an Act making an appropriation for the Dickinson Experiment Station, located in the city of Dickinson.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Gilbert moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also.

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 270.

A bill for an Act to appropriate money for the maintenance, care and repair of the Old Settlers' and Historical Park at Walhalla, in Pembina County, North Dakota.

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Gilbert moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

### THIRD READING OF HOUSE BILLS.

House Bill No. 417.

A bill for an Act to amend and re-enact Chapter 221 of the Session Laws of North Dakota for 1907, entitled "An Act providing for the giving of notice by merchants to their creditors before making sale of their entire stock or business."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 35 ayes, no nays, 15 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Helgeland	Overson
Barnes	Hookway	Porterfield
Bond	Hoverson	Putnam
Bonzer	Hughes	Steel
Bronson	Hyland	Talcott
Carter	Leutz	Thoreson
Clark	Linde	Trageton
Duncan	Loftsgaard	Turner
Elken	McBride	Vail
Ganssle	McLean	Williams
Gilbert	Mudgett	Young
Heckle	Nelson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Englund	Jacobsen
Cashel	Garden	Kretschmar
Davidson	Gibbens	McDowell
Davis	Gronvold	Plain
Ellingson	Hanley	Wartner

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 487.

A bill for an Act to provide for the publication by the state of an unauthenticated edition of the Session Laws, and its distribution.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 35 ayes, no nays, 15 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Barnes	Heckle	Nelson
Bond	Helgeland	Putnam
Bonzer	Hookway	Steel
Bronson	Hoverson	Talcott
Carter	Hughes	Thoreson
Cashel	Hyland	Trageton
Clark	Leutz	Turner
Duncan	Linde	Vail
Elken	Loftsgaard	Williams
Ganssle	McBride	Young
Garden	McLean	

**Absent and not voting:**

Messrs.—

Allen  
Davidson  
Davis  
Ellingson  
Englund

Messrs.—

Gibbens  
Gronvold  
Hanley  
Jacobsen  
Kretschmar

Messrs.—

McDowell  
Overson  
Plain  
Porterfield  
Wartner**Mr. Englund being excused.****So the bill passed and the title was agreed to.****The Secretary announced that the President was about to sign****Senate Bill No. 263.****A bill for an Act to amend Section 6245, Chapter 79, of the Revised Codes of North Dakota for 1905, relating to the enforcement of mechanics' liens.****Senate Bill No. 235.****A bill for an Act to provide for the submission and printing of the requests for appropriations and proposed legislation in advance of the meeting of the legislature.****Senate Bill No. 212.****A bill for an Act to amend and re-enact Sections 2262, 2263 and 2264, Article 47, Chapter 24 of the Revised Codes of 1905, relating to the licensing and bonding of storage companies.****Senate Bill No. 184.****A bill for an Act to provide for the payment of costs and expenses in extradition cases brought under the Laws of the United States on application of the governor of this state.****Senate Bill No. 157.****A concurrent resolution for an amendment to the Constitution providing for the elective franchise.****Senate Bill No. 152.****A bill for an Act relating to the transfer of messages by telegraph companies and penalty for the violation thereof.****Senate Bill No. 85.****A bill for an Act creating a teachers' insurance and retirement fund and providing for its maintenance and disbursement.**

## Senate Bill No. 48.

A bill for an Act entitled "An Act relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the Food Commissioner of the North Dakota Government Agricultural Experiment Station in relation thereto and providing penalties for the violation thereof."

## Senate Bill No. 23.

A bill for an Act to amend Chapter 290 of the Laws of 1911 relating to property exempt from taxation.

And the President signed the same in the presence of the Senate.

## House Bill No. 374.

A bill for an Act to amend Section 2770, of the Revised Codes of 1905, amended by Chapter 46 of the Laws of North Dakota, A. D. 1907, relating to sidewalk special assessment funds.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 34 ayes, 1 nay, 15 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Porterfield
Barnes	Heckie	Putnam
Bond	Helgeland	Steel
Bonzer	Hughes	Talcott
Bronson	Hyland	Thoreson
Carter	Leutz	Trageton
Cashel	Linde	Turner
Clark	Loftsgaard	Vail
Davidson	McBride	Williams
Duncan	McLean	Young
Elken	Nelson	
Ganssle	Overson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Gronvold	Kretschmar
Davis	Hanley	McDowell
Ellingson	Hookway	Mudgett
Englund	Hoverson	Plain
Gibbens	Jacobsen	Wartner

Mr. Garden voted in the negative.

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to inform you that the House herewith returns Senate Bill No. 325.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Talcott moved

That Senate Bill No. 325 be re-referred to the committee on education.

Which motion prevailed.

House Bill No. 459.

A bill for an Act regulating the sweeping of passenger coaches or cars while occupied by passengers and providing for a penalty therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 32 ayes, no nays, 18 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Gilbert	Nelson
Bogd	Heckle	Overson
Bonzer	Hookway	Putnam
Bronson	Helgeland	Steel
Carter	Hoverson	Talcott
Cashel	Hughes	Thoreson
Clark	Hyland	Trageton
Duncan	Linde	Turner
Elken	Loftsgaard	Williams
Ganssle	McBride	Young
Garden	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gronvold	Mudgett
Davidson	Hanley	Plain
Davis	Jacobsen	Porterfield
Ellingson	Kretschmar	Vait
Englund	Leutz	Wartner

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## House Bill No. 358.

A bill for an Act regulating the rules of practice in District, County and Supreme Courts.

Was read the third time.

Mr. Hanley offered the following amendment to House Bill No. 358, and moved its adoption:

In line 1 of Section 3 of the engrossed bill, strike out the word "actions" and insert in lieu thereof the word "acts."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 35 ayes, no nays, 15 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Overson
Barnes	Heckle	Porterfield
Bond	Helgeland	Putnam
Bonzer	Hookway	Steel
Bronson	Hoverson	Talcott
Carter	Hughes	Thoreson
Cashel	Hyland	Trageton
Clark	Leutz	Turner
Davidson	Linde	Vail
<b>Elken</b>	McLean	Williams
Ganssle	Mudgett	Young
Garden	Nelson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Gibbens	Loftsgaard
<b>Davis</b>	Hanley	McBride
Duncan	Gronvold	McDowell
Ellingson	Jacobsen	Plain
Englund	Kretschmar	Wartner

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## House Bill No. 409.

A bill for an Act authorizing the establishment of nurseries under the supervision of a state forester, providing for the distribution of seeds and forest trees, seedlings to institutions and land owners of the state.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 34 ayes, no nays, 16 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Nelson
Barnes	Heckle	Overson
Bonzer	Helgeland	Putnam
Bronson	Hookway	Steel
Carter	Hoverson	Talcott
Cashel	Hughes	Thoreson
Clark	Hyland	Trageton
Duncan	Linde	Turner
Elken	Loftsgaard	Williams
Ellingson	McBride	Young
Ganssle	McLean	
Garden	Mudgett	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Gronvold	Plain
Bond	Hanley	Porterfield
Davidson	Jacobsen	Vail
Davis	Kretschmar	Wartner
Englund	Leutz	
Gibbens	McDowell	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 361.

A bill for an Act to amend Section 1350 of the Revised Codes of 1905, as amended in Chapter 148 of the Laws of 1911, relating to laying out, altering or discontinuing roads.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 35 ayes, no nays, 15 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Nelson
Barnes	Gilbert	Overson
Bond	Heckle	Porterfield
Bonzer	Helgeland	Putnam
Bronson	Hookway	Steei
Carter	Hughes	Talcott
Cashel	Hyland	Thoreson
Clark	Linde	Trageton
Davis	Loftsgaard	Turner
Duncan	McBride	Williams
Elken	McLean	Young
Ganssle	Mudgett	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Allen	Gronvold	Leutz
Davidson	Hanley	McDowell
Ellingson	Hoverson	Fiain
Englund	Jacobsen	Vail
Gibbens	Kretschmar	Wartner

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Porterfield moved

That the Senate do not concur in the House amendments to Senate Bill No. 136 and that a conference committee be appointed.

Which motion prevailed and

The President appointed as such committee, Messrs. Leutz Hughes and Talcott.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined.

Senate Bill No. 144.

A bill for an Act to amend and re-enact Section 3147 of the Revised Codes of North Dakota for the year 1905, relating to duties of township treasurers and the method of drawing township funds from the county treasurer.

Also,

Senate Bill No. 89.

A bill for an Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Also,

Senate Bill No. 174.

A bill for an Act repealing Section 7 of Chapter 235 of Session Laws of 1911, relating to the payment of premium on bonds and insurance.

And find the same correctly enrolled.

O. O. TRAGETON,  
Acting Chairman.

Mr. Trageton moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The Secretary announced that the President was about to sign

Senate Bill No. 174.

A bill for an Act repealing Section 7 of Chapter 235 of Session Laws of 1911, relating to the payment of premium on bonds and insurance.

Senate Bill No. 89.

A bill for an Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Senate Bill No. 144.

A bill for an Act to amend and re-enact Section 3147 of the Revised Codes of North Dakota for the year 1905, relating to duties of township treasurers and the method of drawing township funds from the county treasurer.

And the President signed the same in the presence of the Senate.

House Bill No. 234.

A bill for an Act to amend Section 19 of Chapter 169 of the Laws of 1907, entitled "An Act to establish the live stock sanitary board of North Dakota and to provide for the suppression and control of dangerous, contagious and infectious diseases of domestic animals," and the amendments thereto, Chapter 37, Session Laws of 1909.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 39 ayes, no nays, 11 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Bond  
Bonzer  
Bronson  
Cashel  
Clark

Messrs.—  
Davis  
Duncan  
Ellingson  
Garden  
Gilbert  
Heckle  
Helgeland

Messrs.—  
Hookway  
Hoverson  
Hughes  
Hyland  
Kretschmar  
Linde  
Loftsgaard

Messrs.—  
 McBride  
 McDowell  
 McLean  
 Mudgett  
 Nelson  
 Overson

Messrs.—  
 Plain  
 Porterfield  
 Putnam  
 Steel  
 Talcott  
 Thoreson

Messrs.—  
 Trageton  
 Turner  
 Vail  
 Wartner  
 Williams  
 Young

Absent and not voting:

Messrs.—  
 Barnes  
 Carter  
 Davidson  
 Elken

Messrs.—  
 Englund  
 Ganssle  
 Gibbens  
 Gronvold

Messrs.—  
 Hanley  
 Jacobsen  
 Leutz

Mr. Englund being excused.

So the bill passed and the title was agreed to.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

March 7th, 1913.

*Mr. President:*

I have the honor to inform you that the Speaker has appointed as conferees on the part of the House on Senate Bill No. 136, Messrs. Twichell, Hill of Bottineau, Gardiner.

Very respectfully,

M. J. GEORGE,  
 Chief Clerk.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 253.

A bill for an Act fixing the terms of court in the Twelfth Judicial District.

Also,

Senate Bill No. 256.

A bill for an Act to require dealers selling or disposing of second-hand furniture or wearing apparel to disinfect the same before offering same for sale.

Also,

Senate Bill No. 270.

A bill for an Act to amend Section 2272 of the Revised Codes of the State of North Dakota for the year 1905, relating to the storage of unclaimed goods, wares and merchandise carried by railroads and transportation companies.

And find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

House Bill No. 448.

A bill for an Act to amend Section 2589 of the Revised Codes of 1905, as amended by Chapter 119 of the Session Laws of 1909, relating to fees in county court.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 35 ayes, no nays, 15 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Helgeland	Overson
Allen	Hookway	Plain
Bond	Hoverson	Porterfield
Bonzer	Hughes	Putnam
Bronson	Hyland	Steel
Carter	Kretschmar	Thoreson
Cashel	Linde	Trageton
Clark	Loftsgaard	Vail
Duncan	McBride	Wartner
Elken	McLean	Williams
Garden	Mudgett	Young
Gilbert	Nelson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Barnes	Ganssle	Jacobsen
Davidson	Gibbens	Leutz
Davis	Gronvold	McDowell
Ellingson	Hanley	Talcott
Englund	Heckle	Turner

Mr. Englund being excused.

So the bill passed and the title was agreed to.

The President pro tempore presiding.

House Bill No. 453.

A bill for an Act to amend Section 9 of Chapter 80 of the Session Laws of North Dakota for the year 1909, relating to practice in county courts having increased jurisdiction.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 35 ayes, 3 nays, 12 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Bonzer	Heckle	Overson
Bronson	Helgeland	Plain
Cashel	Hoverson	Porterfield
Clark	Hughes	Putnam
Duncan	Hyland	Steel
Elken	Kretschmar	Trageton
Ellingson	Loftsgaard	Turner
Ganssle	McBride	Vail
Garden	McDowell	Wartner
Gibbens	McLean	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bond	Hookway	Linde

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Barnes	Englund	Talcott
Carter	Hanley	Thoreson
Davidson	Jacobsen	Williams
Davis	Leutz	Young

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 242.

A bill for an Act to prohibit the soliciting or receiving of gratuities or tips by patrons or employes of public places or public service corporations; and prohibiting the giving or tendering of tips or gratuities and providing a penalty for the violation of this Act.

Was read the third time.

Mr. Wartner moved

That further consideration of House Bill No. 242 be indefinitely postponed.

Which motion prevailed and

The further consideration of the bill was indefinitely postponed.

House Bill No. 159.

A bill for an Act to amend Section 2607 of the Revised Codes of North Dakota for 1905, relating to coroner fees.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 32 ayes, 3 nays, 15 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hookway	Nelson
Allen	Hoverson	Overson
Barnes	Hughes	Plain
Bond	Hyland	Porterfield
Bonzer	Kretschmar	Putnam
Cashel	Linde	Steel
Clark	Loftsgaard	Thoreson
Duncan	McBride	Turner
Gibbens	McDowell	Vail
Gilbert	McLean	Williams
Helgeland	Mudgett	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Trageton	Wartner

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Englund	Heckle
Davidson	Ganssle	Jacobsen
Davis	Garden	Leutz
Elken	Gronvold	Talcott
Ellingson	Hanley	Young

Mr. Englund being excused.

So the bill passed without the emergency clause and the title was agreed to.

House Bill No. 341.

A bill for an Act to amend Section 8 of Chapter 177, Session Laws of 1911, relating to dependent and neglected children.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 33 ayes, no nays, 17 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Overson
Allen	Helgeland	Plain
Bond	Hookway	Porterfield
Bonzer	Hoverson	Putnam
Bronson	Hyland	Steel
Cashel	Linde	Thoreson
Clark	Loftsgaard	Trageton
Duncan	McBride	Turner
Elken	McLean	Vail
Garden	Mudgett	Wartner
Gibbens	Nelson	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Ganssle	Kretschmar
Barnes	Gronvold	Leutz
Davidson	Hanley	McDowell
Davis	Heckle	Talcott
Ellingson	Hughes	Young
Englund	Jacobsen	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

The President presiding.

House Bill No. 415.

A bill for an Act to amend Section 2386 of the Revised Codes of 1905, providing for the increase or diminishing of the number of county commissioners.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 32 ayes, 5 nays, 13 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ellingson	Mudgett
Allen	Gibbens	Overson
Barnes	Gilbert	Porterfield
Bond	Hookway	Putnam
Bonzer	Hoverson	Steel
Bronson	Hyland	Thoreson
Cashel	Linde	Trageton
Clark	Loftsgaard	Vail
Davis	McBride	Wartner
Duncan	McDowell	Williams
Elken	McLean	

Those voting in the negative were:

Messrs.—  
Helgeland  
Hughes

Messrs.—  
Nelson  
Turner

Messrs.—  
Young

Absent and not voting:

Messrs.—  
Carter  
Davidson  
Englund  
Ganssle  
Garden

Messrs.—  
Gronvold  
Hanley  
Heckle  
Jacobsen  
Kretschmar

Messrs.—  
Leutz  
Plain  
Talcott

Mr. Englund being excused.

So the bill passed and the title was agreed to.

The Secretary announced that the President was about to sign .

House Bill No. 228.

Being a bill for an Act declaring to be common nuisances any house, building, room or place where gambling paraphernalia is kept, and where persons resort, or are permitted to resort, for gambling or disorderly purpose, and prescribing remedies for the prevention, and penalties for the violation of the same.

House Bill No. 340.

A bill for an Act amending Section 2 of Chapter 128 of the Session Laws of North Dakota for 1905, being Section 8878 of the Revised Codes of North Dakota for 1905.

House Bill No. 111.

A bill for an Act to provide for the non-partisan nomination and election of the state superintendent of public instruction and county superintendent of schools.

House Bill No. 389.

A bill for an Act to amend Section 5 of Chapter 109 of the Laws of 1907, relating to primary elections.

House Bill No. 372.

A bill for an Act to amend Section 4588 of the Revised Codes of North Dakota of 1905, relating to the powers of cemetery corporations.

House Bill No. 314.

Being a bill for an Act to legalize deeds, judgments and decrees.

**House Bill No. 82.**

A bill for an Act to regulate the manufacture of pneumatic rubber tires for motor vehicles and to prevent fraud and deception in the sale thereof.

**House bill No. 225.**

A bill for an Act to amend Section 10 of Chapter 129, Laws of 1911, relating to charitable contributions by candidates.

**House Bill No. 423.**

A bill for an Act to amend Sections 628, 629 and 631 of the Revised Codes of North Dakota of 1905, relating to elections.

**House Bill No. 13.**

A bill for an Act to amend Chapter 170 of the Laws of 1907, entitled an Act indemnifying owners for animals killed or destroyed according to law for being affected with the disease known as glanders.

**House Bill No. 114.**

A bill for an Act to provide for the making of permanent improvements at the state normal school at Valley City, North Dakota, to assist in the maintenance thereof and for other purposes and make an appropriation therefor.

And the President signed the same in the presence of the Senate.

**House Bill No. 168.**

A bill for an Act to regulate in certain class of cases, the entry by county auditors of notations of prior tax sales of land upon the tax lists for subsequent years; and when and how empowered to erase, cancel and annul any already entered and noted in cases of that same class.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 40 ayes, no nays, 10 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson

Messrs.—  
Carter  
Cashel  
Clark  
Duncan  
Ellingson  
Garden

Messrs.—  
Gibbens  
Gilbert  
Gronvold  
Heckle  
Helgeland  
Hookway

Messrs.—  
 Hoverson  
 Hughes  
 Hyland  
 Jacobsen  
 Linde  
 Loftsgaard  
 McBride  
 McDowell

Messrs.—  
 McLean  
 Mudgett  
 Nelson  
 Overson  
 Porterfield  
 Putnam  
 Steel  
 Thoreson

Messrs.—  
 Trageton  
 Turner  
 Vail  
 Wartner  
 Williams  
 Young

**Absent and not voting:**

Messrs.—  
 Davidson  
 Davis  
 Elken  
 Englund

Messrs.—  
 Ganssle  
 Hanley  
 Kretschmar  
 Leutz

Messrs.—  
 Plain  
 Talcott

Mr. Englund being excused.

So the bill passed and the title was agreed to.

The Secretary announced that the President was about to sign

**Senate Bill No. 270.**

A bill for an Act to amend Section 2272 of the Revised Codes of the State of North Dakota for the year of 1905, relating to the storage of unclaimed goods, wares and merchandise carried by railroads and transportation companies.

**Senate Bill No. 256.**

A bill for an Act to require dealers selling or disposing of second-hand furniture to disinfect the same before offering such furniture for sale or exchange.

**Senate Bill No. 253.**

A bill for an Act fixing the terms of court in the Twelfth Judicial District.

A bill for an Act to provide that portions of the grounds belonging to the state tuberculosis sanitarium may be leased to individuals, firms, corporations, associations or societies for the purpose of erecting cottages for patients afflicted with tuberculosis when such property is used exclusively for charitable purposes.

And the President signed the same in the presence of the Senate.

House Bill No. 338.

A bill for an Act to establish a day in the State of North Dakota to be known as "Mother's Day."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, 1 nay, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McLean
Allen	Gibbens	Mudgett
Barnes	Gilbert	Nelson
Bond	Gronvold	Porterfield
Bonzer	Heckle	Putnam
Bronson	Hookway	Steel
Carter	Hoverson	Talcott
Cashel	Hughes	Thoreson
Clark	Hyland	Trageton
Davidson	Jacobsen	Turner
Duncan	Kretschmar	Wartner
Elken	Loftsgaard	Williams
Ellingson	McBride	Young
Ganssle	McDowell	

Mr. Helgeland voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Leutz	Plain
Englund	Linde	Vail
Hanley	Overson	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 98.

A bill for an Act to prohibit the importation, manufacture, distribution, transportation, sale or use of snuff or any substitute therefor and providing a penalty therefor and to repeal Chapter 277 of the Session Laws of North Dakota of 1911.

Also,

Senate Bill No. 183.

A bill for an Act to amend Section 1531 of the Revised Codes of 1905, relating to the State Board of Equalization, how constituted, its meetings, rules for equalizing.

Also,

Senate Bill No. 280.

A bill for an Act defining minority as regards persons sentenced to the state reform school.

And find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

House Bill No. 239.

A bill for an Act to amend and re-enact Chapter 301 of the Session Laws of 1911, relating to auditor's notice of tax sale, and providing for the manner of preparing copy for, and the publication of, the auditor's notice of tax sale, and for the furnishing of bond by the person or persons publishing the newspapers in which such tax list shall be published.

Was read the third time.

Mr. Davidson offered the following amendments to House Bill No. 239 and moved their adoption:

Amend the following, after the word "property" in Section 1, line 7 of engrossed bill, insert the following: "on the first Monday in October the county treasurer shall make and deliver to the county auditor a certified list of uncollected delinquent taxes of the preceding year, giving the full description of the property and name of the party to whom assessed."

In line 12 of engrossed bill, Section 1, strike out the word "S" and insert in lieu thereof the word "A."

Also in line 19, same Section, strike out the word "Monday" and insert in lieu thereof the word "day."

In Section 1, in line 19, strike out "October" and insert in lieu thereof the word "December."

In Section 2, line 7 of the engrossed bill after the word "subscribers" add a period and strike out the following: "Residing in said county."

In Section 2, line 50 of engrossed bill, strike out the word "auditor" and insert in lieu thereof the word "treasurer."

In Section 2, line 40, engrossed bill, after the word "sold," add a comma and insert the following: "The name of the owner, (comma) as the records appear," (comma.)

Which motion prevailed and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 31 ayes, 1 nay, 18 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McDowell
Allen	Gilbert	Mudgett
Barnes	Gronvold	Plain
Bond	Heckle	Porterfield
Bonzer	Helgeland	Putnam
Bronson	Hoverson	Steel
Carter	Hughes	Thoreson
Clark	Hyland	Trageton
Davidson	Linde	Turner
Ellingson	Loftsgaard	
Ganssle	McBride	

Mr. Young voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Cashel	Hanley	Nelson
Davis	Hookway	Overson
Duncan	Jacobsen	Talcott
Elken	Kretschmar	Vail
Englund	Leutz	Wartner
Gibbens	McLean	Williams

Mr. Englund being excused.

So the bill passed and the title was agreed to.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to inform you that the House declines to concur in the Senate amendments to House Bill No. 392

and asks for a committee on conference, and the Speaker has named as such conferees on the part of the House, Messrs. Williams, Buck and Blakemore.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to inform you that the House declines to concur in the Senate amendments to House Bill No. 179, and asks for a committee on conference, and the Speaker has named as such conferees on the part of the House, Messrs. Anderson, C. C. Turner and Hill of Cass.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Plain moved

That House Bill No. 133 be recalled from the House.

Which motion prevailed.

Mr. Davis moved

That a committee of three be appointed by the President to investigate how House Bill No. 133 was sent over to the House and to see how the records show.

Which motion prevailed and

The President appointed as such committee, Messrs. Davis, Hyland and Garden.

Mr. Elken moved

That the Senate do now take a recess until 1:00 P. M.

Which motion prevailed and

The Senate took a recess.

#### AFTER RECESS.

The Secretary announced that the President was about to sign

Senate Bill No. 98.

A bill for an Act to amend Chapter 277 of the Session Laws of 1911, prohibiting the Importation, manufacture, distribution, transportation, sale or use of snuff, and providing a penalty therefor.

**Senate Bill No. 280.**

A bill for an Act defining minority as regards persons sentenced to the state reform school.

**Senate Bill No. 183.**

A bill for an Act to amend Section 1531 of the Revised Codes of 1905, relating to the state board of equalization, how constituted, its meetings, rules for equalizing.

**Senate Bill No. 288.**

A bill for an Act to amend and re-enact Sections 9987 and 10078, of the Revised Codes of North Dakota for 1905, relating to instructions in criminal cases, and to repeal Section 9988 thereof.

**Senate Bill No. 206.**

A bill for an Act to amend and re-enact Section 11 of Chapter 210 of the Laws of North Dakota for 1909, relating to seed grain, contract for re-payment and delinquent payments extended on tax list.

**Senate Bill No. 173.**

A bill for an Act to amend Section 1972, Section 1973 as amended by Chapter 117 of the Laws of 1907, and Section 1974 of the Revised Codes of 1905, relating to notice of taking up estrays.

And the President signed the same in the presence of the Senate.

**REPORTS OF STANDING COMMITTEES.**

The committee on enrolled and engrossed bills made the following report:

***Mr. President:***

Your committee on enrolled and engrossed bills have examined

**Senate Bill No. 245.**

A bill for an Act to provide for the establishment, equipment and government of a cottage or cottages on the site at Dunseith of the State Tuberculosis Sanitarium by any Fraternal Corporation or Society, organized under the laws of this state or authorized to do business in this state, for the treatment of all members of such corporation or society or members of their families affected with pulmonary tuberculosis.

Also,

Senate Bill No. 292.

A bill for an Act to amend and re-enact Section 1, Chapter 168 of the Session Laws of 1911, defining to the Tenth Judicial District and providing for holding terms of court therein.

Also,

Senate Bill No. 294.

A bill for an Act to amend Sections 8, 9 and 10 of Chapter 137 of the Session Laws of 1907, relating to the time and manner of levying taxes in each county in order to raise funds to pay the amount chargeable to the county for the care, board and treatment of patients in the hospital for the insane, and fixing the time when such payments shall be made into the state treasury and providing a penalty for failure to make such payments.

Also,

Senate Bill No. 319.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the establishment and location of a state hospital for the insane.

Also,

Senate Bill No. 342.

A bill for an Act to amend Section 80 of Chapter 266 of the Session Laws of 1911, relating to board of inspection.

Also,

Senate Bill No. 343.

A bill for an Act to amend and re-enact Section 81 of Chapter 266 of the Session Laws of 1911, relating to school house sites.

Also,

Senate Bill No. 344.

A bill for an Act to repeal Section 43½ of Chapter 266 of the Session Laws of 1911, relating to boundaries of school districts.

Also,

Senate Bill No. 347.

A bill for an Act to amend Section 258 of Chapter 266

of the Session Laws of 1911, relating to high school diplomas.

Also,

Senate Bill No. 340.

A bill for an Act to repeal Section 28 of Chapter 266 of the Session Laws of 1911, relating to office, postage and stationery of county superintendents.

And find the same correctly enrolled.

F. T. GRONVOLD,  
Acting Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 173.

A bill for an Act to amend Section 1972, Section 1973 as amended by Chapter 117 of the Laws of 1907, and Section 1974 of the Revised Codes of 1905, relating to notice of taking up estrays.

Also,

Senate Bill No. 206.

A bill for an Act to amend and re-enact Section 11 of Chapter 210 of the Laws of North Dakota for 1909, relating to seed grain, contract for re-payment and delinquent payments extended on tax list.

Senate Bill No. 288.

A bill for an Act to amend and re-enact Sections 9987 and 10078 of the Revised Codes of North Dakota for 1905, relating to instructions in criminal cases and to repeal Section 9988 thereof.

And find the same correctly enrolled.

W. P. PORTERFIELD,  
Acting Chairman.

Mr. Porterfield moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on public health made the following report:

*Mr. President:*

Your committee on public health to whom was referred House Bill No. 378.

A bill for an Act to amend Sections 259, 262, 263, 264, 267, 275, 3116 and 3117 of the Revised Codes of 1905, relating to county and township boards of health and relating to the meetings and duties of officers of county boards of health.

Have had the same under consideration and recommend that the same do pass.

F. T. GRONVOLD,  
Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on corporations other than municipal made the following report:

*Mr. President:*

Your committee on corporations other than municipal to whom was referred

House Bill No. 165.

A bill for an Act to define co-operative associations to authorize their incorporation, and to declare an emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

H. P. JACOBSEN,  
Chairman.

Mr. Jacobsen moved

That the report be adopted.

Which motion prevailed.

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred

House Bill No. 293.

A bill for an Act to appropriate money for the expenses of the state government and for other purposes, to Section 1737 of the Revised Codes of 1905 as amended, etc., etc., etc.

Have had the same under consideration and recommend that the same be amended as follows:

Change the item "stenographers, Supreme Court, (4), \$9,000.00, in the engrossed bill, so as to read as follows: "stenographers, Supreme Court, (5), \$11,250.00."

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on appropriations to whom was referred

House Bill No. 274.

A bill for an Act authorizing the board of trustees of public property to acquire for the state, by purchase or condemnation proceedings in the name of the state, additional land for capitol park and site purposes and making an appropriation therefor.

Have had the same under consideration and recommend that the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and  
The report was adopted.

The committee on insurance made the following report:

*Mr. President:*

Your committee on insurance to whom was referred  
House Bill No. 424.

A bill for an Act to repeal Chapter 145 of the Laws of  
1907.

Have had the same under consideration and recommend  
that the same do pass.

JOHN E. WILLIAMS,  
Chairman.

Mr. Plain moved  
That the report be adopted.  
Which motion prevailed and  
The report was adopted.  
Also.

*Mr. President:*

Your committee on insurance to whom was referred  
House Bill No. 27.

A bill for an Act to prohibit insurance companies and  
their agents from rebating, discrimination and twisting.

Have had the same under consideration and recommend  
that the same do pass.

JOHN E. WILLIAMS,  
Chairman.

Mr. Plain moved  
That the report be adopted.  
Which motion prevailed and  
The report was adopted.  
Also,

*Mr. President:*

Your committee on insurance to whom was referred

House Bill No. 406.

A bill for an Act to amend Chapter 156 of the Laws of 1907.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN E. WILLIAMS.  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also

*Mr. President:*

Your committee on insurance to whom was referred

House Bill No. 330.

A bill for an Act to amend and re-enact Section 4463 of the Revised Codes of 1905 relating to conditions of admission of foreign insurance companies.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN E. WILLIAMS.  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The Secretary announced that the President was about to sign

Senate Bill No. 245.

A bill for an Act to provide for the establishment, equipment and government of a cottage or cottages on the site at Dunseith of the State Tuberculosis Sanitarium by any Fraternal Corporation or Society, organized under the laws

## Senate Bill No. 292.

A bill for an Act to amend and re-enact Chapter 168 of the Session Laws of 1911, relating to the Tenth Judicial District.

## Senate Bill No. 294.

A bill for an Act to amend Sections 8, 9, and 10 of Chapter 137 of the Session Laws of 1907, relating to the time and manner of levying taxes in each county in order to raise funds to pay the amount chargeable to the county for the care, board and treatment of patients in the hospital for the insane, and fixing the time when such payments shall be made into the state treasury and providing a penalty for the failure to make such payments.

## Senate Bill No. 319.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the establishment and location of a state hospital for the insane.

## Senate Bill No. 342.

A bill for an Act to amend Section 80 of Chapter 266 of the Session Laws of 1911, relating to board of inspection.

## Senate Bill No. 343.

A bill for an Act to amend and re-enact Section 81 of Chapter 266 of the Session Laws of 1911, relating to school house sites.

## Senate Bill No. 344.

A bill for an Act to repeal Section 43½ of Chapter 266 of the Session Laws of 1911, relating to boundaries of school districts.

## Senate Bill No. 347.

A bill for an Act to amend Section 258 of Chapter 266 of the Session Laws of 1911, relating to high school diplomas.

## Senate Bill No. 340.

A bill for an Act to repeal Section 28 of Chapter 266 of the Session Laws of 1911, relating to office, postage and stationery of county superintendents.

And the President signed the same in the presence of the Senate.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to inform you that the House herewith returns House Bill No. 133.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to inform you that the House requests the return of Senate Bill No. 325.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred House Bill No. 119.

A bill for an Act authorizing the court or judges to remove officers for misfeasance, malfeasance or nonfeasance in office, and providing the method of procedure therefor.

Have had the same under consideration and recommend that the same do pass.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed.

The report was adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to inform you that the House declines to concur in the Senate amendments to House Bill No. 71, and

asks for a committee on conference, and (the Speaker has named as such conferees on the part of the House, Messrs. Dosseth, Homan and Putnam.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to transmit herewith the following concurrent resolution:

*Whereas*, The Thirteenth Legislative Assembly of the State of North Dakota has passed laws prohibiting the sale of cigarettes and snuff in this state, and

*Whereas*, Several other states have passed similar laws, and

*Whereas*, The common violators of these and any other prohibition laws are now planning the importation of cigarettes and snuff by parcels post in defiance of the laws of this and other states, and

*Whereas*, Said laws have been enacted for the purpose of being enforced,

*Now, Therefore, Be It Resolved*, by the House of Representatives of the State of North Dakota, the Senate concurring:

That we urge upon our Senators and Representatives in Congress of the United States to use their best efforts and influence toward securing the passage of an Act of Congress prohibiting the use of the parcels post for the mailing of cigarettes or snuff or any substitute therefor, addressed to any post office within the State of North Dakota, or any other state having such anti-cigarette and anti-snuff laws, and to prevail upon the Postmaster General to promulgate rules and regulations of the Post Office Department that will prevent the use of the Parcels Post to evade state laws.

*Be It Further Resolved*, That a copy of these resolutions be mailed by the Secretary of State to each of our Senators and Representatives in Congress of the United States.

Which the House adopted and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Thoreson moved

That the House concurrent resolution in regard to the mailing of cigarettes and snuff be adopted.

Mr. Jacobsen moved

As an amendment that the resolution be referred to the committee on state affairs.

Which motion prevailed.

Mr. Overson moved

That a conference committee be appointed to confer with the conference committee from the House on House Bill No. 71.

Which motion prevailed and

The President appointed as such committee, Messrs. Hughes, Porterfield and Steel.

Mr. Talcott moved

That Senate Bill No. 325 be returned to the House as requested and that the House be requested to advise how they could indefinitely postpone the bill when it was in the possession of the Senate.

Which motion prevailed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 260.

A bill for an Act entitled "An Act to amend Section 2 of Chapter 265 of the Session Laws of 1911, relating to establishment and maintenance, and improvements and equipment of a County Agricultural and Training School, and providing levies therefor."

Also,

Senate Bill No. 218.

A bill for an Act to amend Section 4190, Article 2 of Chapter 11 of the Revised Codes of the State of North Dakota of 1905, relating to the disposition of fees collected for the filing of the annual reports of corporations.

Also,

Senate Bill No. 349.

A bill for an Act to amend Section 1 of Chapter 162 of the Session Laws of 1911, relating to county mutual companies.

Also,

Senate Bill No. 315.

A bill for an Act providing for the labeling of meats from animals affected with contagious or infectious disease, and prescribing a penalty for violation thereof.

Also,

Senate Bill No. 223.

A bill for an Act to provide for the creation of a fire marshal department under the management of the commissioner of insurance, for the better protection and preservation of life and property from fire; for the appointment of a fire marshal and chief assistant marshal; defining their duties and powers; providing penalty for the violation thereof and means for the enforcement of the provisions of this Act and to provide for a tax upon mutual fire insurance companies therefor.

Also,

Senate Bill No. 213.

A bill for an Act to amend and re-enact Sections 2198, 2200, 2201 and 2202, Article 41, Chapter 24 of the Revised Codes of 1905, relating to the bonding and licensing of commission merchants.

Also,

Senate Bill No. 127.

A bill for an Act relating to the employment and compensation of prisoners confined in the state penitentiary, and making an appropriation therefor.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Overson moved

That a conference committee be appointed to confer with the conference committee from the House on House Bill No. 179.

Which motion prevailed and

The President appointed as such committee, Messrs. Hyland, Hanley and Heckle.

Mr. Overson moved

That a conference committee be appointed to confer with the conference committee from the House on House Bill No. 392.

Which motion prevailed and

The President appointed as such committee, Messrs. Bond, Bronson and Carter.

### THIRD READING OF HOUSE BILLS.

House Bill No. 226.

A bill for an Act authorizing the Supreme Court of North Dakota to direct the Bar Association of North Dakota to institute legal proceedings for the disbarment, or other discipline, of practicing attorneys of the State of North Dakota, providing for the payment of counsel in the conduct of such disbarment proceedings and authorizing the Supreme Court to fix the amount and direct the payment thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 32 ayes, no nays, 18 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Nelson
Allen	Gilbert	Overson
Barnes	Gronvold	Plain
Bond	Hanley	Porterfield
Bonzer	Heckle	Putnam
Bronson	Helgeland	Steel
Carter	Hughes	Thoreson
Clark	Hyland	Trageton
Davidson	Leutz	Turner
Duncan	McLean	Young
Ellingson	Mudgett	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Cashel	Hookway	McBride
Davis	Hoverson	McDowell
Elken	Jacobsen	Talcott
Englund	Kretschmar	Vail
Garden	Linde	Wartner
Gibbens	Loftsgaard	Young

Mr. Englund being excused.

## House Bill No. 258.

A bill for an Act to limit tax levies during the years 1913 and 1914, to restrict debt limits, and to regulate salaries of officers which, under existing laws, depend upon assessed valuation.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 31 ayes, 1 nay, 18 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Nelson
Allen	Gibbens	Overson
Barnes	Gilbert	Plain
Bonzer	Gronvold	Porterfield
Carter	Heckle	Putnam
Cashel	Helgeland	Steel
Clark	Hughes	Talcott
Davidson	Linde	Trageton
Duncan	Loftsgaard	Turner
Elken	McLean	
Ellingson	Mudgett	

Mr. Bronson voted in the negative.

## Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Bond	Hoverson	McDowell
Davis	Hyland	Thoreson
Englund	Jacobsen	Vail
Garden	Kretschmar	Wartner
Hanley	Leutz	Williams
Hookway	McBride	Young

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## Senate Bill No. 328.

A bill for an Act to amend Chapter 229 of the Laws of 1911, prohibiting the introduction of intoxicating liquors, narcotics or other habit-forming drugs into any of the buildings or upon the premises of any of the penal or charitable institutions of the state, or of any county, city or village in the state.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 36 ayes, no nays, 14 absent and not voting.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Ganssle	Mudgett
Barnes	Gibbens	Nelson
Bond	Gilbert	Overson
Bonzer	Gronvold	Plain
Bronson	Hanley	Porterfield
Carter	Heckle	Putnam
Cashel	Helgeland	Steel
Clark	Hughes	Talcott
Davidson	Leutz	Thoreson
Duncan	Loftsgaard	Trageton
Elken	McBride	Turner
Ellingson	McLean	Young

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hoverson	McDowell
Davis	Hyland	Vail
Englund	Jacobsen	Wartner
Garden	Kretschmar	Williams
Hookway	Linde	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## REPORT OF CONFERENCE COMMITTEE.

*Mr. President:*

The conference committee appointed by the House and Senate to consider the amendments offered to Senate Bill No. 136 have had the same under consideration and recommend that the following items included and shown in the engrossed bill be stricken out and not allowed:

“For one 10-inch steam header in power house..\$	600.00
For one steam pump and repairs on old boilers.	1,200.00
For erecting smoke stack on power plant.....	1,600.00
For one 150-kilo watt generator and engine for lighting the buildings and providing conduits, and posts for lighting the campus.....	10,500.00”

That said bill as so amended striking out the above items, be further amended so as to include as appropriations thereunder the following items:

“For dairy and creamery building and equipment thereof and for model barn therein.....	\$30,000.00
For dairy herd .....	5,000.00”

And that the total amount of such appropriation be shown as \$131,500.00.

And when so amended recommend the same do pass.

L. L. TWICHEL,  
 JAMES HILL,  
 R. J. GARDINER,  
 F. LEUTZ,  
 E. A. HUGHES,  
 F. S. TALCOTT,

Mr. Leutz moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Senate Bill No. 136.

A bill for an Act to provide for increased maintenance and contingent expenses, for establishing and maintaining an agricultural extension department and for an agricultural building and other permanent improvements and repairs for the North Dakota Agricultural College.

Was read the third time.

The question being on the final passage of the bill as amended by conference committee.

The roll was called and there were 33 ayes, no nays, 17 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	McLean
Allen	Gibbens	Mudgett
Barnes	Gilbert	Nelson
Bonzer	Gronvold	Porterfield
Bronson	Hanley	Putnam
Carter	Heckle	Steel
Cashel	Helgeland	Talcott
Clark	Hughes	Thoreson
Davidson	Leutz	Trageton
Elken	Loftsgaard	Turner
Ellingson	McBride	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Hoverson	Overson
Davis	Hyland	Plain
Duncan	Jacobsen	Vail
Englund	Kretschmar	Wartner
Garden	Linde	Williams
Hookway	McDowell	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7, 1913.

*Mr. President:*

I have the honor to inform you that the House has not informed the Senate that Senate Bill No. 325 has been indefinitely postponed.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

## CONFERENCE COMMITTEE REPORT.

*Mr. President:*

Your conference committee on House Bill No. 179 beg leave to report that the Senate receded from their amendment to said bill.

FRANK H. HYLAND,  
J. W. HANLEY,  
C. O. HECKLE,  
Senate Committee.

BERNT ANDERSON,  
C. C. TURNER,  
J. E. HILL,  
House Committee.

House Bill No. 179.

A bill for an Act appropriating money for the maintenance and protection of the Military Wood Reservation in Ramsey County, North Dakota.

Was read the third time.

The question being on the final passage of the bill as amended by conference committee.

The roll was called and there were 30 ayes, no nays, 20 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ellingson	Mudgett
Allen	Ganssle	Overson
Barnes	Gilbert	Porterfield
Bond	Heckle	Putnam
Bonzer	Helgeland	Steel
Carter	Hookway	Thoreson
Cashel	Hughes	Trageton
Clark	Hyland	Wartner
Duncan	McBride	Williams
Elken	McLean	Young

## Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Bonzer	Hanley	McDowell
Davidson	Hoverson	Nelson
Davis	Jacobsen	Plain
Englund	Kretschmar	Talcott
Garden	Leutz	Turner
Gibbens	Linde	Vail
Gronvold	Loftsgaard	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## House Bill No. 177.

A bill for an Act entitled "An Act to amend and re-enact Section 1546 of the Revised Codes of North Dakota of 1905, relating to duties of county treasurer."

Was read the third time.

Mr. Kretschmar offered the following amendments to House Bill No. 177, and moved their adoption:

Section 1, line 5, of the printed bill, strike out the word "triplicates."

In line 22 of Section 1 of the printed bill, strike out everything following the period after the word "thereof" in said line to the end of the Section and insert in lieu thereof the following: "when taxes or special assessments are paid upon property included within the boundaries or corporate limits of any school district, city or incorporated village in the state, it shall be the duty of the county treasurer to prepare and send a statement to the treasurer of each such school district, city or incorporated village, showing the amount which has been paid into the county treasury, to the credit of such school district, city or incorporated village; such statement must be forwarded to such school district, city or village treasurer at least once every week. In addition to the duties prescribed in Section 1544, relating to notice of rates of taxation, the county treasurer shall, upon receiving the tax lists from the county auditor, notify every school, village and city treasurer within his county of the amount levied against or assessed upon all property included within the limits of such school district, city or incorporated village."

Strike out everything after the words, "Section 2" in the printed bill and insert in lieu thereof the following: "If the county treasurer fails or neglects to send the statements to the school district, city and village treasurer showing the amount which has been paid into the county treasury to the credit of such school district, city or incorporated village, as

provided in Section 2 of this Act, there shall attach a penalty of three per cent per month upon the amount which has been paid into the county treasury as taxes upon property included within the boundary or corporate limits of such school district, city or incorporated village in the county, from and after the day on which such statement should have been forwarded, as provided out of the general fund of the county, to the school district, city or incorporated village, entitled thereto.

Which motion prevailed and

The amendments were adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 28 ayes, no nays, 22 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Overson
Allen	Gilbert	Porterfield
Barnes	Heckle	Putnam
Bronson	Helgeland	Steel
Carter	Hookway	Thoreson
Cashel	Hyland	Turner
Clark	Kretschmar	Wartner
Davidson	Leutz	Young
Duncan	McLean	
Ellingson	Nelson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Hanley	Mudgett
Bonzer	Hoverson	Plain
Davis	Hughes	Talcott
Elken	Jacobsen	Trageton
Englund	Linde	Vail
Garden	Loftsgaard	Williams
Gibbens	McBride	
Gronvold	McDowell	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 93.

A bill for an Act to amend Section 1787 of the Revised Codes of the State of North Dakota for 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 31 ayes, no nays, 19 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Plain
Allen	Hanley	Porterfield
Barnes	Heckle	Putnam
Bond	Hookway	Steel
Bonzer	Hughes	Talcott
Bronson	Hyland	Thoreson
Carter	Leutz	Trageton
Cashel	McLean	Wartner
Clark	Mudgett	Young
Davidson	Nelson	
Duncan	Overson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Gronvold	McBride
Elken	Helgeland	McDowell
Ellingson	Hoverson	Turner
Englund	Jacobsen	Vail
Garden	Kretschmar	Williams
Gibbens	Linde	
Gilbert	Loftsgaard	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 488.

A bill for an Act extending the powers and duties of state and district veterinarians and providing for the testing of animals exposed to the disease known as glanders.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 35 ayes, no nays, 15 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ellingson	Overson
Allen	Ganssle	Plain
Barnes	Gibbens	Putnam
Bond	Gilbert	Steel
Bonzer	Heckle	Talcott
Bronson	Helgeland	Thoreson
Carter	Hughes	Trageton
Cashel	Kretschmar	Turner
Clark	Loftsgaard	Wartner
Davidson	McLean	Williams
Duncan	Mudgett	Young
Elken	Nelson	

## Absent and not voting:

Messrs.—

Davis  
Englund  
Garden  
Gronvold  
Hanley

Messrs.—

Hookway  
Hoverson  
Hyland  
Jacobsen  
Leutz

Messrs.—

Linde  
McBride  
McDowell  
Porterfield  
Vail

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Talcott moved

That House Bill No. 49 be re-referred to the committee on appropriations.

Which motion prevailed

## REPORTS OF STANDING COMMITTEES.

The committee on appropriations made the following report:

*Mr. President:*

Your committee on appropriations to whom was referred House Bill No. 201.

A bill for an Act entitled "An Act creating the office of deputy commissioner of labor, defining his powers and duties and making an appropriation therefor."

Have had the same under consideration and recommend that the same be amended as follows:

By striking out "introduced by Mr. Hill" and insert in lieu thereof, "introduced by Mr. Hill and Mr. Wardrope."

Strike out everything after the words "A Bill" in insert in lieu thereof the following: "A bill for an Act to create a state board of immigration, prescribing the duties and powers thereof, making appropriation therefor."

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

Section 1. State Board of Immigration.) A board to be known as the North Dakota State Board of Immigration is hereby created.

Section 2. Membership.) The said board shall be composed of the State Auditing Board, which consists of the governor, secretary of state, auditor, treasurer and attorney general.

Section 3. Powers of Board. General Executive Agent. Duties. Other Employees.) The Commissioner of Agriculture and Labor shall be the General Executive Agent of said board and he shall Act by and with the advice of the said board and shall perform such duties as said board may designate. The governor may appoint an agent, or agents under the North Dakota State Board of Immigration to visit any state in the United States, or any foreign country, for the purpose of encouraging immigrants to the State of North Dakota. He shall also solicit and encourage laborers, artisans and mechanics to come to this state from other states within the United States for employment at such times and seasons of the year as they may be needed to supply labor in this state. Such state immigration agent shall, under the direction of the governor and commissioner of agriculture and labor, be authorized to visit any state or foreign country where it may appear any settlers can be secured to the advantage of the State of North Dakota. Such agent shall make a report monthly and, if required, oftener to the governor and commissioner of agriculture and labor and all bills incurred by them shall be approved by the State Board of Immigration. *Provided*, that in the discretion of the governor and the commissioner of agriculture and labor, the necessary expenses of such agents may be advanced from time to time.

Section 4. Compensation.) Such agents shall receive such compensation for their services as may be fixed by the State Board of Immigration. *Provided*, their compensation and expenses shall not exceed the amount appropriated by this Act.

Section 5. Bond Required.) Such immigration agents shall each give to the state a bond in the sum of five thousand dollars for the faithful and impartial performance of their duties, to be approved by the governor as to sufficiency, and by the attorney general as to form.

Section 6. Appropriation.) There is hereby appropriated out of the funds in the state treasury, not otherwise appropriated, the sum of ten thousand dollars annually for the use of said board for the purpose of carrying into effect and force this Act.

Section 7. Emergency.) Whereas an emergency exists in that there is now no duly authorized state board of immigration for carrying out the purpose of this Act, therefore, this Act shall take effect and be in force from and after its passage and approval.

And when so amended recommend the same do pass.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

House Bill No. 49.

A bill for an Act making appropriation for the current and contingent expenses of the state penitentiary, and for making permanent improvements and additions thereto.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the heading "State Penitentiary Appropriation."

Change the figures in line 7, Section 1, of the printed bill, so as to read "\$4,000." Insert line "7½, warden's expenses, \$1,000." Change figures in line 10, so as to read, "\$1,400." Change figures in line 14, so as to read "\$32,500." Change figures in line 15, so as to read "\$12,100." Change figures in line 16 so as to read "\$4,000." Change figures in line 17 so as to read "\$1,000." Change figures in line 18 so as to read "2,500." Strike out the figures in line 19 and 20, change figures in line 22 so as to read \$2,000." Strike out line 23, 24 and 26. Change figures in line 27 so as to read "\$2,000." In line 25, strike out the word "building" and after the word "insane," insert the word "ward." Change the figures in the same line so as to read \$2,500." Change the figures in the total so as to read \$97,800."

Amend the bill by adding Sections 2, 3 and 4 as follows:

Section 2. Giving Directions to Board of Control.) Whereas, there was appropriated by the Twelfth Legislative Assembly, under Chapter 26 of the Session Laws of 1911, the sum of one thousand dollars for the biennial period under the item "Expenses of Warden to be paid monthly," and,

Whereas, The board of control held the wording of the law was not sufficiently clear to warrant the payment of this sum of money on this account; now, therefore, the board of control is hereby directed to pay all the money remaining in said fund amounting to \$833.34 to Warden F. C. Hellstrom.

Section 3. Cancelling Appropriation for Condemned Prisoners Building.) Be it enacted that

Whereas, An appropriation of \$2,500 for building for condemned prisoners which was enacted by Chapter 19 of the Session Laws of 1909 has not been used, that the state auditor is hereby directed to cancel said appropriation and transfer said sum to the general fund of the state.

Section 4. Emergency.) Whereas, an emergency exists in this, that funds hereby appropriated are needed before July 1st, 1913, therefore this Act shall take effect and be in force on and after its passage and approval.

Mr. Overson moved

That all House bills now in the hands of committees be placed on the calendar for third reading and final passage without recommendation.

Which motion prevailed.

Mr. Plain moved

That the Senate do now adjourn.

Which motion prevailed and

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

SIXTIETH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

The Senate convened at 2 o'clock P. M.

The President presiding.

Prayer by the chaplain.

Roll call.

All members present except Mr. Englund.

Who was excused.

COMMUNICATION FROM THE GOVERNOR.

EXECUTIVE OFFICE,  
BISMARCK, NORTH DAKOTA,  
March 7, 1913.

*To the Senate:*

Gentlemen: I have the honor to inform you that I have

this day approved and filed with the Secretary of State,  
Senate Bill No. 98.

A bill for an Act to prohibit the importation, manufacture, distribution, transportation or sale of snuff or any substitute therefor, and providing a penalty therefor, and to repeal Chapter 277 of the Session Laws of North Dakota of 1911.

I have the honor to be,

Very respectfully,

L. B. HANNA,  
Governor.

### MOTIONS AND RESOLUTIONS.

Mr. Garden offered the following resolution:

*Be it Resolved by the Senate of the State of North Dakota:*

That the Secretary of the Senate and W. J. Prater and H. N. Dyste be appointed a special committee to compare and complete the printed Journals and make a report of their comparison and correction to the Secretary of State, and,

*Be it Further Resolved,* That they be allowed ten days to complete this work and that they receive the same salary as they have received during the Session for such services, vouchers for the same to be signed by the President of the Senate and the Secretary of the Senate.

Mr. Garden moved

That the resolution be adopted.

Which motion prevailed and

The resolution was adopted.

### REPORT OF CONFERENCE COMMITTEE.

The conference committee made the following report:

*Mr. President:*

Your conference committee to whom was referred  
Senate Bill No. 106.

A bill for an Act to appropriate money for maintenance, equipment and permanent improvements at Ellendale State Normal and Industrial School.

Have had the same under consideration and recommend that the same be amended as follows:

On page 1 of the engrossed bill after the words "for teacher's salaries for the biennial period" strike out the figures

"\$20,000.00," as allowed by the House and insert in lieu thereof, "\$15,000.00."

On page 1 of the engrossed bill after the word "total" strike out the figures "\$39,300," and insert in lieu thereof "\$34,300.00."

And when so amended recommend that the same do pass.

P. T. KRETSCHMÁR,  
J. L. CASHEL,  
O. O. TRAGETON,  
Senate Committee.

H. H. FRANCE,  
H. C. HARTY,  
ALBERT WEIS,  
House Committee.

Mr. Cashel moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Senate Bill No. 106.

A bill for an Act to appropriate moneys for maintenance, equipment and permanent improvements at the Ellendale state normal and industrial school.

Was read the third time.

The question being on the final passage of the bill as amended by the conference committee.

The roll was called and there were 34 ayes, no nays, 16 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bonzer  
Bronson  
Cashel  
Clark  
Davidson  
Ellingson  
Ganssle  
Garden  
Gibbens

Messrs.—  
Gronvold  
Hanley  
Heckle  
Helgeland  
Hookway  
Hoverson  
Hyland  
Jacobsen  
Icutz  
McBride  
McDowell  
McLean

Messrs.—  
Nelson  
Plain  
Porterfield  
Thoreson  
Trageton  
Turner  
Vail  
Wartner  
Williams  
Young

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bond	Gilbert	Overson
Carter	Hughes	Putnam
Davis	Kretschmar	Steel
Duncan	Linde	Talcott
Elken	Loftsgaard	
Englund	Mudgett	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

**THIRD READING OF HOUSE BILLS.**

House Bill No. 414.

A bill for an Act to provide for the collection, arrangement and display of the products and resources of the State of North Dakota at the Centennial Exposition to be held at Christiania, Norway, in 1914, and providing for a board of commissioners therefor, and making an appropriation for such purpose.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 34 ayes, 2 nays, 14 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McLean
Allen	Gronvold	Nelson
Barnes	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Thoreson
Carter	Hoverson	Trageton
Cashel	Hyland	Turner
Clark	Jacobsen	Vail
Davidson	Leutz	Wartner
Ellingson	Loftsgaard	Williams
Ganssle	McBride	
Gibbens	McDowell	

Messrs. Hughes and Young voting in the negative.

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bond	Garden	Overson
Davis	Hanley	Putnam
Duncan	Kretschmar	Steel
Elken	Linde	Talcott
Englund	Mudgett	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 16.

A bill for an Act appropriating money for the current and contingent expenses of the State Tuberculosis Sanatorium at Dunseith.

Also,

Senate Bill No. 86.

A bill for an Act to authorize village trustees to levy a tax to pay for water and light plants heretofore installed.

Also,

Senate Bill No. 193.

A bill for an Act authorizing the Governor of the State of North Dakota to employ chartered public accountants to examine, audit and check the accounts of the several departments of the state government, to list, examine and appraise the securities of all kinds in possession of any of the state officers, to make a complete appraisal on a date certain of all buildings and property of all kinds belonging to the state, to suggest improvements in bookkeeping and methods of handling the business of the state; extending the duties of the state examiner prescribed in Section 141 of Article 9 of the Political Code of 1905, to cover all examination of the books and accounts of auditor and treasurer of the cities of the State of North Dakota, and prescribing fees therefor; requiring the Governor to make report to the Legislature next succeeding any such examination of the result of such examination, credit and check of the several state departments of the state property by the chartered public accountants by him employed and appropriating money to carry out the provisions of this Act.

And find the same correctly enrolled.

W. P. PORTERFIELD,  
Acting Chairman.

Mr. Porterfield moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The Secretary announced that the President was about to sign

Senate Bill No. 193.

A bill for an Act authorizing the Governor of the State of North Dakota to employ chartered public accountants to examine, audit and check the accounts of the several departments of the state government, to list, examine and appraise the securities of all kinds in possession of any of the state officers, to make a complete appraisals on a date certain of all buildings and property of all kinds belonging to the state, to suggest improvements in bookkeeping and methods of handling the business of the state; extending the duties of the state examiner prescribed in Section 141 of Article 9 of the Political Code of 1905, to cover all examination of the books and accounts of auditor and treasurer of the cities of the State of North Dakota, and prescribing fees therefor; requiring the Governor to make report to the Legislature next succeeding any such examination of the result of such examination, credit and check of the several state departments of the state property by the chartered public accountants by him employed and appropriating money to carry out the provisions of this Act.

Senate Bill No. 16.

A bill for an Act appropriating money for the current and contingent expenses of the State Tuberculosis Sanitarium at Dunseith.

Senate Bill No. 86.

A bill for an Act to authorize village trustees to levy a tax to pay for water and light plants heretofore installed.

And the President signed the same in the presence of the Senate.

House Bill No. 21.

A bill for an Act making appropriation for the erection of a new building and other necessary improvements, and for the current and contingent expenses of the reform school of North Dakota at Mandan, N. D.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 31 ayes, no nays, 19 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Nelson
Allen	Gronvold	Plain
Barnes	Helgeland	Porterfield
Bonzer	Hookway	Thoreson
Eronson	Hoverson	Trageton
Carter	Hyland	Turner
Cashel	Jacobsen	Wartner
Ellingson	Loftsgaard	Williams
Ganssle	McBride	Young
Garden	McDowell	
Gibbens	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Hanley	Overson
Clark	Heckle	Putnam
Davidson	Hughes	Steel
Davis	Kretschmar	Talcott
Duncan	Leutz	Vail
Elken	Linde	
Englund	Mudgett	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

#### REPORT OF SUB-COMMITTEE.

The Sub-committee on Senate Bill No. 382, made the following report:

*Mr President:*

Your committee on Senate Bill No. 382 to whom was referred Senate Bill 382

Have had the same under consideration and recommend that the same be indefinitely postponed.

WESLEY McDOWELL,  
Chairman.

Mr. McDowell moved

That the report be adopted

Which motion prevailed and

The report was adopted.

The committee on appropriations made the following report:

*Mr. President:*

Your committee on appropriations to whom was referred:

House Bill No. 472.

A bill for an Act entitled "An Act creating a board of immigration, prescribing its powers and duties, directing the disbursements of appropriations therefor and repealing Sections 131 and 132 of the Revised Codes of North Dakota of 1905."

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. PLAIN,  
Chairman.

Mr. Plain moved

That the report be adopted

Which motion prevailed and

The report was adopted.

### THIRD READING OF HOUSE BILLS.

House Bill No. 63.

A bill for an Act to amend Section 1584 of the Revised Codes of the State of North Dakota for the year 1905, as amended in Chapter 220 of the Session Laws of 1907, relating to the rights of purchasers of land at sale for the non-payment of taxes.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 17 ayes, 18 nays, 15 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Bonzer  
Carter  
Cashel  
Clark

Messrs.—  
Ganssle  
Gibbens  
Heckle  
Helgeland  
Hlookway  
Hughes

Messrs.—  
Hyland  
Leutz  
McBride  
McLean  
Porterfield

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Hoverson	Thoreson
Bronson	Jacobsen	Trageton
Davidson	Loftsgaard	Turner
Ellingson	McDowell	Wartner
Garden	Nelson	Williams
Gronvold	Plain	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Gilbert	Overson
Davis	Hanley	Putnam
Duncan	Kretschmar	Steel
Elken	Linde	Talcott
Englund	Mudgett	Vail

So the bill was lost.

House Bill No. 335.

A bill for an Act amending and re-enacting Section 1213, Chapter 278, of the Session Laws of 1911, relating to boards of trustees of the soldiers' home.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 33 ayes, no nays, 17 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Loftsgaard
Allen	Gilbert	McBride
Barnes	Gronvold	McDowell
Bonzer	Heckle	McLean
Bronson	Helgeland	Plain
Carter	Hookway	Porterfield
Cashel	Hoverson	Thoreson
Clark	Hughes	Turner
Davidson	Hyland	Wartner
Ellingson	Jacobsen	Williams
Ganssle	Leutz	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Hanley	Putnam
Davis	Kretschmar	Steel
Duncan	Linde	Talcott
Elken	Mudgett	Trageton
Englund	Nelson	Vail
Garden	Overson	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 311.

A bill for an Act to amend Section 1217 of the Revised Codes of 1905, relating to funds of soldiers' home. How kept.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 33 ayes, no nays, 17 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gronvold	McLean
Barnes	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Thoreson
Carter	Hoverson	Trageton
Clark	Hughes	Turner
Davidson	Jacobsen	Vail
Ellingson	Leutz	Wartner
Gartssle	Loftsgaard	Williams
Garden	McBride	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Gilbert	Nelson
Cashel	Hookway	Overson
Davis	Hyland	Putnam
Duncan	Kretschmar	Steel
Elken	Linde	Talcott
Englund	Mudgett	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

The President pro tempore presiding.

House Bill No. 428.

A bill for an Act entitled "An Act specifying who may be sent to the state reform school and amending Section 10401 of the Revised Codes of North Dakota of 1905."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 30 ayes, 1 nay, 19 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McBride
Allen	Gronvold	McDowell
Barnes	Hanley	McLean
Carter	Heckle	Plain
Clark	Hookway	Porterfield
Davidson	Hoverson	Thoreson
Ellingson	Hughes	Vail
Ganssle	Jacobsen	Wartner
Garden	Leutz	Williams
Gibbens	Loftsgaard	Young

Mr. Bronson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Helgeland	Putnam
Bonzer	Hyland	Steel
Cashel	Kretschmar	Talcott
Davis	Linde	Trageton
Duncan	Mudgett	Turner
Elken	Nelson	
Englund	Overson	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 432.

A bill for an Act to amend and re-enact Sections 2792, 2793 and 2804 of the Revised Codes of North Dakota for 1905, relating to special assessments for sewers, water mains, sidewalks and other purposes,

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 36 ayes, no nays, 14 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	McLean
Allen	Heckle	Mudgett
Barnes	Helgeland	Nelson
Bronson	Hookway	Plain
Carter	Hoverson	Porterfield
Cashel	Hughes	Thoreson
Clark	Hyland	Trageton
Davidson	Jacobsen	Turner
Ganssle	Leutz	Vail
Gibbens	Loftsgaard	Wartner
	McBride	Williams
Gronvold	McDowell	Young

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bond	Ellingson	Overson
Bonzer	Englund	Putnam
Davis	Garden	Steel
Duncan	Kretschmar	Talcott
Elken	Linde	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

**House Bill No. 355.**

A bill for an Act to provide for non-partisan municipal elections and method of making nominations for such officers.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 30 ayes, 5 nays, 15 absent and not voting.

**Those voting in the affirmative were:**

Messrs.—	Messrs.—	Messrs.—
Allen	Garden	McLean
Barnes	Gibbens	Plain
Bonzer	Gilbert	Porterfield
Bronson	Gronvold	Thoreson
Carter	Heckle	Trageton
Cashel	Helgeland	Turner
Clark	Hoverson	Vail
Davidson	Hyland	Williams
Ellingson	Loftsgaard	Wartner
Ganssle	McDowell	Young

**Those voting in the negative were:**

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hookway	McBride
Hanley	Jacobsen	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bond	Hughes	Nelson
Davis	Kretschmar	Overson
Duncan	Leutz	Putnam
Elken	Linde	Steel
Englund	Mudgett	Talcott

Mr. Englund being excused.

So the bill passed and the title was agreed to.

The President presiding.

**House Bill No. 481.**

A bill for an Act to amend Section 16 of Chapter 77 of

the Laws of 1911, entitled "Commission system of government."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 37 ayes, no nays, 13 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	McDowell
Allen	Hanley	McLean
Barnes	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Thoreson
Carter	Hoverson	Trageton
Clark	Hughes	Turner
Davidson	Hyland	Vail
Ellingson	Jacobsen	Wartner
Ganssle	Linde	Williams
Garden	Leutz	Young
Gibbens	Loftsgaard	
Gilbert	McBride	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Englund	Putnam
Cashei	Kretschmar	Steel
Davis	Mudgett	Talcott
Duncan	Nelson	
Elken	Overson	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Gilbert moved

That the Senate do now take a recess for 10 minutes.

Which motion prevailed and

The Senate took a recess.

#### AFTER RECESS.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 176.

A bill for an Act to amend and re-enact Section 1577 of the Revised Codes of North Dakota for the year 1905, re-

lating to certificate of sale and purchase for taxes and the form of such certificate.

Also,

Senate Bill No. 271.

A bill for an Act to amend and re-enact Section 4395 of the Revised Codes of North Dakota for 1905, as amended by Chapter 51, Session Laws of 1907, relating to the maximum freight rate on coal and briquettes, and defining the term briquettes.

Also,

Senate Bill No. 284.

A bill for an Act to amend and re-enact Chapter 72 of the Session Laws of 1909, relating to the times and place for holding general terms of the supreme court, and providing for special terms, and to fix the time in which appeal shall be heard.

And find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted

Which motion prevailed and

The report was adopted.

The Secretary announced that the President was about to sign

Senate Bill No. 176.

A bill for an Act to amend and re-enact Section 1577 of the Revised Codes of North Dakota for the year 1905, relating to certificate of sale and purchase for taxes and the form of such certificate.

Senate Bill No. 271.

A bill for an Act to amend and re-enact Section 4395 of the Revised Codes of North Dakota for 1905, as amended by chapter 51, Section 51, Session Laws of 1907, relating to the maximum freight rate on coal and briquettes, and defining the term briquettes.

Senate Bill No. 284.

A bill for an Act to amend and re-enact Chapter 72 of the Session Laws of 1909, relating to the times and place for holding general terms of the supreme court, and providing

for special terms, and to fix the time in which appeal shall be heard.

And the President signed the same in the presence of the Senate.

Mr. Plain moved

That House Bill No. 201 be put on its third reading and final passage.

Which motion prevailed.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 325.

A bill for an Act to provide for a state board of industrial school trustees, the organization, meetings and compensation of such board, and the purpose, maintenance and government of the state industrial school and school for manual training at Ellendale, the academy of science at Wahpeton and the school of forestry at Bottineau, and repealing Sections 1092 to 1099, 1172 to 1176, 1231 to 1236 of the Revised Codes of North Dakota of 1905, as amended by Sections 1092 and 1231 of Chapters 100 and 241 of the Session Laws of North Dakota of 1907.

Which the House has indefinitely postponed.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 145.

A bill for an Act to provide an appropriation for the current and contingent expenses and for the permanent improvements of the State School of Science at Wahpeton.

Also,

Senate Bill No. 121.

A bill for an Act to provide an appropriation for the current and contingent expenses, for the erection of necessary

additional buildings, for other necessary improvements and repairs at the state hospital for the insane of North Dakota, at Jamestown, and for purchasing additional land for the use of such state hospital.

Which the House has passed as amended by conference committee.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 376.

A bill for an Act to amend Section 232 of Chapter 266 of the Session Laws of 1911, relating to education.

Also,

Senate Bill No. 8.

A bill for an Act to amend and re-enact Section 605 of the Revised Codes of North Dakota for 1905, and Chapter 131 of the Session Laws of North Dakota for the year 1911, relating to who is entitled to vote, and providing for woman suffrage.

Also,

Senate Bill No. 390.

A bill for an Act to amend Section 84 of Chapter 266 of the Session Laws of 1911 relating to education.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 102.

A bill for an Act providing for the inspection of refined petroleum, illuminating oils, gasolines and other low flash

test petroleum products, defining the ports of entry, appointment of oil inspectors and deputies, and fixing the salaries of the same.

Also,

Senate Bill No. 309.

A bill for an Act to legalize acts and proceedings of county commissioners in calling and giving notices of general or special elections, and to legalize such general or special elections attempted held, pursuant to such calls and notices, under the provisions of Chapter 265 of the Session Laws of 1911.

Also,

Senate Bill No. 249.

A bill for an Act to amend Section 1 of Chapter 108 of the Session Laws of 1909 of the State of North Dakota, relating to qualifications of embalmers.

And find the same correctly enrolled.

F. T. GRONVOLD,  
Acting Chairman.

Mr. Gronvold moved.

That the report be adopted.

Which motion prevailed and

The report was adopted.

The Secretary announced that the President was about to sign

Senate Bill No. 102.

A bill for an Act providing for the inspection of refined petroleum, illuminating oils, gasolines and other low flash test petroleum products, defining the ports of entry, appointment of state inspector of oils and deputies, and fixing the salaries of the same; defining chemical tests, and providing appropriations therefor.

Senate Bill No. 309.

A bill for an Act to legalize acts and proceedings of county commissioners in calling and giving notices of general or special elections, and to legalize such general or special elections attempted held, pursuant to such calls and notices, under the provisions of Chapter 265 of the Session Laws of 1911.

## Senate Bill No. 249.

A bill for an Act to amend Section one of Chapter 108 of the Session Laws of 1909 of the State of North Dakota, relating to qualifications of embalmers.

And the President signed the same in the presence of the Senate.

## THIRD READING OF HOUSE BILLS.

## House Bill No. 201.

A bill for an Act entitled "An Act creating the office of deputy commissioner of labor, defining his powers and duties and making an appropriation therefor."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, no nays, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Loftsgaard
Allen	Gibbens	McBride
Barnes	Gronvold	McLean
Bond	Hanley	Mudgett
Bonzer	Heckle	Nelson
Bronson	Helgeland	Overson
Cashel	Hookway	Plain
Clark	Hoverson	Porterfield
Davidson	Hughes	Talcott
Davis	Hyland	Thoreson
Duncan	Jacobsen	Turner
Elken	Kretschmar	Vail
Ellingson	Leutz	Young
Ganssle	Linde	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	McDowell	Trageton
Englund	Putnam	Wartner
Gilbert	Steel	Williams

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which House Bill No. 201 passed, be reconsidered.

Which motion prevailed.

Mr. Plain offered the following amendment to House Bill No. 201 and moved its adoption:

In Section 6 of the amended bill strike out the word "ten" and insert in lieu thereof the word "five."

Which motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 38 ayes, no nays, 12 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Ganssle	Loftsgaard
Allen	Garden	McBride
Barnes	Gibbens	Overson
Bond	Gronvold	Plain
Bonzer	Hanley	Porterfield
Bronson	Heckle	Steel
Cashel	Helgeland	Talcott
Clark	Hookway	Thoreson
Davidson	Hoverson	Turner
Davis	Hyland	Vail
Duncan	Jacobsen	Wartner
Elken	Kretschmar	Young
Ellingson	Linde	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Leutz	Nelson
Englund	McDowell	Putnam
Gilbert	McLean	Trageton
Hughes	Mudgett	Williams

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which House Bill No. 201 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Bronson moved

That the further consideration of House Bill No. 456 be indefinitely postponed.

Which motion prevailed and

The further consideration of the bill was indefinitely postponed.

## - House Bill No. 49.

A bill for an Act making appropriation for the current and contingent expenses of the state penitentiary and for making permanent improvements and additions thereto.

Was read the third time.

The question being on the final passage of the bill as amended.

The roll was called and there were 42 ayes, no nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McDowell
Allen	Gibbens	Mudgett
Barnes	Gronvold	Nelson
Bonzer	Hanley	Plain
Bronson	Heckle	Porterfield
Carter	Helgeland	Putnam
Cashel	Hookway	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Turner
Duncan	Leutz	Vail
Elken	Linde	Wartner
Ellingson	Loftsgaard	Williams
Ganssle	McBride	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Hoverson	Overson
Englund	Kretschmar	Trageton
Gilbert	McLean	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which House Bill No. 49 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 337.

A bill for an Act to amend Section 282 of Chapter 266 of the Session Laws of 1911, relating to conductors and county superintendents filing statement of number of schools with county auditor.

Also,

Senate Bill No. 338.

A bill for an Act providing that persons in charge of school children shall furnish suitable text books in districts where in the free text book system has not been adopted.

Also,

Senate Bill No. 345.

A bill for an Act to amend Section 85 of Chapter 266 of the Session Laws of 1911, relating to additional school time.

Also,

Senate Bill No. 348.

A bill for an Act to amend and re-enact Section 72 of Chapter 266 of the Session Laws of 1911, relating to teachers employed by district school boards, and their salaries.

Also,

Senate Bill No. 375.

A joint resolution authorizing the board of trustees of the soldiers' home to expend a portion of the interest and income fund of the soldiers' home for the purpose of aiding the North Dakota union and confederate soldiers of the Civil War to attend the reunion to be held at Gettysburg, Pa., in the month of July, 1913.

And find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted

Which motion prevailed, and

The report was adopted.

### THIRD READING OF HOUSE BILLS.

House Bill No. 27.

A bill for an Act to prohibit insurance companies and their agents from rebating, discrimination and twisting.

Was read the third time.

Mr. Bronson offered the following amendments to House Bill No. 27 and moved their adoption:

On page 2 of the printed bill, at the end of line 19, after the word "license" strike out the balance of the line. Also strike out lines 20, 21, 22, 23, 24 and 25 of the printed bill down to the word "account."

Which motion prevailed and

The amendments were adopted.

Mr. Garden moved

That further consideration of House Bill No. 27 be indefinitely postponed.

Which motion prevailed and

The further consideration of the bill was indefinitely postponed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 236.

A bill for an Act to create a state board of education and to amend Chapter 266 of the Session Laws of 1911, relating to state board of examiners, and to repeal Sections 243, 244 and 245 of Chapter 266; and to amend Chapter 265 of the Laws of 1911, relating to a state agricultural and training school board, and to amend Chapter 65 of the Ssesion Laws of 1911, relating to state aid to rural and consolidated schools.

Which the House has amended as follows:

In Section 4 on page 3 of the printed bill after the word "meetings," insert a comma and the word "one" and after the word "in" on page 2 of said Section insert "each of." And in Section 6 on page 4 of the printed bill strike out all of lines 8 to 17. both inclusive, and lines 18 and 19 on page 5. Strike out all of Section 7 and insert the following: "Section 7. Appointments by Superintendent of Public Instruction.) The superintendent of public instruction shall appoint the deputy superintendent of public instruction, state consolidated, graded and rural school inspectors or assist-

ants, high school inspectors, clerks and others in the office of the superintendent of public instruction provided by law."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Talcott moved

That the Senate do now concur in the House amendments to Senate Bill No. 236.

Which motion prevailed and

The amendments were concurred in.

Senate Bill No. 236.

A bill for an Act to create a state board of education and to amend Chapter 266 of the Session Laws of 1911, relating to state board of examiners, and to repeal Sections 243, 244 and 245 of Chapter 266; and to amend Chapter 265 of the Laws of 1911, relating to a state agricultural and training school board, and to amend Chapter 65 of the Session Laws of 1911, relating to state aid to rural and consolidated schools.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 42 ayes, no nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	McDowell
Allen	Hanley	Mudgett
Barnes	Heckle	Nelson
Bond	Helgeland	Overson
Bonzer	Hookway	Plain
Bronson	Hoverson	Porterfield
Carter	Hughes	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Ganssle	Loftsgaard	Williams
Garden	McBride	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Gibbens	Putnam
Duncan	Gilbert	Trageton
Englund	McLean	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

The Secretary announced that the President was about to sign.

Senate Bill No. 337.

A bill for an Act to amend Section 282 of Chapter 266 of the Session Laws of 1911, relating to conductors and county superintendents filing statement of number of schools with county auditor.

Senate Bill No. 338.

A bill for an Act providing that persons in charge of school children shall furnish suitable text books in districts wherein the free text book system has not been adopted.

Senate Bill No. 345.

A bill for an Act to amend Section 85 of Chapter 266 of the Session Laws of 1911, relating to additional school time.

Senate Bill No. 348.

A bill for an Act to amend and re-enact Section 72 of Chapter 266 of the Session Laws of 1911, relating to teachers employed by district school boards and their salaries.

Senate Bill No. 375.

A joint resolution authorizing the board of trustees of the soldiers' home to expend a portion of the interest and income fund of the soldiers' home for the purpose of aiding the North Dakota Union and Confederate Soldiers of the Civil War to attend the reunion to be held at Gettysburg, Pa., in the month of July, 1913.

And the President signed the same in the presence of the Senate.

House Bill No. 378.

A bill for an Act to amend Sections 259, 262, 263, 264, 267, 275, 3116 and 3117 of the Revised Codes of 1905, relating to county and township boards of health and relating to the meetings and duties of officers of county boards of health.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 30 ayes, one nay, 19 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	McLean
Allen	Helgeland	Nelson
Barnes	Hoverson	Overson
Bond	Hughes	Plain
Bonzer	Hyland	Porterfield
Carter	Jacobsen	Steel
Clark	Kretschmar	Talcott
Ganssle	Leutz	Turner
Garden	Linde	Williams
Gronvold	McBride	Young

Mr. Bronson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Cashel	Gibbens	Putnam
Davidson	Gilbert	Thoreson
Davis	Heckle	Trageton
Duncan	Hookway	Vail
Elken	Loftsgaard	Wartner
Ellingson	McDowell	
Englund	Mudgett	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 274.

A bill for an Act authorizing the board of trustees of public property to acquire for the state, by purchase or condemnation proceedings in the name of the state, additional land for capitol park and site purposes and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 32 ayes, 4 nays, 14 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hookway	Overson
Allen	Hughes	Plain
Barnes	Hyland	Porterfield
Clark	Jacobsen	Putnam
Davidson	Kretschmar	Steel
Elken	Leutz	Talcott
Ganssle	Loftsgaard	Thoreson
Garden	McBride	Vail
Gronvold	McDowell	Wartner
Hanley	McLean	Young
Helgeland	Nelson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bonzer	Carter	Hoverson
Bronson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Englund	Mudgett
Cashel	Gibbens	Trageton
Davis	Gilbert	Turner
Duncan	Heckle	Williams
Ellingson	Linde	

Mr. Englund being excused.

So the bill passed without the emergency clause and the title was agreed to.

House Bill No. 209.

A bill for an Act to amend and re-enact Sections 9 and 12 of Chapter 109 of the Laws passed by the Tenth Legislative Assembly of the State of North Dakota and Acts amendatory thereto, relating to primary election ballots and party nominations and repealing Chapter 212 of the Laws of 1911.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 26 ayes, 12 nays, 12 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Ellingson	Kretschmar
Barnes	Ganssle	Leutz
Bond	Garden	McBride
Bonzer	Gronvold	Nelson
Bronson	Heckle	Porterfield
Carter	Helgeland	Talcott
Cashel	Hookway	Thoreson
Clark	Hoverson	Young
Duncan	Jacobsen	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	McDowell	Putnam
Davidson	Mudgett	Steel
Elken	Overson	Turner
Hyland	Plain	Wartner

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Hanley	McLean
Englund	Hughes	Trageton
Gibbens	Linde	Vail
Gilbert	Loftsgaard	Williams

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Ellingson moved

That the vote by which House Bill No. 209 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Nelson moved

That the House be requested to return House Bill No. 501 to the Senate.

Which motion prevailed.

House Bill No. 500.

A bill for an Act to amend and re-enact Sections 44, 45 and 73 of the Revised Codes of North Dakota of 1905, relating to printing and distribution of journals, bills and public documents.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 26 ayes, 15 nays, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	McLean
Allen	Heckle	Mudgett
Bond	Helgeland	Nelson
Bonzer	Hyland	Porterfield
Bronson	Jacobsen	Talcott
Carter	Kretschmar	Turner
Cashel	Leutz	Wartner
Ganssle	Linde	Young
Garden	Loftsgaard	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Gronvold	Plain
<b>Clark</b>	Hookway	Putnam
Davidson	Hoverson	Steel
Elken	McDowell	Thoreson
Ellingson	Overson	Williams

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
<b>Davis</b>	Gibbens	McBride
Duncan	Gilbert	Trageton
Englund	Hughes	Vail

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Allen moved

That the vote by which House Bill No. 500 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 52.

A bill for an Act to repeal Article 21 of Chapter 32, entitled, Townsites located on public lands, of the Revised Codes of 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 32 ayes, 5 nays, 13 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Plain
Allen	Gronvold	Porterfield
Barnes	Heckle	Putnam
Bonzer	Helgeland	Steel
Cashel	Hookway	Talcott
Clark	Kretschmar	Thoreson
Davidson	Linde	Turner
Duncan	Loftsgaard	Wartner
Ellingson	McDowell	Williams
Ganssle	McLean	Young
Garden	Overson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Hoverson	Jacobsen
Hanley	Hyland	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Gilbert	Nelson
Carter	Hughes	Trageton
Davis	Leutz	Vail
Elken	McBride	
Englund	Mudgett	

Mr. Englund being excused.

So the bill passed without the emergency clause and the title was agreed to.

The committee on enrolled and engrossed bill made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 145.

A bill for an Act to provide an appropriation for the current and contingent expenses and for the permanent improvement of the State School of Science at Wahpeton.

Also,

Senate Bill No. 339.

A bill for an Act to amend and re-enact Sections 113 of Chapter 266 of the Session Laws of 1911, relating to county treasurer's accounts with the school corporations.

An find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The Secretary announced that the President was about to sign

Senate Bill No. 145.

A bill for an Act to provide an appropriation for the current and contingent expenses and for the permanent improvements of the State School of Science at Wahpeton.

Senate Bill No. 339.

A bill for an Act to amend and re-enact Section 113 of Chapter 266 of the Session Laws of 1911, relating to county treasurer's accounts kept with the school corporations.

And the President signed the same in the presence of the Senate.

House Bill No. 424.

A bill for an Act to repeal Chapter 145 of the Laws of 1907.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 34 ayes, no nays, 16 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Plain
Allen	Gronvold	Porterfield
Barnes	Heckle	Putnam
Bonzer	Hoverson	Steel
Bronson	Hyland	Talcott
Carter	Jacobsen	Turner
Cashel	Leutz	Vail
Clark	Linde	Wartner
Davis	Loftsgaard	Williams
Duncan	McDowell	Young
Elken	McLean	
Ganssle	Mudgett	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Hanley	McBride
Davidson	Helgeland	Nelson
Ellingson	Hookway	Overson
Englund	Hughes	Thoreson
Gibbens	Kretschmar	Trageton
Gilbert		

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 87.

A bill for an Act relating to the White Stone Hill memorial Park and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 29 ayes, 1 nay, 20 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gronvold	Porterfield
Barnes	Heckle	Putnam
Bonzer	Hoverson	Steel
Carter	Hyland	Talcott
Cashel	Jacobsen	Turner
Clark	Linde	Vail
Davis	McDowell	Wartner
Duncan	McLean	Williams
Ganssle	Mudgett	Young
Garden	Plain	

Mr. Bronson voted in the negative.

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Loftsgaard
Bond	Hanley	McBride
Davidson	Helgeland	Nelson
Elken	Hookway	Overson
Ellingson	Hughes	Thoreson
Englund	Kretschmar	Trageton
Gibbens	Leutz	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Bond moved

That House Bill No. 27 be recalled from the House.

Which motion prevailed.

Mr. Allen moved

That the further consdieration of House Bill No. 253 be indefinitely postponed.

Which motion prevailed and

The further consideration of the bill was indefinitely postponed.

House Bill No. 211.

A bill for an Act to appropriate money for the maintenance, care and repair of the State Park at Fort Abercrombie, in Richland County, North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 35 ayes, 1 nay, 14 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	Overson
Allen	Heckle	Plain
Barnes	Hoverson	Porterfield
Bond	Hyland	Putnam
Bonzer	Jacobsen	Steel
Carter	Kretschmar	Talcott
Cashel	Leutz	Turner
Clark	Linde	Vail
Duncan	Loftsgaard	Wartner
Ganssle	McDowell	Williams
Garden	McLean	Young
Gilbert	Mudgett	

Mr. Bronson voted in the negative.

## Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Davidson	Gibbens	McBride
<b>Davis</b>	Gronvold	Nelson
Elken	Helgeland	Thoreson
Ellingson	Hookway	Trageton
Englund	Hughes	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

The President pro tempore presiding.

House Bill No. 270.

A bill for an Act to appropriate money for the maintenance, care and repair of the Old Settlers' and Historical Park at Walhalla, in Pembina County, North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 29 ayes, 6 nays, 15 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	Plain
Allen	Heckle	Porterfield
Barnes	Hookway	Putnam
Bond	Hoverson	Stuel
Bonzer	Hyland	Talcott
Carter	Leutz	Thoreson
Cashel	Linde	Turner
Clark	McDowell	Wartner
Duncan	McLean	Young
Ganssle	Mudgett	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Garden	Loftsgaard
Davidson	Helgeland	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
<b>Davis</b>	Gilbert	McBride
Elken	Hanley	Nelson
Ellingson	Hughes	Overson
Englund	Jacobsen	Trageton
Gibbens	Kretschmar	Vail

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## House Bill No. 293.

A bill for an Act to appropriate money for the expenses of the state government and for other purposes; to repeal certain laws which may conflict with this general appropriations bill, when such repeal is specifically state following; specifying the amount and time for which such appropriations shall be available, and providing the manner in which the appropriations herein made shall be paid.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 40 ayes, 1 nay, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McLean
Allen	Gronvold	Mudgett
Barnes	Hanley	Plain
Bond	Heckle	Porterfield
Bonzer	Helgeland	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Turner
Davidson	Jacobsen	Vail
Davis	Kretschmar	Wartner
Duncan	Leutz	Williams
Elken	Linde	Young
Ganssle	Loftsgaard	
Garden	McDowell	

Mr. Bronson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Ellingson	Hookway	Overson
Englund	McBride	Thoreson
Gibbens	Nelson	Trageton

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Plain moved

That the vote by which House Bill No. 293 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Allen moved

That House Bill No. 422 be recalled from the House.

Which motion prevailed.

The President presiding.

The Secretary announced that the President was about to sign

House Bill No. 417.

A bill for an Act to amend and re-enact Chapter 221 of the Session Laws of North Dakota for 1907, entitled "An Act providing for the giving of notice by merchants to their creditors before making sale of their entire stock or business."

House Bill No. 459.

A bill for an Act regulating the sweeping of passenger coaches or cars while occupied by passengers and providing a penalty therefor.

House Bill No. 434.

A bill for an Act to amend and re-enact Section 1549 of the Revised Codes, relating to the jurisdiction of township supervisors and county commissioners in laying out public highways.

House Bill No. 409.

A bill for an Act authorizing the establishment of nurseries under the supervision of a state forester, providing for the distribution of seeds and forest trees, seedlings to institutions and land owners of the state.

House Bill No. 408.

A bill for an Act to repeal Section 9202 of the Revised Codes of 1905, as amended by Chapter 43 of the Session Laws of 1907, and Section 9203 of the Revised Codes of 1905.

House Bill No. 122.

A bill for an Act to amend Sections 1, 2 and 4 of Chapter 258 of the Session Laws of 1907, relating to trade discrimination and unfair competition.

House Bill No. 343.

A bill for an Act for the relief of Company L, First Regiment, North Dakota National Guard Training School, a corporation.

House Bill No. 361.

A bill for an Act to amend Section 1350 of the Revised Codes of 1905, as amended in Chapter 148 of the Laws of 1911, relating to laying out, altering and discontinuing roads.

## House Bill No. 374.

A bill for an Act to amend Section 2770, of the Revised Codes of 1905, amended by Chapter 46 of the Laws of North Dakota, A. D. 1907, relating to sidewalk special assessment funds.

And the President signed the same in the presence of the Senate.

## House Bill No. 307.

A bill for an Act to amend and re-enact Section 2231 of the Revised Codes of North Dakota, as amended by Chapter 1 of the 1907 Session Laws, relating to abstractors of title, and to repeal Chapter 329 of the Session Laws of 1911, relating to abstractors of title.

Was read the third time.

Mr. Overson offered the following amendment to House Bill No. 307 and moved its adoption:

In line 27 of Section 1 of the printed bill, after the word "dollars" insert the following: "*Provided* that if a personal bond be given there shall be at least three sureties, none of whom shall be officers or stockholders of the abstract company and each of whom shall justify for the full amount of the bond.

Roll call demanded, and

The question being on the adoption of the amendment.

The roll was called and there were 33 ayes, 11 nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Garden	McLean
Barnes	Gibbens	Mudgett
Bond	Gilbert	Nelson
Bonzer	Gronvold	Overson
Cashel	Helgeland	Plain
Clark	Hoverson	Steel
Davidson	Hyland	Thoreson
Davis	Kretschmar	Trageton
Duncan	Leutz	Turner
Elken	Linde	Vail
Ganssle	Loftsgaard	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Jacobsen	Putnam
Ellingson	McBride	Wartner
Hanley	McDowell	Young
Heckle	Porterfield	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Albrecht	Englund	Hughes
Carter	Hookway	Talcott

Mr. Englund being excused.

So the motion prevailed and

The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 40 ayes, 4 nays, 6 absent and not voting.

**Those voting in the affirmative were:**

Messrs.—	Messrs.—	Messrs.—
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hoverson	Thoreson
Cashel	Hyland	Trageton
Clark	Jacobsen	Turner
Davis	Kretschmar	Vail
Duncan	Leutz	Wartner
Elken	Loftsgaard	Williams
Ganssle	McBride	Young
Garden	McLean	
Gibbens	Mudgett	

**Those voting in the negative were:**

Messrs.—	Messrs.—	Messrs.—
Davidson	Hughes	McDowell
Ellingson		

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hookway	Steel
Englund	Linde	Talcott

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 349.

A bill for an Act providing for county treasurer's notice to taxpayers.

Was read the third time.

Mr. Heckle moved

That the further consideration of House Bill No. 349 be indefinitely postponed.

Which motion prevailed and

The further consideration of the bill was indefinitely postponed.

House Bill No. 413.

A bill for an Act providing for the inspection of coal imported into this state and charging the state oil inspector and his deputies with the performance of the duties imposed by this Act.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 40 ayes, 1 nay, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hoverson	Steel
Cashel	Jacobsen	Trageton
Clark	Kretschmar	Turner
Davidson	Leutz	Vail
Davis	Linde	Wartner
Duncan	McBride	Williams
Ellingson	McDowell	
Ganssle	McLean	

Mr. Young voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Elken	Hookway	Loftsgaard
Englund	Hughes	Talcott
Garden	Hyland	Thoreson

Mr. Englund being excused.

So the bill passed and the title was agreed to.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 8.

A bill for an Act to amend and re-enact Section 605 of the Revised Codes of North Dakota for 1905, and Chapter 131 of the Session Laws of North Dakota for the year 1911, relating to who is entitled to vote, and providing for woman suffrage.

And find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The Secretary announced that the President was about to sign.

Senate Bill No. 8.

A bill for an Act to amend and re-enact Section 605 of the Revised Codes of North Dakota for 1905, and Chapter 131 of the Session Laws of North Dakota for the year 1911, relating to who is entitled to vote, and providing for woman suffrage.

And the president signed the same in the presence of the Senate.

House Bill No. 227.

A bill for an Act to authorize changes in the schedule of items to be listed and valued for purposes of taxation.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 36 ayes, 7 nays, 7 absent and not voting.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	Mudgett
Allen	Heckle	Nelson
Barnes	Hoverson	Overson
Bond	Hughes	Porterfield
Bonzer	Hyland	Putnam
Bronson	Jacobsen	Steel
Cashel	Kretschmar	Talcott
Clark	Leutz	Trageton
Davis	Linde	Turner
Duncan	Loftsgaard	Vail
Ellingson	McBride	Wartner
Garden	McDowell	Williams

## Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Elken	Helgeland	Young
Ganssle	McLean	
Gibbens	Plain	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carter	Gilbert	Thoreson
Davidson	Gronvold	
Englund	Hookway	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

House Bill No. 252.

Being a bill for an Act to amend Section 8 of Chapter 62 of the Session Laws of 1911, relating to institutions under jurisdiction of the board of control of state institutions.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gilbert	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hoverson	Putnam
Carter	Hughes	Steel
Cashel	Hyland	Talcott
Clark	Jacobsen	Thoreson
Davidson	Kretschmar	Trageton
Davis	Leutz	Turner
Duncan	Loftsgaard	Vail
Ellingson	McBride	Wartner
Ganssle	McDowell	Williams
Gar'en	McLean	Young

## Absent and not voting:

Messrs.—  
Elken  
Englund

Messrs.—  
Gronvold  
Hookway

Messrs.—  
Linde

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return House Bill No. 27.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Hughes moved

that the Senate do now take a recess until 8:00 o'clock P. M.,  
this evening.

Which motion prevailed and

The Senate took a recess.

## AFTER RECESS.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 106.

A bill for an Act to appropriate moneys for maintenance,  
equipment and permanent improvements at the Ellendale  
state normal and industrial school.

Which the House has passed as amended by conference  
committee.

Also,

Senate Bill No. 362.

A bill for an Act to amend Section 38 of Chapter 62 of the  
Session Laws of 1911, relating to estimates and the purchase  
of supplies for state institutions.

Also,

Senate Bill No. 259.

A concurrent resolution amending Section 216 of the Constitution of the State of North Dakota, establishing and locating a State Normal School in the City of Dickinson, County of Stark.

Also,

Senate Bill No. 250.

A bill for an Act to amend Section 155 of Chapter 4 of the Political Code of the State of North Dakota, and all Acts or parts amendatory thereof, providing for the investment in bonds and mortgages of all moneys belonging to the permanent funds of the common schools, University, School of Mines, Reform School, Agricultural College, Scientific School, School for the Deaf and Dumb, Industrial School, Normal Schools, Blind Asylum, Insane Asylum and Soldiers' Home.

Also,

Senate Bill No. 277.

A bill for an Act to amend and re-enact Section 2390 of the Revised Codes of 1905, relating to term of office of county commissioners.

Also,

Senate Bill No. 293.

A bill for an Act to provide for the preparing of an annual county budget.

Also,

Senate Bill No. 306.

A bill for an Act to provide for the compensation of clerks for county courts appointed under Section 7885 of the Revised Codes of North Dakota of 1905.

Also,

Senate Bill No. 328.

A bill for an Act to amend Chapter 299 of the Laws of 1911, prohibiting the introduction of intoxicating liquors, narcotics, or other habit-forming drugs, into any of the buildings or upon the premises of any of the penal or charitable institutions of the state, or of any county, city or village in the state.

Also,

Senate Bill No. 163.

A bill for an Act creating the office of County Assessor, defining his duties, abolishing the offices of Township Assessor, Village Assessor and City Assessor, and Amending Sections 1513, 1525, 1528, and 1533 of the Revised Codes of 1905.

Also,

Senate Bill No. 217.

A bill for an Act to amend Sections 5, 8 and 14 of Chapter 6, of the Session Laws of the State of North Dakota, of 1911, being an Act to license motor and other vehicles and defining the good road regulations of such vehicles, providing that the funds received from such licenses shall be expended on the maintenance of public highways and making it a misdemeanor to take and remove motor and other vehicles from any warehouse, garage or building without the knowledge and consent of the owner, and repealing Section 2169 of the Revised Codes of North Dakota for the year 1905.

Also,

Senate Bill No. 219.

A concurrent resolution to amend Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

Also,

Senate Bill No. 243.

A bill for an Act to amend Section 2485 of the Revised Codes of North Dakota for 1905, relating to the annual statement of the county auditor and treasurer.

Also,

Senate Bill No. 214.

A bill for an Act establishing a hail insurance department and making the commissioner of agriculture and labor also the commissioner of hail insurance; prescribing rules, regulations and duties of officers and persons connected therewith; prescribing how premiums, expenses, and indemnity for losses by hail shall be paid, and repealing all Acts or parts of Acts in conflict with the provisions of this Act.

Also,

Senate Bill No. 77.

A bill for an Act to amend Sections 1851, 1852, 1853, 1858, 1859, 1860, 1862, 1863, 1866, 1867, 1868, 1869 and 1870 of the Revised Codes of 1905, and to repeal Sections 1855, 1856 and 1861 of the said Codes, and providing for the relief of poor persons.

Also,

Senate Bill No. 30.

A bill for an Act to provide an appropriation for the current and contingent expenses, and for permanent improvements for the Institution for Feeble Minded, at Grafton, North Dakota.

Also,

Senate Bill No. 54.

A bill for an Act regulating the manner in which payments shall be made for any service or fee prescribed by law from any department of the State of North Dakota.

Senate Bill No. 150.

A bill for an Act relating to settlements of causes of action or cases for damages sustained through personal injuries and contracts of retainer made therefor.

Also,

Senate Bill No. 136.

A bill for an Act to provide for increased maintenance and contingent expenses, for establishing and maintaining an agricultural extension department and for an agricultural building and other permanent improvements and repairs for the North Dakota Agricultural College.

Also,

Senate Bill No. 352.

A bill for an Act to define the duty of the heads of state institutions and state boards to make reports.

Also,

Senate Bill No. 381.

A bill for an Act prohibiting the sale of pure bred cattle unless accompanied by a certificate of health.

Also,

Senate Bill No. 386.

A bill for an Act to amend Section 1516 of the Revised Codes of 1905, relating to the bond and oath of assessors.

Also,

Senate Bill No. 387.

A bill for an Act to amend Section 8154 of the Revised Codes of 1905, relating to the approval of mortgages executed by an administrator, executor or guardian.

Also,

Senate Bill No. 391.

A bill for an Act to amend Section 2596 of the 1905 Revised Codes of North Dakota as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907, providing the clerk hire for the register of deeds in various counties of the state.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

I have the honor to return herewith

Senate Bill No. 148.

A bill for an Act to amend Sections 2 and 36 of Chapter 128 of the Laws of 1909, and Sections 4, 6 and 10 of Chapter 141 of the Laws of 1911, relating to fish and game; providing for the removal of beavers causing damage to property and making an appropriation therefor.

Which the House has amended as follows:

On page 2 of the engrossed bill on line 2, change "1913" to "1912;" on page 2 of the engrossed bill, line 10 of Section 2, strike out the words "wild geese of any variety, brant of any variety;" on line 16, strike out the words "wild geese of any variety;" on line 18, after the word "following," insert the words, "Third, that wild geese of any variety may be killed and had in possession between the 2nd day of September and the 10th day of May, both inclusive, following."

Strike out all of Section 3 on page 4 of the engrossed bill and change the numbers of the Sections following to correspond.

Also,

I have the honor to return herewith

Senate Bill No. 335.

A bill for an Act to re-enact and amend Section 22, Chapter 62 of the Session Laws of 1911, relating to the appointment of a state architect and pertaining to his duties and salary. Emergency.

Which the House has indefinitely postponed.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. McLean moved

That the Senate do not concur in the House amendments to Senate Bill No. 148 and that a conference committee be appointed.

Which motion prevailed and

The President appointed as such committee Messrs. McLean, Porterfield and Hyland.

#### COMMUNICATION FROM THE GOVERNOR.

EXECUTIVE OFFICE,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*To the Senate:*

Gentlemen: I have the honor to inform you that I have approved and filed with the Secretary of State.

Senate Bill No. 309.

A bill for an Act to legalize acts and proceedings of county commimssioners in calling and giving notices of general or special elections, and to legalize such general or special elections attempted held, pursuant to such calls and notices, under the provisions of Chapter 265 of the Session Laws of 1911.

I have the honor to be

Very respectfully,

L. B. HANNA,  
Governor.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to inform you that the Speaker has appointed as conferees on the part of the House, on Senate Bill No. 148, Messrs. Hawkinson, C. C. Turner and Wing.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

## THIRD READING OF HOUSE BILLS.

House Bill No. 248.

A bill for an Act to amend Section 26 of Chapter 62, Laws of 1911, relating to board of control and providing for the commitment of non-resident insane patients to the state hospital by county board of commissioners of insanity.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 36 ayes, no nays, 14 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Nelson
Allen	Gilbert	Overson
Barnes	Gronvold	Plain
Bond	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hyland	Steel
Clark	Jacobsen	Trageton
Davidson	Linde	Turner
Elken	Loftsgaard	Vail
Ellingson	McBride	Wartner
Ganssle	McLean	Williams
Garden	Mudgett	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bonzer	Kretschmar	Leutz
Cashel	Hanley	McDowell
Davis	Hookway	Talcott
Duncan	Hoverson	Thoreson
	Hughes	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Nelson moved

That the vote by which House Bill No. 501 was indefinitely postponed, be reconsidered.

Which motion prevailed.

Mr. Nelson moved

That House Bill No. 501 be now placed on its third reading and final passage.

Which motion prevailed.

House Bill No. 501.

A bill for an Act to authorize the trustees of public property to sell at such prices as may be practicable the volumes of the supreme court reports now on hand in the office of the secretary of state.

Was read the third time.

The question being on the final passage of the bill;

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McDowell
Allen	Gibbens	McLean
Barnes	Gilbert	Mudgett
Bond	Gronvold	Nelson
Bonzer	Hanley	Overson
Bronson	Heckle	Plain
Carter	Helgeland	Putnam
Cashel	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Loftsgaard	Wartner
Ganssle	McBride	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Linde	Williams
Hookway	Porterfield	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## House Bill No. 283.

A bill for an Act to prohibit false and misleading advertising of all kinds, and providing a penalty therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, no nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Heligeland	Putnam
Carter	Hoverson	Steel
Cashel	Hughes	Talcott
Clark	Hyland	Thoreson
Davidson	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Loftsgaard	Wartner
Ganssle	McBride	Young
Garden	McDowell	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Hookway	Porterfield
Englund	Linde	Williams

Mr. Englund being excused.

So the bill passed and the title was agreed to.

The Secretary announced that the President was about to sign.

## House Bill No. 18.

A bill for an Act to amend Sections 620 and 650 of the Revised Codes of 1905, relating to elections.

## House Bill No. 163.

A bill for an Act to provide for the preparing of a state budget.

## House Bill No. 375.

A bill for an Act to amend Section 2657 of the Revised Codes of 1905, with respect to the revision and adoption of ordinances by cities.

## House Bill No. 396.

A bill for an Act to amend Section 2801 of the Revised Codes of North Dakota of 1905, relating to special assessments in cities.

## House Bill No. 420.

Being a bill for an Act to amend Section 470 of the Revised Codes of 1905 of the State of North Dakota, as amended by Chapter 172 of the Session Laws of 1911, of the State of North Dakota, relating to the boundaries of, and terms of court in the Second Judicial District.

## House Bill No. 421.

Being a bill for an Act to amend Section 474 of the Revised Codes of North Dakota for 1905, as amended by Chapter 171 of the Session Laws of 1911, relating to the boundaries of, and terms of court in, the Sixth Judicial District.

And the President signed the same in the presence of the Senate.

## COMMUNICATION FROM THE GOVERNOR.

EXECUTIVE OFFICE,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*To the Senate:*

Gentlemen: I have the honor to inform you that I have approved and filed with the Secretary of State.

## Senate Bill No. 8.

A bill for an act to amend and re-enact Section 605 of the Revised Codes of North Dakota for 1905, and Chapter 131 of the Session Laws of North Dakota for the year 1911, relating to who is entitled to vote, and providing for woman suffrage.

I have the honor to be,

Very respectfully,

L. B. HANNA,  
Governor.

## House Bill No. 482.

Being a bill for an Act authorizing and directing the state

board of pardons to reconsider, after favorable action has been taken by them on the application of any convict in the state penitentiary for pardon or parole, on their own motion or on the application of interested parties, before the release of such convict from the state penitentiary.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, no nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McDowell
Allen	Gibbens	McLean
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hoverson	Putnam
Cashel	Hughes	Steel
Clark	Hyland	Thoreson
Davidson	Jacobsen	Turner
Davis	Kretschmar	Vail
Duncan	Leutz	Wartner
Elken	Linde	Williams
Ellingson	Loftsgaard	Young
Ganssle	McBride	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Englund	Hookway	Talcott
Gilbert	Mudgett	Trageton

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Bond moved

That the vote by which House Bill No. 27 was indefinitely postponed be reconsidered.

Which motion prevailed.

Mr. Bond moved

That House Bill No. 27 be now put on its third reading and final passage.

Which motion prevailed.

House Bill No. 27.

A bill for an Act to prohibit insurance companies and

their agents from rebating, discriminating and twisting.

Was read the third time.

Mr. Elken offered the following amendments to House Bill No. 27 and moved their adoption.

At the end of Section 3 insert the following:

“This Act shall not affect fire insurance.”

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 32 ayes, 10 nays, 8 absent and not voting

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Hanley	Mudgett
Barnes	Heckle	Nelson
Bond	Hookway	Overson
Bonzer	Hoverson	Steel
Bronson	Hughes	Talcott
Carter	Jacobsen	Thoreson
Cashel	Kretschmar	Turner
Clark	Leutz	Vail
Duncan	Linde	Wartner
Ellingson	McBride	Williams
Gronvold	McDowell	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	Trageton
Davidson	Gibbens	Young
Elken	Helgeland	
Ganssle	Loftsgaard	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Hyland	Porterfield
Englund	McLean	Putnam
Gilbert	Plain	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Bond moved

That the vote by which House Bill No. 27 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## REPORT OF CONFERENCE COMMITTEE.

*Mr. President:*

Your conference committee appointed to consider House amendments to Senate Bill No. 51 beg leave to report that the House recedes from the House amendments to Senate Bill No. 51.

F. S. TALCOTT,  
 J. L. CASHEL,  
 ED. HOVERSON,  
 J. E. HILL,  
 PEDER L. HJELMSTAD,  
 J. L. HJORT.

Mr. Talcott moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

House Bill No. 496.

For an Act Authorizing County Commissioners to Submit to the Voters of Their Counties at Any General or Special Election Called for That Purpose, the Question of Establishing at the County Seat of Their County a Public Market Place for the Sale of Farm Produce and the Maintenance of Such Market Place.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 18 ayes, 25 nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gibbens	Leutz
Bronson	Gronvold	Putnam
Cashel	Heckle	Steel
Davis	Hookway	Talcott
Duncan	Hoverson	Turner
Elken	Jacobsen	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Carter	Ganssle
Barnes	Clark	Garden
Bond	Davidson	Helgeland
Bonzer	Ellingson	Kretschmar

Messrs.—  
Linde  
Loftsgaard  
McBride  
McDowell  
Mudgett

Messrs.—  
Nelson  
Overson  
Plain  
Thoreson  
Trageton

Messrs.—  
Vail  
Wartner  
Young

**Absent and not voting:**

Messrs.—  
Englund  
Gilbert  
Hanley

Messrs.—  
Hughes  
Hyland  
McLean

Messrs.—  
Porterfield

Mr. Englund being excused.

So the bill was lost.

Mr. Davidson moved

That the vote by which House Bill No. 496 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 187.

A bill for an Act to amend and re-enact Section 1597 of the Revised Codes of 1905, as amended by Chapter 302, Laws of 1911, relating to duty of county auditor, and requirements of taxes and deeds.

Was read the third time.

Mr. Jacobsen moved

That the further consideration of House Bill No. 187 be indefinitely postponed.

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, 1 nay, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bonzer  
Bronson  
Carter  
Cashel  
Clark  
Davidson  
Duncan  
Ellingson  
Ganssle  
Garden  
Gibbens

Messrs.—  
Gronvold  
Hanley  
Helgeland  
Hickle  
Hookway  
Hoverson  
Hyland  
Kretschmar  
Leutz  
Linde  
Loftsgaard  
McBride  
McDowell  
McLean

Messrs.—  
Nelson  
Overson  
Plain  
Putnam  
Steel  
Talcott  
Thoreson  
Trageton  
Turner  
Vail  
Wartner  
Williams  
Young

Mr. Jacobsen voted in the negative.

Absent and not voting:

Messrs.—  
Bond  
Davis  
Elken

Messrs.—  
Englund  
Gilbert  
Hughes

Messrs.—  
Mudgett  
Porterfield

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Jacobsen moved

That the House concurrent resolution relating to interstate commerce be recalled from the committee on state affairs and be referred to the Senate.

Which motion prevailed.

#### REPORT OF CONFERENCE COMMITTEE.

Your committee on conference appointed to confer with a like committee of the House on House amendments to Senate Bill No. 200 as shown on the pages 15 and 16 of the House Journal on the forty-fifth day, do hereby report:

Your committee on state affairs reported on the forty-fifth day and recommended said bill be amended and when so amended to do pass.

House Journal of the fiftieth day after recess, on page 8, shows that the committee of the whole adopted the amendments and recommended that said bill do pass.

House Journal of the fifty-third day, page 30 shows Senate Bill No. 200 as having passed the House.

Senate Journal of the fifty-third day, page 40, shows said bill was transmitted to the Senate with the amendment.

At 10:00 this morning Senate Bill No. 200 was transmitted to the Governor by the Senate and is now before the Governor without the amendments shown on the pages 15 and 16 of the Journal of the House of the forty-fifth day.

H. J. LINDE,  
C. W. HOOKWAY,  
C. F. MUDGETT,  
Senate Committee.

R. K. BATZER,  
M. D. BUTLER,  
PEDER L. HJELMSTADT,  
House Committee.

Mr. Linde moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Mr. Garden offered the following resolution:

*Be it Resolved by the Senate of the State of North Dakota:*

That Mr. Skarison be appointed to mail out the Journals of the fifty-ninth and sixtieth days, and that he be allowed four dollars (\$4.00) per day for four days, or as much thereof as is necessary to complete the work, and be it further

*Resolved,* That copies of all Journals for the fifty-ninth and sixtieth day be also mailed to each member of the Senate.

The roll was called and there were 39 ayes, no nays, 11 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Nelson
Allen	Gronvold	Overson
Barnes	Hanley	Plain
Bond	Heckle	Porterfield
Bonzer	Helgeland	Putnam
Bronson	Hookway	Talcott
Carter	Hoverson	Thoreson
Cashel	Hyland	Turner
Clark	Linde	Vail
Davidson	Loftsgaard	Wartner
Duncan	McBride	Williams
Ellingson	McDowell	Young
Ganssle	McLean	
Garden	Mudgett	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Hughes	McBride
Elken	Jacobsen	Steel
Englund	Kretschmar	Trageton
Gibbens	Leutz	

Mr. Englund being excused.

So the resolution was adopted.

Mr. Gronvold moved

That the vote by which the committee report on House Bill No. 429 was adopted be reconsidered.

Which motion prevailed.

Mr. Gronvold moved

That House Bill No. 429 be recalled from the House.

Which motion prevailed.

Mr. Hughes moved

That further consideration of House Bill No. 467 be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

#### REPORTS OF STANDING COMMITTEES.

The committee on judiciary made the following report:

*Mr. President:*

Your committee on judiciary to whom was referred

House Bill No. 405.

A bill for an Act to amend Section 1 of Chapter 177 of the Session Laws of North Dakota for 1907, relating to attorney's fees on foreclosure.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. B. OVERSON,  
Chairman.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7, 1913.

I have the honor to transmit herewith the following concurrent resolution:

Introduced by Mr. Twichell.

*Be it Resolved by the House of Representatives of the State of North Dakota, the Senate Thereof Concurring:*

WHEREAS, The question of providing adequate means for the encouragement and protection of the laboring classes of

the State of North Dakota, and the subject having become an important one in the state, affecting alike all classes, merchants, farmers and laboring men, and,

WHEREAS, We now have a Commissioner of Agriculture and Labor, who has so far devoted the time of himself and his office force to advertise the resources of the state therefore, Be it

*Resolved*, That the best interests of all classes of industry demand that the work of the Commissioner of Agriculture and Labor should include the gathering of labor statistics, investigation of working conditions in the mines and factories, etc., that a report be made to the next Session of the Legislative Assembly, and that this work be done from the appropriation allowed the department of Agriculture and Labor.

Which the House adopted and your favorable consideration is respectfully requested.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Jacobsen offered the following amendment to the House concurrent resolution regarding to laboring classes of North Dakota:

Strike out of the resolution the word "appropriation."

Mr. Allen moved

As an amendment that the further consideration of the resolution be indefinitely postponed.

Which motion prevailed and

The further consideration of the resolution was indefinitely postponed.

#### REPORTS OF STANDING COMMITTEES.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred the following concurrent resolution. By Mr. Smith of Ward.

Have had the same under consideration and report the same without recommendation.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

### MOTIONS AND RESOLUTIONS.

Mr. Hughes moved

That the Senate do now concur in the House concurrent resolution relating to coal lands.

The question being on the concurrence in the resolution.

The roll was called and there were 43 ayes, 1 nay, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	Mudgett
Allen	Hanley	Nelson
Bond	Heckle	Overson
Bonzer	Helgeland	Plain
Bronson	Hookway	Porterfield
Carter	Hoverson	Putnam
Davidson	Hughes	Steel
Davis	Hyland	Talcott
Duncan	Kretschmar	Thoreson
Elken	Leutz	Trageton
Ellingson	Linde	Vail
Ganssle	Loftsgaard	Williams
Garden	McBride	Young
Gibbens	McDowell	
Gilbert	McLean	

Mr. Wartner voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Barnes	Clark	Jacobsen
Cashel	Englund	Turner

Mr. Englund being excused.

So the motion prevailed and the Senate concurred in the resolution.

Mr. McDowell moved

That the Senate do now concur in the House concurrent resolution relating to the Tariff Act of August 5th, 1909.

Which motion prevailed and

The resolution was concurred in.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

I have the honor to return herewith

Senate Bill No. 159.

A bill for an Act to amend Section 241 of the Revised Codes of 1905, relating to the duties of the State Historical Society of North Dakota.

Also,

Senate Bill No. 142.

A bill for an Act to incorporate and establish the Des Lacs and Mouse River Valley agriculture and fair association and making an appropriation therefor.

Also,

Senate Bill No. 248.

A bill for and Act to amend Section 281 of the Revised Codes of 1905 relative to the burial of the bodies of persons who have died from infectious and contagious diseases, and to provide for the disinfecting of such bodies.

Also,

Senate Bill No. 117.

A bill for an Act relating to the enforcement of liens for storage of personal property and charges thereon.

Also,

Senate Bill No. 195.

A bill for an Act to provide additional assistant dairy commissioners, defining their duties, salaries, expenses and how the same shall be paid.

Also,

Senate Bill No. 264.

A bill for an Act to amend and re-enact Chapter 301 of the Session Laws of 1911, relating to auditor's notice of tax sale.

Also,

Senate Bill No. 313.

A bill for an Act to require express companies and other common carriers to keep displayed printed schedules of

rates of charges and amendments thereto, prohibiting excessive charges, and providing a penalty for violation thereof.

Also,

Senate Bill No. 320.

A bill for an Act providing for one-half merchandise rates to be charged for the transportation of machinery and repairs or parts for machinery, and prescribing a penalty for the violation thereof.

Also,

Senate Bill No. 84.

A bill for an Act to amend and re-enact Section 1546 of the Revised Codes of 1905, requiring a notation on tax receipt where real estate has been sold for taxes and not redeemed, and providing a penalty for failure therefor.

Also,

Senate Bill No. 318.

A bill for an Act authorizing county drainage boards to refund illegal penalties and interest, prior to the passage of this Act paid on delinquent drainage assessments levied prior to July 1, 1911.

Also,

Senate Bill No. 257.

A bill for an Act to provide for the payment of county and school warrants, when there is no money in the hands of the proper officer for the payment of such warrants, out of the funds on which they are drawn.

Also,

Senate Bill No. 154.

A bill for an Act making an appropriation for the normal school at Minot to meet an expenditure for the erection of buildings and permanent improvements necessary in connection therewith, and for furnishing equipment and maintenance.

Also,

Senate Bill No. 252.

A bill for an Act to amend and re-enact Section 2 and Section 6 of Chapter 44 of the Session Laws of 1911, relating to the State Tuberculosis Sanitarium at Dunseith.

Also,

Senate Bill No. 279.

A bill for an Act to promote forest tree culture and providing for a bounty for tree planting and the levy of a tax to pay such bounty.

Also,

Senate Bill No. 41.

A bill for an Act making appropriation for the current and contingent expenses of the State Penitentiary, and for making permanent improvements and additions thereto.

Also,

Senate Bill No. 362.

A bill for an Act to amend Section 38 of Chapter 62 of the Session Laws of 1911, relating to estimates and the purchase of supplies for state institutions.

Also,

Senate Bill No. 335.

A bill for an Act to re-enact and amend Section 22 of Chapter 62 of the Session Laws of 1911, relating to the appointment of a state architect, and pertaining to his duties and salary. Emergency.

Also,

Senate Bill No. 317.

A bill for an Act to establish a legislative drafting bureau in connection with the legislative reference department of the state library commission.

Also,

Senate Bill No. 367.

A bill for an Act to amend Section 9329 of the Revised Codes of 1905, relating to malicious mischief and injury to real property, emblements and fixtures.

Also,

Senate Bill No. 107.

A bill for an Act to provide for the making of permanent improvements at the State Normal School at Valley City, North Dakota, to assist in the maintenance thereof, and for other purposes, and make an appropriation therefor.

Also,

Senate Bill No. 130.

A bill for an Act to provide for the presentation of the State of North Dakota at the Panama-Pacific International Exposition at San Francisco, California, and at the Panama-California Exposition at San Diego, California, celebrating the opening and commercial use of the Panama Canal and making an appropriation therefor.

Which the House has indefinitely postponed.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 246.

A bill for an Act to amend and re-enact Sections 2 and 4, Chapter 129, Session Laws of 1911, relating to election privileges.

Which the House has amended as follows:

In line 7 of the printed bill, page 1, strike out the word and figure "seventy (70)" and insert in lieu thereof the word and figure "fifty (50)."

On line 3, Section 4, page 1 of printed bill, strike out the word "sixty" and insert instead the word "forty."

On line 19, page 1, Section 4 of printed bill, strike out the word and figures "fifteen (15)" and insert instead the word and figures "twenty (20)."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Talcott moved

That the Senate do now concur in the House amendments to Senate Bill No. 246.

Which motion prevailed and

The amendments were concurred in.

Senate Bill No. 246.

A bill for an Act to amend and re-enact Sections 2 and 4, Chapter 129, Session Laws of 1911, relating to election privileges.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gronvold	Mudgett
Allen	Hanley	Nelson
Barnes	Heckle	Overson
Bonzer	Helgeland	Plain
Bronson	Hookway	Porterfield
Carter	Hoverson	Putnam
Clark	Hughes	Steel
Davidson	Hyland	Talcott
Davis	Jacobsen	Thoreson
Duncan	Kretschmar	Trageton
Elken	Leutz	Turner
Ellingson	Linde	Vail
Ganssle	Loftsgaard	Wartner
Gibbens	McDowell	Williams
Gilbert	McLean	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Englund	McBride
Cashel	Garden	Turner

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. McDowell moved

That the further consideration of the House concurrent resolution relating to Article 7, Section 135, of the Constitution of the State of North Dakota be indefinitely postponed.

Which motion prevailed and

Further consideration of the resolution was indefinitely postponed.

Mr. Davis moved

That House Bill No. 119 be placed on its third reading and final passage.

Which motion prevailed.

House Bill No. 119.

A bill for an Act authorizing the court or judges to remove officers for misfeasance, malfeasance or nonfeasance in office, and providing the method of procedure therefor.

Was read the third time.

Mr. Hughes moved

That further consideration of House Bill No. 119 be indefinitely postponed.

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 24 ayes, 20 nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bond	Garden	Nelson
Bronson	Gibbens	Overson
Carter	Gilbert	Porterfield
Cashel	Hyland	Steel
Davidson	Kretschmar	Talcott
Davis	McBride	Thoreson
Elken	McDowell	Turner
Ellingson	Mudgett	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Heckle	Loftsgaard
Allen	Helgeland	McLean
Barnes	Hookway	Trageton
Bonzer	Hoverson	Vail
Clark	Hughes	Wartner
Ganssle	Jacobsen	Young
Gronvold	Leutz	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Duncan	Linde	Overson
Englund	Plain	
Hanley	Putnam	

Mr. Englund being excused.

So the bill was lost.

Mr. Trageton moved

That the vote by which House Bill No. 119 was lost, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## REPORT OF CONFERENCE COMMITTEE.

*Mr. President:*

Your conference committee, to whom was referred

Senate Bill No. 148.

A bill for an Act to amend Sections 2 and 36 of Chapter 128 of the Laws of 1909, and Sections 4, 6 and 10 of Chapter 141 of the Laws of 1911, relating to fish and game, providing for the removal of beavers causing damage to property and making an appropriation therefor.

Have had the same under consideration and recommend that the House recede from its amendments and adopt the following amendment:

On page 2, line 2 of the engrossed bill change "1913" to "1912."

Change Section 4 so as to read Section 3.

Change Section 5 so as to read Section 4.

Change Section 6 so as to read Section 5.

In the title, strike out the comma after the figure "8" and insert in lieu thereof, the word "and." In the same line after the figures "35" strike out the comma, also the word "and," also the figure "45."

Strike out all of Section 3 of the engrossed bill.

And when so amended recommend the same do pass.

N. W. HAWKINSON,  
O. B. WING,  
C. C. TURNER,  
House Committee.

HENRY McLEAN,  
W. P. PORTERFIELD,  
FRANK H. HYLAND,  
Senate Committee.

Mr. McLean moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Senate Bill No. 148.

A bill for an Act to amend Sections 2 and 36 of Chapter 128 of the Laws of 1909, and Sections 4, 6 and 10 of Chapter

141 of the Laws of 1911, relating to fish and game; providing for the removal of beavers causing damage to property and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill as amended by the conference committee.

The roll was called and there were 36 ayes, no nays, 14 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	McLean
Allen	Heckle	Mudgett
Barnes	Helgeland	Nelson
Bond	Hoverson	Overson
Bonzer	Hyland	Plain
Bronson	Jacobsen	Porterfield
Carter	Kretschmar	Putnam
Clark	Leutz	Steel
Davidson	Linde	Talcott
Duncan	Loftsgaard	Trageton
Garden	McBride	Vail
Gronvold	McDowell	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Cashel	Ganssle	Thoreson
Davis	Gibbens	Turner
Elken	Gilbert	Wartner
Ellingson	Hookway	Williams
Englund	Hughes	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

The Secretary announced that the President was about to sign

House Bill No. 487.

A bill for an Act to provide for the publication by the state of an unauthenticated edition of the Session Laws, and its distribution.

House Bill No. 229.

A bill for an Act creating park districts for villages and providing for the government thereof, creating a board of park commissioners, and specifying the power and authority of such commissioners.

House Bill No. 319.

A bill for an Act to amend Section 3, of Chapter 129, of the Session Laws of 1911, relating to rates for state officers in the publicity pamphlet.

House Bill No. 338.

A bill for an Act to establish a day in the State of North Dakota to be known as "Mother's Day."

House Bill No. 341.

A bill for an Act to amend Section 8 of Chapter 177, Session Laws of 1911, relating to dependent and neglected children.

House Bill No. 342.

A bill for an Act to prevent procreation of confirmed criminals, insane, idiots, defectives and rapists; providing for a board of medical examiners and making provision for carrying out the same.

House Bill No. 357.

A bill for an Act to amend and re-enact Section 1189 of the Revised Codes of North Dakota for 1905.

House Bill No. 415.

A bill for an Act to amend Section 2386 of the Revised Codes of 1905, providing for the increase or diminishing of the number of county commissioners.

House Bill No. 426.

Being a bill for an Act to amend Section 473 of the Revised Codes of North Dakota for the year 1905, as amended by Chapter 74 of the Session Laws of 1909, relating to the boundaries of, and terms of court in, the Fifth Judicial District.

House Bill No. 432.

A bill for an Act to amend and re-enact Sections 2792 2793 and 2804 of the Revised Codes of North Dakota for 1905, relating to special assessments for sewers, water mains, sidewalks and other purposes.

House Bill No. 442.

A bill for an Act to prohibit township treasurers from depositing township moneys in their own name.

House Bill No. 448.

A bill for an Act to amend Section 2589 of the Revised Codes of 1905, as amended by Chapter 119 of the Session Laws of 1909, relating to fees in county court.

House Bill No. 453.

A bill for an Act to amend Section 9 of Chapter 80 of the Session Laws of North Dakota for the year 1909, relating to practice in county courts having increased jurisdiction.

House Bill No. 234.

A bill for an Act to amend Section 19 of Chapter 169 of the Laws of 1907, entitled "An Act to establish the live stock sanitary board of North Dakota and to provide for the suppression and control of dangerous, contagious and infectious diseases of domestic animals," and the amendment thereto, Chapter 37, Session Laws of 1909.

House Bill No. 238.

A bill for an Act to amend Section 70 of Chapter 266 of the Session Laws of 1911, relating to the purchase of school supplies.

House Bill No. 258.

A bill for an Act to limit tax levies during the years 1913 and 1914, to restrict debt limits, and to regulate salaries of officers which, under existing laws, depend upon assessed valuation.

House Bill No. 288.

A bill for an Act providing for the inspection of freight and express books and records by the state's attorney in the enforcement of the prohibition law.

House Bill No. 290.

A bill for an Act to repeal Section 1503 of the Revised Codes of North Dakota of 1905, relating to the assessment of property, of companies or associations, and the listing of the same.

House Bill No. 226.

A bill for an Act authorizing the Supreme Court of North Dakota to direct the Bar Association of North Dakota to institute legal proceedings for the disbarment, or other discipline, of practicing attorneys of the State of North Dakota, providing for the payment of counsel in the conduct of such disbarment proceedings and authorizing the Supreme Court to fix the amount and direct the payment thereof.

House Bill No. 168.

A bill for an Act to regulate in certain class of cases the entry by county auditors of notations of prior taxes of

land upon the tax lists for subsequent years; and when and how empowered to erase, cancel and annul any already entered and noted in cases of that same class.

House Bill No. 159.

A bill for an Act to amend Section 2607 of the Revised Codes of North Dakota for 1905, relating to coroner fees.

House Bill No. 90.

A bill for an Act relating to the printing of a proposed Constitutional Amendment.

House Bill No. 143.

A bill for an Act providing for taxation and fixing the rate of taxation on inheritances, devises, bequests, legacies and gifts and providing for the manner of payment as well as the manner of enforcing the payment thereof.

House Bill No. 192.

A bill for an Act making an appropriation for the Normal School at Minot to meet an expenditure for the erection of buildings and permanent improvements necessary in connection therewith, and for furnishing, equipment and maintenance.

House Bill No. 214.

A bill for an Act to amend Section 1508 of the Revised Codes of North Dakota of 1905, relating to the assessment of bank stock, and to provide a method for reviewing the same, and to repeal inconsistent provisions.

House Bill No. 377.

A bill for an Act providing for accepting by the State of North Dakota any military reservation, Indian school reservation and all property connected therewith, that the United States may cede or transfer to the State of North Dakota, subject to any conditions and requirements which Congress may make.

House Bill No. 428.

A bill for an Act entitled "An Act specifying who may be sent to the state reform school and amending Section 10401 of the Revised Codes of North Dakota of 1905."

And the President signed the same in the presence of the Senate.

The President pro tempore presiding.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 103.

A bill for an Act providing for the removal of certain  
county, township, municipal and other officers.

Which the House has amended as follows:

On line 1, after the word "any" insert "county commis-  
sioner."

Strike out lines 9 to 18 inclusive and insert in lieu thereof:  
"misconduct, malfeasance, crime in office or for habitual  
drunkenness or gross incompetency."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Davis moved

That the Senate do now concur in the House amendments  
to Senate Bill No. 103.

Roll call demanded.

The question being on the concurrence in the House  
amendments.

The roll was called and there were 23 ayes, 19 nays, 8  
absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Helgeland	Putnam
Cashel	Hyland	Steel
Davidson	Kretschmar	Talcott
Davis	Loftsgaard	Turner
Elken	McDowell	Vail
Ellingson	Overson	Williams
Garden	Plain	Young
Gilbert	Porterfield	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gronvold	McBride
Barnes	Heckle	McLean
Bonzer	Hookway	Thoreson
Bronson	Hoverson	Trageton
Carter	Jacobsen	Wartner
Clark	Leutz	
Ganssle	Linde	

**Absent and not voting:**

Messrs.—  
Bond  
Duncan  
Englund

Messrs.—  
Gibbens  
Hanley  
Hughes

Messrs.—  
Mudgett  
Nelson

Mr. Englund being excused.

So the motion prevailed and the Senate concurred in the House amendments.

Mr. Davis moved

A call of the Senate.

Mr. Davis moved

That further proceedings under the call be dispensed with and Senate Bill No. 103 be put on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 28 ayes, 21 nays, 1 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Bond  
Cashel  
Davidson  
Davis  
Elken  
Ellingson  
Garden  
Gibbens  
Gilbert

Messrs.—  
Hanley  
Helgeland  
Hughes  
Hyland  
Kretschmar  
McBride  
McDowell  
Mudgett  
Nelson  
Overson

Messrs.—  
Plain  
Porterfield  
Putnam  
Steel  
Trageton  
Turner  
Vail  
Williams

Those voting in the negative were:

Messrs.—  
Allen  
Barnes  
Bonzer  
Bronson  
Carter  
Clark  
Duncan

Messrs.—  
Gansle  
Gronvold  
Heckle  
Hookway  
Hoverson  
Jacobsen  
Leutz

Messrs.—  
Linde  
Loftsgaard  
McLean  
Talcott  
Thoreson  
Wartner  
Young

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved

That the vote by which Senate Bill No. 103 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Bond moved

That the President do not sign House Bill No. 422.

Mr. Talcott moved

That further action on the foregoing motion be deferred for 20 minutes.

Which motion prevailed.

Mr. Thoreson moved

That the Senate do now concur in the House amendments to Senate Bill No. 131.

Which motion prevailed and

The amendments were concurred in.

Senate Bill No. 131.

A bill for an Act to require public warehouses to clean all grain handled by them before testing the same for grade, and providing a penalty for the violation of this Act.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 35 ayes, no nays, 15 absent and not voting.

Those voting in the affirmative were:

Messrs.—

Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson  
Carter  
Clark  
Davidson  
Duncan  
Elken  
Garden

Messrs.—

Gibbens  
Gilbert  
Gronvold  
Heckle  
Helgeland  
Hoverson  
Hyland  
Kretschmar  
Loftsgaard  
McDowell  
McLean  
Mudgett

Messrs.—

Overson  
Plain  
Porterfield  
Putnam  
Steel  
Talcott  
Thoreson  
Turner  
Vail  
Wartner  
Young

**Absent and not voting:**

Messrs.—

Davis  
Ellingson  
Englund  
Ganssle  
Hanley

Messrs.—

Hookway  
Hughes  
Jacobsen  
Leutz  
Linde

Messrs.—

McBride  
Nelson  
Trageton  
Williams

Mr. Englund being excused.

So the bill passed and the title was agreed to.

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 267.

A bill for an Act for the regulation and control of fraternal benefit societies.

Also,

Senate Bill No. 110.

A concurrent resolution amending the constitution of the State of North Dakota, empowering the Legislative Assembly to provide law for the erection, leasing, purchasing and operating terminal elevators in the State of North Dakota.

Also,

Senate Bill No. 290.

A bill for an Act extending the powers of the board of trustees of incorporated villages, relative to sidewalks, sewers, paving and water mains.

Also,

Senate Bill No. 241.

For an Act to Amend Sections 2772, 2775, 2777 and 2786 Revised Codes of North Dakota, as Amended by Chapter 70 of the Laws of North Dakota of 1911.

Also,

Senate Bill No. 322.

A bill for an Act pertaining to verdicts and findings and abolishing special verdicts in civil and criminal actions.

Also,

Senate Bill No. 357.

A bill for an Act to amend Section 5701 of the Revised Codes of North Dakota for 1905, relating to damages for postponing or refusing messages.

Also,

Senate Bill No. 287.

A bill for an Act entitled, "An Act to regulate the distribution of the laws of the State of North Dakota, and compilation and codification thereof."

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 368.

A bill for an Act to amend and re-enact Section 2364 of the Revised Codes of North Dakota for 1905, as amended by Chapter 61 of the Session Laws of 1907, relating to county seats.

Also,

Senate Bill No. 307.

A bill for an Act to repeal Section 3013 of the Revised Codes of 1905 relating to bridge tax in certain cities or municipalities.

Also,

Senate Bill No. 128.

A concurrent resolution to further amend Section 121 of Article V. of the Constitution of the State of North Dakota; being heretofore amended by Article II, Amendments to the Constitution, pertaining to elective franchise.

Also,

Senate Bill No. 302.

A bill for an Act to prevent unnecessary delay in appeals from the district court to the Supreme Court, arising from delay in making transcripts of testimony and proceedings,

and limiting time within which and prescribing proceedings under which court stenographers must prepare and deliver transcripts ordered, and providing for appointment, qualification and removal of court stenographers and deputy stenographers.

Which the House has indefinitely postponed.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 131.

A bill for an Act to require public warehouses to first clean a sample of any grain before testing for the grade of such grain, and providing a penalty for the violation of this Act.

Which the House has amended as follows:

Line 3, page 1, after "1905" insert "when requested by seller."

Line 9, page 1, after the word "state" insert "after such request has been made."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 51.

A bill for an Act to amend and re-enact Sections 1031, 1032, 1033, 1034, 1035, 1036, 1037 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907 and Chapter 267 of the General Laws of 1911; and to amend Sections 1, 2, 3, 4, 5 of Chapter 40 of the General Laws of 1911, and to repeal Sections 6, 7, 8, 9, 10, 11, of Chapter 40 of the General Laws of 1911.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 216.

A bill for an Act to repeal Section 3 of Chapter 264 of the Session Laws of 1911, relating to reviews in high schools.

Which the House has amended as follows:

Strike out everything after the words "A Bill" and insert in lieu thereof the following: For an Act to amend and re-enact Section 3 of Chapter 264 of the Session Laws of 1911, relating to thorough system of instruction in schools.

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

*"Section 1. Amendment.) That Section 3 of Chapter 264 of the Session Laws of 1911 be amended and re-enacted so as to read as follows: Section 3. Review by Senior Class. Duty of Superintendent.) The superintendent shall, and it is hereby made his duty to cause to be reviewed by each senior class during the senior year, the full and complete course of study pursued by said class in the grammar grades."*

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 52.

A bill for an Act concerning railroads, regulating the size of engines, motors and cars, and also the clearance of obstructions thereon.

Which the House has amended as follows:

After the last word in Section 2 of the engrossed bill, insert the following: "*Provided*, however, this shall not apply to rolling stock now in service."

After the last word in Section 3 of the engrossed bill, insert the following: "And *provided*, further, that this Act shall not apply to loading platforms erected at sidings or stations between terminals now in use."

In Section 5, on line 3 of the engrossed bill, strike out after the word "construct" the words "or maintain."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 130.

A bill for an Act to provide for the representation of the State of North Dakota at the Panama-Pacific International Exposition at San Francisco, California, and at the Panama-California Exposition at San Diego, California, celebrating the opening and commercial use of the Panama Canal and making an appropriation therefor.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

#### MOTIONS AND RESOLUTIONS.

Mr. Williams moved

That House Bill No. 406 be recalled from the House.

Which motion prevailed.

Mr. Steel moved

That House Bill No. 456 be recalled from the House.

Which motion prevailed.

Mr. Thoreson moved

That the Senate do now concur in the House concurrent resolution pertaining to inter-state commerce commission.

Which motion prevailed and

The resolution was concurred in.

Mr. Bronson moved

That the Senate do now concur in the House amendments to Senate Bill No. 52.

Which motion prevailed and

The amendments were concurred in.

## Senate Bill No. 52.

A bill for an Act concerning railroads, regulating the size of engines, motors and cars, and also the clearance of obstructions thereon.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 38 ayes, 3 nays, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Garden	McDowell
Barnes	Gronvold	McLean
Bond	Hanley	Mudgett
Bonzer	Heckle	Nelson
Bronson	Helgeland	Overson
Carter	Hoverson	Porterfield
Cashel	Hyland	Putnam
Clark	Jacobsen	Talcott
Davidson	Kretschmar	Thoreson
Davis	Leutz	Turner
Duncan	Linde	Vail
Elken	Loftsgaard	Wartner
Ellingson	McBride	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Gibbens	Gilbert	Young
Messrs.—	Messrs.—	Messrs.—
Allen	Hookway	Steel
Englund	Hughes	Trageton
Ganssle	Plain	Williams

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Bronson moved

That the vote by which Senate Bill No. 52 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The President presiding.

## REPORT OF CONFERENCE COMMITTEE.

Your conference committee on House Bill No. 71 begs leave to report as follows:

Recommends that the House concur in the Senate amendment to House Bill No. 71.

O. C. DOSSETH,  
T. N. PUTNAM,  
House Committee.

E. A. HUGHES,  
W. P. PORTERFIELD,  
Senate Committee.

Mr. Talcott moved

That the Senate do not concur in the House amendments to Senate Bill No. 216 and that a conference committee be appointed.

Which motion prevailed and

The President appointed as such committee, Messrs. Talcott, McDowell and Putnam.

Mr. Gilbert offered the following resolution and moved its adoption:

WHEREAS, The President has presided over this body for the last sixty days, and

WHEREAS, He has been pre-eminently fair and considerate at all times and under all conditions; Therefore be it

*Resolved*, That to show our appreciation and good-fellowship, we tender him the chair he has occupied so ably.

Which resolution was adopted.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 29.

A bill for an Act to amend Section 2864 of the Revised Codes of North Dakota for 1905, as amended by Chapter 186 of the Session Laws of 1905, and re-amended by Chapter 268 of the Session Laws of 1907, relating to the general powers of the boards of trustees of incorporated villages.

Also,

Senate Bill No. 175.

A bill for an Act to mend Section 73 of the Revised Codes of 1905 relating to reports of officers, departments, boards, commissions and state institutions by law required to be made to the Governor and the Legislative Assembly of the State, requiring the person or persons, having contracts for printing with the state to execute a bond, providing a penalty for failure to make, transmit and print such reports at the time required, and repealing all existing provisions of law inconsistent herewith.

Also,

Senate Bill No. 121.

A bill for an Act to provide an appropriation for the current and contingent expenses, for the erection of necessary additional buildings, for other necessary improvements and repairs at the State Hospital for the Insane of North Dakota, at Jamestown, and for purchasing additional land for the use of such State Hospital.

Also,

Senate Bill No. 31.

A bill for an Act to amend Section 3 of Chapter 209 of the Session Laws of 1909, relating to the selling, offering or exposure of seed for sale.

Also,

Senate Bill No. 88.

A bill for an Act to promote the safety of employes and travelers upon railroads by compelling common carriers engaged in the transportation of passengers or property in this state to equip locomotives with electric headlights.

Also,

Senate Bill No. 127.

A bill for an Act relating to the employment and compensation of prisoners confined in the state penitentiary, and making appropriation therefor.

Also,

Senate Bill No. 213.

A bill for an Act to amend and re-enact Sections 2198, 2200, 2201 and 2202, Article 41, Chapter 24, of the Revised Codes of 1905, relating to the bonding and licensing of commission merchants.

Also,

## Senate Bill No. 218.

A bill for an Act to amend Section 4190, Article 2 of Chapter 11 of the Revised Codes of the State of North Dakota of 1905, relating to the disposition of fees collected for the filing of the annual reports of corporations.

Also,

## Senate Bill No. 223.

A bill for an Act to provide for the creation of a fire marshal department under the management of the Commissioner of Insurance for the better protection and preservation of life and property from fire, for the appointment of a fire marshal, chief assistant fire marshal and deputies. Defining their duties and powers. Providing penalties for the violation and enforcement of the provisions of this Act, and to provide for a tax upon fire insurance companies therefor.

Also,

## Senate Bill No. 139.

A bill for an Act providing for the cancellation of all North Dakota live stock brands or marks; providing for re-recording of same; notices to record owners, publication of notices; manner of re-recording and future recording; fees; expenses; appropriation; repeal.

Also,

## Senate Bill No. 260.

A bill for an Act entitled, "An Act to amend Section 2, of Chapter 265 of the Session Laws of 1911, relating to establishment and maintenance, and improvements and equipment of a county agricultural and training school, and providing levies therefor.

Also,

## Senate Bill No. 315.

A bill for an Act to amend and re-enact Section 2005 of the Revised Codes of 1905 as amended by Chapter 162 of the Session Laws of 1909, relating to the sale and disposition of animals affected with contagious diseases and the use of milk of any such animals providing for the labeling of meats from such animals, and prescribing a penalty for violation thereof.

And find the same correctly enrolled.

F. T. GRONVOLD,  
Acting Chairman.

Mr. Gronvold moved

That the report be adopted.

Which motion prevailed, and  
The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 349.

A bill for an Act to amend Section 1 of Chapter 162 of the Session Laws of 1911, relating to county mutual companies.

And find the same correctly enrolled.

W. P. PORTERFIELD,  
Acting Chairman.

Mr. Porterfield moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The Secretary announced that the President was about to sign

Senate Bill No. 139.

A bill for an Act providing for the cancellation of all North Dakota live stock brands or marks; providing for re-recording of same; notices to record owners; publication of notices; manner of re-recording and future recording; fees; expenses; appropriation; repeal.

Senate Bill No. 260.

A bill for an Act entitled "An Act to amend Section 2 of Chapter 265 of the Session Laws of 1911, relating to establishment and maintenance, and improvements and equipment of a County Agricultural and Training School, and providing levies thereof.

Senate Bill No. 315.

A bill for an Act to amend and re-enact Section 2005 of the Revised Codes of 1905, as amended by Chapter 162 of the Session Laws of 1909, relating to the sale or disposition of animals affected with contagious or infectious diseases and the use of milk and hides from any such animals; providing for the labeling of meat from such animals and prescribing a penalty for the violation thereof.

Senate Bill 349.

A bill for an Act to amend Section 1 of Chapter 162 of

the Session Laws of 1911, relating to county mutual companies.

Senate Bill No. 213.

A bill for an Act to amend and re-enact Sections 2198, 2200, 2201 and 2202, Article 41, Chapter 24 of the Revised Codes of 1905, relating to the bonding and licensing of commission merchants.

Senate Bill No. 218.

A bill for an Act to amend Section 4190, Article 2 of Chapter 11 of the Revised Codes of the State of North Dakota of 1905, relating to the disposition of fees collected for the filing of the annual reports of corporations.

Senate Bill No. 223.

A bill for an Act to provide for the creation of a fire marshal department for the better protection and preservation of life and property from fire, for the appointment of a fire marshal, chief assistant fire marshal and deputies. Defining their duties and powers. Providing penalties for the violation and enforcement of the provisions of this Act, and to provide for a tax upon fire insurance companies therefor.

Senate Bill No. 175.

A bill for an Act to mend Section 73 of the Revised Codes of 1905 relating to reports of officers; departments, boards, commissions and state institutions by law required to be made to the Governor and the Legislative Assembly of the State, requiring the person or persons; having contracts for printing with the state to execute a bond, providing a penalty for failure to make, transmit and print such reports at the time required, and repealing all existing provisions of law inconsistent herewith.

Senate Bill No. 29.

A bill for an Act to amend Section 2864 of the Revised Codes of North Dakota for 1905, as amended by Chapter 186 of the Session Laws of 1905, and reamended by Chapter 268 of the Session Laws of 1907, relating to the general powers of the boards of trustees of incorporated villages.

Senate Bill No. 121.

A bill for an Act to provide an appropriation for the current and contingent expenses, for the erection of necessary additional buildings, for other necessary improvements and repairs at the State Hospital for the Insane of North Dakota, at Jamestown, and for purchasing additional land for the use of such State Hospital.

## Senate Bill No. 31.

A bill for an Act to amend Section 3 of Chapter 209 of the Session Laws of 1909, relating to the selling, offering or exposure of seed for sale.

## Senate Bill No. 88.

A bill for an Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in the transportation of passengers or property in this state to equip locomotives with electric headlights.

## Senate Bill No. 127.

A bill for an Act relating to the employment and compensation of prisoners confined in the state penitentiary, and making appropriation therefor.

And the President signed the same in the presence of the Senate.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

I have the honor to return herewith

## Senate Bill No. 147.

A bill for an Act to provide for making permanent improvements at the state tuberculosis sanitarium at Dunseith, to assist in the maintenance thereof, and for other purposes and making appropriations therefor.

Which the House has passed as amended by conference committee.

Very respectfully,

M. J. GEORGE,  
Chief Clerk

Also,

*Mr. President:*

I have the honor to return herewith

## Senate Bill No. 270.

A bill for an Act to amend Section 2272 of the Revised Codes of the State of North Dakota for the year 1905, relating to the storage of unclaimed goods, wares and merchandise carried by railroads and transportation companies.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk

## MOTIONS AND RESOLUTIONS.

Mr. Linde offered the following resolution:

WHEREAS, It appears from the Journal of the House and from the press of this and other states that the name of our esteemed fellow member of this Senate, Senator C. W. Hookway, has been inexcusably and without any grounds or reason whatsoever and through hearsay reports alone, mentioned in connection with certain charges of attempted bribery preferred by the House against one B. J. Ness, growing out of Senate Bill No. 98, and

WHEREAS, Such reports, which in fact have no foundation or semblance of truth in them, will or might tend to besmirch and place a stigma upon the good name, character and reputation of our fellow member in whom we have explicit confidence and who has our absolute respect and good will, and

WHEREAS, It is the intention of this Senate to do all within its power to deny and repudiate such reports and to prevent any stain or stigma from attaching to the name of Senator Hookway.

*Now Therefore, Be It Resolved,* That we by this resolution express our sincere and honest regrets at the unfortunate and uncalled for reports concerning Senator C. W. Hookway at this and at the last session, and extend to him an expression of our confidence in and respect for him, and that we hereby go on record that we believe that such reports are in all respects and in all things false and untrue and without any foundation whatsoever, and

*Be It Further Resolved,* That we recommend our fellow member C. W. Hookway to the world and to the people of this state as a man whose honesty and integrity have never during his term of service in this Senate or at any other time been in any manner questioned and whose sterling qualities are admired and appreciated by all, and

*Be It Further Resolved,* That a copy of this resolution be engrossed and signed by the President of this Senate and thereupon transmitted to Senator C. W. Hookway as an expression of our confidence in him and with our best wishes for his future success and welfare.

Mr. Davis moved

That the rules be suspended and that Representative Twichell explain the testimony concerning the matters mentioned in the resolution.

Which motion prevailed and  
Representative Twichell addressed the Senate.

Mr. Linde moved

That the resolution be adopted.

On request the roll was called.

The question being on the adoption of the resolution.

The roll was called and there were 48 ayes, no nays, 2  
absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McLean
Allen	Gilbert	Mudgett
Barnes	Gronvold	Nelson
Bond	Hanley	Overson
Bonzer	Heckle	Plain
Bronson	Helgeland	Porterfield
Carter	Hoverson	Putnam
Cashel	Hughes	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Davis	Kretschmar	Trageton
Duncan	Leutz	Turner
Elken	Linde	Vail
Ellingson	Loftsgaard	Wartner
Ganssle	McBride	Williams
Garden	McDowell	Young

Absent and not voting, Messrs. Englund and Hookway.

Mr. Englund being excused.

So the motion prevailed and the resolution was adopted.

Mr. Overson moved

That a copy of the foregoing resolution be sent to the  
House and there read before that body and that a request  
be made of the House that the name of Senator Hookway  
be expunged from the record in the printed Journal that is  
to be bound, in reference to the Ness trial and that in case  
the request to have the record expunged is not granted that  
a copy of the resolution be printed in the House Journal.

Which motion prevailed.

The committee on enrolled and engrossed bills made the  
following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have ex-  
amined

Senate Bill No. 54.

A bill for an Act prescribing the time when payments of

fees and profits arising from the several State offices shall be covered into the State Treasury.

Also,

Senate Bill No. 150.

A bill for an Act relating to settlements of causes of action or cases for damages sustained through personal injuries, and contracts of retainer made therefor.

Also,

Senate Bill No. 376.

A bill for an Act to amend Section 232 of Chapter 266 of the Session Laws of 1911, relating to education.

Also,

Senate Bill No. 219.

A bill for an Act to amend Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

Also,

Senate Bill No. 243.

A bill for an Act to amend Section 2485 of the Revised Codes of North Dakota for 1905, relating to the annual statement of the county auditor and treasurer.

And find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The Secretary announced that the President was about to sign

Senate Bill No. 54.

A bill for an Act prescribing the time when payments of fees and profits arising from the several state offices shall be covered into the state treasury.

Senate Bill No. 156.

A bill for an Act relating to settlements of causes of action or cases for damages sustained through personal injuries and contracts of retainer made therefor.

Senate Bill No. 376.

A bill for an Act to amend Section 232 of Chapter 266 of the Session Laws of 1911, relating to education.

Senate Bill No. 219.

A bill for a concurrent resolution to amend Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

Senate Bill No. 243.

A bill for an Act to amend Section 2485 of the Revised Codes of North Dakota for 1905, relating to the annual statement of the county auditor and treasurer.

And the President signed the same in the presence of the Senate.

Mr. Hanley moved

That the Senate take a recess for ten minutes.

Which motion prevailed and

The Senate took a recess.

W. D. AUSTIN,  
Secretary.

AFTER RECESS.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 73.

A bill for an Act amending the Constitution of the State of North Dakota, providing for future amendments thereof.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 341.

A bill for an Act to amend and re-enact Section 91 of Chapter 266 of the Session Laws of 1911, relating to school district clerk's annual report.

Also,

Senate Bill No. 360.

A bill for an Act amending Section 7608 of the Revised Codes of 1905, as amended in Section 1 of Chapter 52 of the Session Laws of 1907, relating to the appointment, duties, powers, qualifications and salary of the state engineer; also to amend Section 7665 of the Revised Codes of 1905, relating to the expenses of the state engineer's office.

Also,

Senate Bill No. 389.

A bill for an Act to authorize the trustees of public property to set at such prices as may be practicable the volumes of the Supreme Court reports now on hand in the office of the secretary of state.

Also,

Senate Bill No. 196.

A bill for an Act to provide for the establishment, organization, regulation and management of a state board of health, county boards of health, township boards of health and village boards of health, and making an appropriation for the expenses of the state board of health, and to repeal Sections 252 to 287 inclusive, of Article 10, Chapter 4, Revised Codes of 1905,

Also,

Senate Bill No. 314.

A bill for an Act legalizing the action of registers of deeds and county commissioners in paying or authorizing the payment of extra clerk hire in register of deeds' office when said payment was made in good faith.

Which the House has indefinitely postponed.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 64.

A bill for an Act to amend Sections 38, 46, 51, 66 of the Revised Codes of 1905, to provide for the printing and pre-

scribing the manner of distribution of the Legislative Manual, known as the North Dakota Blue Book.

Which the House has indefinitely postponed.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return House Bill No. 456 at your request.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 148.

A bill for an Act to amend Section 36 of Chapter 128 of the Laws of 1909, and Sections 8, 35 and 45 of Chapter 128, Laws of 1909, as amended by Chapter 141 of the Laws of 1911, relating to fish and game; providing for the removal of beavers causing damage to property.

On which the House has adopted conference committee report and passed the bill as amended.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 350.

A bill for an Act fixing priorities of liens and requiring all persons who may be entitled to a mechanics' lien to file a notice of lien, to take a statement or acknowledgment for such lien, and providing a penalty for filing unlawful liens.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 161.

A bill for an Act requiring railroad companies to line and cooper cars tendered to grain shippers and shippers of flour and flour mill products or to reimburse shippers therefor. Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 328.

A bill for an Act to amend Chapter 299 of the Laws of 1911, prohibiting the introduction of intoxicating liquors, narcotics or other habit-forming drugs into any of the building or upon the premises of any of the penal or charitable institutions of the state, or of any county, city or village in the state.

Also,

Senate Bill No. 390.

A bill for an Act to amend Section 84 of Chapter 266 of the Session Laws of 1911, relating to education.

Also,

Senate Bill No. 352.

A bill for an Act to define the duty of the heads of state institutions and state boards to make reports.

Also,

Senate Bill No. 236.

A bill for an Act to create a state board of education and to amend Chapter 266 of the Session Laws of 1911, relating to state board of examiners, and to repeal Sections 243, 244 and 245 of Chapter 266; and to amend Chapter 265 of the Laws of 1911, relating to a state agricultural and training school board, and to amend Chapter 65 of the Session Laws of 1911, relating to state aid to rural and consolidated schools, Chapter 267 relating to state high school board.

Also,

Senate Bill No. 250.

A bill for an Act to amend Section 155 of Chapter 4 of the Political Code of the State of North Dakota, and all Acts or parts amendatory thereof, providing for the investment in bonds and mortgages of all moneys belonging to the permanent funds of the common schools, University, School of Mines, Reform School, Agricultural College, Scientific School, School for the Deaf and Dumb, Industrial School, Normal Schools, Blind Asylum, Insane Asylum and Soldiers' Home.

And find the same correctly enrolled.

W. R. BOND,

Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The Secretary announced that the President was about to sign

Senate Bill No. 390.

A bill for an Act to amend Section 84 of Chapter 266 of the Session Laws of 1911, relating to education.

Senate Bill No. 352.

A bill for an Act to define the duty of the heads of state institutions and state boards to make reports.

Senate Bill No. 328.

A bill for an Act to amend Chapter 229 of the Laws of 1911, prohibiting the introduction of intoxicating liquors, narcotics or other habit-forming drugs into any of the buildings or upon the premises of any of the penal or charitable institutions of the state, or of any county, city or village in the state.

Senate Bill No. 250.

A bill for an Act to amend Section 155 of Chapter 4 of the Political Code of the State of North Dakota, and all Acts or parts amendatory thereof, providing for the investment in bonds and mortgages of all moneys belonging to the permanent funds of the common schools, University, School of Mines, Reform School, Agricultural College, Scientific School, School for the Deaf and Dumb, Industrial School, Normal Schools, Blind Asylum, Insane Asylum and Soldiers' Home.

Senate Bill No. 236.

A bill for an Act to create a state board of education and to amend Chapter 266 of the Session Laws of 1911, relating to state board of examiners, and to repeal Sections 243, 244 and 245 of Chapter 266; and to amend Chapter 265 of the Laws of 1911, relating to a state agricultural and training school board, and to amend Chapter 65 of the Session Laws of 1911, relating to state aid to rural and consolidated schools.

And the President signed the same in the presence of the Senate.

Mr. Steel moved

That the vote by which House Bill No. 456 was indefinitely postponed be reconsidered.

Which motion prevailed.

Mr. Steel moved

That House Bill No 456 be placed on its third reading and final passage.

Mr. Bronson moved

As an amendment that further consideration of House Bill No. 456 be deferred.

Which motion prevailed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 7.

A bill for an Act to appropriate money for maintenance, equipment and permanent improvements at the State University and School of Mines of North Dakota.

Which the House has indefinitely postponed.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Hughes moved

That the rules be suspended and the vote by which Senate Bill No. 153 was lost be reconsidered.

Which motion was lost.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 13.

A bill for an Act to amend Sections 1933, 1934, 1935 and 1936, relating to stock running at large.

Which the House has amended as follows:

On line 19 of Section 1934, after the word "stallion," strike out the words "or vicious" and insert the following: "Jack, boar, ram." Also the emergency clause.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. McLean moved

That the Senate do now concur in the House amendments to Senate Bill No. 13.

Which motion prevailed and the amendments were concurred in.

Senate Bill No. 13.

A bill for an Act to amend Sections 1933, 1934, 1935, 1936, 1937 and 1938 of the Revised Codes of 1905 relating to stock running at large.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 42 ayes, no nays, 8 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Gibbens	McLean
Bond	Gilbert	Mudgett
Bonzer	Gronvold	Nelson
Bronson	Hanley	Overson
Carter	Helgeland	Plain
Cashel	Hookway	Porterfield
Clark	Hughes	Putnam
Davidson	Hyland	Steel
Davis	Jacobsen	Talcott
Duncan	Kretschmar	Thoreson
Elken	Leutz	Turner
Ellingson	Loftsgaard	Vail
Gansle	McBride	Wartner
Garden	McDowell	Young

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Heckle	Trageton
Allen	Hoverson	Williams
Englund	Linde	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA.  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 44.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, of Chapter 35 of the Session Laws of the year 1911, of the State of North Dakota, being an Act to encourage elementary education in North Dakota and appropriate money therefor.

Which the House has amended as follows:

On line 18, page 3 of the printed bill, strike out the words "state high school board" and insert in lieu thereof "state board of education."

On line 16 of Section 6 of the engrossed bill, strike out the word "five."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Talcott moved

That the Senate do now concur in the House amendments to Senate Bill No. 44.

Which motion prevailed, and

The amendments were concurred in.

Senate Bill No. 44.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 of Chapter 35 of the Session Laws of the year 1911, of the State of North Dakota, being an Act to encourage elementary education in North Dakota, and appropriate money therefor.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—

Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson  
Carter  
Cashel  
Clark  
Davidson  
Davis  
Duncan  
Ellingson  
Ganssle  
Gibbens  
Gilbert

Messrs.—

Gronvold  
Hanley  
Hickle  
Helgeland  
Hookway  
Hoverson  
Hyland  
Jacobsen  
Kretschmar  
Leutz  
Linde  
Loftsgaard  
McBride  
McDowell  
McLean  
Mudgett

Messrs.—

Nelson  
Overson  
Plain  
Porterfield  
Putnam  
Steel  
Talcott  
Thoreson  
Trageton  
Turner  
Vail  
Wartner  
Williams  
Young

Absent and not voting:

Messrs.—

Elken  
Englund

Messrs.—

Garden

Messrs.—

Hughes

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA.  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 333.

A bill for an Act creating a state highway commission, defining their duties and powers.

Which the House has amended as follows:

Strike out emergency clause.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Hyland moved

That the Senate do now concur in the House amendments to Senate Bill No. 333.

Which motion prevailed and

The amendments were concurred in.

Senate Bill No. 333.

A bill for an Act creating a state highway commission, defining their duties and powers.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 43 ayes, no nays, 7 absent and not voting.

Those voting in the affirmative were:

Messrs.—

Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson  
Carter  
Cashel  
Clark  
Davidson  
Davis  
Duncan  
Ellingson  
Ganssle  
Garden

Messrs.—

Gibbens  
Gilbert  
Gronvold  
Hanley  
Heckle  
Helgeland  
Hoverson  
Hughes  
Hyland  
Kretschmar  
Leutz  
Linde  
Loftsgaard  
McBride  
McDowell

Messrs.—

McLean  
Mudgett  
Overson  
Plain  
Porterfield  
Putnam  
Talcott  
Thoreson  
Turner  
Vail  
Wartner  
Williams  
Young

## Absent and not voting:

Messrs.—

Elken  
Englund  
Hookway

Messrs.—

Jacobsen  
Nelson  
Steel

Messrs.—

Trageton

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

March 7th, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 370.

A bill for an Act amending the Constitution of the State of North Dakota changing the name of the state reform school located at Mandan, in the county of Morton, to that of state farm and mechanic art school.

Which the House has amended as follows:

In the printed bill on page 2, beginning with the word "with" in line 26, strike out all of lines 26 and 27.

Very respectfully,

M. J. GEORGE

Chief Clerk.

Mr. Hanley moved

That the Senate do now concur in the House amendments to Senate Bill No. 370.

Which motion prevailed and

The amendments were concurred in.

Senate Bill No. 370.

A bill for an Act to amend the Constitution of the State of North Dakota, changing the name of the state reform school located at Mandan, in the County of Morton, to that of state farm and mechanic art school.

Was read the third time.

The question being on the final passage of the bill as amended by the Senate.

The roll was called and there were 48 ayes, no nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McLean
Allen	Gronvold	Mudgett
Barnes	Hanley	Nelson
Bond	Heckle	Overson
Bonzer	Helgeland	Plain
Bronson	Hookway	Porterfield
Carter	Hoverson	Putnam
Cashel	Hughes	Steel
Clark	Hyland	Talcott
Davidson	Jacobsen	Thoreson
Duncan	Kretschmar	Trageton
Elken	Leutz	Turner
Ellingson	Linde	Vail
Ganssle	Loftsgaard	Wartner
Garden	McBride	Williams
Gibbens	McDowell	Young

Absent and not voting, Messrs. Davis and Englund.

Mr. Englund being excused.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 358.

A bill for an Act to require the railroad commission to formulate a uniform system of accounting for public elevators and warehouses and to provide for the examination of the accounts of such elevators and warehouses when requested by not less than 15 per cent of the stockholders thereof, and prescribing fees therefor; and amending Chapter 251 of the Session Laws of 1911, relating to the filing of bonds by public warehouses.

Which the House has amended as follows:

Line 9, page 5 of printed bill, strike out "ten thousand" and insert "five thousand" in lieu thereof.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Plain moved

That the Senate do now concur in the House amendments to Senate Bill No. 358.

Which motion prevailed and

The amendments were concurred in.

Senate Bill No. 358.

A bill for an Act to require the railroad commission to formulate a uniform system of accounting for public elevators and warehouses and to provide for the examination of the accounts of such elevators and warehouses when requested by not less than 15 per cent of the stockholders thereof, and prescribing fees therefor; and amending Chapter 251 of the Session Laws of 1911, relating to the filing of bonds by public warehouses.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 48 ayes, no nays, 2 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	McDowell
Allen	Gilbert	McLean
Barnes	Gronvold	Mudgett
Bond	Haney	Nelson
Bonzer	Heckle	Overson
Bronson	Helgeland	Plain
Carter	Hookway	Porterfield
Cashel	Hoverson	Putnam
Clark	Hughes	Steel
Davidson	Hyland	Talcott
Davis	Jacobsen	Thoreson
Duncan	Kretschmar	Turner
Elken	Lutz	Vail
Ellingson	Linde	Wartner
Gansle	Loftsgaard	Williams
Garden	McBride	Young

Absent and not voting, Messrs. Englund and Trageton.

Mr. Englund being excused.

So the bill passed and the title was agreed to.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 289.

A bill for an Act entitled "An Act to provide a special tax levy for immigration," amending Section 2402 of the Revised Codes of 1905.

Which the House has amended as follows

In line 8 of the engrossed bill strike out the word "fifteen" and insert in lieu thereof the word "twenty."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Bond moved

That the Senate do now concur in the House amendments to Senate Bill No. 289.

Which motion prevailed and  
the amendments were concurred in.

Senate Bill No. 289.

A bill for an Act entitled "An Act to provide a special tax levy for immigration," amending Section 2402 of the Revised Codes of 1905.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 47 ayes, no nays, 5 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson  
Carter  
Cashel

Messrs.—  
Clark  
Davidson  
Davis  
Duncan  
Ellingson  
Ganssle  
Gibbens  
Gilbert

Messrs.—  
Gronvold  
Hanley  
Heckle  
Helgeland  
Hookway  
Hoverson  
Hughes  
Hyland

Messrs.—

Jacobsen  
Kretschmar  
Leutz  
Linde  
Loftsgaard  
McBride  
McDowell  
McLean

Messrs.—

Mudgett  
Nelson  
Overson  
Plain  
Porterfield  
Putnam  
Steel  
Talcott

Messrs.—

Thoreson  
Trageton  
Turner  
Vail  
Wartner  
Williams  
Young

Absent and not voting.

Messrs.—

Elken

Messrs.—

Englund

Messrs.—

Garden

Mr. Englund being excused.

So the bill passed and the title was agreed to.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA.  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 32.

A concurrent-resolution amending the Constitution of the State of North Dakota, providing for the initiative and referendum.

Which the House has amended as follows:

On page 1 of the printed bill, in line 6, strike out the word "next."

And in the same line, between the words "election" and "for" insert the following: "in the year 1918."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Hanley moved

That the Senate do not concur in the House amendments to Senate Bill No. 32 and that a conference committee be appointed.

Which motion prevailed and

The President appointed as such committee, Messrs. Overson, Gibbens and Davis.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 17.

A bill amending the Constitution of the State of North Dakota providing for the recall of public officials by the people.

Which the House has amended as follows:

On page 1 of the printed bill, in line 6, strike out the word "next."

And in line 7 thereof after the word "election" insert the words "in the year 1916."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Overson moved

That the Senate do not concur in the House amendments to Senate Bill No. 17 and that a conference committee be appointed.

Which motion prevailed and the President appointed as such committee, Messrs. Overson, Gibbens and Davis.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to inform you that the House requests the return of the enrolled House Bill No. 422.

Also,

*Mr. President:*

I have the honor to return herewith House Bill No. 422, engrossed copy and amendments.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Allen moved

That the Senate return to the House, enrolled House Bill No. 422 as requested.

Which motion prevailed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 115.

A bill for an Act fixing the time when policies of hail insurance companies shall take effect.

Which the House has amended as follows:

Strike out "by registered letter" and insert in lieu thereof "by telegram."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. McBride moved

That the Senate do now concur in the House amendments to Senate Bill No. 115.

Which motion prevailed and

The amendments were concurred in.

Senate Bill No. 115.

A bill for an Act fixing the time when policies of hail insurance companies shall take effect.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 46 ayes, no nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Albrecht  
Allen  
Barnes  
Bond  
Bonzer  
Bronson

Messrs.—  
Carter  
Cashel  
Clark  
Davidson  
Davis  
Duncan

Messrs.—  
Elken  
Ellingson  
Ganssle  
Gibbens  
Gilbert  
Gronvold

Messrs.—  
 Hanley  
 Heckle  
 Helgeland  
 Hookway  
 Hoverson  
 Hughes  
 Hyland  
 Jacobsen  
 Kretschmar  
 Leutz

Messrs.—  
 Linde  
 Loftsgaard  
 McBride  
 McDowell  
 McLean  
 Mudgett  
 Nelson  
 Overson  
 Plain  
 Porterfield

Messrs.—  
 Putnam  
 Steel  
 Thoreson  
 Trageton  
 Turner  
 Wartner  
 Williams  
 Young

**Absent and not voting:**

Messrs.—  
 Englund  
 Garden

Messrs.—  
 Talcott

Messrs.—  
 Vail

Mr. Englund being excused.

So the bill passed and the title was agreed to.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 30.

A bill for an Act to provide an appropriation for the current and contingent expense, and for permanent improvement for the institution for feeble-minded, at Grafton, North Dakota.

Also,

Senate Bill No. 77.

A bill for an Act to amend Sections 1851, 1852, 1855, 1858, 1859, 1860, 1862, 1863, 1866, 1867, 1868, 1869 and 1870 of the Revised Codes of 1905, and to repeal Sections 1856 and 1861 of the said Codes, and providing for the relief of poor persons.

Also,

Senate Bill No. 259.

A bill for an Act amending Section 216 of the Constitution of the State of North Dakota, establishing and locating a state normal school in the city of Dickinson, County of Stark.

And find the same correctly enrolled.

W. R. BOND,  
 Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The Secretary announced that the President was about to sign

Senate Bill No. 30.

A bill for an Act to provide an appropriation for the current and contingent expenses, and for permanent improvements for the institution for feeble minded at Grafton, North Dakota.

Senate Bill No. 77.

A bill for an Act to amend Sections 1851, 1852, 1853, 1855, 1858, 1859, 1860, 1862, 1863, 1866, 1867, 1868, 1869 and 1870 of the Revised Codes of 1905, and to repeal Sections 1856 and 1861 of the said Codes, and providing for the relief of poor persons.

Senate Bill No. 259.

A bill for an Act amending Section 216 of the Constitution of the State of North Dakota, establishing and locating a State Normal School in the City of Dickinson, County of Stark.

And the President signed the same in the presence of the Senate.

#### MOTIONS AND RESOLUTIONS.

Mr. McDowell offered the following resolution and moved its adoption:

*Be it Resolved*, That the Secretary of State be authorized to complete and collate the material for the Legislative Manual, prepare the index and read proof upon the same; and cause to be printed the number of volumes necessary to comply with the law now existing for its distribution.

Which motion prevailed and

The resolution was adopted.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred House Bill No. 376.

A bill for an Act providing for the condemnation of school and institution lands for public purposes.

Have had the same under consideration and report the same without recommendation.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to inform you that the House requests the return of Senate Bill No. 73.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Hanley moved

That Senate Bill No. 73 be returned to the House as requested.

Which motion prevailed.

Mr. Talcott moved

That the vote by which House Bill No. 422 was passed and amendments adopted be reconsidered.

Which motion prevailed.

Mr. Talcott moved

That House Bill No. 422 be now put on its third reading and final passage.

Which motion prevailed.

House Bill No. 422.

A bill for an Act to provide funds for the erection, purchase, lease or establishment of a terminal elevator system in the State of Wisconsin or in the State of Minnesota, or in both said states, and for the maintenance and operating of the same, and for the establishment of additional duties of the board of control of state institutions in relation thereto.

Was read the third time.

Mr. Talcott offered the following amendments to House Bill No. 422 and moved their adoption:

In line 3 of Section 1 of the printed bill, after the numeral "1915," insert the following: "and the year 1916 and the year 1917," and strike out the word "one" in the same line and insert in lieu thereof the following: "one-eighth of one."

Which motion prevailed and

The amendments were adopted.

The question being on the final passage of the bill.

The roll was called and there were 27 ayes, 14 nays, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Helgeland	Nelson
Allen	Hoverson	Plain
Barnes	Hyland	Porterfield
Bond	Kretschmar	Putnam
Clark	Leutz	Talcott
Davidson	Loftsgaard	Thoreson
Garden	McBride	Trageton
Gronvold	McDowell	Vail
Heckle	Mudgett	Wartner

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Ellingson	Steel
Carter	Ganssle	Turner
Cashel	Gilbert	Williams
Duncan	McLean	Young
Elken	Overson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bonzer	Gibbens	Hughes
Davis	Hanley	Jacobsen
Englund	Hookway	Linde

Mr. Englund being excused.

So the bill passed and the title was agreed to.

Mr. Garden moved

That the vote by which House Bill No. 422 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Secretary announced that the President was about to sign

House Bill No. 300.

A bill for an Act making an appropriation for the mining substation at Hebron, Morton County, for the purpose of perfecting the process or formula used in the manufacturing of briquettes.

House Bill No. 424.

A bill for an Act to repeal Chapter 145 of the Laws of 1907.

House Bill No. 274.

A bill for an Act authorizing the board of trustees of public property to acquire for the state, by purchase or condemnation proceedings in the name of the state, additional land for for capitol park and site purposes and making an appropriation therefor.

House Bill No. 201.

A bill for an Act entitled "An Act creating the office of deputy commissioner of labor, defining his powers and duties and making an appropriation therefor."

House Bill No. 52.

A bill for an Act to repeal Article 21 of Chapter 32, entitled, "Townsites located on public lands," of the Revised Codes of 1905.

House Bill No. 50.

A bill for an Act to amend Chapter 306 of the Session Laws of 1911, relating to the election and appointment of township officers and their terms of office and to repeal Section 3111 of the Revised Codes of 1905.

House Bill No. 21.

A bill for an Act making appropriation for the erection of a new building and other necessary improvements, and for the current and contingent expenses of the reform school of North Dakota at Mandan, N. D.

House Bill No. 45.

A bill for an Act appropriating money for experiments to determine the milling value of cereals, the baking and other chemical properties of the flours produced therefrom and the chemical composition thereof, and providing for the publication of the information thereby obtained and making an appropriation for such work.

House Bill No. 267.

A bill for an Act to amend Sections 1, 2, 3 and 5 of Chapter 279 of the Session Laws of 1911, entitled "An Act to amend Sections 1, 3, 5, 8 and 13 of Chapter 161 of the Session Laws of 1909."

House Bill No. 294.

A bill for an Act repealing Chapter 233 of the Laws of North Dakota for the year 1911.

House Bill No. 297.

A bill for an Act to reimburse John Harold for work done under the direction of the capitol commission in grading Ninth Street to the State Capitol.

House Bill No. 311.

A bill for an Act to amend Section 1217 of the Revised Codes of 1905, relating to funds of soldiers' home. How kept.

House Bill No. 414.

A bill for an Act to provide for the collection, arrangement and display of the products and resources of the State of North Dakota at the Centennial Exposition to be held in Christiania, Norway, in 1914, and providing for a board of commissioners therefor, and making an appropriation for such purpose.

And the President signed the same in the presence of the Senate.

Mr. Talcott moved

That the conference committee on Senate Bill No. 216 be discharged and that the Senate do now concur in the House amendments to Senate Bill No. 216.

Which motion prevailed and

The amendments were concurred in.

Senate Bill No. 216.

A bill for an Act to repeal Section 3 of Chapter 264 of the Session Laws of 1911, relating to reviews in high schools.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 41 ayes, no nays, 9 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Overson
Allen	Gronvold	Plain
Barnes	Hanley	Porterfield
Bond	Heckle	Putnam
Bonzer	Helgeland	Steel
Bronson	Hookway	Talcott
Carter	Hoverson	Thoreson
Cashel	Hyland	Tragcton
Clark	Kretschmar	Turner
Davidson	Leutz	Vail
Duncan	Loftsgaard	Wartner
Elken	McLean	Williams
Ellingson	Mudgett	Young
Ganssle	Nelson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Gibbens	Linde
Englund	Hughes	McBride
Garden	Jacobsen	McDowell

Mr. Englund being excused.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 73.

A Concurrent Resolution amending the Constitution of the State of North Dakota, providing for future amendments thereof.

Which the House has amended as follows:

Page 1 of the printed bill, in line 7, strike out the word "next."

And in the same line between the words "election" and "for" insert the following: "in the year 1918."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Overson moved

That the Senate do not concur in the House amendments to Senate Bill No. 73 and that a conference committee be appointed.

Which motion prevailed and

The President appointed as such committee, Messrs. Overson, Gibbens and Davis.

Mr. Talcott moved

That the conference committee on Senate Bill No. 167 be discharged and a new conference committee be appointed and the President appointed as such committee Messrs. Talcott, Plain and Hughes.

Mr. Talcott moved

That the conference committee on Senate Bill No. 167 be discharged and the Senate do now concur in the House amendments to Senate Bill No. 167.

Which motion prevailed and

The amendments were concurred in.

Senate Bill No. 167.

A bill for an Act to promote forest tree culture and providing for a bounty for tree planting and the levy of a tax to pay such bounty.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 47 ayes, no nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	Mudgett
Allen	Gronvold	Nelson
Barnes	Hanley	Overson
Bond	Heckle	Plain
Bonzer	Helgeland	Porterfield
Bronson	Hookway	Putnam
Carter	Hoverson	Steel
Clark	Hughes	Talcott
Davidson	Hyland	Thoreson
Davis	Jacobsen	Trageton
Duncan	Kretschmar	Turner
Elken	Leutz	Vail
Ellingson	Linde	Wartner
Ganssle	Loftsgaard	Williams
Garden	McBride	Young
Gibbens	McDowell	

Absent and not voting:

Messrs.—  
Cashel

Messrs.—  
Englund

Messrs.—  
McLean

Mr. Englund being excused.

So the bill passed and the title was agreed to.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 177.

A bill for an Act to provide for the execution of tax deeds for lands sold for delinquent taxes under the provisions of Section 1576 of the Revised Codes of North Dakota for 1905 and to prescribe the form and to define the effect of all such deeds and the title thereby conveyed, and to provide for the issuance of new tax deeds in lieu of defective ones heretofore issued under the provisions of Section 1591 of the Revised Codes of North Dakota for 1905.

Which the House has amended as follows:

Have had the same under consideration and recommend that the same be amended as follows:

On page 3 of the printed bill, in line 50, strike out the word "duly," and in line 51 thereof, strike out the words "and legally," and in the same line, strike out the words "at the time and in the manner provided by law."

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Hookway moved

That the Senate do now concur in the House amendments to Senate Bill No. 177.

Which motion prevailed and the amendments were concurred in.

Senate Bill No. 177.

A bill for an Act to provide for the execution of tax deeds for lands sold for delinquent taxes under the provisions of Section 1576 of the Revised Codes of North Dakota for 1905,

and to prescribe the form and to define the effects of all such deeds and the title thereby conveyed, and to provide for the issuance of new tax deeds in lieu of defective ones heretofore issued under the provisions of Section 1591 of the Revised Codes of North Dakota for 1905.

Was read the third time.

The question being on the final passage of the bill as amended by the House.

The roll was called and there were 44 ayes, no nays, 6 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gibbens	Mudgett
Allen	Gilbert	Nelson
Barnes	Gronvold	Overson
Bond	Hanley	Plain
Bonzer	Heckle	Porterfield
Bronson	Helgeland	Putnam
Carter	Hookway	Steel
Cashel	Hoverson	Talcott
Clark	Hughes	Thoreson
Davidson	Hyland	Trageton
Davis	Jacobsen	Turner
Duncan	Leutz	Vail
Ellingson	Loftsgaard	Wartner
Ganssle	McDowell	Williams
Garden	McLean	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Elken	Kretschmar	McBride
Englund	Linde	Young

Mr. Englund being excused.

So the bill passed and the title was agreed to.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred House Bill No. 188.

A bill for an Act to amend Section 1871 of the Revised Codes of 1905, relating to the purchase, sale and management of an asylum for the poor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. DAVIS,  
Chairman.

Mr. Davis moved  
That the report be adopted.  
Which motion prevailed and  
The report was adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 311.

A bill for an Act declaring the island situated in the Missouri-River south of the city of Williston, and all islands that may appear in said river within five miles of said city, state parks.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Davis moved

That House Bill No. 376 be now put on its third reading and final passage.

Which motion prevailed.

House Bill No. 376.

A bill for an Act providing for the condemnation of school and institution lands for public purposes.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 12 ayes, 16 nays, 22 absent and not voting.

Those voting in the affirmative were:

Messrs.—  
Bond  
Clark  
Davis  
Gibbens

Messrs.—  
Hookway  
McLean  
Nelson  
Overson

Messrs.—  
Plain  
Talcott  
Vail  
Wartner

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Ganssle	Loftsgaard
Bronson	Garden	Thoreson
Carter	Gilbert	Trageton
Davidson	Gronvold	Turner
Duncan	Heckle	
Ellingson	Helgeland	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hughes	Mudgett
Barnes	Hyland	Porterfield
Bonzer	Jacobsen	Putnam
Cashel	Kretschmar	Steel
Elken	I eutz	Williams
Englund	Linde	Young
Hanley	McBride	
Hoverson	McDowell	

Mr. Englund being excused.

So the bill was lost.

The President pro tempore presiding.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 362.

A bill for an Act to amend and re-enact Sections 35 and 38 of Chapter 62 of the Session Laws of 1911, relating to estimates, salaries and the purchase of supplies for state institutions.

Also,

Senate Bill No. 381.

A bill for an Act prohibiting the sale of pure bred cattle unless accompanied by a certificate of health.

Also,

Senate Bill No. 386.

A bill for an Act to amend Section 1516 of the Revised Codes of 1905, relating to the bond and oath of assessors. And find the same correctly enrolled.

W. P. PORTERFIELD,  
Acting Chairman.

Mr. Porterfield moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Also,

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 130.

A bill for an Act to provide for the representation of the State of North Dakota at the Panama-Pacific International Exposition at San Francisco, California, and at the Panama-California Exposition at San Diego, California, celebrating the opening and commercial use of the Panama Canal and making an appropriation therefor.

Also,

Senate Bill No. 277.

A bill for an Act to amend and re-enact Section 2390 of the Revised Codes of 1905, relating to the term of office of county commissioners.

Also,

Senate Bill No. 293.

A bill for an Act to provide for the preparing of an annual county budget.

And find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The President presiding.

The Secretary announced that the President was about to sign

Senate Bill No. 362.

A bill for an Act relating to appeals to the Supreme Court in defamation, personal injury, false imprisonment, and malicious prosecution cases.

Senate Bill No. 381.

A bill for an Act prohibiting the sale of pure bred cattle unless accompanied by a certificate of health.

Senate Bill No. 386. ●

A bill for an Act to amend Section 1516 of the Revised Codes of 1905, relating to the bond and oath of assessors.

Senate Bill No. 130.

A bill for an Act to provide for the representation of the State of North Dakota at the Panama-Pacific International Exposition at San Francisco, California, and at the Panama-California Exposition at San Diego, California, celebrating the opening and commercial use of the Panama Canal and making an appropriation therefor.

Senate Bill No. 277.

A bill for an Act to amend and re-enact Section 2390 of the Revised Codes of 1905, relating to term of office of county commissioners.

Senate Bill No. 293.

A bill for an Act to provide for the preparing of an annual county budget.

And the President signed the same in the presence of the Senate.

#### MOTIONS AND RESOLUTIONS.

Mr. Elken placed in nomination Senator Steel of Stutsman as President pro tempore for the next two years.

And Mr. Steel was unanimously elected President pro tempore for the next two years.

Mr. Garden moved

That the President appoint a committee of three to escort Senator Steel to the chair.

Which motion carried and

The President appointed as such committee, Messrs. Garden, Putnam and Williams.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 106.

A bill for an Act to appropriate moneys for maintenance, equipment and permanent improvement at the Ellendale State Normal and Industrial School.

Also,

Senate Bill No. 387.

A bill for an Act to amend Section 8154 of Revised Codes of 1905, relating to the **approval of mortgages** executed by an administrator, executor or guardian.

Also,

Senate Bill No. 391.

A bill for an Act to amend Section 2596 of the 1905 Revised Codes of North Dakota as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907, providing the clerk hire for the register of deeds in the various counties of the state.

Also,

Senate Bill No. 110.

A Concurrent Resolution amending the Constitution of the State of North Dakota, empowering the Legislative Assembly to provide law for the erection, leasing, purchasing and operating terminal elevators in the State of North Dakota.

Also,

Senate Bill No. 136.

A bill for an Act to provide for increased maintenance and contingent expenses, for establishing and maintaining an agricultural extension department and for an agricultural building and other permanent improvements and repairs for the North Dakota Agricultural College.

Also,

Senate Bill No. 290.

A bill for an Act extending the powers of the board of trustees of incorporated villages, relative to sidewalks, sewers, paving and water mains.

And find the same correctly enrolled.

W. P. PORTERFIELD,  
Acting Chairman.

Mr. Porterfield moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The Secretary announced that the President was about to sign.

Senate Bill No. 106.

A bill for an Act to appropriate moneys for maintenance, equipment and permanent improvements at the Ellendale State Normal and Industrial School.

Senate Bill No. 387.

A bill for an Act to amend Section 8154 of the Revised Codes of 1905, relating to the approval of mortgages executed by an administrator, executor or guardian.

Senate Bill No. 391.

A bill for an Act to amend Section 2596 of the 1905 Revised Codes of North Dakota as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907, providing the clerk hire for the register of deeds in various counties of the state.

Senate Bill No. 110.

A concurrent resolution amending the Constitution of the State of North Dakota.

Senate Bill No. 136.

A bill for an Act to provide for increased maintenance and contingent expenses, for establishing and maintaining and agricultural extension department and for an agricultural building and other permanent improvements and repairs for the North Dakota Agricultural College.

Senate Bill No. 290.

A bill for an Act extending the powers of the board of trustees of incorporated villages, relative to sidewalks, sewers, paving and water mains.

And the President signed the same in the presence of the Senate.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith.

Senate Bill No. 372.

A bill for an Act to amend Section 1 of Chapter 120, Session Laws for 1909, relating to sheriff's fees.

Which the House has indefinitely postponed.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 373.

A bill for an Act to amend and re-enact Section 1904 of the Revised Codes of North Dakota for 1905.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 215.

A bill for an Act to amend and re-enact Sections 4179, 4180, 4181, 4182, 4186 and 4188, (Article 1, Chapter 11) of the Revised Codes of 1905, relating to the manner of filing and recording articles of incorporation, by-laws and annual reports of corporations, and providing for their cancellation and reinstatement.

Which the House has indefinitely postponed.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also.

*Mr. President:*

I have the honor to inform you that the Speaker has appointed as conferees on the part of the House, on Senate Bills No. 17, 32 and 73, Messrs. Wiley, Weis and Owens.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

## REPORTS OF CONFERENCE COMMITTEES.

Your conference committee to whom was referred  
Senate Bill No. 32.

A Concurrent Resolution for an amendment to the Constitution of the State of North Dakota, providing for the recall of public officers.

Have had the same under consideration and recommend that the House recede from its amendments.

W. B. OVERSON,  
A. S. GIBBENS,  
J. E. DAVIS,  
Senate Committee.  
L. D. WILEY,  
ALBERT WEIS,  
WM. G. OWENS,  
House Committee.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Your conference committee to whom was referred  
Senate Bill No. 73.

A Concurrent Resolution amending the Constitution of the State of North Dakota, providing for future amendments thereof.

Have had the same under consideration and recommend that the House recede from its amendments.

W. B. OVERSON,  
J. E. DAVIS,  
A. S. GIBBENS,  
Senate Committee.  
L. D. WILEY,  
ALBERT WEIS,  
WM. G. OWENS,  
House Committee.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Your conference committee to whom was referred  
Senate Bill No. 17.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the recall of public officials by the people.

Have had the same under consideration and report that they cannot agree and ask for a new conference committee.

W. B. OVERSON,  
J. E. DAVIS,  
A. S. GIBBENS,  
Senate Committee.

L. D. WILEY,  
ALBERT WEIS,  
WM. G. OWENS,  
House Committee.

Mr. Overson moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

Mr. Overson moved

That the conference committee on Senate Bill No. 17 be discharged and that a new conference committee be appointed.

Which motion prevailed and

The President appointed as such committee, Messrs. Mudgett, Wartner and Hanley.

Mr. Talcott moved

That the vote by which House Bill No. 133 was lost be reconsidered.

Mr. Elken moved

The call of the Senate.

Which motion prevailed.

Mr. Hanley moved

That further proceedings under the call be dispensed with.

Roll call demanded and

The question being on the dispensing of further proceedings under the call of the Senate.

The roll was called and there were 28 ayes, 18 nays, 4 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	Nelson
Allen	Hookway	Plain
Bonzer	Hoverson	Porterfield
Carter	Jacobsen	Talcott
Cashel	Kretschmar	Thoreson
Clark	Leutz	Turner
Ganssle	Linde	Wartner
Garden	Loftsgaard	Young
Gibbens	McBride	
Gilbert	Mudgett	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Ellingson	McLean
Bond	Gronvold	Overson
Bronson	Heckle	Steel
Davidson	Helgeland	Trageton
Davis	Hyland	Vail
Elken	McDowell	Williams

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Duncan	Hughes	Putnam
Englund		

Mr. Englund being excused.

So the motion prevailed and

Further proceedings under the call of the Senate were dispensed with.

Mr. Bronson moved

That the motion to reconsider be laid on the table.

Roll call demanded.

Mr. Bronson moved

A call of the Senate.

Which motion prevailed.

Mr. Hanley moved

That further proceedings under the call be dispensed with.

Roll call demanded and

The question being on the dispensing of further proceedings under the call of the Senate.

The roll was called and there were 25 ayes, 22 nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs. —
Albrecht	Hanley	Mudgett
Allen	Hookway	Plain
Bonzer	Hoverson	Porterfield
Carter	Jacobsen	Thoreson
Cashel	Kretschmar	Turner
Clark	Leutz	Wartner
Ganssle	Linde	Young
Garden	Loftsgaard	
Gibbens	McBride	

Those voting in the negative weré:

Messrs.—	Messrs.—	Messrs.—
Barnes	Gronvold	Overson
Bond	Heckle	Steel
Bronson	Helgeland	Talcott
Davidson	Hughes	Trageton
Davis	Hyland	Vail
Elken	McDowell	Williams
Ellingson	McLean	
Gilbert	Nelson	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Duncan	Englund	Putnam

Mr. Englund being excused.

So the motion prevailed and

Further proceedings under the call of the House were dispensed with.

The question being on the motion that the motion to reconsider be laid on the table.

Roll call was demanded and

The roll was called and there were 21 ayes, 26 nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Gibbens	McLean
Bond	Gronvold	Nelson
Bronson	Heckle	Overson
Davidson	Helgeland	Steel
Davis	Hughes	Trageton
Elken	Hyland	Vail
Ellingson	McDowell	Williams

## Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	Mudgett
Allen	Hookway	Plain
Bonzer	Hoverson	Porterfield
Carter	Jacobsen	Talcott
Cashel	Kretschmar	Thoreson
Clark	Leutz	Turner
Ganssle	Linde	Wartner
Garden	Loftsgaard	Young
Gilbert	McBride	

## Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Duncan	Englund	Putnam

Mr. Englund being excused.

So the motion to lay on the table was lost.

Mr. Talcott moved

That further consideration of the motion to reconsider House Bill No. 133 be deferred for one hour.

Roll call demanded.

The roll was called and there were 22 ayes, 25 nays, 3 absent and not voting.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Gronvold	Overson
Bond	Heckle	Steel
Bronson	Helgeland	Talcott
Davidson	Hughes	Trageton
Davis	Hyland	Vail
Elken	McDowell	Williams
Ellingson	McLean	
Gibbens	Nelson	

## Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	Mudgett
Allen	Hookway	Plain
Bonzer	Hoverson	Porterfield
Carter	Jacobsen	Thoreson
Cashel	Kretschmar	Turner
Clark	Leutz	Wartner
Ganssle	Linde	Young
Garden	Loftsgaard	
Gilbert	McBride	

## Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Duncan	Englund	Putnam

Mr. Englund being excused.

So the motion to defer further consideration of the motion to reconsider House Bill No. 133 was lost.

Mr. Hanley moved

The previous question.

The question being, shall the main question be now put?

Mr. Talcott moved

That further consideration of House Bill No. 133 be deferred for ten minutes.

Which motion prevailed.

Mr. Davis moved

That the Senate do now adjourn.

Which motion was lost.

Mr. Talcott withdrew his motion to reconsider the vote by which House Bill No. 133 was lost.

Mr. Hughes moved that the rules be suspended and the vote by which Senate Bill No. 153 was lost be reconsidered.

Roll call demanded and

The question being on the reconsideration of the vote by which Senate Bill No. 153 was lost.

The roll was called and there were 29 ayes, 18 nays, 3 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Hanley	Mudgett
Allen	Hookway	Overson
Bonzer	Hoverson	Plain
Carter	Hughes	Porterfield
Cashel	Jacobsen	Talcott
Clark	Kretschmar	Thoreson
Ganssle	Linde	Turner
Garden	Leutz	Wartner
Gilbert	Loftsgaard	Young
Gronvold	McBride	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Ellingson	McLean
Bond	Gibbens	Nelson
Bronson	Heckle	Steel
Davidson	Helgeland	Trageton
Davis	Hyland	Vail
Elken	McDowell	Williams

Absent and not voting.

Messrs.—  
Duncan

Messrs.—  
Englund

Messrs.—  
Putnam

Mr. Englund being excused.

So the motion to reconsider was lost.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to inform you that the House declines to accept the action of the conference committee and that the Speaker has appointed as another conference committee on Senate Bills No. 17, 32 and 73, Messrs. Divet, Twichell and Owens.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Mr. Garden moved

That a conference committee be appointed to confer with the conference committee from the House on Senate Bills No. 32 and 73.

Which motion prevailed and

The President appointed as such committee, Messrs. Steel, Bond and Ellingson.

The Secretary announced that the President was about to sign

Senate Bill No. 131.

A bill for an Act to require public warehouses to clean all grain handled by them before testing the same for grade, and providing a penalty for the violation of this Act.

Senate Bill No. 246.

A bill for an Act to amend and re-enact Sections 2 and 4, Chapter 129, Session Laws of 1911, relating to election privileges.

Senate Bill No. 322.

A bill for an Act pertaining to verdicts and findings and abolishing special verdicts in civil and criminal actions.

Senate Bill No. 214.

A bill for an Act establishing a hail insurance department and making the commissioner of agriculture and labor also the commissioner of hail insurance; prescribing rules, regulations and duties of officers and persons connected there-

Senate Bill No. 241.

A bill for an Act to amend Sections 2772, 2775, 2776, 2777 and 2786, Revised Codes of 1905, as amended by Chapter 70 of the Laws of North Dakota, A. D. 1911, relating to the creation of improvement districts and the purpose for which special assessments may be levied in this state.

Senate Bill No. 357.

A bill for an Act to amend Section 5701 of the Revised Codes for 905, relating to damages for postponing or refusing messages.

And the President signed the same in the presence of the Senate.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 131.

A bill for an Act to require public warehouses to clean all grain handled by them before testing the same for grade, and providing a penalty for the violation of this Act.

Also.

Senate Bill No. 246.

A bill for an Act to amend and re-enact Sections 2 and 4, Chapter 129, Session Laws of 1911, relating to election privileges.

Also.

Senate Bill No. 322.

A bill for an Act pertaining to verdicts and findings and abolishing special verdicts in civil and criminal actions.

And find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Also.

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 214.

A bill for an Act establishing a hail insurance department and making the commissioner of agriculture and labor also the commissioner of hail insurance; prescribing rules, regulations and duties of officers and persons connected therewith; prescribing how premiums, expense, and indemnity for losses by hail shall be paid, and repealing all Acts or parts of Acts in conflict with the provisions of this Act.

Also.

Senate Bill No. 241.

A bill for an Act to amend Sections 2772, 2775, 2776, 2777 and 2786, Revised Codes of 1905, as amended by Chapter 70 of the Laws of North Dakota, A. D. 1911, relating to the creation of improvement districts and the purpose for which special assessments may be levied in this state.

Also.

Senate Bill No. 357.

A bill for an Act to amend Section 5701 of the Revised Codes of North Dakota for 1905, relating to damages for postponing or refusing messages.

And find the same correctly enrolled.

W. P. PORTERFIELD,  
Acting Chairman.

Mr. Porterfield moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on state affairs made the following report:

*Mr. President:*

Your committee on state affairs to whom was referred

The House concurrent resolution relating to compensation for extra work done by the Knight Printing Company.

Have had the same under consideration and report the same without recommendation.

J. E. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted

Which motion prevailed, and

The report was adopted.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 52.

A bill for an Act concerning railroads, regulating the size of engines, motors and cars, and also the clearance of obstructions thereon.

Also.

Senate Bill No. 147.

A bill for an Act to provide for making permanent improvements at the State Tuberculosis Sanitarium at Dunseith, to assist in the maintenance thereof, and for other purposes and making appropriation therefor. I

Also.

Senate Bill No. 286.

A bill for an Act authorizing the Secretary of State to contract with the Lawyer's Co-operative Publishing Company of Rochester, New York, to publish a compiled edition of the laws of North Dakota.

Also.

Senate Bill No. 13.

A bill for an Act to amend Sections 1933, 1934, 1935, 1936, 1937 and 1938 of the Revised Code of 1905, relating to stock running at large.

Also.

Senate Bill No. 51.

A bill for an Act to amend and re-enact Sections 1031, 1032, 1033, 1034, 1035, 1036, 1037 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907 and Chapter 267 of the General Laws of 1911; and to amend Sections 1 2, 3, 4, 5 of Chapter 40 of the General Laws of 1911, and to repeal Sections 6, 7, 8, 9, 10, 11, of Chapter 40 of the General Laws of 1911.

Also.

Senate Bill No. 287.

A bill for an Act entitled, "An Act to regulate the distribution of the laws of the State of North Dakota, and compilation and codification thereof."

And find the same correctly enrolled.

W. P. PORTERFIELD,  
Acting Chairman.

Mr. Porterfield moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The Secretary announced that the President was about to sign

Senate Bill No. 52.

A bill for an Act concerning railroads, regulating the size of engines, motors and cars, and also the clearance of obstructions thereon.

Senate Bill No. 147.

A bill for an Act to provide for making permanent improvements at the State Tuberculosis Sanitarium at Duncscith, to assist in the maintenance thereof, and for other purposes and making appropriation therefor. I

Senate Bill No. 286.

A bil for an Act authorizing the Secretary of State to contract with the Lawyer's Co-operative Publishing Company of Rochester, New York, to publish a compiled edition of the Laws of North Dakota.

Senate Bill No. 13.

A bill for an Act to amend Sections 1933, 1934, 1935, 1936, 1937 and 1938 of the Revised Code of 1905, relating to stock running at large.

## Senate Bill No. 51.

A bill for an Act to amend and re-enact Sections 1031, 1032, 1033, 1034, 1035, 1036, 1037 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907 and Chapter 267 of the General Laws of 1911; and to amend Sections 1 2, 3, 4, 5 of Chapter 40 of the General Laws of 1911, and to repeal Sections 6, 7, 8, 9, 10, 11, of Chapter 40 of the General Laws of 1911.

## Senate Bill No. 287.

A bill for an Act entitled, "An Act to regulate the distribution of the Laws of the State of North Dakota and compilations and codification thereof."

And the President signed the same in the presence of the Senate.

Mr. Davis moved

That the House concurrent resolution pertaining to the Knight Printing Company be now taken up for consideration.

Which motion prevailed.

Mr. Davis moved

That the rules be suspended and Mr. Knight be requested to address the Senate on the House Concurrent Resolution pertaining to the Knight Printing Company.

Which motion prevailed and

Mr. Knight addressed the Senate.

Mr. Williams moved

That further consideration of House Concurrent Resolution pertaining to the Knight Printing Company be indefinitely postponed.

Which motion was lost.

Mr. Overson offered the following amendment and moved its adoption:

After the word "therefor" in line 25 of the House Resolution insert the words "provided that the said reports were actually delivered by the Knight Printing Company within sixty days from the time said reports came to the hands of the Knight Printing Company."

Mr. Linde moved

The previous question.

The question being, shall the main question be now put?

The same prevailed and the question being on the adoption of the amendment offered by Mr. Overson.

The motion was lost.

Mr. Hyland offered the following amendment to the House concurrent resolution pertaining to the Knight Printing Company.

Strike out the figures "\$2,000.00" at the end of resolution and insert in lieu thereof the figures "\$500.00."

Mr. Gilbert moved

As an amendment that the resolution be amended by striking out the figures "\$2,000.00" at the end of the resolution and inserting in lieu thereof the figures "\$1,000.00."

Which amendment was lost.

The question being on the original motion.

The same was lost.

The question being on the adoption of the House Concurrent Resolution pertaining to the Knight Printing Company.

Roll call demanded.

And the question being on the adoption of the resolution.

The roll was called and there were 18 ayes, 19 nays, 13 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Barnes	Heckle	McBride
Davis	Hookway	McLean
Ganssle	Jacobsen	Nelson
Gilbert	Kretschmar	Overson
Gronvold	Leutz	Porterfield
Hanley	Linde	Talcott

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Elken	Trageton
Cond	Garden	Turner
Bonzer	Helgeland	Vail
Bronson	Hooversen	Williams
Carter	Hyland	Young
Clark	Loftsgaard	
Davidson	McDowell	

## Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Allen	Gibbens	Steel
Cashel	Hughes	Thoreson
Duncan	Mudgett	Wartner
Ellingson	Plain	
Englund	Putnam	

Mr. Englund being excused.

Messrs. Elken, Davidson, Leutz and Williams explained their votes.

So the motion failed and the resolution was lost.

Mr. Talcott offered the following resolution and moved its adoption:

*Be it Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:*

WHEREAS, The reports of the state officers, institutions and boards were not placed in the hands of the Knight Printing Company, the state printer, until long after the time prescribed by law; and

WHEREAS, A special committee of the House of Representatives was appointed for the purpose of providing some means for the speedy publication of said reports; and

WHEREAS, On the 24th day of January, 1913, the chairman of the select committee of the House of Representatives did communicate with the said Knight Printing Company and authorize and direct them to rush said reports even though extra expense be incurred; and

WHEREAS, Pursuant to said direction the said Knight Printing Company did employ extra help, work extra shifts and incurred large extra expense in the printing of said reports, pursuant to instructions of said committee of the House of Representatives.

*Now, Therefore, Be It Resolved, That the commissioner of public printing and the officers having charge of the of the printing of the reports above referred to and of the amounts and payment of the compensation of the same is hereby authorized and directed to pay to the Knight Printing Company, in addition to the contract price therefor, the amount of the extra expense actually incurred in the compliance and direction of the chairman of the select committee appointed by the House of Representatives, provided that additional compensation be allowed and paid only on duly certified vouchers of the Knight Printing Company.*

Which motion prevailed and

The resolution was adopted.

Mr. Williams moved

That the vote by which the report of the committee on House Bill No. 406 was adopted be reconsidered.

Which motion prevailed.

Mr. Williams moved

That the recommendation of the committee be that House Bill No. 406 be "do pass."

Which motion prevailed.

Mr. McDowell offered the following amendment in line 34, page 2 of printed bill: Strike out the words "or invest." Strike out all of line 35 and "any other state" in line 36, and moved its adoption.

Which motion prevailed.

So the amendment was adopted.

Mr. Hanley presiding.

House Bill No. 406.

A bill for an Act to amend Chapter 156 of the Laws of 1907.

Was read the third time.

The question being on the final passage of the bill as amended.

The roll was called and there were 26 ayes, 5 nays, 19 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Hanley	Nelson
Barnes	Heckle	Overson
Bonzer	Helgeland	Porterfield
Clark	Hoverson	Steel
Davidson	Jacobsen	Talcott
Davis	Leutz	Thoreson
Garden	Loftsgaard	Vail
Gibbens	McDowell	Williams
Gronvold	Mudgett	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Plain	Young
Bronson	Trageton	

## Absent and not voting:

Messrs.—

Bond  
Carter  
Cashel  
Duncan  
Elken  
Ellingson  
Englund

Messrs.—

Ganssle  
Gilbert  
Hookway  
Hughes  
Hyland  
Kretschmar  
Linde

Messrs.—

McBride  
McLean  
Putnam  
Turner  
Wartner

Mr. Englund being excused.

So the bill passed and the title was agreed to.

The President presiding.

The Secretary announced that the President was about to sign

House Bill No. 49.

A bill for an Act making appropriation for the current and contingent expenses of the state penitentiary, and for making permanent improvements and additions thereto.

House Bill No. 358.

A bill for an Act providing the rules of practice to prevail in the district courts, county courts of increased jurisdiction, before referees appointed by such courts and in the Supreme Court, and repealing Sections 7054, 7055, 7056, 7057, 7058, 7059, 7064, 7065, 7067, 7068, 7069, 7204 and all other laws in conflict therewith.

House Bill No. 481.

A bill for an Act to amend Section 16 of Chapter 77 of the Laws of 1911, entitled "Commission system of government."

House Bill No. 370.

A bill for an Act prescribing and limiting the punishment for the crime of murder in the first degree and prescribing the conditions under which such punishment may be relieved from by way of pardon, and repealing laws in conflict therewith.

House Bill No. 87.

A bill for an Act relating to White Stone Hill Memorial Park and making an appropriation therefor.

House Bill No. 211.

A bill for an Act to appropriate money for the maintenance, care and repair of the state park at Fort Abercrombie, in Richland County, North Dakota.

**House Bill No. 410.**

A bill for an Act to amend and re-enact Section 7119 of the Revised Codes of North Dakota for 1905, relating to exemptions.

**House Bill No. 378.**

A bill for an Act to amend Sections 259, 262, 263, 264, 267, 275, 3116 and 3117 of the Revised Codes of 1905, relating to county and township boards of health and relating to the meetings and duties of officers of county boards of health.

**House Bill No. 239.**

A bill for an Act to amend and re-enact Chapter 301 of the Session Laws of 1911, relating to auditor's notice of tax sale, and providing for the manner of preparing copy for, and the publication of, the auditor's notice of tax sale, and for the furnishing of bond by the person or persons publishing the newspapers in which such tax list shall be published.

**House Bill No. 328.**

A bill for an Act to regulate the certification of public accountants and the practicing of the profession of accountancy in North Dakota.

**House Bill No. 355.**

A bill for an Act to provide for non-partisan municipal elections and method of making nominations for such officers.

**House Bill No. 307.**

A bill for an Act to amend and re-enact Section 2231 of the Revised Codes of North Dakota as amended by Chapter 1 of the 1907 Session Laws, relating to abstracters of title and to repeal Chapter 329 of the Session Laws of 1911, relating to abstracters of title.

**House Bill No. 252.**

A bill for an Act to amend Section 8 of Chapter 62 of the Session Laws of 1911, relating to institutions under jurisdiction of the board of control of state institutions.

**House Bill No. 179.**

A bill for an Act appropriating money for the maintenance and protection of the Military Wood Reservation in Ramsey County, North Dakota.

## House Bill No. 227.

A bill for an Act to authorize changes in the schedule of items to be listed and valued for purposes of taxation.

## House Bill No. 209.

A bill for an Act to amend and re-enact Sections 9 and 12 of Chapter 109 of the Laws passed by the Tenth Legislative Assembly of the State of North Dakota and Acts amendatory thereto, relating to primary election ballots and party nominations and repealing Chapter 212 of the Laws of 1911.

## House Bill No. 248.

A bill for an Act to amend Section 26, of Chapter 62, Laws of 1911, relating to board of control, and providing for the commitment of non-resident insane patients to the state hospital by county board of commissioners of insanity.

And the President signed the same in the presence of the Senate.

## THIRD READING OF HOUSE BILLS.

## House Bill No. 456.

A bill for an Act to provide for the manner of letting and making all contracts by or on the behalf of cities for work or improvements.

Was read the third time.

The question being on the final passage of the bill as amended.

The roll was called and there were 19 ayes, 8 ayes, 23 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Gilbert	Overson
Bond	Gronvold	Steel
Clark	Hanley	Talcott
Davidson	Heckle	Turner
Davis	Overson	Williams
Garden	Leut	
Gibbens	Mudgett	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Nelson	Wartner
Helgeland	Trageton	Young
Loftsgaard	Vail	

## Absent and not voting.

Messrs.—

Albrecht  
Barnes  
Bonzer  
Carter  
Cashel  
Duncan  
Elken  
Ellingson

Messrs.—

Englund  
Ganssle  
Hookway  
Hughes  
Hyland  
Jacobsen  
Kretschmar  
Linde

Messrs.—

McBride  
McDowell  
McLean  
Plain  
Porterfield  
Putnam  
Thoreson

Mr. Englund being excused.

So the bill was lost.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

March 7th, 1913.

*Mr. President:*

I have the honor to return herewith House Bill No. 406.

Very respectfully,

M. J. GEORGE,

Chief Clerk.

Also.

*Mr. President:*

I have the honor to return herewith House Bill No. 429 as you requested.

Very respectfully,

M. J. GEORGE,

Chief Clerk.

Mr. Gronvold moved

That House Bill No. 429 be now placed on its third reading and final passage.

Which motion prevailed.

House Bill No. 429.

A bill for an Act to amend and re-enact Section 9452 of the Revised Code of 1905, pertaining to the promiscuous distribution of drug samples.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 26 ayes, 4 nays, 20 absent and not voting.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Albrecht	Gilbert	McLean
Allen	Gronvold	Mudgett
Barnes	Hookway	Nelson
Bond	Hoverson	Plain
Clark	Hyland	Talcott
Davidson	Linde	Trageton
Davis	Loftsgaard	Turner
Garden	McBride	Vail
Gibbens	McDowell	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bronson	Heckle	Young
Ellingson		

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Bonzer	Hanley	Porterfield
Carter	Helgeland	Putnam
Cashel	Hughes	Steel
Duncan	Jacobsen	Thoreson
Elken	Kretschmar	Wartner
Englund	Leutz	
Ganssle	Overson	

Mr. Englund being excused.

So the bill passed and the title was agreed to.

The Secretary announced that the President was about to sign

House Bill No. 392.

A bill for an Act to amend Sections 20 and 38 of Chapter 77 of the Laws of 1911, entitled "An Act to provide for a commission system of government in cities which shall adopt the provisions of this Act."

House Bill No. 93.

A bill for an Act to amend Section 1787 of the Revised Codes of the State of North Dakota for 1905.

House Bill No. 501.

A bill for an Act to authorize the trustees of public property to sell at such prices as may be practicable the volumes of the supreme court reports now on hand in the office of the Secretary of State.

House Bill No. 413.

A bill for an Act providing for the inspection of coal imported into this state and charging the state oil inspector

and his deputies with the performance of the duties imposed by this Act.

House Bill No. 482.

A bill for an Act authorizing and directing state board of pardons to reconsider after favorable action has been taken by them of the application of any convict in the state penitentiary for pardon or parole, on their own motion or on the application of interested parties before the release of such convict from the state penitentiary.

House Bill No. 283.

A bill for an Act to prohibit false and misleading advertising of all kinds, and providing a penalty therefor.

House Bill No. 476.

A bill for an Act to provide for a means of removal of elective officers by the will of the people and for the political reserve powers of electors to be used through the initiative and referendum in city matter, and the form of petitions applicable to cities which have adopted or may hereafter adopt the commission system of government; also to prescribe the manner by which a city, having adopted the commission system of government, may return to the former system.

House Bill No. 187.

A bill for an Act to amend and re-enact Section 1597 of the Revised Codes of 1905, as amended by Chapter 302, Laws of 1911, relating to duty of county auditor, and requirements of taxes and deeds.

House Bill No. 373.

A bill for an Act to provide for the care, maintenance and instruction of blind babies and children under school age.

House Bill No. 171.

A bill for an Act to amend and re-enact Section 2494 of the Revised Codes of North Dakota for the year 1905, relating to the duties of State's attorney and attorney general.

And the President signed the same in the presence of the Senate.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

Also.

Senate Bill No. 148.

A bill for an Act to amend Section 36 of Chapter 128 of the Laws of 1909 and Sections 8, 35 and 45 of Chapter 128 Laws of 1909, as amended by Chapter 141 of the Laws of 1911, relating to fish and game; providing for the removal of beavers causing damage to property.

Also.

Senate Bill No. 274.

A bill for an Act to fix and regulate obligations and liabilities as between hotel and inn keepers and their guests and boarders and those intending to become such with respect to baggage and other property of such guests and boarders and the property belonging to or in use in any hotel, lodging house, boarding or eating house, defining and fixing the liability of hotel and inn keepers for loss of or injury to property of guests or boarders, or persons intending to become such and giving to such hotel and innkeepers a lien upon the baggage and other property of guests and boarders for charges due; providing the time and manner of foreclosure of such lien, the sale of property thereunder and disposition of the proceeds thereof; providing a penalty for obtaining any food, lodging or other accommodation at any hotel, lodging house, boarding or eating house with intent to defraud the owner or manager thereof and defining what shall constitute prima facie evidence of such intent and to repeal all laws in conflict therewith.

And find the same correctly enrolled.

W. P. PORTERFIELD.  
Acting Chairman.

Mr. Porterfield moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The Secretary announced that the President was about to sign

Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

Senate bill No. 148.

A bill for an Act to amend Section 36 of Chapter 128 of the Laws of 1909 and Sections 8, 35 and 46 of Chapter 128 Laws of 1909, as amended by Chapter 141 of the Laws of 1911, relating to fish and game; providing for the removal of beavers causing damage to property.

## Senate Bill No. 274.

A bill for an Act to regulate and fix obligations and liabilities as between hotel and inn keepers and their guests and boarders and those intending to become such with respect to the baggage and other property of such guests and boarders, and the property belonging to or in use in any hotel, lodging house, boarding or eating house, defining and fixing the liability of hotel and inn keepers for loss of or injury to property of guests or boarders or persons intending to become such, and giving such hotel and inn keepers a lien upon the baggage and other property of guests and boarders for charges due, providing the time and manner of foreclosure of such lien, the sale of property thereunder and disposition of the proceeds thereof, providing a penalty for obtaining any food, lodging or other accommodation at any hotel, lodging house, boarding or eating house with intent to defraud the owner or manager thereof and defining what shall constitute prima facie evidence of such intent, and to repeal all laws in conflict herewith.

And the President signed the same in the presence of the Senate.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 20.

A bill for an Act amending and re-enacting Section 2597 of the Revised Codes of 1905, as amended by Chapter 257 of the Session Laws of 1911, relating to the fees in the office of the Register of Deeds.

Which the House indefinitely postponed.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

The committee on conference made the following report:

*Mr. President:*

Your committee on conference to whom was referred  
Senate Bill No. 73.

A bill for an Act creating a state highway commission defining the duties and powers. Emergency.

Have had under consideration in conference Senate Bills No. 32, 73 and 17 and recommend that the House recede from its amendments to above bills.

ALFRED STEEL,  
CHAS. ELLINGSON,  
A. G. DIVET,  
W. R. BOND,  
WM. G. OWENS,  
L. L. TWICHELL.

Mr. Bond moved

That the report be adopted

Which motion prevailed, and

The report was adopted.

Mr. Plain presiding.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
March 7th, 1913.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 73.

A bill for an Act amending the Constitution of the State of North Dakota, providing for future amendments thereof.

Which the House has passed unchanged.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 32.

A Concurrent Resolution amending the Constitution of the State of North Dakota providing for the initiative and referendum.

Which the House has passed unchanged

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

Also.

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 17.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the recall of public officials by the people.

Which the House has indefinitely postponed.

Very respectfully,

M. J. GEORGE,  
Chief Clerk.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 115.

A bill for an Act fixing the time when policies of hail insurance companies shall take effect.

Also.

Senate Bill No. 161.

A bill for an Act requiring railroad companies to line and cooper cars tendered for grain shippers of flour and flour mill products, or to reimburse shippers therefor.

Also.

Senate Bill No. 267.

A bill for an Act for the regulation and control of fraternal beneficial societies.

Also.

Senate Bill No. 44.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 of Chapter 35 of the Session Laws of the year 1911, of the State of North Dakota, being an Act to encourage elementary education in North Dakota, and appropriate money therefor.

Also.

Senate Bill No. 167.

A bill for an Act providing for the making of necessary repairs upon the executive mansion, and making appropriation therefor.

Also,

Senate Bill No. 373.

A bill for an Act to amend and re-enact Section 1904 of the Revised Codes of North Dakota for 1905.

And find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The Secretary announced that the President was about to sign

Senate Bill No. 115.

A bill for an Act fixing the time when policies of hail insurance companies shall take effect.

Senate Bill No. 161.

A bill for an Act requiring railroad companies to line and cooper cars tendered for grain shippers.

Senate Bill No. 267.

A bill for an Act for the regulation and control of fraternal benefit societies.

Senate Bill No. 44.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 of Chapter 35 of the Session Laws of the year 1911, of the State of North Dakota, being an Act to encourage elementary education in North Dakota, and appropriating money therefor.

Senate Bill No. 167.

A bill for an Act providing for the making of necessary repairs upon the executive mansion, and making appropriation therefor.

## Senate Bill No. 373.

A bill for an Act to amend and re-enact Section 1904 of the Revised Codes of North Dakota for 1905.

And the President signed the same in the presence of the Senate.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bill have examined

## Senate Bill No. 311.

A bill for an Act declaring the island situated in the Missouri River south of the city of Williston, and all islands that may appear in said river within five miles of said city, state parks.

Also,

## Senate Bill No. 333.

A bill for an Act creating a state highway commission, defining the duties and powers. Emergency.

Also,

## Senate Bill No. 350.

A bill for an Act fixing priorities of liens and requiring all persons who may be entitled to a mechanics' lien to file a notice of lien and the owner's consent for such lien and providing a penalty for filing unlawful liens.

Also,

## Senate Bill No. 216.

A bill for an Act to repeal Section 3 of Chapter 264 of the Session Laws of 1911, relating to Reviews in high schools.

Also,

## Senate Bill No. 289.

A bill for an Act entitled "An Act to provide a special tax levy for immigration," amending Section 2402 of the Revised Codes of 1905.

Also,

Senate Bill No. 370.

A concurrent resolution amending the Constitution of the State of North Dakota, changing the name of the state reform school located at Mandan, in the County of Morton, to that of state farm and mechanic arts school.

And find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The President presiding.

The Secretary announced that the President was about to sign

Senate Bill No. 311.

A bill for an Act declaring the island situated in the Missouri River south of the City of Williston, and all islands that may appear in said river within five miles of said city, state parks.

Senate Bill No. 333.

A bill for an Act creating a state highway commission, defining their duties and powers.

Senate Bill No. 350.

A bill for an Act fixing priorities of liens, and requiring all persons who may be entitled to a mechanics' lien to file a notice of lien, to take a statement or acknowledgment for such lien and providing a penalty for filing unlawful liens.

Senate Bill No. 216.

A bill for an Act to repeal Section 3 of Chapter 264 of the Session Laws of 1911, relating to reviews in high schools.

Senate Bill No. 289.

A bill for an Act entitled "An Act to provide a special tax levy for immigration," amending Section 2402 of the Revised Codes of 1905.

Senate Bill No. 370.

A concurrent resolution amending the Constitution of the State of North Dakota, changing the name of the state re-

form school located at Mandan, in the County of Morton, to that of state farm and mechanic art school.

And the President signed the same in the presence of the Senate.

Mr. Talcott moved

That the President appoint a committee of three to wait on the Governor to ask if he has any further communications to communicate to the Senate.

Which motion prevailed and

The President appointed as such committee, Messrs. Talcott, Mudgett and Bond.

Mr. Hanley moved

That a committee of three be appointed to inform the House that the Senate is about to adjourn.

Which motion prevailed and

The President appointed as such committee, Messrs. Hanley, Elken and Linde.

The Secretary announced that the President was about to sign

House Bill No. 488.

A bill for an Act extending the powers and duties of state and district veterinarians and providing for the testing of animals exposed to the disease known as glanders.

House Bill No. 429.

A bill for an Act to amend and re-enact Section 9452 of the Revised Code of 1905, pertaining to the promiscuous distribution of drug samples.

House Bill No. 422.

Being a bill for an Act to provide funds for the erection, purchase, lease or establishment of a terminal elevator system in the State of Wisconsin, or in the State of Minnesota, or in both said states, and for the maintenance and operating of the same, and for the establishment of additional duties of the board of control of state institutions in relation thereto.

House Bill No. 293.

A bill for an Act to appropriate money for the expenses of the state government and for other purposes; to repeal certain laws which may conflict with this general appropria-

tions bill, when such repeal is specifically state following; specifying the amount and time for which such appropriations shall be available, and providing the manner in which the appropriations herein made shall be paid.

House Bill No. 10.

A bill for an Act to provide a method of voting at any general or primary election by electors absent or anticipating being absent on the day of such election, from the county in which they are electors.

And the President signed the same in the presence of the Senate.

The committee on enrolled and engrossed bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined:

Senate Bill No. 177.

A bill for an Act to provide for the execution of tax deeds for lands sold for delinquent taxes under the provisions of Section 1576 of the Revised Codes of North Dakota for 1905 and Acts amendatory thereto and to prescribe the form and to define the effect of all such deeds and the title thereby conveyed.

And find the same correctly enrolled.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed and

The report was adopted.

The committee on Enrolled and Engrossed Bills made the following report:

*Mr. President:*

Your committee on enrolled and engrossed bills have examined

Senate Bill No. 32.

A Concurrent Resolution amending the Constitution of the State of North Dakota, and providign for the initiative and referendum.

Also,

Senate Bill No. 73.

A Concurrent Resolution amending the Constitution of the State of North Dakota, providing for future amendments thereof.

Also,

Senate Bill No. 358.

A bill for an Act to require the railroad commission to formulate a uniform system of accounting for public elevators and warehouses and to provide for the examination of the accounts of such elevators and warehouses when requested by not less than 15 per cent of the stockholders thereof, and prescribing fees therefor; and amending Chapter 251 of the Session Laws of 1911, relating to the filing of bonds by public warehouses.

And find the same correctly engrossed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The Secretary announced that the President was about to sign

Senate Bill No. 32.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the initiative and referendum.

Senate Bill No. 177.

A bill for an Act to provide for the execution of tax deeds for lands sold for delinquent taxes under the provisions of Section 1576 of the Revised Codes of North Dakota for 1905 and to prescribe the form and to define the effect of all such deeds and the title thereby conveyed, and to provide for the issuance of new tax deeds in lieu of defective ones heretofore issued under the provisions of Section 1591 of the Revised Codes of North Dakota for 1905.

Senate Bill No. 73.

A Concurrent Resolution amending the Constitution of the State of North Dakota, providing for future amendments thereof.

## Senate Bill No. 358.

A bill for an Act to require the railroad commission to formulate a uniform system of accounting for public elevators and warehouses and to provide for the examination of the accounts of such elevators and warehouses when requested by not less than 15 per cent of the stockholders thereof, and prescribing fees therefor; and amending Chapter 251 of the Session Laws of 1911, relating to the filing of bonds by public warehouses.

And the President signed the same in the presence of the Senate.

Mr. Talcott moved

That the Senate do now adjourn *sine die*.

Which motion prevailed, and

The Senate adjourned *sine die*.

W. D. AUSTIN,  
Secretary.

Revision and correction of the Permanent Journal.

On page 1399, in line 5 strike out the word "House" and insert in lieu thereof the word "Senate."

On page 1402, in line 17 strike out the name "McDonald" and insert in lieu thereof the name "McDowell."

On page 1072 of the permanent Senate Journal in line 19, strike out the numeral 326 and insert in lieu thereof the numeral 325.

W. D. AUSTIN,  
W. J. PRATER,  
H. N. DYTE,  
Special Committee.

## REPORT OF SPECIAL COMMITTEE.

The committee on Revision and Correction of the Journal made the following report:

Revision and correction of the Senate Journal of the fifty-eighth day after recess, and fifty-ninth day:

On page 8 line 18, insert "re-" before the word engrossed."

On page 9 line 33 strike out the name "McDonald" and insert in lieu thereof the name "McDowell."

On page 11, line 14, change the name Brown to "Bronson."

On page 15, line 40, change the word "to" to "be."

On page 18, after line 4, insert, "The roll was called and there were 38 ayes, no nays and 12 absent and not voting.

On page 22, 1st and 2d line, reverse the positions of the words "Mr. President" and the word "also."

On page 25, after line 10 insert "Your committee on state affairs to whom were referred."

On page 33, in line 4 change the word "Senate" to "House." Strike out line 9. In line 6 from bottom change the word "on" to "one."

On page 34, in line 26 change the word "or" to "on."

On page 36, in line 5 from the bottom change the word "now" to "not."

On page 42, after line 26 insert the name "O. J. Clark."

On page 42.—Commencing with line 15, set the balance of page 42 and all of pages 43 to 65 inclusive and page 66 down to and including line 14 so as to follow page 118.

On page 49, strike out lines 6, 7, 8, 9, 10 and 11.

On page 50, strike out line 1 and insert the words "Mr. President" after line 3.

On page 51, insert after line 14 the names "Bronson," "Duncan" and "Ellingson." In line 17 strike out the names, "Bronson" "Duncan" and Ellingson."

On page 53, in line 11 change the numeral "32" to "23."

On page 55, in line 6 change the name "Dawson" to "Davidson."

On page 58, after 22 insert the name "Mudgett."

On page 59, under the name "Williams" insert in line 21 the name "Young." In line 27 insert the name "Hughes."

On page 60, insert the name "Mudgett" after the name "McLean" in line 8. In line 15 after the name "Gibbens" insert the name "Hanley." In line 21 change the name of "Martin" to the name "Wartner."

On page 62, insert as voting in the affirmative in the roll call on House Bill No. 421, the names "McBride," "McDowell," "McLean" and "Ganssle."

On page 63, in line 1 change the numeral "21" to "421." In line 22, change the name "Gibbens" to "Gilbert." After line 34 insert the name "Ellingson."

On page 64, after line 30 insert—"Mr. Englund being excused. So the bill passed and the title was agreed to."

On page 66, in line 14 strike out the words "Chief Clerk." and insert in lieu thereof the word "Secretary."

On page 66, commencing with "Special Order" set "Special Order" and balance of page 66 and all of pages 67 to 118 inclusive so as to follow line 14 on page 42.

On page 68, in line 45 correct the spelling of the name "Jacobsen." In line 9 insert the word "except" before the name of Mr. Englund.

On page 71, strike out the last line and insert in lieu thereof the words, "Henry J. Linde, chairman."

On page 72, strike out line 14.

On page 74, strike out line 26 and insert in lieu thereof the words, "Absent and not voting."

On page 76, after line 14 insert the words "House Bill No. 180."

On page 77, strike out the first line and insert in lieu thereof the words "Those absent and not voting."

On page 79, after line 24, insert the words "Mr. Englund being excused."

On page 83, before line 1 insert the words, "Those voting in the negative were Messrs. Bronson and Helgeland." After line 32 insert the words, "Those voting in the negative were: "Messrs. Hookway and Putnam."

On page 84, in line seven change the name "Boyer" to the name "A. L. Bonzer." In line 21 after the word, "bill" add the words "as amended."

On page 89, strike out all of line 30.

On page 90, strike out all of line 12.

On page 91, strike all of line 21. Insert after line 32 the words, "Which the House has amended as follows: Strike out all of line 35.

On page 92 after line 3 insert the words, "which the House has amended as follows." Strike out all of line 10.

On page 96, in line 13 strike out the word "transmit" and insert in lieu thereof the word "return."

On page 97, after line 31 insert the words, "which the House has passed unchanged, M. J. George, Chief Clerk."

On page 100, strike out lines 21, 22, 23, 24, 25 and 26. Strike out lines 33 and 34. After line 32 "which the House has amended as follows." Strike out all of line 38.

On page 103, strike out all of line 14. In line 25 after the word "bill" add the words "as amended by the House."

On page 105 in line 35 strike out the word "negative" and insert in lieu thereof the word "affirmative."

On page 108, in line 22 strike out the name "Englund" and insert in lieu thereof the name "Ellingson."

On page 109, in line 35 correct the spelling of the name "Albrecht."

On page 111, in line 2 after the word "title" insert the words "of the bill."

W. D. AUSTIN,  
W. J. PRATER, ..  
H. N. DYSTE,  
Special Committee.

Revision and correction of the Senate Journal of the fifty-ninth day after recess, and sixtieth day:

On page 1, insert after line 4 the words "pursuant to recess taken."

On page 4, after line 12 insert "Senate Bill No. 29."  
Senate Bill No. 29.

A bill for an Act to amend Section 2864 of the Revised Codes of North Dakota for 1905, as amended by Chapter 186 of the Session Laws of 1905, and reamended by Chapter 268 of the Session Laws of 1907, relating to the general powers of the boards of trustees of incorporated villages.

On page 1 insert after line 4 the words "pursuant to recess taken."

On page 10, after line 35 insert the words "Those voting in the affirmative were."

On page 13, in line 26 strike out the name "Porterfield" and insert in lieu thereof the name "Nelson."

On page 16, in line 11 strike out the word "now" and insert in lieu thereof the word "not."

On page 17, in fourth line from bottom strike out the name "Barnes" and insert in lieu thereof the name "Bonzer."

On page 22, after line 27 insert the words "The President presiding."

On page 25, strike out line 18.

On page 34, strike out lines 6, 7, 8, 9, 10, 11, 12, and insert in lieu thereof the words "A Bill for an Act to appropriate money for the expenses of the State government and for other purposes, to repeal Section 1737 of the Revised Codes of 1905 as amended, etc., etc., etc."

On page 35, strike out lines 22, 23, 24 and 25, and insert in lieu thereof House Bill No. 27. "A bill for an Act to prohibit insurance companies and their agents from rebating, discrimination-and twisting."

On page 36, strike out lines 18, 19, and 20, and insert in lieu thereof the words "House Bill No. 330, a bill for an Act to amend and re-enact Section 4463 of the Revised Codes of 1905 relating to conditions of admission of foreign Insurance Companies."

On page 43, in line 19, strike out the name "Leutz" and insert in lieu thereof the name "Linde."

On page 252, in line 25 strike out the numeral "18" and insert in lieu thereof the numeral "22" in same line strike out the figures \$2,500.00 and insert in lieu thereof the figures \$2,000.00.

On page 61, in line 3 strike out the name "Hookway" and insert in lieu thereof the name "Hoverson."

On page 64, between the second and third lines from the bottom insert the words "The President presiding."

On page 77, in line 17, strike out the name "Trageton" and insert in lieu thereof the name "Thoreson." On same page on fourth line from bottom insert the name "Garden."

On page 97, in line 13 strike out the word "now" and insert in lieu thereof the word "not."

On page 105, after the thirteenth line from the bottom insert the names "Hanley, Heckle, Helgeland, Hookway."

On page 107, after the name "Loftsgaard" in fifteenth line from bottom insert the name "McBride."

On page 115, in the affirmative add the name "Clark" and "Jacobsen." On same page in the "absent and not voting" strike out the name "Jacobsen" and insert in lieu thereof the name "Carter."

On page 116, in line 14 strike out the name "Hanley" and insert in lieu thereof the name "Overson." On the same page in fourth line from bottom strike of the word "past" and insert in lieu thereof the words was "lost."

On page 133, after the last line add the words "Mr. Gronvold moved that the report be adopted which motion prevailed and the report was adopted."

On page 134, after line 10 insert the words "Mr. Porterfield moved that the report be adopted which motion prevailed and the report was adopted."

On page 156, after line 16 insert the words "Very respectfully—M. J. George Chief Clerk."

On page 169, before the sixth line from the bottom insert the words "The President presiding."

On page 175, strike out the last word "House" and insert in lieu thereof the word "Senate."

On page 176, in line 5 strike out the name "Hyland" and insert in lieu thereof the name "Hanley." On same page in line 29 strike out the word "House" and insert in lieu thereof the word "Senate." On same page strike out the word "House," and insert in lieu thereof the word "Senate."

On page 188, in line 2 strike out the word "conference."

On page 195, strike out the last four lines and insert in lieu thereof the words "Senate Bill No. 148." Pick up title as given on top of page 195.

On page 203, strike out the last three lines and insert in lieu thereof the words "A Concurrent Resolution amending the Constitution of the State of North Dakota and providing for the initiative and referendum."

On page 204, on bottom of page insert the words "Senate Bill No. 358," and insert the title as given in lines 8, to 15 on page 204."

W. D. AUSTIN,  
W. J. PRATER,  
H. N. DYTE,  
Special Committee.

# INDEX

## RECORD OF BILLS IN THE SENATE

### SENATE BILLS

#### Senate Bill No. 1.—(Hughes)

A bill for an Act providing for the appointment of a highway commission, defining their duties and powers, providing for the establishment of state roads and the use of convict labor thereon, defining certain duties and power of the state engineer in connection therewith and making an appropriation therefor, amending Sections 14, 15 and 16 of Chapter 6 of the Laws of 1911 and amending Section 7608 of the Revised Code of 1905 as amended in Chapter 52 of the Laws of 1907. Emergency.

Introduction, first and second reading, 45, 52.

Reference, 52.

Other action, 178.

#### Senate Bill No. 2.—(Cashel)

A concurrent resolution to amend Article 19, Section 216 of the constitution of the State of North Dakota, pertaining to public institutions.

Introduction, first and second reading, 45, 52.

Reference, 52.

Withdrawn, 340.

#### Senate Bill No. 3.—(Bond)

A bill for an Act to provide for the regulation and supervision of investment companies, and providing penalties for the violation thereof.

Introduction, first and second reading, 45, 52.

Reference, 52.

Reported, 117.

Indefinitely postponed, 118.

Sen—Index

#### Senate Bill No. 4.—(Garden)

A bill for an Act creating the office of state fire marshal, describing the duties, and providing for the maintenance of same.

Introduction, first and second reading, 46, 52.

Reference, 52.

Indefinitely postponed, 1002.

#### Senate Bill No. 5.—(Duncan)

A bill for an Act to provide for the regulation and supervision of investment companies under the supervision of the state examiner and providing penalties for the violation thereof.

Introduction, first and second reading, 46, 52.

Reference, 52.

Reported, 118.

Indefinitely postponed, 118.

#### Senate Bill No. 6.—(Bronson)

A bill for an Act to re-enact Section 16, Chapter 6, of the Laws of North Dakota for the year 1911, relating to motor license and road regulations.

Introduction, first and second reading, 46, 53.

Reference, 53.

Reported, 170.

Third reading, 197.

Passed, 198.

Received from House, 525. Indefinitely postponed.

**Senate Bill No. 7.—(Bronson)**

A bill for an Act to appropriate money for maintenance, equipment and permanent improvements at the State University and School of Mines of North Dakota.

Introduction, first and second reading, 46, 53.

Reference, 53.

Reported, 686.

Third reading, 809.

Passed, 809.

Received from House, 1157, 1567.

Other action, 1217.

**Senate Bill No. 8.—(Bronson)**

A bill for an Act to amend Section 605, Sub-division 1, of the Revised Code of North Dakota for 1905, and Chapter 131 of the Session Laws of North Dakota for the year 1911, relating to who is entitled to vote, and providing for woman suffrage.

Introduction, first and second reading, 46.

Reference, 53, 196.

Reported, 146, 392.

Third reading, 1883, 435.

Passed, 435.

Lost, 183.

Received from House, 1490.

Other action, 196, 1512.

**Senate Bill No. 9.—(Bronson)**

A bill for an Act to amend Section 1571 of the Revised Codes of 1905, providing when real estate taxes shall become due and delinquent, and for penalty and interest in the event of delinquency thereof.

Introduction, first and second reading, 47, 53.

Reference, 53.

Reported, 426.

Third reading, 475.

Lost, 475.

**Senate Bill No. 10.—(McLean)**

A bill for an Act making an appropriation of a sum sufficient to complete payment for the silver service to be donated by the State of North Dakota to the Battleship North Dakota.

Introduction, first and second reading, 47, 53.

Reference, 53.

Reported, 654.

Indefinitely postponed, 1172.

Third reading, 731.

Passed, 732.

Received from House, 1172.

**Senate Bill No. 11.—(Duncan)**

A bill for an Act appropriating an annual sum of money for the use of the government experiment station at Fargo for conducting demonstration farms and for furnishing samples of seed grains and otherwise co-operating with farmers; for publishing reports and bulletins, for analyses of fertilizers and stock foods, for complying with the provisions of the pure paint, paris green and formaldehyde laws, and for making other experiments.

Introduction, first and second reading, 47, 54.

Reference, 54.

Reported, 655.

Indefinitely postponed, 655.

**Senate Bill No. 12.—(Duncan)**

A bill for an Act to amend Section 2582 of the Revised Codes of the State of North Dakota for 1905, relating to deputy clerks of the district court.

Introduction, first and second reading, 47, 54.

Reference, 54.

Reported, 134.

Indefinitely postponed, 134.

**Senate Bill No. 13.—(McLean)**

A bill for an Act to amend Sections 1993, 1934, 1935 and 1936, relating to stock running at large.  
 Introduction, first and second reading, 47, 54.  
 Reference, 54, 163.  
 Reported, 114, 250, 665.  
 Third reading, 285.  
 Passed, 286.  
 Received from House, 1568.  
 Amended, 1568.  
 Amendments adopted, 1568.  
 Other action, 1606.

**Senate Bill No. 14.—(England)**

A bill for an Act to provide for the extermination of gophers and the compensation thereof.  
 Introduction, first and second reading, 48, 54.  
 Reference, 54.  
 Reported, 213, 284.  
 Third reading, 238, 280, 284.  
 Passed, 285.  
 Received from House, 376.  
 Other action, 440.

**Senate Bill No. 15.—(England)**

A bill for an Act authorizing the appointment of two delegates from this state as members of a commission which is to investigate European systems of rural credits and report thereon, and making an appropriation therefor.  
 Introduction, first and second reading, 48, 54.  
 Reference, 54, 155.  
 Reported, 154, 655.  
 Indefinitely postponed, 655.

**Senate Bill No. 16.—(Nelson)**

A bill for an Act appropriating money for the current and contingent expenses of the State Tuberculosis Sanitarium at Dunseith.  
 Introduction, first and second reading, 48, 55.  
 Reference, 55.  
 Reported, 651.  
 Third reading, 728.  
 Passed, 729.  
 Received from House, 1288.  
 Amended, 1288.  
 Amendments adopted, 1340.  
 Other action, 1480.

**Senate Bill No. 17.—(Overson)**

A bill amending the constitution of the State of North Dakota, providing for the recall of public officials by the people.  
 Introduction, first and second reading, 48, 55.  
 Reference, 55, 142.  
 Reported, 535, 923.  
 Third reading, 1040.  
 Passed, 1041.  
 Received from House, 1577, 1620.  
 Amended, 1577.  
 Conference, 1577, 1597.  
 Report of conference committee, 1597.

**Senate Bill No. 18.—(Gibbens)**

A joint resolution ratifying an amendment to Section three, Article one, of the constitution of the United States.  
 Introduction, first and second reading, 48, 55.  
 Reference, 55, 61.  
 Reported, 148.  
 Indefinitely postponed, 776.  
 Third reading, 184.  
 Passed, 184.  
 Received from House, 776.

**Senate Bill No. 19.—(Vail)**

A bill for an Act to provide for the regulation and supervision of investment companies and providing penalties thereof.  
 Introduction, first and second reading, 48, 55.  
 Reference, 55.  
 Reported, 117.  
 Indefinitely postponed, 117.

**Senate Bill No. 20.—(Jacobsen)**

A bill for an Act amending and reenacting Section 2597 of the Revised Codes of 1905, as amended by Chapter 257 of the Session Laws of 1911, relating to the fees in the office of the register of deeds.  
 Introduction, first and second reading, 49, 55.  
 Reference, 55.  
 Reported, 307.  
 Indefinitely postponed, 1368.  
 Third reading, 331.  
 Passed, 332.  
 Received from House, 1368, 1618.

**Senate Bill No. 21.—(Bronson)**

A bill for an Act to amend Section 7176 of the 1905 Revised Codes of North Dakota and Chapter 177 of the Session Laws of North Dakota for the year 1907, relating to attorney's fees and foreclosures.

Introduction, first and second reading, 49, 55.

Reference, 55.

Reported, 135.

Indefinitely postponed, 135.

**Senate Bill No. 22.—(Bronson)**

A bill for an Act to amend Section 6246 of the Revised Codes of 1905, relating to Mechanics' Liens and the enforcement thereof.

Introduction, first and second reading, 49, 56.

Reference, 56.

Reported, 217.

Indefinitely postponed, 1368.

Third reading, 235.

Passed, 236.

Received from House, 1368.

**Senate Bill No. 23.—(Talcott)**

A bill for an Act to amend Chapter 290 of the Laws of 1911, relating to property exempt from taxation.

Introduction, first and second reading, 49, 56.

Reference, 56.

Reported, 231.

Third reading, 249, 282.

Passed, 282.

Received from House, 777, 1366.

Other action, 257, 261, 1434.

**Senate Bill No. 24.—(Talcott)**

A bill for an Act to protect purchasers of stocks and bonds and prevent frauds in the sale thereof; to create a bureau of corporations to administer this Act; providing for the maintenance thereof and providing penalties for the violation thereof.

Introduction, first and second reading, 49, 56.

Reference, 56.

Reported, 118.

Indefinitely postponed, 118.

**Senate Bill No. 25.—(Gronvold)**

A bill for an Act to appropriate the sum of Sixty Thousand Dollars, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Introduction, first and second reading, 49, 56.

Reference, 56.

Reported, 656.

Third reading, 732.

Passed, 732.

Received from House, 1157.

Other action, 1217.

**Senate Bill No. 26.—(Ellingson)**

A bill for an Act to amend Section 618 of the Revised Codes of North Dakota for 1905, relating to elections.

Introduction, first and second reading, 50, 56.

Reference, 56.

Reported, 239.

Third reading, 262, 932.

Passed, 262, 932.

Received from House, 929.

Amended, 929.

Amendments adopted, 931.

Other action, 1026, 1149.

**Senate Bill No. 27.—(Ellingson)**

A bill for an Act to amend Section 4493 of the Revised Codes of North Dakota for 1905 relating to county mutual insurance companies.

Introduction, first and second reading, 50, 57.

Reference, 57, 189.

Reported, 189.

Third reading, 218.

Passed, 218.

Received from House, 451.

Other action, 514.

**Senate Bill No. 28.—(Gronvold)**

A bill for an Act for the regulation and supervision of investment companies, and providing penalties for the violation thereof.  
 Introduction, first and second reading, 50, 57.  
 Reference, 57.  
 Reported, 117.  
 Indefinitely postponed, 117.  
 Third reading, 608.  
 Passed, 609.  
 Received from the House, 1425.  
 Amended, 1425.  
 Amendments adopted, 1426.  
 Other action, 1557.

**Senate Bill No. 30.—(Cashel)**

A bill for an Act to provide an appropriation for the current expense, and for permanent improvements for the Institution for Feeble Minded at Grafton, N. D.  
 Introduction, first and second reading, 50, 57.  
 Reference, 57.  
 Reported, 689.  
 Third reading, 918.  
 Passed, 920.  
 Received from House, 1307, 1517.  
 Amended, 1308, 1384.  
 Amendments adopted, 1312; reconsidered, 1316.  
 Conference, 1316.  
 Report of conference committee, 1384.  
 Other action, 1580.

**Senate Bill No. 31.—(McLean)**

A bill for an Act to amend Section 3 of Chapter 209 of the Session Laws of 1909, relating to the selling, offering or exposure of seed for sale.  
 Introduction, first and second reading, 51, 58.  
 Reference, 58, 345.  
 Reported, 344, 975.  
 Third reading, 1078.  
 Passed, 1079.  
 Received from House, 1287, 1425.  
 Amended, 1425.  
 Amendments adopted, 1426.  
 Other action, 1557.

**Senate Bill No. 32.—(Overson)**

A Concurrent Resolution amending the Constitution of the State of North Dakota providing for the initiative and referendum.  
 Introduction, 51, 58.  
 Reference, 58, 142.  
 Reported, 534, 932.  
 Third reading, 1076.  
 Passed, 1077.  
 Received from House, 1576, 1619.  
 Amended, 1576.  
 Conference, 1576, 1602.  
 Report of conference committee, 1596.  
 Other action, 1626.

**Senate Bill No. 33.—(Gronvold)**

A bill for an Act to prohibit the use of public drinking cups in the State of North Dakota.  
 Introduction, 62, 65.  
 Reference, 65.  
 Reported, 428.  
 Third reading, 476.  
 Passed, 477.  
 Received from House, 882.  
 Other action, 926, 1048.

**Senate Bill No. 34.—(Jacobsen)**

A bill for an Act prohibiting unfair discrimination in the buying of milk, cream or butter fat and providing a penalty for the violation thereof.  
 Introduction, 63, 65.  
 Reference, 65, 142.  
 Reported, 136, 1140.  
 Indefinitely postponed, 1140.  
 Other action, 141.

**Senate Bill No. 35.—(Wartner)**

A bill for an Act permitting a voter to cast his vote at general elections when unavoidably absent from his regular voting precinct outside of the county, to vote for county, district or state officers, members of the legislature, member of Congress and electors of President and Vice President of the United States, in any voting precinct where he may present himself for such purposes, on the day of such election, under regulations hereinafter prescribed.  
 Introduction, 63, 65.  
 Reference, 65.  
 Indefinitely postponed, 1114.

**Senate Bill No. 36.—(Loftsgaard)**

A bill for an Act entitled "An Act to amend Section 431 of the Revised Codes of North Dakota of 1905, relating to the operation of railroads in this state, receiving and transporting passengers and property.

Introduction, 63, 65.  
Reference, 65.  
Reported, 255.  
Third reading, 296.  
Received from House, 451.  
Passed, 297.  
Other action, 514.

**Senate Bill No. 37.—(Gilbert)**

A bill for an Act providing for an appropriation to pay expenses of construction of drains, benefitting school lands situated in Cass County.

Introduction, 63, 65.  
Reference, 65.  
Reported, 1215.  
Indefinitely postponed, 1215.

**Senate Bill No. 38.—(McLean)**

Concurrent resolution for an amendment to the Constitution of the State of North Dakota providing that the term of office of the Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, Commissioner of Insurance, Commissioners of Railroads and the Commissioner of Agriculture and Labor shall be four years.

Introduction, 63, 66.  
Reference, 66.  
Indefinitely postponed, 1114.

**Senate Bill No. 39.—(Hoverson)**

A bill for an Act to appropriate money for the maintenance of the Department of Agricultural, Manual Training and Domestic Economy in the High School at Beach, Grafton, Velva, Carrington and LaMoure.

Introduction, 64, 66.  
Reference, 66, 995.  
Reported, 659.  
Indefinitely postponed, 659.

**Senate Bill No. 40.—(Hanley)**

A bill for an Act making an appropriation for the erection of a new building, and other improvements, and for the current and contingent expenses of the Reform School of North Dakota, located at Mandan, N. D.

Introduction, 64, 66.  
Reference, 66.  
Reported, 692.  
Third reading, 812.  
Passed, 812.  
Received from House, 1284.  
Indefinitely postponed.

**Senate Bill No. 41.—(Hughes)**

A bill for an Act making appropriation for the current and contingent expenses of the State Penitentiary, and for making permanent improvements and additions thereto.

Introduction, 64, 66.  
Reference, 66.  
Reported, 690.  
Third reading, 789.  
Passed, 790.  
Received from House, 1535.

**Senate Bill No. 42.—(Hughes)**

A bill for an Act to require Road Supervisors, Street Commissioners or any person authorized to collect a road poll tax receipt, to file with the county auditor duplicate receipts, so that he may make the proper credits on the tax lists.

Introduction, 64, 66.  
Reference, 66, 148.  
Reported, 147, 502, 701.  
Indefinitely postponed, 701.

**Senate Bill No. 43.—(Talcott)**

A bill for an Act to authorize the Superintendent of Public Instruction to publish the report of the State Inspector of Rural and Graded Schools for 1912 and to appropriate money to defray the expense of the same and to meet the deficiency in the expenses of the State Inspector of Rural and Graded Schools.

Introduction, 69.  
Reference, 69.  
Reported, 185, 691.  
Third reading, 811.  
Passed, 811.  
Received from House, 1157.  
Other action, 1217.

**Senate Bill No. 44.—(Talcott)**

A bill for an Act to amend and reenact Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 of Chapter 35 of the Session Laws of the year 1911, of the State of North Dakota, being an Act to encourage elementary education in North Dakota, and appropriate money therefor.

Introduction, 69.

Reference, 69.

Reported, 277, 649.

Third reading, 725.

Passed, 727.

Received from House, 1569.

Amended, 1569.

Amendments adopted, 1570.

Other action, 1621.

**Senate Bill No. 45.—(Overson)**

A bill for an Act regulating marriages and the issuance of marriage licenses, prohibiting marriages in certain cases, providing penalties for the violation of the provisions of this Act and repealing all Acts or parts of Acts in conflict herewith.

Introduction, 81, 83.

Reference, 83.

Reported, 462.

Third reading, 516.

Passed, 516.

Received from House, 816.

Other action, 875.

**Senate Bill No. 46.—(Overson)**

A bill for an Act to amend and reenact Section 6187 of the Revised Codes of North Dakota for 1905.

Introduction, 81, 83.

Reference, 83.

Reported, 343.

**Senate Bill No. 47.—(Jacobsen)**

A bill for an Act repealing Chapter 268 of the Session Laws of 1911, relating to school houses and sites.

Introduction, 81, 83.

Reference, 83.

Reported, 147.

Third reading, 184.

Passed, 185.

Received from House, 388.

Other action 513.

**Senate Bill No. 48.—(Porterfield)**

A bill for an Act entitled, "An Act relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the Food Commissioner of the North Dakota Government Agricultural Experiment Station in relation thereto and providing penalties for the violation thereof.

Introduction, 81, 83.

Reference, 83.

Reported, 185.

Third reading, 219, 237.

Passed, 237.

Received from House, 1364.

Other action, 1434.

**Senate Bill No. 49.—(Porterfield)**

A bill for an Act for preventing the manufacture, sale or transportation of adulterated insecticides and fungicides, and for regulating traffic therein and fixing penalties for the violation of this Act.

Introduction, 82, 84.

Reference, 84.

Reported, 186.

Third reading, 249.

Passed, 250.

Received from House, 526.

Other action, 585.

**Senate Bill No. 50.—(McBride)**

A bill for an Act making an appropriation for the Dickinson Experiment Station located in the City of Dickinson.

Introduction, 82, 84.

Reference, 84.

Reported, 652.

Indefinitely postponed, 652.

**Senate Bill No. 51.—(Cashel)**

A bill for an Act to amend and re-enact Sections 1031, 1032, 1033, 1034, 1035, 1036, 1037 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907 and Chapter 267 of the General Laws of 1911; and to amend Sections 1, 2, 3, 4, 5 of Chapter 40 of the General Laws of 1911, and to repeal Sections 6, 7, 8, 9, 10, 11, of Chapter 40 of the General Laws of 1911.

Introduction, 82, 84.  
 Reference, 84, 310.  
 Reported, 276, 324, 649.  
 Third reading, 727.  
 Passed, 728.  
 Received from House, 1336, 1549.  
 Amended, 1336.  
 Conference, 1338.  
 Report of conference committee, 1526.  
 Other action, 1607.

**Senate Bill No. 52.—(Bronson)**

A bill for an Act concerning railroads, regulating the size of engines, motors and cars, and also the clearance of obstructions thereon.

Introduction, 82, 84.  
 Reference, 84.  
 Reported, 346.  
 Third reading, 382.  
 Passed, 382.  
 Received from House, 1550.  
 Amended, 1550.  
 Amendments adopted, 1551.  
 Other action, 1606.

**Senate Bill No. 53.—(Turner)**

A bill for an Act to re-enact Section 492 of the Revised Codes of North Dakota for the year 1905, relating to the State Board of Bar Examiners.

Introduced, 82, 84.  
 Reference, 84.  
 Reported, 135.  
 Third reading, 164.  
 Passed, 165.  
 Received from House, 377.  
 Other action, 440.

**Senate Bill No. 54.—(Talcott)**

A bill for an Act regulating the manner in which payments shall be made for any service or fee prescribed by law from any department of the State of North Dakota.

Introduction, 83, 85.  
 Reference, 85.  
 Reported, 1199.  
 Third reading, 1248.  
 Passed, 1248.  
 Received from House, 1517.  
 Other action, 1561.

**Senate Bill No. 55.—(Bond)**

A bill for an Act to amend Section 157 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to the election of school officers.

Introduction, 83, 85.  
 Reference, 85.  
 Reported, 239.  
 Third reading, 282.  
 Passed, 283.  
 Received from House, 376.  
 Other action, 440.

**Senate Bill No. 56.—(Helgeland)**

A bill for an Act to repeal Sections 9354, 9355, 9356, 9357, 9358, 9359, 9360, 9361, 9362 and 9363 of the Revised Codes of North Dakota for 1905 as amended by Chapter 183 of the Session Laws of North Dakota for 1909, regulating the sale of intoxicating liquors by druggists who are registered pharmacists, and to provide a method of such sales, and of granting and revoking of permits to make such sales, and of any and all Acts amendatory thereof.

Reference, 91.  
 Reported, 1059.  
 Indefinitely postponed, 1061.

**Senate Bill No. 57.—(Gronvold)**

A Concurrent Resolution amending the Constitution of the State of North Dakota, establishing and locating a state hospital for the insane in the City of Rugby, County of Pierce.

Reference, 92.  
 Reported, 1139.  
 Indefinitely postponed, 1139.

**Senate Bill No. 58.—(Duncan)**

A Concurrent Resolution amending the Constitution of the State of North Dakota, establishing and locating a state hospital for the insane and institution for the feeble minded in connection therewith at the City of Leeds, County of Benson.

Introduction, 92.

Reference, 92.

Indefinitely postponed, 1142.

**Senate Bill No. 59.—(Duncan)**

A bill for an Act for the registration of farm names.

Introduction, 92.

Reference, 92.

Reported, 207.

Third reading, 235.

Passed, 235.

Received from House, 551.

Amended, 551.

Amendments adopted, 561.

Other action, 586.

**Senate Bill No. 60.—(Hughes)**

A bill for an Act to provide for the protection of the deer.

Introduction, 92.

Reference, 92.

Reported, 710.

Indefinitely postponed, 710.

**Senate Bill No. 61.—(Porterfield)**

A bill for an Act to regulate the itinerant vending of medicines, nostrums and appliances for the treatment of disease, injury or deformity.

Introduction, 93.

Reference, 93.

Reported, 441, 584.

Third reading, 636.

Lost, 637.

**Senate Bill No. 62.—(Hoverson)**

A bill for an Act to amend Section 1953 of the Revised Codes of 1905 relating to bounty for killing wolyes and coyotes.

Introduction, 93.

Reference, 93.

Reported, 188.

Indefinitely postponed, 944.

Third reading, 219.

Passed, 220.

Received from House, 944.

**Senate Bill No. 63.—(Putnam)**

Concurrent Resolution amending the Constitution of the State of North Dakota, establishing and locating a State Hospital for the insane at New Rockford in Eddy County.

Introduction, 93.

Reference, 93.

Indefinitely postponed, 1142.

**Senate Bill No. 64.—(Talcott)**

A bill for an Act to amend Sections 38, 46, 51, 66 of the Revised Codes of 1905, to provide for the printing and prescribing the manner of distribution of the Legislative Manual known as the North Dakota Blue Book.

Introduction, 93.

Reference, 93, 1076.

Reported, 808, 1146.

Third reading, 888, 998, 1236.

Passed, 1000, 1236.

Received from House, 1563.

**Senate Bill No. 65.—(Ganssle)**

A bill for an Act to amend and reenact Chapter 126 of the Laws of 1909, relating to the foreclosure by advertisement of mortgages on real property.

Introduction, 93.

Reference, 93.

Reported,, 136.

Indefinitely postponed, 136.

**Senate Bill No. 66.—(Ganssle)**

A bill for an Act to provide for making improvements for the North Dakota Blind Asylum at Bathgate, and making an appropriation therefor.

Introduction, 94.

Reference, 94.

Reported, 692.

**Senate Bill No. 67.—(Albrecht)**

A Concurrent Resolution amending Section 185 of the Constitution of the State of North Dakota, relating to state aid in the construction and improvement of public highways.

Introduction, 96.

Reference, 96.

Reported, 137.

Third reading, 165.

Passed, 165.

Received from House, 452.

Other action, 554, 576, 829, 935.

**Senate Bill INo. 68.—(Kretschmar)**

A bill for an Act repealing Chapter 174 of the Session Laws of 1911 relating to the terms of court in various counties comprising the Fourth Judicial District of this State.

Introduction, 97.  
Reference, 97.  
Reported, 136.  
Third reading, 165.  
Passed, 166.  
Received from House, 244.  
Other action, 279.

**Senate Bill No. 69.—(Ganssle)**

A bill for an Act relative to the collection of taxes from officers and deputies drawing salaries from the treasuries of the counties of this State.

Introduction, 97.  
Reference, 97.  
Indefinitely postponed, 849.

**Senate Bill No. 70.—(Hyland)**

A bill for an Act to provide for the erection of an Industrial Building at the school for the deaf and dumb at Devils Lake, North Dakota, and making an appropriation therefor.

Introduction, 97.  
Reference, 97.  
Reported, 688.  
Third reading, 739.  
Passed, 789.  
Received from House, 1156.  
Other action, 1217.

**Senate Bill No. 71.—(Gronvold)**

A bill for an Act to amend Section 7140 of the Revised Codes of the year 1905 of the State of North Dakota, relating to redemption from foreclosure of real estate mortgage.

Introduction, 97.  
Reference, 97, 186.  
Reported, 155.  
Indefinitely postponed, 155, 1064.  
Other action, 186.

**Senate Bill No. 72.—(Hanley)**

A bill for an Act to appropriate money to reimburse the citizens of Mandan, North Dakota, for moneys advanced by them for the purchase of certain land in Morton County, North Dakota, to be deeded to the board of trustees of the North Dakota Agricultural College and to be used in connection with the experiment station established by Act of Congress and located near Mandan, North Dakota.

Introduction, 97.  
Reference, 651.  
Reported, 651.  
Third reading, 739.  
Passed, 730.  
Received from House, 1287.  
Other action, 1356.

**Senate Bill No. 73.—(Gibbens)**

A concurrent resolution amending the constitution of the State of North Dakota, providing for future amendments thereof.

Introduction, 97.  
Reference, 98, 155.  
Reported, 532, 924.  
Third reading, 1077.  
Passed, 1078.  
Received from House, 1562, 1585, 1619.  
Amended, 1585.  
Conference, 1586, 1602.  
Report of conference committee, 1596.  
Other action, 1626.

**Senate Bill No. 74.—(Hyland)**

A concurrent resolution amending the constitution of the State of North Dakota, establishing and locating a blind asylum or such other institution as the legislative assembly may determine, at the City of Devils Lake, in the County of Ramsey, and abandoning and discontinuing the Blind Asylum now located at Bathgate, in the County of Pembina.

Introduction, 98.  
Reference, 98.  
Reported, 847.  
Indefinitely postponed, 928.  
Third reading, 927.

**Senate Bill No. 75.—(Allen)**

A bill for an Act to amend Chapter 110, Laws of 1911, relating to the investment of county sinking funds.

Introduction, 98.

Reference, 98.

Reported, 246.

Indefinitely postponed, 776.

Third reading, 313.

Passed, 314.

Received from the House, 776.

**Senate Bill No. 76.—(Plain)**

A bill for an Act to provide for the examination by the state bank examiner of elevators and warehouses, doing business in the state, whenever requested by a bona fide stockholder or shareholder of such elevator or warehouse, company or association.

Introduction, 98.

Reference, 98.

Reported, 1141.

Indefinitely postponed, 1141.

**Senate Bill No. 77.—(Plain)**

A bill for an Act to amend Sections 1851, 1852, 1853, 1858, 1859, 1860, 1862, 1863, 1866, 1867, 1868, 1869 and 1870 of the Revised Codes of 1905, and to repeal Sections 1855, 1856 and 1861 of the said Codes, and providing for the relief of poor persons.

Introduction, 99.

Reference, 99.

Reported, 1002.

Third reading, 1097.

Passed, 1097.

Received from House, 1517.

Other action, 1580.

**Senate Bill No. 78.—(Allen)**

A bill for an Act to amend Chapter 103, Laws of 1907, relating to depositories of school funds.

Introduction, 99.

Reference, 99.

Reported, 370.

Indefinitely postponed, 776.

Third reading, 405.

Passed, 405.

Received from House, 776.

**Senate Bill No. 79.—(Bronson)**

A bill for an Act to provide for the revision and codification of the general laws of the State of North Dakota.

Introduction, 99.

Reference, 99.

Reported, 308.

Indefinitely postponed, 308.

**Senate Bill No. 80.—(Special Committee)**

A bill for an Act to amend Section 84 of Article 5 of the Revised Code of the State of North Dakota for 1905, relating to enrollment and engrossing bills.

Introduction, 99.

Reference, 99.

Reported, 119.

Third reading, 120.

Passed, 121.

Received from House, 244.

Amended, 244.

Amendments adopted, 260.

Other action, 279.

**Senate Bill No. 81.—(Special Committee)**

A bill for an Act to amend Section 54 of Article 4 of the Revised Code of the State of North Dakota for 1905.

Introduction, 99.

Reference, 99.

Reported, 119.

Third reading, 121.

Passed, 122.

Received from the House, 179.

Amended, 179.

Amendments adopted, 181.

Other action, 196.

**Senate Bill No. 82.—(Vail)**

A bill for an Act to amend Section 8363 of Chapter 3 of the Revised Codes of 1905 of the Laws of North Dakota, relating to the service of summons out of justice court and who is authorized to make such summons, and fees to be paid therefor.

Introduction, 100.

Reference, 100.

Third reading, 517.

Passed, 517.

Received from House, 882.

Other action, 926, 1048.

**Senate Bill No. 83.**—(Senate Judiciary Committee)

A bill for an Act to provide a probate code for the State of North Dakota, and to repeal Sections 7872 to 8287, inclusive, of the Revised Codes of 1905, Chapters 114, 115, 116, and 204 of the Session Laws of 1907, Chapters 179, 118 of the Session Laws of 1909, Chapters 215, 216, 217, 220, 222, 224 and 234 of the Session Laws of 1911.

Introduction, 100.

Reference, 100.

Other action, 1110.

**Senate Bill No. 84.**—(Davidson)

A bill for an Act to amend and re-enact Section 1546 of the Revised Code of 1905, requiring a notation on tax receipts where real estate has been sold for taxes and not redeemed, and providing a penalty for failure therefor.

Introduction, 123.

Reference, 123, 471, 617.

Reported, 399, 915.

Third reading, 1038.

Passed, 1038.

Received from House, 1534.

**Senate Bill No. 85.**—(Bronson)

A bill for an Act creating a teachers' insurance and retirement fund and providing for its maintenance and disbursement.

Introduction, 123.

Reference, 123.

Reported, 340.

Third reading, 380.

Passed, 381.

Received from House, 1364.

Other action, 1433.

**Senate Bill No. 86.**—(Heckle)

A bill for an Act to enable incorporated villages to provide or contract for the furnishing of water for fire protection and for light for streets, alleys, public buildings and grounds.

Introduction, 123.

Reference, 123.

Reported, 908.

Third reading, 1031.

Passed, 1032.

Received from House, 1376.

Other action, 1480.

**Senate Bill No. 87.**—(Leutz)

A bill for an Act amending Section 3012 of the Revised Codes of North Dakota for the year 1905, relating to the disposition of road taxes collected by county treasurers.

Introduction, 123.

Reference, 123.

Indefinitely postponed, 849.

**Senate Bill No. 88.**—(Committee on Railroads)

A bill for an Act to promote the safety of employes and travelers upon railroads by compelling common carriers engaged in the transportation of passengers or property in this state to equip locomotives with electric headlights.

Introduction, 124.

Reference, 124.

Reported, 360.

Third reading, 401.

Passed, 401.

Received from House, 1368.

Amended, 1369.

Amendments adopted, 1373.

Other action, 1558.

**Senate Bill No. 89.**—(Committee on Judiciary)

A bill for an Act to provide for the regulation and supervision of investments companies and providing penalties for the violation thereof.

Introduction, 128.

Reference, 128.

Reported, 629.

Third reading, 719.

Passed, 720.

Received from House, 1365.

Other action, 1439.

**Senate Bill No. 90.**—(Wartner)

A bill for an Act entitled "An Act to amend and re-enact Chapter 131 of the Laws of 1909, relating to garnishment proceedings in justice courts."

Introduction, 129.

Reference, 129.

Reported, 171.

Third reading, 198, 366.

Passed, 199, 867.

Received from House, 817.

Amended, 817.

Conference, 833.

Report of conference committee, 866.

Other action, 926, 1050.

**Senate Bill No. 91.—(McBride)**

A bill for an Act to provide for the renewal of marks and brands.

Introduction, 129.

Reference, 129.

Reported, 494.

**Senate Bill No. 92.—(Hanley)**

A bill for an Act to amend and reenact Chapter 158 of Session Laws of 1907, requiring that the amount of the insurance written upon real property and personal property shall be taken conclusively to be the true value thereof.

Introduction, 129.

Reference, 129.

Reported, 309.

Indefinitely postponed, 310.

**Senate Bill No. 93.—(Elken)**

A bill for an Act to amend Section 10 of Chapter 141 of the Session Laws of 1911, relating to that protection of game.

Introduction, 129.

Reference, 129.

Reported, 710.

Indefinitely postponed, 710.

**Senate Bill No. 94.—(Cashel)**

A bill for an Act to amend Chapter 213 of the Laws of 1909, relating to the inmates of the institution for the feeble minded.

Introduction, 129.

Reference, 129.

Reported, 362.

Third reading, 402.

Passed, 403.

Received from House, 815.

Other action, 875, 1049.

**Senate Bill No. 95.—(Cashel)**

A bill for an Act relative to payment of deposits in trust.

Introduction, 130.

Reference, 130.

Reported, 375.

Indefinitely postponed, 375.

**Senate Bill No. 96.—(Leutz)**

For an Act giving mortgages on growing crops to secure payment of hail insurance premiums upon policies upon such crops priority over all other mortgages on such crops, excepting seed grain mortgages.

Introduction, 130.

Reference, 130.

Reported, 494.

**Senate Bill No. 97.—(Linde)**

A bill for an Act amending Section 1307 of the Revised Codes of North Dakota for the year 1905, relating to state fairs.

Introduction, 130.

Reference, 130.

Reported, 660.

Third reading, 735.

Passed, 735.

Received from House, 1310.

Amended, 1310.

Amendments adopted, 1320.

Conference, 1314. Reconsidered, 1320.

Other action, 1356.

**Senate Bill No. 98.—(Thoreson)**

A bill for an Act to prohibit the importation, manufacture, distribution, transportation, sale or use of snuff and providing a penalty therefor.

Introduction, 130.

Reference, 130.

Reported, 238.

Third reading, 261, 1015.

Passed, 262, 1015.

Received from House, 817.

Amended, 817.

Amendments adopted, 1171.

Conference, 833.

Report of conference committee, 916.

Other action, 1451.

**Senate Bill No. 99.—(Hookway)**

A bill for an Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains.

Introduction, 130.

Reported, 615.

Third reading, 644.

Lost, 645.

**Senate Bill No. 100.—(Hanley)**

A bill for Act to amend Chapter 121 of the Session Laws of 1907, providing for the determination of heir and the share of such heirs respectively in the claims of certain real estate by action in the district court.

Introduction, 131.

Reference, 131.

Reported, 188.

Third reading, 220.

Passed, 220.

Received from House, 388.

Amended, 388.

Amendments adopted, 430.

Other action, 513.

**Senate Bill No. 101.—(Cashel)**

A bill for an Act relative to payment of deposits in two names.  
 Introduction, 140.  
 Reference, 140.  
 Reported, 763.  
 Indefinitely postponed, 763.

**Senate Bill No. 102.—(Porterfield)**

A bill for an Act providing for the inspection of refined petroleum, illuminating oils, gasolines and other low flash test petroleum products, defining the ports of entry, appointment of oil inspectors, and deputies, and fixing the salaries of the same.  
 Introduction, 140.  
 Reference, 140.  
 Reported, 587, 653.  
 Third reading, 784.  
 Passed, 785.  
 Received from House, 1366.  
 Other action, 1491.

**Senate Bill No. 103.—(Davis)**

A bill for an Act providing for the removal of certain, county, township, municipal and other officers.  
 Introduction, 140.  
 Reference, 140, 284.  
 Reported, 246, 460, 773.  
 Third reading, 283, 869.  
 Passed, 870.  
 Received from House, 1544.  
 Amended, 1544.  
 Amendments adopted, 1544.  
 Other action, 1617.

**Senate Bill No. 104.—(Cashel)**

A bill for an Act to amend Chapter 165 of the Laws of 1911, relating to the maintenance of inmates of the institution for the feeble minded.  
 Introduction, 140.  
 Reference, 140.  
 Reported, 346.  
 Third reading, 381.  
 Passed, 382.  
 Received from House, 1156.  
 Other action, 1217.

**Senate Bill No. 105.—(McBride)**

A bill for an Act relating to the responsibility of fidelity insurance companies.  
 Introduction, 140.  
 Reference, 140.  
 Reported, 292.  
 Third reading, 315.  
 Passed, 316.  
 Received from House, 884.  
 Other action, 926, 1050.

**Senate Bill No. 106.—(Barnes)**

A bill for an Act to appropriate moneys for maintenance, equipment and permanent improvements at the Ellendale State Normal and Industrial School.  
 Introduction, 141.  
 Reference, 141.  
 Reported, 688.  
 Third reading, 788.  
 Passed, 788.  
 Received from House, 1370, 1514.  
 Amended, 1371.  
 Conference, 1377.  
 Report of conference committee, 1476.  
 Other action, 1594.

**Senate Bill No. 107.—(Mudgett)**

A bill for an Act to provide for the making of permanent improvements at the State Normal School at Valley City, North Dakota, to assist in the maintenance thereof and for other purposes and make an appropriation therefor.  
 Introduction, 141.  
 Reference, 141.  
 Reported, 695.  
 Third reading, 819.  
 Passed, 820.  
 Received from the House, 1535.

**Senate Bill No. 108.—(Talcott)**

A concurrent resolution to amend Section 154 of the constitution of the State of North Dakota, relating to the apportioning of the interest and income derived from the permanent fund of the common schools.  
 Introduction, 141.  
 Reference, 141.  
 Reported, 342.  
 Indefinitely postponed, 342.

**Senate Bill No. 109.—(Talcott)**

A concurrent resolution to amend Section 150 of the constitution of the State of North Dakota, pertaining to choosing county superintendents of schools.

Introduction, 141.

Reference, 141.

Reported, 343.

Indefinitely postponed, 343.

**Senate Bill No. 110.—(Plain)**

A concurrent resolution amending the constitution of the State of North Dakota.

Introduction, 142.

Reference, 142.

Reported, 327.

Third reading, 353.

Passed, 354.

Received from House, 1547.

Other action, 1594.

**Senate Bill No. 111.—(Talcott)**

A bill for an Act to amend Section 266 of the Laws of 1911, relating to the duties of county superintendent.

Introduction, 142.

Reference, 142.

Reported, 340.

Indefinitely postponed, 342.

**Senate Bill No. 112.—(Talcott)**

A bill for an Act to amend Chapter 266 of the Laws of 1911, relating to the duties of superintendent of public instruction.

Introduction, 143.

Reference, 143.

Reported, 341.

Indefinitely postponed, 341.

**Senate Bill No. 113.—(Leutz)**

A bill for an Act making an appropriation for the Experimental Station of the School of Mines and the Mining Sub-station at Hebron, Morton County.

Introduction, 143.

Reference, 143.

Reported, 694.

Third reading, 812.

Passed, 813.

Received from House, 1287.

Other action, 1356.

**Senate Bill No. 114.—(Plain)**

A bill for an Act to amend Section 1337 of the Revised Codes of 1905, relating to the compensation of assessors for collecting agricultural statistics.

Introduction, 149.

Reference, 149.

Reported, 422.

Indefinitely postponed, 818.

Third reading, 473.

Passed, 473.

Received from House, 818.

**Senate Bill No. 115.—(McBride)**

A bill for an Act fixing the time when policies of hail insurance companies shall take effect.

Introduction, 149.

Reference, 149.

Reported, 632.

Third reading, 723.

Passed, 724.

Received from House, 1578.

Amended, 1578.

Amendments adopted, 1578.

Other action, 1621.

**Senate Bill No. 116.—(Davidson)**

A bill for an Act providing for an inheritance tax and to repeal Sections 8320, 8321, 8322, 8323, 8324, 8325, 8326, 8327, 8328, 8329, 8330, 8331, 8332, 8333, 8334, 8335, 8336, 8337, 8338, and 8339 of the Revised Codes of 1905.

Introduction, 149.

Reference, 149.

Reported, 1205.

**Senate Bill No. 117.—(Hughes)**

A bill for an Act relating to the enforcements of liens for storage of personal property and charges thereon.

Introduction, 149.

Reference, 149.

Reported, 602.

Third reading, 642.

Passed, 643.

Received from House, 1543.

**Senate Bill No. 118.—(Hanley)**

A bill for an Act repealing Section 6131 of the Revised Codes of 1905, and declaring void all mortgages or liens by contract hereafter placed on growing crops, with certified exceptions.

Introduction, 149.

Indefinitely postponed, 1061.

**Senate Bill No. 119.—(Trageton)**

A bill for an Act to provide for the maintenance of free employment offices under the supervision of the commissioner of agriculture and labor during the months of July, August, September and October of each year.

Introduction, 150.

Reference, 150.

Reported back, 271, 647.

Indefinitely postponed, 647.

**Senate Bill No. 120.—(Garden)**

A bill for an Act to provide for and the making of improvements at the North Dakota School of Forestry, to assist in the maintenance thereof, and making appropriation therefor.

Introduction, 150.

Reference, 150.

Reported, 687.

Indefinitely postponed, 867.

**Senate Bill No. 121.—(Steel)**

A bill for an Act to provide an appropriation for the current and contingent expenses for the erection of necessary additional buildings, for other necessary improvements and repairs at the State Hospital for the Insane of North Dakota, at Jamestown, and for purchasing additional land for the use of such state hospital.

Introduction, 150.

Reference, 150.

Reported, 423, 457.

Third reading, 471.

Passed, 472.

Received from House, 1309, 1489.

Amended, 1309.

Conference, 1312.

Report of conference committee, 1401.

Other action, 1557.

**Senate Bill No. 122.—(Bronson)**

Indefinitely postponed, 924.

A concurrent resolution for an amendment to the constitution of the State of North Dakota, providing for the recall of public officers.

Introduction, 150.

Reference, 150

Reported, 533.

**Senate Bill No. 123.—(Bond)**

A bill for an Act to amend Paragraph 21 of Section 260 of the Political Code of North Dakota for 1905; providing for the compensation of justices of the peace for duties performed.

Introduction, 151.

Reference, 151.

Reported, 292.

Indefinitely postponed, 292.

**Senate Bill No. 124.—(Talcott)**

A bill for an Act to amend Section 8, Chapter 61 of the Session Laws of 1911, relating to the election of secretary of the state board of normal school trustees.

Introduction, 151.

Reference, 151.

Reported back, 373.

Indefinitely postponed, 373.

**Senate Bill No. 125.—(Elken)**

A bill for an Act making an appropriation for the State Normal School at Mayville, North Dakota, for a demonstration school, improvements of campus, an additional storage room for fuel, a greenhouse, a barn, horses and wagons, a system of automatic temperature regulation in the main building, completing the ventilation system in the main building, and rewiring the main.

Introduction, 151.

Reference, 151.

Reported, 687.

Third reading, 787.

Passed, 788.

Received from the House, 1289.

Amended, 1289.

Amendments adopted, 1301.

Other action, 1356.

**Senate Bill No. 126.—(Hughes)**

A bill for an Act relating to the employment of a chaplain at the state penitentiary.

Introduction, 157.

Reference, 157.

Reported, 245.

Indefinitely postponed, 245.

**Senate Bill No. 127.—(Cashel)**

A bill for an Act relating to the employment and compensation of prisoners confined in the state penitentiary, and making an appropriation therefor.

Introduction, 157.

Reference, 157.

Reported, 798.

Third reading, 874.

Passed, 875.

Received from House, 1463.

Other action, 1558.

**Senate Bill No. 128.—(Cashel)**

A concurrent resolution to further amend Section 121 of Article V. of the constitution of the State of North Dakota; being heretofore amended by Article II, Amendments to the Constitution, pertaining to elective franchise.

Introduction, 158.

Reference, 158.

Reported, 391.

Third reading, 436.

Passed, 436.

Received from House, 1548.

**Senate Bill No. 129.—(Gilbert)**

A bill for an Act to amend and reenact Section 368 of the Revised Codes of 1905, and to provide free passage for the members of the state board of railroad commissioners and their employees.

Introduction, 158.

Reference, 158.

Reported, 256.

Third reading, 297.

Lost, 298.

**Senate Bill No. 130.—(Gilbert)**

A bill for an Act to provide for the representation of the State of North Dakota at the Panama-Pacific International Exposition at San Francisco, California, and at the Panama California Exposition at San Diego, California, celebrating the opening and commercial use of the Panama Canal and making an appropriation therefor.

Introduction, 158.

Reference, 158.

Reported, 693, 774.

Third reading, 870, 922.

Passed, 922.

Lost, 871.

Received from House, 1536, 1551.

Other action, 922, 1592.

**Senate Bill No. 131.—(Thoreson)**

A bill for an Act to require public warehouses to clean all grain handled by them before testing the same for grade, and providing a penalty for the violation of this Act.

Introduction, 158.

Reference, 158.

Reported, 459.

Third reading, 512.

Passed, 513.

Received from House, 1549.

Amended, 1549.

Amendments adopted, 1546.

Other action, 1602.

**Senate Bill No. 132.—(Mudgett)**

A bill for an Act to amend Section 2596 of the 1905 Revised Codes of North Dakota as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907, providing the clerk hire for the register of deeds in the various counties of the state.

Introduction, 159.

Reference, 159.

Reported, 271.

Third reading, 314.

Passed, 315.

Received from House, 944.

Other action, 1026, 1276.

**Senate Bill No. 133.—(McDowell)**

A bill for an Act to amend and reenact Section 4639 of the Revised Codes of 1905, relating to power of banking corporations.

Introduction, 178.

Reference, 178.

Reported, 374.

Third reading, 409.

Passed, 409.

Received from House, 883.

Other action, 926, 1050.

**Senate Bill No. 134.—(Hoverson)**

A bill for an Act to amend Chapter 62 of the Session Laws of 1911, entitled, "An Act to create a state board of control and provide for the management and control of the charitable and penal institutions of the state, and to make an appropriation therefor, and for the defining of certain offences and providing penalties therefor."

Introduction, 178.

Reference, 178.

Reported, 1259.

Third reading, 1266.

Passed, 1267.

**Senate Bill No. 135.—(Davis)**

For an Act to amend and re-enact Chapter 172 of the Laws of the State of North Dakota for 1907, relating to who may solemnize marriages and to marriage licenses."

Introduction, 178.

Reference, 178, 444.

Reported, 363.

Indefinitely postponed, 1130.

Third reading, 401.

Lost, 402.

Other action, 444.

**Senate Bill No. 136.—(Porterfield)**

A bill for an Act to provide for increased maintenance and contingent expenses, for establishing and maintaining an agricultural experiment department and for an agricultural building and other permanent improvements and repairs for the North Dakota Agricultural College.

Introduction, 179.

Reference, 179.

Reported, 694.

Third reading, 820.

Passed, 821.

Received from House, 1337, 1517.

Amended, 1337.

Amendments adopted, 1467.

Conference, 1338, 1438.

Report of conference committee, 1466.

Other action, 1594

**Senate Bill No. 137.—(Overson)**

A bill for an Act providing for a contract system of legislative clerical work and employment.

Introduction, 179.

Reference, 179.

Reported, 421.

Third reading, 472.

Passed, 473. Reconsidered, 481.

Received from House, 1283; indefinitely postponed.

Other action, 481.

**Senate Bill No. 138.—(Bond)**

A bill for an Act to amend Sections 838, 839, 840 and 841, Chapter 9, of the Political Code of the State of North Dakota, Revised Codes of 1905, relating to education, as amended by Chapter 107 of the Session Laws of 1907.

Introduction, 179.

Reference, 179.

Reported, 323.

Third reading, 355.

Passed, 355.

Received from House, 451.

Other action, 514.

**Senate Bill No. 139.—(Leutz)**

A bill for an Act providing for cancellation of live stock brands, and re-recording of same; appropriation for additional clerk hire.

Introduction, 182.

Reference, 182.

Reported, 495, 653.

Third reading, 730.

Passed, 731.

Received from House, 1310.

Amended, 1310.

Conference, 1338.

Report of conference committee, 1398.

Other action, 1556.

**Senate Bill No. 140.—(Leutz)**

A bill for an Act making an appropriation for a suitable building and an experimental mine at the mining experiment sub-station at Hebron, Morton county.

Introduction, 182.

Reference, 182.

Reported, 694.

Third reading, 818.

Passed, 819.

Received from House, 1157.

Other action, 1217.

**Senate Bill No. 141.—(Bronson)**

A bill for an Act to amend and reenact Section 4974 of the Revised Codes of 1905, providing for the confirmation of the conveyance of the family homestead in any case in which the same has been or may be deeded by both husband and wife in separate instruments where said deeds purport to convey the land to the same person or his grantees, and validating such deeds.

Introduction, 182.  
Reference, 182.  
Reported, 326.  
Third reading, 352.  
Passed, 353.  
Received from House, 526.  
Other action, 586.

**Senate Bill No. 142.—(Englund)**

A bill for an Act to incorporate and establish the Des Lacs and Mouse River Valley agriculture and fair association and making an appropriation therefor.

Introduction, 182.  
Reference, 182.  
Reported, 697.  
Third reading, 822.  
Passed, 823.  
Received from House, 1533.

**Senate Bill No. 143.—(Talcott)**

A bill for an Act to amend and reenact Section 4 of Chapter 275 of the Session Laws of 1911, relating to deputy sheriffs.

Introduction, 194.  
Reference, 194, 378.  
Reported, 395.

**Senate Bill No. 144.—(Talcott)**

A bill for an Act to amend and reenact Section 3147 of the Revised Codes of North Dakota for the year 1905, relating to duties of township treasurers and the method of drawing township funds from the county treasurer.

Introduction, 194.  
Reference, 194.  
Reported, 496.  
Third reading, 542.  
Passed, 543.  
Received from House, 1366.  
Other action, 1439.

**Senate Bill No. 145.—(Carter)**

A bill for an Act to provide an appropriation for the current and contingent expenses and for the permanent improvements of the State School of Science at Wahpeton.

Introduction, 194.  
Reference, 691.  
Third reading, 810.  
Passed, 810.  
Received from House, 1308, 1489.  
Amended, 1308.  
Conference, 1314.  
Report of conference committee, 1352.  
Other action, 1503.

**Senate Bill No. 146.—(Nelson)**

A bill for an Act relating to the fish hatchery at Devils Lake and Fish Lake in Rolette County, and making appropriation therefor.

Introduction, 194.  
Reference, 194.  
Reported, 697.  
Third reading, 823.  
Passed, 824.  
Received from House, 1289.  
Amended, 1289.  
Amendments adopted, 1339.  
Other action, 1372.

**Senate Bill No. 147.—(Nelson)**

A bill for an Act to provide for making permanent improvements at the State Tuberculosis Sanitarium at Dunseith, to assist in the maintenance thereof, and for other purposes and making appropriations therefor.

Introduction, 195.  
Reference, 195.  
Reported, 684.  
Third reading, 785.  
Passed, 786.  
Received from House, 1288, 1558.  
Amended, 1288, 1385.  
Conference, 1339.  
Report of conference committee, 1385.  
Other action, 1606.

**Senate Bill No. 148.—(McLean)**

A bill for an Act to amend Sections 2 and 36 of Chapter 128 of the Laws of 1909, and Sections 4, 6 and 10 of Chapter 141 of the Laws of 1911, relating to fish and game; providing for the removal of beavers causing damage to property and making an appropriation therefor.

Introduction, 195.  
Reference, 195.  
Reported, 703.  
Third reading, 830, 1163.  
Passed, 830, 1165.  
Received from House, 1518, 1564.  
Amended, 1518.  
Conference, 1519.  
Report of conference committee, 1539.  
Other action, 1152, 1159, 1163, 1617.

**Senate Bill No. 149.—(McLean)**

A bill for an Act relating to uniform text books and to amend Section 285 of Chapter 266 of the Session Laws of 1911.

Introduction, 195.  
Reference, 195.  
Reported, 703.  
Indefinitely postponed, 703.

**Senate Bill No. 150.—(Bronson)**

A bill for an Act relating to settlements of causes of action or cases for damages sustained through personal injuries and contracts of retainer made therefor.

Introduction, 195.  
Reference, 195.  
Reported, 1129.  
Third reading, 1224.  
Passed, 1225.  
Received from House, 1517.  
Other action, 1561.

**Senate Bill No. 151.—(Plain)**

A bill for an Act to legalize the execution and acknowledgement of certain deeds, mortgages and other instruments in writing, and record thereof, and making the same or certified copies thereof admissible in evidence.

Introduction, 210.  
Reference, 210.  
Reported, 292.  
Third reading, 316.  
Passed, 317.  
Received from House, 816.  
Other action, 926, 1049.

**Senate Bill No. 152.—(England)**

A bill for an Act relating to the transfer of messages by telegraph companies and penalty for the violation thereof.

Introduction, 210.  
Reference, 210.  
Reported, 256.  
Third reading, 286.  
Passed, 287.  
Received from House, 818.  
Amended, 818.  
Amendments adopted, 1377.  
Conference, 837, 1271.  
Report of conference committee, 1377.  
Other action, 1433.

**Senate Bill No. 153.—(Plain)**

A concurrent resolution for an amendment to the constitution of the State of North Dakota, relating to the legislative department and providing for direct legislation; the proposing of constitutional amendments, and reference of laws.

Introduction, 210.  
Reference, 210.  
Reported, 534, 923.  
Third reading, 1041.  
Lost, 1041.

**Senate Bill No. 154.—(Bond)**

A bill for an Act making an appropriation for the normal school at Minot to meet an expenditure for the erection of buildings and permanent improvements necessary in connection therewith, and for furnishing, equipment and maintenance.

Introduction, 210.  
Reference, 210.  
Reported, 696.  
Third reading, 821.  
Passed, 822.  
Received from House, 1534.

**Senate Bill No. 155.—(Clark)**

A bill for an Act to amend Section 2864 of the Revised Codes of North Dakota for 1905, relating to powers of the board of trustees of villages.

Introduction, 210.  
Reference, 210.  
Indefinitely postponed, 1120.

**Senate Bill No. 156.**—(Ellingson)

A bill for an Act establishing a state bonding department in the office of the state examiner; providing for the maintenance thereof; and creating a reserve therefor; prescribing the duties of officers connected therewith; providing for the payment of premiums and of indemnities for losses; and providing for the disposal of the surplus after said reserve has been created.

Introduction, 211.  
Reference, 211.  
Reported, 363.  
Third reading, 403.  
Passed, 404.  
Received from House, 883.  
Other action, 926, 1048.

**Senate Bill No. 157.**—(Bronson)

A concurrent resolution for an amendment to the constitution providing for the elective franchise.

Introduction, 211.  
Reference, 211.  
Reported, 391.  
Third reading, 436.  
Passed, 437.  
Received from House, 1376.  
Other action, 1433.

**Senate Bill No. 158.**—(Overson)

A bill for an Act to repeal Chapters 132 and 133 of the Session Laws of 1907, and Chapter 139 of the Session Laws of 1909, relating to the Historical Society of North Dakota, and making an appropriation.

Introduction, 211.  
Reference, 211.  
Reported, 646.  
Third reading, 722.  
Passed, 722.  
Received from House, 1156.  
Other action, 1218.

**Senate Bill No. 159.**—(Overson)

A bill for an Act to amend Section 241 of the Revised Codes of 1905, relating to the duties of the State Historical Society of North Dakota.

Introduction, 211.  
Reference, 211.  
Reported, 1137.  
Indefinitely postponed, 1533.  
Third reading, 1225.  
Passed, 1225.  
Received from House, 1533.

**Senate Bill No. 160.**—(Clark)

A bill for an Act to amend Section 271 of Chapter 266 of the Session Laws of 1911, relating to branches to be taught in the public schools.

Introduction, 212.  
Reference, 212.  
Reported, 371.  
Indefinitely postponed, 818.  
Third reading, 405.  
Passed, 406.  
Received from House, 818.

**Senate Bill No. 161.**—(McDowell)

A bill for an Act requiring railroad companies to line and cooper cars tendered for grain shippers.

Introduction, 212.  
Reference, 212.  
Reported, 559.  
Third reading, 613.  
Passed, 614.  
Received from House, 1565.  
Other action, 1621.

**Senate Bill No. 162.**—(Mudgett)

A bill for an Act to create a board to prepare and publish a history of North Dakota troops in the Spanish-American War and Philippines Insurrection and appropriating money to pay therefor.

Introduction, 212.  
Reference, 212, 441.  
Reported, 441, 685.  
Third reading, 786.  
Passed, 787.  
Received from House, 1157.  
Other action, 1218.

**Senate Bill No. 163.**—(Mudgett)

A bill for an Act creating the office of county assessor, defining his duties, abolishing the offices of township assessor, village assessor and city assessor, and amending Sections 1513, 1525, 1528, 1530 and 1533 of the Revised Codes of 1905.

Introduction, 212.  
Reference, 212.  
Reported, 1205.  
Third reading, 1252.  
Passed, 1275.  
Lost, 1253.  
Received from House, 1516.  
Other action, 1274.

**Senate Bill No. 164.—(Leutz)**

A bill for an Act to amend Section 4649, Chapter 21 of the Revised Code of the State of North Dakota for 1905, relating to qualification of directors.

Introduction, 212.  
Reference, 212, 430.  
Reported, 430, 1136.

**Senate Bill No. 165.—(Leutz)**

A bill for an Act creating the office of deputy commissioner of labor and fixing his salary.

Reference, 213.  
Indefinitely postponed, 983.

**Senate Bill No. 166.—(Ellingson)**

A bill for an Act reinstating and validating the charters of corporations that have been cancelled for failure to make and file with the secretary of state reports as required by and under Section 4186 of the Revised Codes of 1905.

Introduction, 232.  
Reference, 232, 334.  
Reported, 308, 343.  
Third reading, 332, 352.  
Passed, 333. Reconsidered, 334.  
Passed, 352.  
Received from House, 526.  
Other action, 586.

**Senate Bill No. 167.—(Hughes)**

A bill for an Act providing for the making of necessary repairs upon the executive mansion, and making appropriation therefor.

Introduction, 232.  
Reported, 361, 647.  
Third reading, 721.  
Passed, 722.  
Received from House, 1309.  
Amended, 1310.  
Amendments adopted, 1586.  
Other action, 1621.

**Senate Bill No. 168.—(Cashel)**

A bill for an Act permitting farmers and land owners to drain their lands into ditches and other depressions, when such ditch or depression is wholly upon the owners land.

Introduction, 232.  
Reference, 232.  
Reported, 428.  
Third reading, 477.  
Passed, 478.

**Senate Bill No. 169.—(Hoverson)**

A bill for an Act appropriating the sum of Twenty-five hundred Dollars (\$2,500) for the Billings County Fair to be held at Beach, North Dakota, in the fall of 1913.

Introduction, 233.  
Reference, 233.  
Reported, 648.  
Indefinitely postponed, 648.

**Senate Bill No. 170.—(Hookway)**

A bill for an Act to amend and re-enact Section 3 of Chapter 78 of the Session Laws of North Dakota for the year 1909, entitled, "An Act to amend Section 8288 of the Revised Codes of 1905, of the State of North Dakota, relating to the increased jurisdiction of the county courts, and providing for abolishing the same."

Introduction, 233.  
Reference, 233.  
Reported, 369.  
Third reading, 404.  
Passed, 404.  
Received from House, 943.  
Other action, 1026, 1149, 1157, 1158.

**Senate Bill No. 171.—(Overson)**

A bill for an Act to provide an appropriation for the purpose of expenses incurred as a part of and during the Twelfth Legislative Assembly of the State of North Dakota.

Introduction, 233.  
Reference, 233.  
Reported, 652.  
Third reading, 730.  
Passed, 730.  
Received from House, 1157.  
Other action, 1218.

**Senate Bill No. 172.—(Cashel)**

A bill for an Act to provide an appropriation to reimburse Richard Heyward, State High School Inspector, for expenses incurred in attending the North Central Association of Colleges and Secondary Schools in Chicago, Illinois, in March 1912, by direction of the State High School Board.

Introduction, 247.  
Reference, 247.  
Reported, 661.  
Indefinitely postponed, 661.

**Senate Bill No. 173.—(Davis)**

A bill for an Act to amend Section 1972, Section 1973, as amended by Chapter 117 of the Laws of 1907, and Section 1974 of the Revised Codes of 1905, relating to notice of taking up estrays.

Introduction, 248.

Reference, 248.

Reported, 459.

Third reading, 514.

Passed, 515.

Received from House, 1365.

Other action, 1452.

**Senate Bill No. 174.—(Davis)**

A bill for an Act repealing Section 7 of Chapter 235 of Session Laws of 1911, relating to the payment of premium on bonds and insurance.

Introduction, 248.

Reference, 248.

Reported, 309.

Third reading, 333.

Passed, 333.

Received from House, 1365.

Other action, 1439.

**Senate Bill No. 175.—(Davidson)**

A bill for an Act to amend Section 73 of the Revised Codes of 1905 relating to reports of officers, departments, boards, commissions and state institutions by law required to be made to the Governor and the Legislative Assembly of the State, requiring the person or persons, having contracts for printing with the state to execute a bond, providing a penalty for failure to make, transmit and print such reports at the time required, and repealing all existing provisions of law inconsistent therewith.

Introduction, 248.

Reference, 248.

Reported, 536.

Third reading, 565.

Passed, 566.

Received from House, 1369.

Amended, 1369.

Amendments adopted, 1386.

Other action, 1557.

**Senate Bill No. 176.—(Hookway)**

A bill for an Act to amend and reenact Section 1577 of the Revised Codes of North Dakota for the year 1905, relating to certificate of sale and purchase for taxes and the form of such certificate.

Introduction, 248.

Reference, 248.

Reported, 904.

Third reading, 1028.

Passed, 1028.

Other action, 1488.

**Senate Bill No. 177.—(Hookway)**

A bill for an Act to provide for the execution of tax deeds for lands sold for delinquent taxes under the provisions of Section 1576 of the Revised Codes of North Dakota for 1905 and to prescribe the form and to define the effect of all such deeds and the title thereby conveyed, and to provide for the issuance of new tax deeds in lieu of defective ones heretofore issued under the provisions of Section 1591 of the Revised Codes of North Dakota for 1905.

Introduction, 249.

Reference, 249.

Reported, 903.

Third reading, 1027.

Passed, 1027.

Received from House, 1587.

Amended, 1587.

Amendments adopted, 1587.

Other action, 1626.

**Senate Bill No. 178.—(Allen)**

A bill for an Act making an appropriation for carrying out provisions of the law, relating to the duties of the commissioner of agriculture and labor.

Introduction, 249.

Reference, 249.

Reported, 646.

Indefinitely postponed, 1282.

Third reading, 771.

Passed, 772.

Received from House, 1282.

**Senate Bill No. 179.—(Hughes)**

A bill for an Act to amend and reenact Section 4655 of the Revised Codes of 1905, relating to banking corporations.

Introduction, 249.

Reference, 249, 292.

**Senate Bill No. 180.—(Trageton)**

A bill for an Act to amend Section 1319 of the Revised Codes for 1905, making an appropriation for farmers' institutes.

Introduction, 258.

Reference, 258.

Reported, 659.

Indefinitely postponed, 659.

**Senate Bill No. 181.—(Duncan)**

A bill for an Act providing for the inspection of freight and express books and records by the state's attorney in the enforcement of the prohibition law.

Introduction, 258.

Reference, 258.

Reported, 532.

Indefinitely postponed, 944.

Third reading, 565.

Passed, 565.

Received from House, 944.

**Senate Bill No. 182.—(McLean)**

A bill for an Act to amend Section 2623, Revised Codes of 1905, relating to the examination of records of certain public officers.

Introduction, 259.

Reference, 259.

Reported, 495.

Third reading, 542.

Passed, 542.

Received from House, 883.

Other action, 927, 1049.

**Senate Bill No. 183.—(Garden)**

A bill for an Act to amend Section 1531 of the Revised Codes of 1905, relating to the state board of equalization, how constituted, its meetings, rules for equalizing.

Introduction, 259.

Reference, 259.

Reported, 848.

Third reading, 921.

Passed, 921.

Received from House, 1366.

Other action, 1452.

**Senate Bill No. 184.—(Garden)**

A bill for an Act to provide for the payment of costs and expenses in extradition cases brought under the laws of the United States on application of the governor of this state.

Introduction, 259.

Reference, 259.

Reported, 601.

Third reading, 641.

Passed, 642.

Received from House, 1375.

Other action, 1433.

**Senate Bill No. 185.—(Putnam)**

A bill for an Act for an appropriation to reimburse Prof. E. E. Ladd for disbursements and expenses incurred in the enforcement of the pure food laws.

Introduction, 259.

Reference, 259.

Reported, 658.

Third reading, 734.

Passed, 734.

Received from House, 1288.

Amended, 1288.

Amendments adopted, 1335.

Other action, 1372.

**Senate Bill No. 186.—(Mudgett)**

A bill for an Act making an appropriation for the purpose of aiding the Union and Confederate soldiers of the Civil War to attend the reunion to be held at Gettysburg, Pa., in the month of July, 1913.

Introduction, 259.

Reference, 259.

**Senate Bill No. 187.—(Duncan)**

A bill for an Act to require the railroad commission to formulate a uniform system of accounting for public elevators and warehouses and providing for the examination of the financial accounts of such elevators and warehouses whenever fifteen per cent of the stockholders of the stock sold request an examination and prescribing fees therefor.

Introduction, 260.

Reference, 260, 348.

Reported, 1138.

Indefinitely postponed, 1138.

**Senate Bill No. 188.—(Steel)**

A bill for an Act to amend and reenact Section 3, Chapter 137 of the Session Laws of 1907, as amended by Chapter 155 of the Session Laws of 1911, relating to the payment of costs of treatment and board of patients in the insane hospital.

Introduction, 272.

Reference, 272.

Reported, 427.

Third reading, 476.

Passed, 476.

Received from House, 1282. Indefinitely postponed.

**Senate Bill No. 189.—(Gronvold)**

A bill for an Act to provide for the purchase of 10,000 copies of Professor Thomas Shaw's book entitled, "Dry Farming," at thirty cents per copy, provided 10,000 copies are purchased.

Introduction, 273.

Reference, 273.

Reported, 656.

Indefinitely postponed, 656.

**Senate Bill No. 190.—(Jacobsen)**

A bill for an Act repealing Chapter 258 of the Laws of 1907, entitled, "An Act to prohibit discrimination between different sections, communities or localities, unfair competition and providing penalties for the violation thereof."

Introduction, 273.

Reference, 273.

Reported, 1143.

**Senate Bill No. 191.—(Vail)**

A bill for an Act prescribing the form that shall be used in securing payment of all appropriations of state moneys, so that the provisions of Section 186 of the constitution of the State of North Dakota may be complied with, and specifically providing that the appropriations made under Chapter 60, Session Laws of 1909; Chapter 209, Session Laws of 1909; Chapter 21, Session Laws of 1911; Chapter 24, Session Laws of 1911; Chapter 198, Session Laws of 1907; Chapter 82, Session Laws of 1907; Section 1129, Revised Codes of 1905; Section, 1070, Revised Codes of 1905; Section 841 of the Revised

Codes of 1905 as amended in Chapter 107 of the Session Laws of 1907; Chapter 28, Session Laws of 1909; Chapter, 117 Session Laws of 1909; and Chapter 166, Session Laws of 1909, shall be paid by the state auditor only when the bills or expense lists against the named appropriations shall have been filed in fully itemized form and audited and approved by the state auditing board.

Introduction, 273.

Reported, 1056.

Indefinitely postponed, 1056.

**Senate Bill No. 192.—(Vail)**

A bill for an Act authorizing the governor of the state of North Dakota to employ chartered public accountants to examine, audit and check the accounts of the several departments of the state government, to list, examine and appraise the securities of all kinds in possession of any of the state officers, to make a complete appraisal on a date certain of all buildings and property of all kinds belonging to the state, to suggest improvements in bookkeeping and methods of handling the business of the state; extending the duties of the state examiner prescribed in Section 141 of Article 9 of the Political Code of 1905, to cover all examination of the books and accounts of auditor and treasurer of the cities of the State of North Dakota, and prescribing fees therefor; requiring the governor to make report to the legislature next succeeding any such examination of the result of such examination, credit and check of the several state departments of the state property by the chartered public accountants by him employed and appropriating money to carry out the provisions of this Act.

Introduction, 274.

Reference, 274.

Reported, 497, 648.

Third reading, 722.

Passed, 723.

Received from House, 1287, 1427.

Amended, 1428.

Amendments adopted, 1428.

**Senate Bill No. 194.—(Davis)**

A bill for an Act making an appropriation for the dairy department of the State of North Dakota.

Introduction, 274.

Reference, 274.

Reported, 977.

Third reading, 1080.

Passed, 1080.

Received from House, 1286.

Other action, 1356.

**Senate Bill No. 195.—(Davis)**

A bill for an Act to provide additional assistant dairy commissioners, defining their duties, salaries, expenses, and how same shall be paid.

Introduction, 274.

Reference, 274, 461.

Reported, 461.

Third reading, 978, 1082.

Passed, 1082.

Received from House, 1543.

**Senate Bill No. 196.—(Davis)**

A bill for an Act to provide for the establishment, organization, regulation and management of a state board of health, county boards of health, township boards of health and village boards of health, and making an appropriation for the expenses of the state board of health, and to repeal Sections 252 to 287, inclusive, of Article 10, Chapter 4, Revised Codes of 1905.

Introduction, 275.

Reference, 275.

Reported, 662, 699.

Third reading, 831, 1269, 1278.

Passed, 832, 1279.

Received from House, 1266, 1563.

Amended, 1269.

Other action, 1099.

**Senate Bill No. 197.—(Barnes)**

A bill for an Act requiring front and rear exits in all schoolhouses having more than one schoolroom and requiring stationary fire escapes with proper landings and railings to be attached to the outside of all schoolhouses above the first story of every schoolhouse having more than one story, and designating whose duty it shall be to provide such exits, fire escapes, landings and railings, prescribing a time within which said Act shall be done, and prescribing a punishment for the violation thereof.

Introduction, 275.

Reference, 275.

Reported, 396.

Third reading, 438.

Passed, 438.

Received from House, 816.

Other action, 875, 1050.

**Senate Bill No. 198.—(Overson)**

A bill for an Act to provide for the creation of a commission to have charge of the cataloguing of libraries in the state capitol, and providing an appropriation therefor.

Introduction, 275.

Reference, 275, 463.

Reported, 463, 657.

Indefinitely postponed, 657.

**Senate Bill No. 199.—(Cashel, by request)**

A bill for an Act amending Section 461 of the Revised Codes of the State of North Dakota for 1905, relating to the salary of the supreme court reporter.

Introduction, 275.

Reference, 275.

Reported, 656.

Indefinitely postponed, 656.

**Senate Bill No. 200.—(Wartner)**

A bill for an Act providing for the payment of expenses of district judges when acting outside of the counties of their residence, and to amend Chapter 175 of the Session Laws of 1911.

Introduction, 276.

Reference, 276.

Reported, 327.

Third reading, 354.

Passed, 355.

Received from House, 929.

Amended, 929.

Report of conference committee, 1296, 1528.

Other action, 1152, 1356.

**Senate Bill No. 201.—(Bronson)**

A bill for an Act amending Section 1070 of the Revised Codes of North Dakota for 1905, and making an appropriation to meet the necessary expenses of the state geological survey.

Introduction, 276.

Reference, 276.

Reported, 661.

Third reading, 735.

Passed, 736.

Received from House, 1156.

Other action, 1218.

**Senate Bill No. 202.—(Bronson)**

A bill for an Act to amend and re-enact Section 2171 of the Revised Codes of North Dakota for 1905, relating to automobiles.

Introduction, 279.

Reference, 279.

Reported, 587.

Indefinitely postponed, 1379.

Third reading, 638.

Passed, 639.

Received from House, 1379.

**Senate Bill No. 203.—(Bronson)**

A bill for an Act appropriating the sum of twelve thousand dollars for investigation and experimentation concerning the manufacture of flax fibre and the utilization of flax straw therefor.

Introduction, 279.

Reference, 279.

Reported, 660.

Indefinitely postponed, 660.

**Senate Bill No. 204.—(McBride)**

A bill for an Act authorizing the appointment of a state business agent to investigate and promote the development of the natural resources of North Dakota and prescribing the duties and term of office, and making appropriation therefor.

Introduction, 280.

Reference, 280, 984.

Reported, 984.

Indefinitely postponed, 1106.

**Senate Bill No. 205.—(Garden)**

A bill for an Act making an appropriation to compensate F. C. Heffron for services as assistant attorney general, especially authorized to enforce the prohibitory law of this state.

Introduction, 281.

Reference, 281.

Reported, 654.

Indefinitely postponed, 654.

**Senate Bill No. 206.—(Jacobsen)**

A bill for an Act to amend and re-enact Section 11 of Chapter 210 of the Laws of North Dakota for 1909, relating to seed grain, contract for re-payment and delinquent payments extended on tax lists.

Introduction, 293.

Reference, 293.

Reported, 496, 759.

Third reading, 838.

Passed, 838.

Received from House, 1367.

Other action, 1452.

**Senate Bill No. 207.—(Kretschmar)**

A bill for an Act to amend Section 4309, Article 6, Chapter 12, of the Revised Codes of North Dakota of 1905, relating to the licensing of railroad ticket agents.

Introduction, 293.

Reference, 293.

Reported, 360.

Third reading, 434.

Passed, 435.

Received from House, 816.

Other action, 875, 1050.

**Senate Bill No. 208.—(Davis)**

A bill for an Act to amend Section 2613 of the Revised Codes of North Dakota for 1905 as amended by Chapter 119, Session Laws of 1911, relating to the compensation and office hours of county commissioners.

Introduction, 294.

Reference, 294.

Reported, 751.

Third reading, 868.

Passed, 869.

Received from House, 1282. Indefinitely postponed.

**Senate Bill No. 209.—(Davis)**

A bill for an Act prohibiting dancing in any elementary grade of high school building in the State of North Dakota under the public school system of the State of North Dakota and providing a penalty for the violation thereof.

Introduction, 294.

Reference, 294.

Reported, 628.

Third reading, 718.

Passed, 719.

**Senate Bill No. 210.—(McLean)**

A bill for an Act repealing Sections 2082, 2083, 2084 and 2085, also Chapter 41 of the Laws of 1907 and Chapter 50 of the Laws of 1909.

Introduction, 294.

Reference, 294.

Reported, 466.

Third reading, 518.

Passed, 518.

Received from House, 1284. Indefinitely postponed.

**Senate Bill No. 211.—(Hanley)**

A bill for an Act to amend Section 2613 of the Revised Codes of North Dakota for 1905 as amended by Chapter 119 of the Laws of 1911, relating to compensation and office hours of county commissioners.

Introduction, 294.

Reference, 294.

Reported, 1141.

Indefinitely postponed, 1141.

**Senate Bill No. 212.—(England)**

A bill for an Act to amend and reenact Sections 2262, 2263 and 2264, Article 47, Chapter 24 of the Revised Codes of 1905, relating to the licensing and bonding of storage companies.

Introduction, 294.

Reference, 294.

Reported, 458.

Third reading, 511.

Passed, 512.

Received from House, 1376.

Other action, 511, 1433.

**Senate Bill No. 213.—(England)**

A bill for an Act to amend and reenact Sections 2198, 2200, 2201 and 2202, Article 41, Chapter 24 of the Revised Codes of 1905, relating to the bonding and licensing of commission merchants.

Introduction, 295.

Reference, 295.

Reported, 586.

Third reading, 638.

Passed, 638.

Received from House, 1463.

Other action, 1557.

**Senate Bill No. 214.—(Plain)**

A bill for an Act establishing a hail insurance department and making the commissioner of agriculture and labor also the commissioner of hail insurance; prescribing rules, regulations and duties of officers and persons connected therewith; prescribing how premiums, expense, and indemnity for losses by hail shall be paid, and repealing all Acts or parts of Acts in conflict with the provisions of this Act.

Introduction, 295.

Reference, 295.

Reported, 945.

Third reading, 1087, 1152.

Passed, 1089, 1155.

Received from House, 1516.

Other action, 1040, 1152, 1603.

**Senate Bill No. 215.—(Jacobsen)**

A bill for an Act to amend and reenact Sections 4179, 4180, 4181, 4182, 4186 and 4188 (Article 1, Chapter 11) of the Revised Codes of 1905, relating to the manner of filing and recording articles of incorporation, by-laws and annual reports of corporations, and providing for their cancellation and reinstatement.

Introduction, 295.  
Reference, 295.  
Reported, 1109.  
Third reading, 1231.  
Passed, 1232.  
Received from House, 1595.

**Senate Bill No. 216.—(Talcott)**

A bill for an Act to repeal Section 3 of Chapter 264 of the Session Laws of 1911, relating to reviews in high schools.

Introduction, 296.  
Reference, 296.  
Reported, 372.  
Third reading, 407.  
Passed, 408.  
Received from House, 1550.  
Amended, 1550.  
Amendments adopted, 1584.  
Conference, 1553. Discharged, 1584.  
Other action, 1623.

**Senate Bill No. 217.—(Clark)**

A bill for an Act to amend Sections 5, 8 and 14 of Chapter 6, of the Session Laws of the State of North Dakota, of 1911, being an Act to license motor and other vehicles and defining the good road regulations of such vehicles, providing that the funds received from such licenses shall be expended on the maintenance of public highways and making it a misdemeanor to take and remove motor and other vehicles from any warehouse, garage or building without the knowledge and consent of the owner, and repealing Section 2169 of the Revised Codes of North Dakota for the year 1905.

Introduction, 310.  
Reference, 310.  
Reported, 705.  
Third reading, 827.  
Passed, 829.  
Received from House, 1516.

**Senate Bill No. 218.—(Porterfield)**

A bill for an Act to amend Section 4190, Article 2, of Chapter 11 of the Revised Codes of the State of North Dakota of 1905, relating to the disposition of fees collected for the filing of the annual reports of corporations.

Introduction, 310.  
Reference, 310.  
Reported, 429.  
Third reading, 478.  
Passed, 478.  
Received from House, 1462.  
Other action, 1557.

**Senate Bill No. 219.—(Ganssle)**

A bill for a concurrent resolution to amend Section 216 of the constitution of the State of North Dakota, pertaining to public institutions.

Introduction, 311.  
Reference, 311.  
Reported, 700.  
Indefinitely postponed, 700. Reconsidered, 1185.  
Third reading, 1186.  
Passed, 1186.  
Received from House, 1516.  
Other action, 1562.

**Senate Bill No. 220.—(Barnes)**

A bill for an Act to require a reinsurance reserve for mutual fire insurance companies.

Introduction, 311.  
Reference, 311.  
Reported, 584.  
Indefinitely postponed, 584.

**Senate Bill No. 221.—(Davis)**

A bill for an Act to amend Sections 6, 7 and 8, and to repeal Section 14 of Chapter 303 of the Session Laws of 1911, relating to the organization and expenses of the state tax commission.

Introduction, 311.  
Reference, 311.  
Reported, 699.  
Third reading, 872.  
Passed, 872.  
Received from House, 1307.  
Other action, 1357.

**Senate Bill No. 222.—(Carter)**

A bill for an Act to repeal Chapter 138 of the Session Laws of 1911, and providing penalties for the wrongful use of any free pass, frank or special privilege.

Introduction, 311.  
Reference, 311.  
Reported, 466.  
Indefinitely postponed, 468.

**Senate Bill No. 223.—(Heckle)**

A bill for an Act to provide for the creation of a fire marshal department for the better protection and preservation of life and property from fire, for the appointment of a fire marshal, chief assistant fire marshal and deputies. Defining their duties and powers. Providing penalties for the violation and enforcement of the provisions of this Act, and to provide for a tax upon fire insurance companies therefor.

Introduction, 312.  
Reference, 312.  
Third reading, 1090.  
Passed, 1091.  
Received from House, 1463.  
Other action, 1557.

**Senate Bill No. 224.—(Committee on State Affairs)**

A bill for an Act entitled an Act to prevent procreation of confirmed criminals, idiots and rapists; providing that superintendents and boards of managers of institutions where such persons are confined shall have the authority and are empowered to appoint a committee of experts, consisting of two physicians, to examine into the mental condition of such inmates.

Introduction, 312.  
Reference, 312.  
Reported, 1324.  
Indefinitely postponed, 1324.

**Senate Bill No. 225.—(Elken)**

A bill for an Act to amend and reenact Sections 6 and 8 of Chapter 61 of the Session Laws of the State of North Dakota of 1911, relating to normal schools.

Introduction, 312.  
Reference, 312.  
Reported, 373.  
Third reading, 408.  
Passed, 409.  
Received from House, 815.  
Other action, 875, 1049.

**Senate Bill No. 226.—(Leutz)**

A bill for an Act to require all persons who may be entitled to have a mechanics' lien, to file for record a notice of his intention to file a verified account and to perfect such mechanics' lien, and to provide a penalty for not filing a notice of such intention and exempting homesteads.

Introduction, 312.  
Reference, 312.  
Reported, 1128.  
Indefinitely postponed, 1128.

**Senate Bill No. 227.—(Linde)**

A bill for an Act relating to the sale of personal property and the warranty thereof; providing for a reasonable time in which to ascertain defects or breaches of warranty and the giving of notice of such defects or breaches of warranty.

Introduction, 313.  
Reference, 313.  
Reported, 425.  
Third reading, 474.  
Passed, 475.  
Received from House, 883.  
Other action, 927, 1050.

**Senate Bill No. 228.—(Linde)**

A bill for an Act prohibiting the waiver or release of a cause of action before the same shall actually have accrued.

Introduction, 313.  
Reference, 313.  
Reported, 425.  
Third reading, 473.  
Passed, 474.  
Received from House, 883.  
Other action, 927, 1049.

**Senate Bill No. 229.**—(Gronvold)

A bill for an Act to amend Section 1 of Chapter 177 of the Session Laws of 1907, relating to attorney's fees and foreclosures.

Introduction, 329.

Reference, 329.

Reported, 464.

Indefinitely postponed, 465.

**Senate Bill No. 230.**—(Gronvold)

A bill for an Act to amend Section 7142 of the Revised Codes of North Dakota for 1905, relating to record of redemption.

Introduction, 329.

Reference, 329.

Reported, 465.

Indefinitely postponed, 465.

**Senate Bill No. 231.**—(Duncan)

A bill for an Act to amend Section 48 of Article 4 of Chapter 266, Session Law 1911, relating to election of officers in common school districts.

Introduction, 329.

Reference, 329.

Reported, 371.

Indefinitely postponed, 776.

Third reading, 407.

Passed, 407.

Received from House, 777.

**Senate Bill No. 232.**—(McDowell)

A bill for an Act to amend Section 7497 of the Revised Codes of North Dakota for the year 1905, relating to the time allowed and specifying the mode of cancellation of land contracts.

Introduction, 330.

Reference, 330.

Reported, 604.

Third reading, 643.

Passed, 644.

Received from House, 1283. Indefinitely postponed.

**Senate Bill No. 233.**—(McDowell)

A bill for an Act authorizing the boards of county commissioners to levy taxes for the promotion of diversified farming, agricultural development and extension of scientific agricultural work.

Introduction, 330.

Reference, 330.

Reported, 461.

Third reading, 515.

Passed, 515.

Received from House, 816.

Other action, 876, 1049.

**Senate Bill No. 234.**—(Bond, by Request)

A bill for an Act to amend Section 141 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to public schools.

Introduction, 330.

Reference, 330.

Reported, 372.

Third reading, 409.

Passed, 410.

Received from House, 943.

Other action, 1026, 1149.

**Senate Bill No. 235.**—(Joint Committee on Education)

A bill for an Act to provide for the submission and printing of the requests for appropriations and proposed legislation in advance of the meeting of the legislature.

Introduction, 330.

Reference, 330.

Reported, 371.

Third reading, 406.

Passed, 407.

Received from House, 1376.

Other action, 1433.

**Senate Bill No. 236.**—(Joint Committee on Education)

A bill for an Act to create a state board of education and to amend Chapter 266 of the Session Laws of 1911, relating to state board of examiners, and to repeal Sections 243, 244 and 245 of Chapter 266; and to amend Chapter 265 of the laws of 1911, relating to a state agricultural and training school board, and to amend Chapter 65 of the Session Laws of 1911, relating to state aid to rural and consolidated schools.

Introduction, 331.

Reference, 331.

Reported, 296.

Third reading, 470, 609.

Passed, 471. Reconsidered, 571.

Passed, 572, 610.

Received from House, 554, 1496.

Amended, 1496.

Amendments adopted, 1497.

Other action, 571, 1567.

**Senate Bill No. 237.—(Helgeland)**

A bill for an Act to amend Section 2617 of the Revised Codes of 1905, relating to salaries of deputies, how determined.

Introduction, 331.

Reference, 331.

Indefinitely postponed, 1112.

**Senate Bill No. 238.—(Helgeland)**

A bill for an Act to amend Section 2618 of the Revised Codes of 1905, relating to deputies and clerks allowed. When.

Introduction, 331.

Reference, 331.

Indefinitely postponed, 1112.

**Senate Bill No. 239.—(Elken)**

A bill for an Act to authorize the public examiner to make examination of state offices.

Introduction, 350.

Reference, 350.

Reported, 393.

Third reading, 437.

Passed, 438.

Received from House, 883.

Other action, 927, 1049.

**Senate Bill No. 240.—(Duncan)**

A bill for an Act to abolish the collection of tuition fees from North Dakota students entering the state educational institutions.

Introduction, 350.

Reference, 350.

Reported, 703.

Indefinitely postponed, 703.

**Senate Bill No. 241.—(Overson)**

A bill for an Act to amend Sections 2772, 2775, 2776, 2777 and 2786 Revised Codes of 1905, as amended by Chapter 70 of the laws of North Dakota, A. D. 1911, relating to the creation of improvement districts and the purpose for which special assessments may be levied in this state.

Introduction, 350.

Reference, 350.

Reported, 1093.

Third reading, 1196.

Passed, 1197.

Received from House, 1547.

Other action, 1603.

**Senate Bill No. 242.—(Duncan)**

A bill for an Act to prohibit presidents and teachers regularly employed at state educational institutions from charging fees for lectures delivered at State Teachers' Summer Training Schools and Teachers' State Institutes, and other state assemblages of educators or directors.

Introduction, 350.

Reference, 350.

Reported, 704.

Indefinitely postponed, 704.

**Senate Bill No. 243.—(Hoverson)**

A bill for an Act to amend Section 2485 of the Revised Codes of North Dakota for 1905, relating to the annual statement of the county auditor and treasurer.

Introduction, 350.

Reference, 350.

Reported, 711, 1112.

Indefinitely postponed, 832.

Third reading 832, 1226.

Passed, 1227.

Received from House, 1516.

Other action, 887, 1562.

**Senate Bill No. 244.—(Davis)**

A bill for an Act to amend Section 1 of Chapter 266 of the Session Laws of 1911 in order to raise the qualifications of the state superintendent of public instruction to that degree that the present salary would justify.

Introduction, 351.

Reference, 351.

Reported, 531.

Third reading, 563.

Passed, 564.

Received from House, 1283. Indefinitely postponed.

**Senate Bill No. 245.—(Allen)**

A bill for an Act to provide for the establishment, equipment and government of a cottage or cottages on the site at Dunseith of the State Tuberculosis Sanitarium by any Fraternal Corporation or Society, organized under the laws of this state or authorized to do business in this state, for the treatment of all members of such corporation or society or members of such corporation or society or members of their families affected with pulmonary tuberculosis.

Introduction, 351.  
Reference, 351.  
Reported, 468.  
Third reading, 519.  
Passed, 519.  
Received from House, 1365.  
Other action, 1458.

**Senate Bill No. 246.—(Talcott)**

A bill for an Act to amend and reenact Sections 2 and 4, Chapter 129, Session Laws of 1911, relating to election privileges.

Introduction, 351.  
Reference, 351.  
Reported, 979.  
Third reading, 1082.  
Passed, 1083.  
Received from House, 1536.  
Amended, 1536.  
Amendments adopted, 1536.  
Other action, 1602.

**Senate Bill No. 247.—(McDowell)**

A bill for an Act to amend and reenact Section 1129 of the Revised Codes of North Dakota for the year 1905 relating to the agricultural and geological survey and appropriation therefor.

Introduction, 356.  
Reference, 356.  
Reported, 658.  
Third reading, 733.  
Passed, 734.  
Received from House, 1307.  
Other action, 1357.

Sen—Index

**Senate Bill No. 248.—(Garden)**

A bill for an Act to amend Section 281 of the Revised Codes of 1905 relative to the burial of the bodies of persons who have died from infectious and contagious diseases, and to provide for the disinfecting of such bodies.

Introduction, 357.  
Reference, 357.  
Reported, 907.  
Third reading, 1030.  
Passed, 1030.  
Received from House, 1533.

**Senate Bill No. 249.—(Garden)**

A bill for an Act to amend Section one of Chapter 108 of the Session Laws of 1909 of the State of North Dakota, relating to qualifications of embalmers.

Introduction, 378.  
Reference, 378.  
Reported, 762.  
Third reading, 840.  
Passed, 840.  
Received from House, 1364.  
Other action, 1492.

**Senate Bill No. 250.—(Kretschmar)**

A bill for an Act to amend Section 155 of Chapter 4 of the Political Code of the State of North Dakota, and all Acts or parts amendatory thereof, providing for the investment in bonds and mortgages of all moneys belonging to the permanent funds of the common schools, University, School of Mines, Reform School, Agricultural College, Scientific School, School for the Deaf and Dumb, Industrial School, Normal Schools, Blind Asylum, Insane Asylum and Soldiers' Home.

Introduction, 378.  
Reference, 378.  
Reported, 1052.  
Third reading, 1165.  
Passed, 1166.  
Received From House, 1515.  
Other action, 1566.

**Senate Bill No. 251.—(Thoreson)**

A bill for an Act to provide for the payment of family expenses.

Introduction, 378.  
Reference, 378.  
Reported, 465.  
Indefinitely postponed, 465.

**Senate Bill No. 252.—(Nelson)**

A bill for an Act to amend and reenact Section 2 and Section 6 of Chapter 44 of the Session Laws of 1911, relating to the State Tuberculosis Sanitarium at Dunseith.

Introduction, 379.  
Reference, 379.  
Reported, 1237.  
Third reading, 1251.  
Passed, 1251.  
Received from House, 1534.

**Senate Bill No. 253.—(Hanley)**

A bill for an Act fixing the terms of court in the Twelfth Judicial District.

Introduction, 379.  
Reference, 379.  
Reported, 605.  
Third reading, 644.  
Passed, 644.  
Received from House, 1375.  
Other action, 1447

**Senate Bill No. 254.—(England)**

A bill for an Act to amend and reenact Section 4285 of Article 1, Chapter 12 of the Revised Codes of 1905, relating to the manner in which railroad companies may extend their lines into, or within this state.

Introduction, 379.  
Reference, 379.  
Reported, 750.  
Third reading, 835.  
Lost, 835.  
Other action, 836.

**Senate Bill No. 255.—(Plain, by Request)**

A bill for an Act to encourage the creation of Farmers' Clubs in order to further the interest of the farmers in this state educationally, socially and industrially.

Introduction, 379.  
Reference, 379.  
Reported, 583.  
Third reading, 635.  
Passed, 636.  
Received from House, 1284. Indefinitely postponed.

**Senate Bill No. 256.—(Gronvold)**

A bill for an Act to require persons selling or disposing of second-hand furniture to disinfect the same before offering such furniture for sale or exchange.

Introduction, 379.  
Reference, 379.  
Reported, 558.  
Third reading, 612.  
Passed, 613.  
Received from House, 1365.  
Other action, 1447.

**Senate Bill No. 257.—(Overson)**

A bill for an Act to provide for the payment of county and school warrants, when there is no money in the hands of the proper officer for the payment of such warrants, out of the funds on which they are drawn.

Introduction, 380.  
Reference, 380.  
Reported, 901.  
Third reading, 1023.  
Passed, 1024.  
Received from House, 1534.

**Senate Bill No. 258.—(Hoverson)**

A bill for an Act to amend Chapter 90 of the Civil Code of the Revised Codes of 1905 known as the "Negotiable Instrument" law.

Introduction, 399.  
Reference, 399.  
Reported, 536.  
Indefinitely postponed, 536.

**Senate Bill No. 259.—(McBride)**

A concurrent resolution amending Section 216 of the constitution of the State of North Dakota, establishing and locating a state normal school in the City of Dickinson, County of Stark.

Introduction, 399.  
Reference, 399, 927.  
Reported, 844.  
Third reading, 955.  
Passed, 956.  
Received from House, 1575.  
Other action, 924, 955, 1580.

**Senate Bill No. 260.**—(Gibbens)

A bill for an Act, entitled, "An Act to amend Section 2 of Chapter 265 of the Session Laws of 1911, relating to establishment and maintenance, and improvements and equipment of a County Agricultural and Training School, and providing levies therefor.

Introduction, 400.  
Reference, 400.  
Reported, 700.  
Third reading, 824.  
Passed, 825.  
Received from House, 1462.  
Other action, 1556.

**Senate Bill No. 261.**—(Talcott)

A bill for an Act to amend and reenact Section 455 of the Revised Codes of 1905, relating to official seal, and filing oath and bond of notary public.

Introduction, 400.  
Reference, 400.  
Reported, 535.  
Third reading, 566.  
Passed, 567.  
Received from House, 1282. Indefinitely postponed.

**Senate Bill No. 262.**—(Trageton)

A bill for an Act relating to appeals to the supreme court in defamation, personal injury, false imprisonment, and malicious prosecution cases.

Introduction, 400.  
Reference, 400.  
Indefinitely postponed, 1012.

**Senate Bill No. 263.**—(Putnam)

A bill for an Act to amend Section 6245, Chapter 79, of the Revised Codes of North Dakota for 1905, relating to the enforcement of mechanics liens.

Introduction, 400.  
Reference, 400.  
Reported, 701.  
Third reading, 825.  
Passed, 826.  
Received from House, 1368.  
Amended, 1368.  
Amendments adopted, 1373.  
Other action, 1433.

**Senate Bill No. 264.**—(Davidson)

A bill for an Act to amend and reenact Chapter 301 of the Session Laws of 1911, relating to auditor's notice of tax sale.

Introduction, 431.  
Reference, 431, 617.  
Reported, 913.  
Third reading, 1036.  
Passed, 1037.  
Received from House, 1533.

**Senate Bill No. 265.**—(Nelson)

A bill for an Act taxing the occupation of auctioneers, regulating the licensing of persons engaged in such occupation, in creasing the ordinary County revenue of such taxation, and prescribing penalties for violation of its provisions.

Introduction, 431.  
Reference, 431.  
Indefinitely postponed, 797.

**Senate Bill No. 266.**—(Hughes)

A bill for an Act to amend Subdivision 74 of Section 48 of Chapter 77 of the Laws of 1911, relating to commission system of government.

Introduction, 432.  
Reference, 432.  
Indefinitely postponed, 1120.

**Senate Bill No. 267.**—(McDowell)

A bill for an Act for the regulation and control of fraternal benefit societies.

Introduction, 432.  
Reference, 432.  
Reported, 909.  
Third reading, 1032.  
Passed, 1033.  
Received from House, 1547.  
Other action, 1621.

**Senate Bill No. 268.**—(Heckle)

A bill for an Act in reference to declaring churches and church societies extinct and disposing of the property of extinct church and church societies.

Introduction, 432.  
Reference, 432.  
Reported, 845.  
Third reading, 924.  
Passed, 925.  
Received from House, 1283. Indefinitely postponed.

**Senate Bill No. 269.—(Williams)**

A bill for an Act to enlarge the powers of state's attorneys.

Introduction, 432.

Reference, 432.

Indefinitely postponed, 850.

**Senate Bill No. 270.—(Bond)**

A bill for an Act to amend Section 2272 of the Revised Codes of the State of North Dakota for the year 1905, relating to the storage of unclaimed goods, wares and merchandise carried by railroads and transportation companies.

Introduction, 432.

Reference, 432.

Reported, 560.

Third reading, 615.

Passed, 615.

Received from House, 1364, 1558.

Other action, 1447.

**Senate Bill No. 271.—(England)**

A bill for an Act to amend and reenact Section 4395 of the Revised Codes of North Dakota for 1905, as amended by Chapter 51, Session Laws of 1907, relating to the maximum freight rate on coal and briquettes, and defining the term briquettes.

Introduction, 433.

Reported, 560.

Third reading, 635.

Passed, 635.

Received from House, 1365.

Other action, 1488.

**Senate Bill No. 272.—(Hanley)**

A bill for an Act to provide that public records and files shall be open to inspection and examination.

Introduction, 433.

Reference, 433.

Reported, 758.

Third reading, 836.

Passed, 836.

Received from House, 1282. Indefinitely postponed.

**Senate Bill No. 273.—(Mudgett)**

A concurrent resolution for an amendment to the constitution of the State of North Dakota, providing for the apportionment of road taxes derived from railroad companies, express companies, freight line companies, car equipment companies, sleeping car companies, dining car companies, telegraph and telephone companies, equally among the civil townships of the various counties of the state.

Introduction, 433.

Reference, 433.

Reported, 845.

Lost, 1159.

Third reading, 1158.

**Senate Bill No. 274.—(Trageton, by Request)**

A bill for an Act to fix and regulate obligations and liabilities as between hotel and innkeepers and their guests and boards and those intending to become such with respect to baggage and other property of such guests and boarders and the property belonging to or in use in any hotel, lodging house, boarding or eating house, defining and fixing the liability of hotel and inn keepers for loss of or injury to property of guests or boarders or persons intending to become such and giving to such hotel and inn keepers a lien upon the baggage and other property of guests and boarders for charges due.

Introduction, 433.

Reference, 433.

Reported, 1143.

Third reading, 1232.

Passed, 1233.

Other action, 1618.

**Senate Bill No. 275.—(Davis)**

A bill for an Act to provide for state insurance on buildings of the state and of the counties of this state under the supervision of the commissioners of insurance. Indefinitely postponed, 1216.

**Senate Bill No. 276.—(Duncan)**

A bill for an Act to amend Section 1974 of the Revised Codes of North Dakota for 1905, relating to the official estray papers.

Introduction, 469.  
Reference, 469.  
Reported, 761.  
Third reading, 839, 1019.  
Passed, 840, 1020.  
Other action, 867.

**Senate Bill No. 277.—(Davis)**

A bill for an Act to amend and reenact Section 2390 of the Revised Codes of 1905, relating to term of office of county commissioners.

Introduction, 469.  
Reference, 469.  
Reported, 1111.  
Third reading, 1233.  
Passed, 1234.  
Received from House, 1515.  
Other action, 1592.

**Senate Bill No. 278.—(Talcott)**

A bill for an Act to amend Section 163 of Article 9 and Sections 222 and 227 of Article 14 of Chapter 266 of the Session Laws of 1911, relating to school district bonds.

Introduction, 469.  
Reference, 469.  
Reported, 704.  
Third reading, 826.  
Passed, 827.

**Senate Bill No. 279.—(Hookway)**

A bill for an Act to promote forest tree culture and providing for a bounty for tree planting and the levy of a tax to pay such bounty.

Introduction, 469.  
Reference, 469.  
Reported, 633.  
Third reading, 720, 995.  
Passed, 721, 996.  
Received from House, 929, 1535.  
Other action, 854, 995.

**Senate Bill No. 280.—(Hanley)**

A bill for an Act defining minority as regards persons sentenced to the state reform school.

Introduction, 470.  
Reference, 470.  
Reported, 846.  
Third reading, 925.  
Passed, 926.  
Received from House, 1366.  
Other action, 1452.

**Senate Bill No. 281.—(Bronson)**

A bill for an Act to create a state bureau of labor and to provide for the conduct and maintenance thereof.

Introduction, 470.  
Reference, 470.  
Indefinitely postponed, 1140.

**Senate Bill No. 282.—(Overson)**

A bill for an Act to provide for the collection, arrangement, and display of the products and resources of the State of North Dakota at the Centennial Exposition to be held at Christiania, Norway, in 1914, and providing for a board of commissioners therefor, and making an appropriation for such purpose.

Introduction, 470.  
Reference, 470.  
Reported, 650.  
Third reading, 724.  
Passed, 725.

**Senate Bill No. 283.—(Davis)**

A bill for an Act to provide an annual contingency fund to be placed at the disposal of the commissioner of insurance.

Introduction, 470.  
Reference, 470.  
Reported, 657.  
Third reading, 733.  
Passed, 733.  
Received from House, 1307.  
Amended, 1307.  
Amendments adopted, 1311.  
Other action, 1357.

**Senate Bill No. 284.—(Overson)**

A bill for an Act fixing the times and place for holding the general terms of the Supreme Court, providing for special terms in certain cases and fixing the time at which appeals shall be heard.

Introduction, 482.  
Reference, 482.  
Reported, 796.  
Third reading, 871.  
Passed, 872.  
Received from House, 1379.  
Amended, 1379.  
Amendments adopted, 1388.  
Other action, 1488.

**Senate Bill No. 285.—(Overson)**

A bill for an Act to amend Sections 7205, Revised Codes 1905, and Section 10139, Revised Codes 1905, limiting time within which appeals from judgments and orders in cases, civil and criminal may be taken to the Supreme Court.

Introduction, 482.  
Reference, 482.  
Reported, 1062.  
Indefinitely postponed, 1062.

**Senate Bill No. 286.—(Judiciary Committee)**

A bill for an Act authorizing the secretary of state to contract with the Lawyers Co-operative Publishing Company of Rochester, New York, to publish a compiled edition of the laws of North Dakota.

Introduction, 482.  
Reference, 482.  
Reported, 602.  
Third reading, 640.  
Passed, 640.  
Other action, 1606.

**Senate Bill No. 287.—(Judiciary Committee)**

A bill for an Act entitled, "An Act to regulate the distribution of the laws of the State of North Dakota, and compilation and codification thereof."

Introduction, 482.  
Reference, 482.  
Reported, 601.  
Third reading, 641.  
Passed, 641.  
Received from House, 1548.  
Other action, 1607.

**Senate Bill No. 288.—(Overson)**

A bill for an Act to amend and reenact Sections 9987, and 10078 of the Revised Codes of North Dakota for 1905, relating to instructions in criminal cases and to repeal Section 9988 thereof.

Introduction, 483.  
Reference, 483.  
Reported, 796.  
Third reading, 872.  
Passed, 873.  
Received from House, 1366.  
Other action, 1452.

**Senate Bill No. 289.—(Bond)**

A bill for an Act entitled, "An Act to provide a special tax levy for immigration," amending Section 2402 of the Revised Codes of 1905.

Introduction, 483.  
Reference, 483.  
Reported, 861.  
Third reading, 931.  
Passed, 931.  
Received from House, 1575.  
Amended, 1575.  
Amendments adopted, 1575.  
Other action, 1623.

**Senate Bill No. 290.—(Jacobsen)**

A bill for an Act extending the powers of the board of trustees of incorporated villages, relative to sidewalks, sewers, paving and water mains.

Introduction, 507.  
Reference, 507.  
Indefinitely postponed, 1094.  
Third reading, 1197.  
Passed, 1197.  
Received from House, 1547.  
Other action, 1594.

**Senate Bill No. 291.—(Porterfield)**

A bill for an Act entitled "An Act to amend Chapter 56 of the laws passed by the Tenth Legislative Assembly of the State of North Dakota, being Chapter 56 of the Session Laws of 1907, relating to building and loan associations."

Introduction, 508.  
Reference, 508.  
Reported, 558.  
Third reading, 611.  
Passed, 612.  
Received from House, 943.  
Other action, 1027, 1149.

**Senate Bill No. 292.—(Hoverson)**

A bill for an Act to amend Section 1, Chapter 168 of the Session Laws of 1911, relating to the Tenth Judicial District.

Introduction, 508.  
Reference, 508.  
Reported, 605.  
Third reading, 717.  
Passed, 718.  
Received from House, 1364.  
Other action, 1459.

**Senate Bill No. 293.—(Williams)**

A bill for an Act to provide for the preparing of an annual county budget.

Introduction, 508.  
Reference, 508.  
Reported, 1200.  
Third reading, 1248.  
Passed, 1249.  
Received from House, 1515.  
Other action, 1592.

**Senate Bill No. 294.—(Plain)**

A bill for an Act to amend Sections 8, 9, and 10 of Chapter 137 of the Session Laws of 1907, relating to the time and manner of levying taxes in each county in order to raise funds to pay the amount chargeable to the county for the care, board and treatment of patients in the hospital for the insane, and fixing the time when such payments shall be made into the state treasury, and providing a penalty for failure to make such payments.

Introduction, 508.  
Reference, 508.  
Reported, 900.  
Third reading, 1022.  
Passed, 1023.  
Received from House, 1376.  
Other action, 1459.

**Senate Bill No. 295.—(Garden)**

A bill for an Act to amend Section 9544 of the Revised Codes for 1905, relating to the disposition of fines, forfeitures and pecuniary penalties.

Introduction, 508.  
Reference, 508.  
Indefinitely postponed, 982.

**Senate Bill No. 296.—(McLean)**

A bill for an Act to enlarge the power of state's attorneys.

Introduction, 509.  
Reference, 509.  
Reported, 849.  
Third reading, 930.  
Passed, 930.  
Received from House, 1283.  
Indefinitely postponed.

**Senate Bill No. 297.—(Bond, by request)**

A bill for an Act providing for the payment by the county to the public administrator of the costs of administration in estate not having sufficient funds to pay the same.

Introduction, 540.  
Reference, 540.  
Indefinitely postponed, 901.

**Senate Bill No. 298.—(Davidson)**

A bill for an Act to amend Section 1573 of the Revised Codes of North for 1905, relating to the duties of the county treasurer, and the return of tax lists to the county auditor.

Introduction, 540.  
Reference, 540.  
Reported, 914.  
Third reading, 1037.  
Passed, 1038.

**Senate Bill No. 299.—(Steele, by request)**

A bill for an Act to amend Section 43,, Chapter 266, Laws of 1911, entitled "An Act to provide a system of free public schools for the State of North Dakota."

Introduction, 540.  
Reference, 540, 917.  
Reported, 705, 1206.  
Other action, 917.

**Senate Bill No. 300.—(Ganssle by request)**

A bill for an Act to amend Chapter 218 of the Session Laws of 1911, relating to the salaries of judges of county courts.

Introduction, 540.  
Reference, 540.  
Reported, 1063.  
Indefinitely postponed, 1063.

**Senate Bill No. 301.—(Davidson)**

A bill for an Act to amend and reenact Section 1541 of the Revised Codes of 1905, as amended by Chapter 112 of the 1911 Session Laws, relating to tax lists made out by county auditors.

Introduction, 546.  
Reference, 546.  
Reported, 914.  
Third reading, 1035.  
Passed, 1036.  
Received from House, 1283.  
Indefinitely postponed.

**Senate Bill No. 302.—(Overson)**

A bill for an Act to prevent unnecessary delay in appeals from the district court to the Supreme Court, arising from delay in making transcripts of testimony and proceedings, and limiting time within which and prescribing proceedings under which court stenographers must prepare and deliver transcripts ordered, and providing for appointment, qualification and removal of court stenographers and deputy stenographers.

Introduction, 541.  
Reference, 541.  
Reported, 1062.  
Third reading, 1168.  
Passed, 1168.  
Received from House, 1548.

**Senate Bill No. 303.—(Plain)**

A bill for an Act providing for the construction and maintenance of sidetracks by railways at points near the International boundary.

Introduction, 541.  
Reference, 541.  
Reported, 1257.  
Indefinitely postponed, 1257.

**Senate Bill No. 304.—(Leutz)**

A bill for an Act providing for the creation of the office of an inspector of weights and measures, for the appointment of an inspector, prescribing his powers and duties, and prescribing fees to be charged and salary paid.

Introduction, 541.  
Reference, 541.  
Indefinitely postponed, 980.

**Senate Bill No. 305.—(Wartner)**

A bill for an Act providing for the appointment of shorthand reporters by referees, coroners, and committing magistrates, and providing for their compensation.

Introduction, 563.  
Reference, 563.  
Reported, 760.  
Third reading, 838.  
Passed, 839.  
Received from House, 1282.  
Indefinitely postponed.

**Senate Bill No. 306.—(Heckle)**

A bill for an Act to provide for the appointment of clerks for county courts and fixing their compensation.

Introduction, 563.  
Reference, 563.  
Reported, 1063.  
Third reading, 1168.  
Passed, 1171.  
Received from House, 1515.

**Senate Bill No. 307.—(Trageton)**

A bill for an Act to repeal Section 3013 of the Revised Codes of 1905 relating to bridge tax in certain cities or municipalities.

Introduction, 563.  
Reference, 563, 1076.  
Reported, 1067.  
Third reading, 1239.  
Passed, 1241.  
Received from House, 1548.

**Senate Bill No. 308.—(Jacobsen)**

A bill for an Act to amend and reenact Section 273 of Chapter 266 of the Session Laws of 1911, relating to teachers' institutes and training schools.

Introduction, 606.  
Reference, 606.  
Reported, 807.  
Third reading, 887.  
Passed, 887.  
Received from House, 1283.  
Indefinitely postponed.

**Senate Bill No. 309.—(Duncan)**

A bill for an Act to legalize acts and proceedings of county commissioners in calling and giving notices of general or special elections and to legalize such general or special elections attempted held pursuant to such calls and notices, under the provisions of Chapter 265 of the Session Laws of 1911.

Introduction, 606.  
Reference, 606.  
Reported, 759.  
Third reading, 837.  
Passed, 837.  
Received from House, 1364.  
Other action, 1491.

**Senate Bill No. 310.—(Albrecht)**

A bill for an Act to amend and reenact Sections 232 and 269 of Chapter 266 of the Session Laws of 1911, relating to school age, who exempt from compulsory attendance, and teachers' register, what to contain.

Introduction, 606.  
Reference, 606.  
Reported, 1198.  
Third reading, 1249.  
Passed, 1250.

**Senate Bill No. 311.—(Overson)**

A bill for an Act declaring the island situated in the Missouri River south of the city of Williston, and all islands that may appear in said river within five miles of said city, state parks.

Introduction, 606.  
Reference, 606.  
Reported, 984.  
Third reading, 1089.  
Passed, 1090.  
Received from House, 1589.  
Other action, 1623.

**Senate Bill No. 312.—(Hookway)**

A bill for an Act to amend and reenact Section 3 of Chapter 76 of the Session Laws of the State of North Dakota for the year 1909, relating to terms of court in the Ninth Judicial District.

Introduction, 607.  
Reference, 607, 995.  
Reported, 850.  
Indefinitely postponed, 1145.

**Senate Bill No. 313.—(Englund)**

A bill for an Act to require express companies and other common carriers to keep displayed printed schedules of rates and charges and amendments thereto, prohibiting excessive charges, and providing penalty for violations thereof.

Introduction, 607.  
Reference, 607.  
Reported, 750.  
Third reading, 834.  
Passed, 835.  
Received from House, 1533.

**Senate Bill No. 314.—(Overson)**

A bill for an Act legalizing the action of register of deeds and county commissioners in paying or authorizing the payment of extra clerk hire in register of deeds' office when said payment was made in good faith.

Introduction, 607.  
Reference, 607.  
Reported, 797.  
Third reading, 873.  
Passed, 874.  
Received from House, 1469, 1563.

**Senate Bill No. 315.—(Bonzer)**

A bill for an Act providing for the labeling of meats from animals affected with contagious or infectious disease and prescribing a penalty for violations thereof.

Introduction, 607.  
Reference, 607, 833.  
Reported, 762, 932.  
Indefinitely postponed, 762.  
Third reading, 1039.  
Passed, 1039.  
Other action, 1040, 1097, 1556.

**Senate Bill No. 316.—(Davis)**

A bill for an Act to amend Section 1531, Chapter 20, of the Revised Codes of 1905, entitled "State Board of equalization, how constituted. Meetings. Rules."

Introduction, 608.  
Reference, 608.  
Indefinitely postponed, 982.

**Senate Bill No. 317.—(Gronvold)**

A bill for an Act to establish a legislative drafting bureau in connection with the legislative reference department of the state library commission.

Introduction, 634.  
Reference, 634.  
Reported, 1244.  
Third reading, 1255.  
Passed, 1255.  
Received from House, 1535.

**Senate Bill No. 318.—(Bronson)**

A bill for an Act authorizing county drainage boards to refund illegal penalties and interest, prior to the passage of this Act paid on delinquent drainage assessments levied prior to July, 1, 1911.  
 Introduction, 634.  
 Reference, 634  
 Reported, 907.  
 Third reading, 1030.  
 Passer, 1031.  
 Received from House, 1534.

**Senate Bill No. 319.—(Committee on State Affairs)**

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the establishment and location of a state hospital for the insane and institution for the feeble-minded in connection therewith.  
 Introduction, 634.  
 Reference, 634, 927.  
 Reported, 846.  
 Third reading, 956.  
 Passed, 957.  
 Received from House, 1366.  
 Other action, 955, 1459.

**Senate Bill No. 320.—(Englund)**

A bill for an Act providing for one-half merchandise rates to be charged for the transportation of machinery and repairs or parts for machinery and prescribing a penalty for the violation thereof.  
 Introduction, 634.  
 Reference, 634.  
 Reported, 801.  
 Third reading, 876.  
 Passed, 876.  
 Received from House, 1534.

**Senate Bill No. 321.—(Bond, by request)**

A bill for an Act requiring corporations, associations and firms engaged in furnishing heat, light or power within any city or village in this state to maintain its principal place of business in this state with all its records of every kind, requiring a majority of the board of directors, its secretary, treasurer and president to be residents of this state.  
 Introduction, 713.  
 Reference, 713.  
 Indefinitely postponed, 1119.

**Senate Bill No. 322.—(Heckle)**

A bill for an Act pertaining to verdicts and findings and abolishing special verdicts in civil and criminal actions.  
 Introduction, 713.  
 Reference, 713.  
 Reported, 1064.  
 Third reading, 1172.  
 Passed, 1173.  
 Received from House, 1547.  
 Other action, 1602.

**Senate Bill No. 323.—(Bonzer)**

A bill for an Act requiring auctioneers to notify county treasurers of sales of personal property by public auction prior to such sales, providing for penalty for failure to so notify and making it the duty of the county treasurer to collect such tax.  
 Introduction, 713.  
 Reference, 713.  
 Reported, 1124.  
 Indefinitely postponed, 1124.

**Senate Bill No. 324.—(Barnes)**

A bill for an Act to provide that graduates of certain courses in the industrial school and school of manual training at Ellendale, North Dakota, shall be qualified to teach such courses in any high school in the state.  
 Introduction, 714.  
 Reference, 714.  
 Indefinitely postponed, 807.

**Senate Bill No. 325.—(Committee on Education)**

A bill for an Act to provide for a state board of industrial school trustees, the organization, meetings and compensation of such board, and the purpose, maintenance and government of the state industrial school and school for manual training at Ellendale, the academy of science at Wahpeton and the school for forestry at Bottineau, and repealing Sections 1092 to 1099, 1172 to 1176, 1231 to 1236 of the Revised Codes of North Dakota of 1905, as amended by Sections 1092 and 1231 of Chapters 100 and 241 of the Session Laws of North Dakota of 1907.

Introduction, 714.  
 Reference, 714, 1435.  
 Reported, 1072.  
 Indefinitely postponed, 1489.  
 Third reading, 1173.  
 Passed, 1174.  
 Received from House, 1435, 1460,  
 1489.

**Senate Bill No. 326.—(Hughes)**

A bill for an Act to regulate the construction of telephone lines and exchanges, to provide for physical connections and joint rates between telephone companies, defining the same and defining the duties and powers of the state board of railroad commissioners on connection therewith.

Introduction, 714.  
 Reference, 714.  
 Reported, 1055, 1072.  
 Indefinitely postponed, 1055.

**Senate Bill No. 327.—(Talcott)**

A concurrent resolution to amend Section 154 of the Constitution of the State of North Dakota, relating to the apportioning of the interest and income derived from the permanent fund of the common schools.

Introduction, 714.  
 Reference, 714.  
 Reported, 1071.  
 Third reading, 1185.  
 Lost, 1185.

**Senate Bill No. 328.—(Garden)**

A bill for an Act to amend Chapter 229 of the Laws of 1911, prohibiting the introduction of intoxicating liquors, narcotics or other habit-forming drugs into any of the buildings or upon the premises of any of the penal or charitable of any county, city or village in of any county, city or village in the state.

Introduction, 715.  
 Reference, 715.  
 Reported, 1061.  
 Third reading, 1167.  
 Passed, 1168.  
 Received from House, 1515.  
 Other action, 1566.

**Senate Bill No. 329.—(Garden)**

A bill for an Act to repeal Sections 2180, 2181, 2182, 2183, 2185 and 2187 of the Revised Codes of North Dakota for 1905, relating to the inspection of weights and measures.

Introduction, 715.  
 Reference, 715.  
 Indefinitely postponed, 982.

**Senate Bill No. 330.—(Vail)**

A bill for an Act to amend Section 35 of the Revised Codes of 1905 for North Dakota.

Introduction, 715.  
 Reference, 715.  
 Reported, 976.  
 Third reading, 1079.  
 Passed, 1079.  
 Received from House, 1287.  
 Other action, 1357.

**Senate Bill No. 331.—(Vail)**

A bill for an Act to appropriate \$45,000 or so much thereof as may be found necessary to reimburse the Permanent Fund and Interest Fund and Income Fund of the Capitol Building for moneys expended for a trolley line, sinking of wells and building a standpipe on the Capitol grounds, the purchase of furniture, building of sewer and water mains, and such other expenditures as have been wrongfully charged against the fund mentioned, and prescribing the duties of the state auditor and state auditing board in connection therewith.

Introduction, 715.  
 Reference, 715.  
 Indefinitely postponed, 976.

**Senate Bill No. 332.—(Vail)**

A bill for an Act to repeal Chapter 49 of the 1907 Session Laws of North Dakota.

Introduction, 716.  
 Reference, 716.  
 Reported, 1139.  
 Indefinitely postponed, 1139.

**Senate Bill No. 333.—(Hyland)**

A bill for an Act creating a state highway commission, defining their duties and powers.  
 Introduction, 716.  
 Reference, 716.  
 Reported, 981.  
 Third reading, 1083.  
 Passed, 1084.  
 Received from House, 1571.  
 Amended, 1571.  
 Amendments adopted, 1571.  
 Other action, 1623.

**Senate Bill No. 334.—(McBride)**

A bill for an Act to protect the lives and property of the traveling public, and the employees of the railroads in the State of North Dakota, by providing for full crews on trains.  
 Introduction, 716.  
 Reference, 716.  
 Reported, 1257.  
 Other action, 111.

**Senate Bill No. 335.—(Bond)**

A bill for an Act to re-enact and amend Section 22, Chapter 62 of the Session Laws of 1911, relating to the appointment of a state architect and pertaining to his duties and salary. Emergency.  
 Introduction, 716.  
 Reference, 716.  
 Reported, 1075.  
 Indefinitely postponed, 1519.  
 Third reading, 1193.  
 Passed, 1194.  
 Received from House, 1519.

**Senate Bill No. 336.—(Talcott)**

A bill for an Act to amend Section 133 of Chapter 266 of the Session Laws of 1911, relating to the annexation of adjacent territory to special school districts.  
 Introduction, 717.  
 Reference, 717.  
 Reported, 806.  
 Third reading, 920, 953.  
 Passed, 920, 954.

**Senate Bill No. 337.—(Joint Subcommittee on Education)**

A bill for an Act to amend Section 282 of Chapter 266 of the Session Laws of 1911, relating to conductors and county superintendents

filing statement of number of schools with county auditor.  
 Introduction, 737.  
 Reference, 737.  
 Reported, 802.  
 Third reading, 876.  
 Passed, 877.  
 Received from House, 1367.  
 Other action, 1498.

**Senate Bill No. 338.—(Joint Subcommittee on Education)**

A bill for an Act providing that persons in charge of school children shall furnish suitable text books in districts wherein the free text book system has not been adopted.  
 Introduction, 737.  
 Reference, 737.  
 Reported, 802.  
 Third reading, 877.  
 Passed, 878.  
 Received from House, 1367.  
 Other action, 1498.

**Senate Bill No. 339.—(Joint Subcommittee on Education)**

A bill for an Act to amend and re-enact Section 113 of Chapter 266 of the Session Laws of 1911, relating to county treasurer's accounts kept with the school corporations.  
 Introduction, 737.  
 Reference, 737.  
 Reported, 803.  
 Third reading, 878.  
 Passed, 879.  
 Received from House, 1367.  
 Other action, 1503.

**Senate Bill No. 340.—(Joint Subcommittee on Education)**

A bill for an Act to repeal Section 28 of Chapter 266 of the Session Laws of 1911, relating to office, postage and stationery of county superintendents.  
 Introduction, 738.  
 Reference, 738.  
 Reported, 803.  
 Third reading, 879.  
 Passed, 879.  
 Received from House, 1375.  
 Other action, 1459.

**Senate Bill No. 341—(Joint Subcommittee on Education)**

A bill for an Act to amend and reenact Section 91 of Chapter 266 of the Session Laws of 1911, relating to school district clerk's annual report.  
 Introduction, 738.  
 Reference, 738.  
 Reported, 1073.  
 Third reading, 1207.  
 Passed, 1208.  
 Received from House, 1562.

**Senate Bill No. 342—(Joint Subcommittee on Education)**

A bill for an Act to amend Section 80 of Chapter 266 of the Session Laws of 1911, relating to board of inspection.  
 Introduction, 738.  
 Reference, 738.  
 Reported, 804.  
 Third reading, 880.  
 Passed, 880.  
 Received from House, 1375.  
 Other action, 1459.

**Senate Bill No. 343—(Joint Subcommittee on Education)**

A bill for an Act to amend and reenact Section 81 of Chapter 266 of the Session Laws of 1911, relating to school house sites.  
 Introduction, 738.  
 Reference, 738.  
 Reported, 804.  
 Third reading, 884.  
 Passed, 884.  
 Received from House, 1367.  
 Other action, 1459.

**Senate Bill No. 344—(Joint Subcommittee on Education)**

A bill for an Act to repeal Section 43½ of Chapter 266 of the Session Laws of 1911, relating to boundaries of school districts.  
 Introduction, 738.  
 Reference, 738.  
 Reported, 805.  
 Third reading, 885.  
 Passed, 886.  
 Received from House, 1375.  
 Other action, 1459.

**Senate Bill No. 345—(Joint Subcommittee on Education)**

A bill for an Act to amend Section 85 of Chapter 266 of the Session Laws of 1911, relating to additional school time.  
 Introduction, 739.  
 Reference, 739.  
 Third reading, 886.  
 Reported, 806.  
 Passed, 887.  
 Received from House, 1367.  
 Other action, 1498.

**Senate Bill No. 346—(Joint Subcommittee on Education)**

A bill for an Act to amend and reenact Section 34 of Chapter 266 of the Session Laws of 1911, relating to salary and expenses of county superintendents.  
 Introduction, 739.  
 Reference, 739.  
 Reported, 1071.  
 Indefinitely postponed, 1198.  
 Third reading, 1198.

**Senate Bill No. 347—(Joint Subcommittee on Education)**

Introduction, 739.  
 Reference, 739.  
 Reported, 1071.  
 Indefinitely postponed, 1198.  
 Third reading, 1198.

**Senate Bill No. 347—(Joint Subcommittee on Education)**

A bill for an Act to amend Section 258 of Chapter 266 of the Session Laws of 1911, relating to high school diplomas.  
 Introduction, 739.  
 Reference, 739.  
 Reported, 805.  
 Third reading, 884.  
 Passed, 885.  
 Received from House, 1380.  
 Amended, 1380.  
 Amendments adopted, 1382.  
 Other action, 1459.

**Senate Bill No. 348.**—(Joint Subcommittee on Education)

A bill for an Act to amend and re-enact Section 72 of Chapter 266 of the Session Laws of 1911, relating to teachers employed by district school boards and their salaries.

Introduction, 739.  
Reference, 739.  
Reported, 804.  
Third reading, 880.  
Passed, 881.  
Received from House, 1380.  
Amended, 1380.  
Amendments adopted, 1416.  
Conference, 1388.  
Other action, 1498.

**Senate Bill No. 349.**—(Garden)

A bill for an Act to amend Section 1 of Chapter 162 of the Session Laws of 1911, relating to county mutual companies.

Introduction, 739.  
Reference, 739.  
Reported, 909.  
Indefinitely postponed, 909.  
Third reading, 1032, 1147.  
Passed, 1032.  
Received from House, 1463.  
Other action, 1556.

**Senate Bill No. 350.**—(Judiciary Committee)

A bill for an Act fixing priorities of liens and requiring all persons who may be entitled to a mechanics lien to file a notice of lien, to take a statement or acknowledgement for such lien, and providing a penalty for filing unlawful liens.

Introduction, 764.  
Reference, 764.  
Reported, 1012, 1181.  
Third reading, 1098, 1147, 1180.  
Passed, 1184.  
Received from House, 1564.  
Other action, 1147, 1148, 1623.

**Senate Bill No. 351.**—(Jacobsen)

A bill for an Act defining unlawful obligations in writing and providing a penalty for the violation thereof.

Introduction, 765.  
Reference, 765.  
Reported, 1064.  
Indefinitely postponed, 1064.

**Senate Bill No. 352.**—(Linde)

A bill for an Act to define the duties and state boards to make reports.

Introduction, 765.  
Reference, 765.  
Reported, 1053.  
Third reading, 1166.  
Passed, 1167.  
Received from House, 1517.  
Other action, 1566.

**Senate Bill No. 353.**—(Linde)

A bill for an Act to amend and re-enact Section 8573 of the Revised Codes of the State of North Dakota for the year 1905, relating to prohibited sports on the Sabbath day.

Introduction, 765.  
Reference, 765.  
Indefinitely postponed, 1053.

**Senate Bill No. 354.**—(Linde)

A bill for an Act to provide for the levy of a tax by cities for the support of a musical band.

Introduction, 765.  
Reference, 765.  
Reported, 1322.  
Indefinitely postponed, 1322.

**Senate Bill No. 355.**—(Hoverson, by Request)

A bill for an Act providing for the establishment of co-operative banks, and defining the powers and restrictions of the same.

Introduction, 765.  
Reference, 765.  
Reported, 1136.  
Indefinitely postponed, 1136.

**Senate Bill No. 356.**—(Davidson, by Request)

A bill for an Act relating to the issuing and filling of physicians', surgeons and other medical practitioners' prescriptions, recipes and formulae; the preparation, compounding and manufacture and dispensing of medicines, drugs and remedies; and providing a penalty for the violation thereof.

Introduction, 766.  
Reference, 766.  
Reported, 1227.  
Indefinitely postponed, 1227.

**Senate Bill No. 357.**—(Hanley)

A bill for an Act to amend Section 5701 of the Revised Codes of North Dakota for 1905, relating to damages for postponing or refusing messages.  
 Introduction, 766.  
 Reference, 766.  
 Reported, 1237.  
 Third reading, 1251.  
 Passed, 1252.  
 Received from House, 1548.  
 Other action, 1603.

**Senate Bill No. 358.**—(Plain and Duncan)

A bill for an Act to require the railroad commission to formulate a uniform system of accounting for public elevators and warehouses and to provide for the examination of the accounts of such elevators and warehouses when requested by not less than 15 per cent of the stockholders thereof, and prescribing fees therefor; and amending Chapter 251 of the Session Laws of 1911, relating to the filing of bonds by public warehouses.  
 Introduction, 766.  
 Reference, 766.  
 Reported, 1092.  
 Third reading, 1195.  
 Passed, 1196.  
 Received from House, 1573.  
 Amended, 1573.  
 Amendments adopted, 1574.  
 Other action, 1627.

**Senate Bill No. 359.**—(Hoverson)

A bill for an Act to require auctioneers to notify the county sheriff of the sale of personal property at public auction.  
 Introduction, 766.  
 Reference, 766.  
 Reported, 1228.  
 Indefinitely postponed, 1230.  
 Third reading, 1230.

**Senate Bill No. 360.**—(Hughes)

A bill for an Act amending Section 7608 of the Revised Codes of 1905, as amended in Section 1 of Chapter 52 of the Session Laws of 1907, relating to the appointment, duties, powers, qualifications and

salary of the state engineer; also to amend Section 7665 of the Revised Codes of 1905, relating to the expenses of the state engineer's office.

Introduction, 767.  
 Reference, 767.  
 Reported, 1138.  
 Third reading, 1222.  
 Passed, 1223.  
 Received from House, 1563.

**Senate Bill No. 361.**—(Englund)

A bill for an Act creating a state board of chiropractic examiners to regulate the practice of chiropractic in the State of North Dakota; defining chiropractic; providing for licensing chiropractors and to prescribe penalties for the violation of this Act.  
 Introduction, 767.  
 Reference, 767.  
 Reported, 1047.  
 Third reading, 1176.  
 Lost, 1177.

**Senate Bill No. 362.**—(Bond)

A bill for an Act to amend Section 38 of Chapter 62 of the Session Laws of 1911, relating to estimates and the purchase of supplies for state institutions.  
 Introduction, 767.  
 Reference, 767.  
 Reported, 1201.  
 Third reading, 1254.  
 Passed, 1254.  
 Received from House, 1514, 1535.  
 Other action, 1591.

**Senate Bill No. 363.**—(Porterfield)

Hyland moved that further consideration of Senate Bill No. 363 be referred to a sub-committee of the appropriation committee to be appointed by the chairman of the appropriation committee.  
 Introduction, 767.  
 Reference, 767.

**Senate Bill No. 364.**—(Englund)

A bill for an Act to repeal Chapter 117 of the Session Laws of 1911, relating to official papers.  
 Introduction, 768.  
 Reference, 768.  
 Reported, 1243.  
 Indefinitely postponed, 1243.

**Senate Bill No. 365.—(McBride)**

A bill for an Act to amend Section 1 of Chapter 210 of the Session Laws of 1907, relating to the lighting of depot platforms and requiring railroad companies, using steam motive power in this state, to maintain adequate platforms at passenger stations.

Introduction, 768.

Reference, 768.

Reported, 1113.

Indefinitely postponed, 1113.

**Senate Bill No. 366.—(Hookway)**

A concurrent resolution to amend Sections 104, 105 and 106, Article 4 of the constitution of the State of North Dakota, relating to judicial districts and judges of the district courts.

Introduction, 768.

Reference, 768.

Reported, 1127.

Indefinitely postponed, 1127.

**Senate Bill No. 367.—(Thoreson)**

A bill for an Act to amend Section 9329 of the Revised Codes of 1905, relating to malicious mischief and injury to real property, emblements and fixtures.

Introduction, 768.

Reference, 768.

Reported, 1129.

Third reading, 1228.

Passed, 1229.

Received from House, 1535.

**Senate Bill No. 368.—(Mudgett)**

A bill for an Act to amend and reenact Section 2364 of the Revised Codes of North Dakota for 1905, as amended by Chapter 61 of the Session Laws of 1907, relating to county seats.

Introduction, 768.

Reference, 768.

Reported, 1130.

Third reading, 1223.

Passed, 1223.

Received from House, 1548.

**Senate Bill No. 369.—(Bond)**

A concurrent resolution amending the constitution of the State of North Dakota, relating to the legislative department and providing for the initiative and referendum as applied to laws.

Introduction, 769.

Reference, 769.

Reported, 1127.

**Senate Bill No. 370.—(Hanley, by Request)**

A concurrent resolution amending the constitution of the State of North Dakota, changing the name of the state reform school located at Mandan, in the County of Morton, to that of state farm and mechanic arts school.

Introduction, 769.

Reference, 769.

Third reading, 1234.

Passed, 1235.

Received from House, 1572.

Amended, 1572.

Amendments adopted, 1572.

Other action, 1623.

**Senate Bill No. 371.—(McDowell)**

A bill for an Act to regulate the sale of stocks, bonds and other securities.

Introduction, 769.

Reference, 769.

**Senate Bill No. 372.—(Trageton)**

A bill for an Act to amend Section 1 of Chapter 120, Session Laws of 1909, relating to sheriff's fees.

Introduction, 769.

Reference, 769, 1162.

Reported, 1047, 1178.

Third reading, 1162, 1178.

Passed, 1179.

Received from House, 1595.

**Senate Bill No. 373.—(Overson)**

A bill for an Act to amend and reenact Section 1904 of the Revised Codes of North Dakota for 1905.

Introduction, 778.

Reference, 778.

Reported, 1131.

Third reading, 1235.

Passed, 1235.

Received from House, 1595.

Other action, 1622.

**Senate Bill No. 374.—(Mudgett)**

A bill for an Act to forbid the sending of minors as messengers to houses of prostitution, saloons or other immoral places.

Introduction, 778.

Reference, 778.

Reported, 1135.

**Senate Bill No. 375.**—(Mudgett)

A joint resolution authorizing the board of trustees of the soldiers' home to expend a portion of the interest and income fund of the soldiers' home for the purpose of aiding the North Dakota Union and Confederate Soldiers of the Civil War to attend the reunion to be held at Gettysburg, Pa., in the month of July, 1913.

Introduction, 778.

Reference, 778.

Reported, 906.

Third reading, 1029.

Passed, 1029.

Received from House, 1378.

Other action, 1498.

**Senate Bill No. 376.**—(Joint Sub-committee on Education)

A bill for an Act to amend Section 232 of Chapter 266 of the Session Laws of 1911, relating to education.

Introduction, 779.

Reference, 779.

Reported, 1091.

Third reading, 1194.

Passed, 1195.

Received from House, 1490.

Other action, 1562.

**Senate Bill No. 377.**—(Gibbens, by Request)

A bill for an Act to amend and reenact Sections 1348 and 1349 of the Revised Codes of North Dakota for the year 1905, relating to public highways.

Introduction, 779.

Reference, 779.

Reported, 1216.

Indefinitely postponed, 1216.

**Senate Bill No. 378.**—(Hanley)

A bill for an Act to amend Section 6 of Chapter 226 of the Laws of North Dakota of 1911, being an Act relating to compensation of field officer.

Introduction, 779.

Reference, 779.

Indefinitely postponed, 1140.

**Senate Bill No. 379.**—(Hanley, by Request)

A bill for an Act to amend Sections 1495 and 1496 of the Revised Codes of North Dakota for 1905, relating to taxation.

Introduction, 790.

Reference, 790.

Reported, 1123.

Indefinitely postponed, 1123.

**Senate Bill No. 380.**—(Albrecht, by Request)

A bill for an Act establishing a depositors' guaranty fund to insure edpositors against loss when any bank, savings bank or trust company engaged in the business of receiving deposits under the laws of this state becomes insolvent, and providing penalties for the violation of such Act.

Introduction, 791.

Reference, 791.

Reported, 1137.

Indefinitely postponed, 1137.

**Senate Bill No. 381.**—(Plain)

A bill for an Act prohibiting the sale of pure bred cattle unless accompanied by a certificate of health.

Introduction, 791.

Reference, 791.

Reported, 1047.

Third reading, 1163.

Passed, 1163.

Received from House, 1517.

Other action, 1592.

**Senate Bill No. 382.**—(Hanley)

A bill for an Act requiring notice to be given by registered mail to the mortgagor before real estate mortgage foreclosure proceedings may be started, and before the full amount of deferred payments may be declared due or default in the payment of a portion of costs and charges can be made against the mortgagor.

Introduction, 791.

Reference, 791.

Reported, 1242, 1481.

Indefinitely postponed, 1481.

**Senate Bill No. 383.—(Jacobsen)**

A bill for an Act to amend and reenact Section 608 of the Revised Codes of 1905, relating to inspectors and judges of elections, qualifications of duties and by whom appointed.

Introduction, 791.

Reference, 791.

Indefinitely postponed, 1114.

**Senate Bill No. 384.**

A bill for an Act to require publishers of school books to furnish bond, file copies of their publications and sworn price lists in the office of the state superintendent of public instruction as a condition precedent to doing business in this state; and to require dealers in school furniture and supplies to file price lists and statements in said office and to give bond before selling or offering for sale such furniture or equipment in this state, and providing penalties for the violation thereof.

Introduction, 791.

Reference, 791.

Reported, 1242.

Third reading, 1262.

Lost, 1263.

**Senate Bill No. 385.—(Committee on Appropriations)**

A bill for an Act authorizing and directing the auditor and treasurer of the State of North Dakota to transfer sums from the operating fund of the penitentiary twine and cordage plant to the general fund of the state treasury and repealing Chapter 204 of the Session Laws of 1911 and other laws which may be in conflict herewith.

Introduction, 841.

Reference, 841.

**Senate Bill No. 386.—(Plain)**

A bill for an Act to amend Section 1516 of the Revised Codes of 1905, relating to the bond and oath of assessors.

Introduction, 868.

Reference, 868, 1159.

Reported, 1045, 1189.

Third reading, 1159, 1190.

Passed, 1190.

Received from House, 1518.

Other action, 1592.

**Senate Bill No. 387.—(Cashel)**

A bill for an Act to amend Section 8154 of the Revised Codes of 1905, relating to the approval or mortgages executed by an administrator, executor, or guardian.

Introduction, 1035.

Reference, 1035.

Reported, 1131.

Third reading, 1247.

Passed, 1248.

Received from House, 1518.

Other action, 1594.

**Senate Bill No. 388.—(Steel)**

A bill for an Act to repeal Sections 1, 2 and 3 of Chapter 213 of the Session Laws of 1911.

Introduction, 1042.

Reference, 1042.

Reported, 1074.

Third reading, 1193.

Passed, 1193.

**Senate Bill No. 389.—(Nelson)**

A bill for an Act to authorize the trustees of public property to sell at such prices as may be practicable the volumes of the supreme court reports now on hand in the office of secretary of state.

Introduction, 1076.

Reference, 1076.

Third reading, 1160.

Passed, 1160.

Received from House, 1563.

Other action, 1076.

**Senate Bill No. 390.**—(Joint Committee on Education)

A bill for an Act to amend Section 84 of Chapter 266 of the Session Laws of 1911, relating to education.

Introduction, 1096.

Reference, 1096.

Reported, 1127.

Third reading, 1265.

Passed, 1265.

Received from House, 1490.

Other action, 1566.

Other action, 1594.

**Senate Bill No. 391.**—(Mudgett)

A bill for an Act to amend Section 2596 of the 1905 Revised Codes of North Dakota as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907, providing the clerk hire for the register of deeds in various counties of the state.

Introduction, 1207.

Reference, 1207.

Reported, 1238.

Third reading, 1250.

Passed, 1250.

Received from House, 1518.

# HOUSE BILLS

## House Bill No. 1.—(Moen)

A bill for an Act to amend Sections 525, 527 of the Revised Codes of 1905, relating to the summoning of jurors.

Received from House, 180.  
First and second reading, 199.  
Reference, 199.  
Reported, 600.  
Passed, 672.

## House Bill No. 4.—(Everson)

A bill for an Act to amend Sections 5510 and 5511 of the Revised Codes of North Dakota for the year 1905, prescribing lawful rates of interest for any legal indebtedness, defining usury, and providing that interest shall be computed from the date of the actual delivery of the principal.

Received from House, 387.  
First and second reading, 410.  
Reference, 410.  
Reported, 1053.  
Indefinitely postponed, 1055.  
Other action, 1075.

## House Bill No. 5.—(Blakemore)

A joint resolution, ratifying amendment to the Constitution of the United States.

Received from House, 180.  
First and second reading, 199.  
Reference, 199.  
Reported, 394.  
Passed, 445.

## House Bill No. 10.—(Twichell)

A bill for an Act to provide a method of voting at any general or primary election by electors absent or anticipating being absent on the day of such election, from the county in which they are electors.

Received from House, 489.  
First and second reading, 520.  
Reference, 520.  
Reported, 910.  
Passed, 1295.  
Other action, 1625.

## House Bill No. 11.—(Blakemore)

Concurrent resolution to amend Section 121 of Article 5 of the Constitution of the State of North Dakota and Article 2 of the amendments to the Constitution amendatory thereof, relating to elective franchise.

Received from House, 180.  
First and second reading, 199.  
Reference, 199.  
Reported, 1115.  
Lost, 1271.

## House Bill No. 13.—(Endreson)

A bill for an Act to amend Chapter 170 of Laws of 1907, entitled, An Act indemnifying owners for animals killed or destroyed according to law for being affected with the disease known as glanders.

Received from House, 202.  
First and second reading, 220.  
Reference, 220.  
Passed, 891, 1019.  
Other action, 995, 1446.

## House Bill No. 14.—(Hedalen)

A bill for an Act relating to the boundaries, terms of court, and chambers of the district judge of the Seventh Judicial District amending Section 475 of the Revised Codes of 1905, as amended by Chapter 75, Laws of 1909.

Received from House, 203.  
First and second reading, 220.  
Reference, 220.  
Reported, 368.  
Passed, 413.

## House Bill No. 15.—(Butler of Ramsey)

A bill for an Act to amend Section 12 of House Bill No. 210 of the Laws of 1911, to encourage elementary education.

Received from House, 676.  
First and second reading, 781.  
Reference, 781.  
Reported, 1333.  
Indefinitely postponed, 1334.

**House Bill No. 17.**—(Butler of Ramsey)

A bill for an Act to provide for the erection of an industrial building and necessary improvements at the school for the deaf and dumb at Devils Lake, N. D., and making an appropriation therefor.

Received from House, 623.  
First and second reading, 669.  
Reference, 669.  
Reported, 1429.  
Indefinitely postponed, 1429.

**House Bill No. 18.**—(Carey)

A bill for an Act to amend Sections 620 and 650 of the Revised Codes of 1905 relating to elections.

Received from House, 242.  
First and second reading, 263.  
Reference, 263.  
Reported, 1117.  
Passed, 1277.  
Other action, 1522.

**House Bill No. 20.**—(Olsgard)

A bill for an Act validating certain execution sales heretofore made and limiting the time within which the same may be attached.

Received from House, 180.  
First and second reading, 200.  
Reference, 200.  
Reported, 296.  
Amended, 317.  
Passed, 318.

**House Bill No. 21.**—(Campbell)

A bill for an Act making appropriation for the erection of a new building and other necessary improvements, and for the current and contingent expenses of the reform school of North Dakota at Mandan, N. D.

Received from House, 676.  
First and second reading, 780.  
Reference, 780.  
Reported, 1333.  
Passed, 1480.  
Other action, 1583.

**House Bill No. 22.**—(Bratton)

A bill for an Act to amend and reenact Section 6237 as amended by the Session Laws of North Dakota for 1909, and Sections 6238, 6240, 6242, 6244 and 6250 of Chapter 79 of the Revised Codes of North Dakota for the year 1905.

Received from House, 416.  
First and second reading, 439.  
Reference, 439.

**House Bill No. 27.**—(Twitchell)

A bill for an Act to prohibit insurance companies and their agents from rebating, discrimination and twisting.

Received from House, 994, 1514.  
First and second reading, 1101.  
Reference, 1101.  
Reported, 1457.  
Passed, 1525.  
Indefinitely postponed, 1496.  
Reconsidered, 152.

**House Bill No. 28.**—(Hedalen)

A bill for an Act to amend and reenact Chapter 54, Laws of 1911, relating to corporations having banking powers, defining what percent of the capital stock and surplus of such corporation may be used for banking house furnipowers as to other real estate and repealing Section 4640 of the Revised Codes for the year 1905.

Received from House, 280.  
First and second reading, 299.  
Reference, 299.  
Reported, 375.  
Amended, 444.  
Passed, 445.

**House Bill No. 30.**—(Norheim)

A bill for an Act to amend Section 111 of the Revised Codes of 1905, relating to the duties of the state treasurer.

Received from House, 203.  
First and second reading, 221.  
Reference, 221.  
Reported, 1327.  
Indefinitely postponed, 1327.

**House Bill No. 31.**—(Hoge)

A bill for an Act to amend and reenact Article 3, Chapter 30 of the Code of Civil procedure of the Revised Code of the State of North Dakota of 1905, relating to cancellation of land contracts.

Received from House, 552.  
First and second reading, 568.  
Reference, 568.  
Reported, 1134.  
Passed, 1356.

**House Bill No. 36.—(O'Connor)**

A bill for an Act to amend Sections 6 and 10 of Chapter 135 of the Laws of 1907 as amended by Chapter 141, Laws of 1909.  
 Received from House, 266.  
 First and second reading, 298.  
 Reference, 298.  
 Reported, 394.  
 Amended, 546.  
 Passed, 548.

**House Bill No. 37.—(C. C. Turner)**

A bill for an Act making an appropriation for the Dickinson Experiment Station, located in the city of Dickinson.  
 Received from House, 574.  
 First and second reading, 619.  
 Reference, 619.  
 Reported, 1431.  
 Indefinitely postponed, 1431.

**House Bill No. 38.—(Wardrope)**

A bill for an Act to appropriate money for maintenance equipment and permanent improvements at the State University and School of Mines of North Dakota.  
 Received from House, 815.  
 First and second reading, 842.  
 Reference, 842.  
 Reported, 1334.  
 Indefinitely postponed, 1334.

**House Bill No. 40.—(Sorlie)**

A bill for an Act repealing Sections 2294, 2295 and 2296.  
 Received from House, 181.  
 First and second reading, 200.  
 Reference, 200.  
 Indefinitely postponed, 862.

**House Bill No. 45.—(Watt)**

A bill for an Act appropriating money for experiments to determine the milling value of cereals the baking and other chemical properties of the flours produced therefrom and the chemical composition thereof, and providing for the publication of the information thereby obtained and making an appropriation for such work.  
 Received from House, 676.  
 First and second reading, 780.  
 Reference, 780.  
 Reported, 1051.  
 Passed, 1421.  
 Other action, 1583.

**House Bill No. 47.—(Owens)**

A bill for an Act to amend and reenact Section 6187, Revised Code of 1905 of the State of North Dakota, relating to chattel mortgages.  
 Received from House, 243.  
 First and second reading, 262  
 Reference, 262.  
 Reported, 308.  
 Passed, 334.

**House Bill No. 49.—(Williams)**

A bill for an Act making appropriation for the current and contingent expenses of the state penitentiary and for making permanent improvements and additions thereto.  
 Received from House, 623.  
 First and second reading, 669.  
 Reference, 669, 1472.  
 Reported, 754, 1331, 1474.  
 Amended, 1331, 1474.  
 Passed, 1494.  
 Indefinitely postponed, 754.  
 Other action, 1096, 1098, 1611.

**House Bill No. 50.—(Dean)**

A bill for an Act to amend Chapter 306 of the Session Laws of 1911, relating to the election and appointment of township officers and their terms of office and to repeal Section 3111 of the Revised Codes of 1905.  
 Received from House, 266.  
 First and second reading, 298.  
 Reference, 298.  
 Reported, 914.  
 Passed, 1293.  
 Other action, 1583.

**House Bill No. 52.—(Williams)**

A bill for an Act to repeal Article 21 of Chapter 32, entitled, Townsites located on public lands, of the Revised Codes of 1905.  
 Received from House, 243.  
 First and second reading, 264.  
 Reference, 264.  
 Reported, 1114.  
 Passed, 1502.  
 Other action, 1583.

**House Bill No. 57.—(Huso)**

A bill for an Act to prevent fraudulent registration and sale of animals as being pure bred, and to amend Section 9007 of the Revised Codes of 1905.  
 Received from House, 203.  
 First and second reading, 221.  
 Reference, 221.  
 Reported, 736.  
 Passed, 895.  
 Other action, 1267.

**House Bill No. 61.—(Roble)**

A bill for an Act to repeal Sections 3187, 3188, 3189, 3190 and 3191 of the Revised Codes of North Dakota for the year 1905, relating to guideposts.  
 Received from House, 242.  
 First and second reading, 263.  
 Reference, 263.  
 Reported, 753.  
 Passed, 938.  
 Other action, 1267.

**House Bill No. 69.—(Twitchell)**

A bill for an Act to amend Section 1584 of the Revised Codes of the State of North Dakota for the year 1905 as amended in Chapter 220 of the Session Laws of 1907, relating to the rights of purchasers of land at sale for the non-payment of taxes.  
 Received from House, 203.  
 First and second reading, 221.  
 Reference, 221.  
 Reported, 1350.  
 Lost, 1482.

**House Bill No. 66.—(Buck)**

A bill for an Act to amend and reenact Section 181 of Chapter 266 of the Session Laws of the year 1911 of the State of North Dakota, relating to public schools.  
 Received from House, 335.  
 First and second reading, 355.  
 Reference, 355.  
 Reported, 536.  
 Passed, 570.

**House Bill No. 67.—(Northrop)**

A bill for an Act entitled, "An Act prohibiting and making it a misdemeanor to manufacturer, sell, barter, exchange or give away cigarette or cigarette paper.  
 Received from House, 266.  
 First and second reading, 299.  
 Reference, 299, 414, 424, 487.  
 Reported, 369, 504.  
 Amended, 486, 510.  
 Passed, 414.  
 Reconsidered, 414, 510.

**House Bill No. 71.—(Williams)**

A bill for an Act entitled, "An Act to amend Section 2783 of the Revised Codes of the State of North Dakota of 1905, relating to cities."  
 Received from House, 281.  
 First and second reading, 299.  
 Reference, 299.  
 Reported, 1121.  
 Amended, 1409.  
 Passed, 1410.

**House Bill No. 73.—(Bope)**

A bill for an Act to amend and reenact Section 1372 of the Revised Codes of North Dakota of 1905, relating to county road funds.  
 Received from House, 266.  
 First and second reading, 299.  
 Reference, 299.  
 Reported, 502.  
 Amended, 549.  
 Passed, 549.

**House Bill No. 76.—(Bass)**

A bill for an Act to amend Section 4, of Chapter 275 of the Session Laws of the State of North Dakota for the year 1905, relating to the office of sheriff and providing for deputies.  
 Received from House, 300.  
 First and second reading, 317.  
 Reference, 317, 378.  
 Reported, 344, 395.  
 Amended, 344.  
 Passed, 448.

**House Bill No. 78.—(Everson)**

A bill defining bootlegging, making it a crime, and fixing the punishment therefor.  
 Received from House, 203.  
 First and second reading, 221.  
 Reference, 221.  
 Reported, 429.  
 Passed, 523.

**House Bill No. 80.—(Sorlie)**

A bill providing closets or privies for the accommodation of the public at railroad stations and keeping them in a sanitary condition and penalty for violation thereof.

Received from House, 335.  
First and second reading, 356.  
Reference, 356.  
Reported, 457.  
Passed, 548.

**House Bill No. 82.—(Thompson)**

A bill for an Act to regulate the manufacture of pneumatic rubber tires for motor vehicles and to prevent fraud and deception in the sale thereof.

Received from House, 243.  
First and second reading, 264.  
Reference, 264.  
Reported, 752.  
Passed, 1018, 1260.  
Indefinitely postponed, 937.  
Other action, 1016, 1147, 1152, 1259, 1446.

**House Bill No. 87.—(Davis)**

A bill for an Act relating to the White Stone Hill Memorial Park and making an appropriation therefor.

Received from House, 451.  
First and second reading, 479.  
Reference, 479.  
Reported, 1430.  
Passed, 1504.  
Other action, 1611.

**House Bill No. 90.—(Dixon)**

A bill for an Act relating to the printing of a proposed Constitutional Amendment.

Received from House, 416.  
First and second reading, 439.  
Reference, 439.  
Reported, 1116.  
Passed, 1273.  
Other action, 1543.

**House Bill No. 92.—(Twitchell)**

A bill for an Act to amend Section 1 of Chapter 77 of the Laws of 1911, entitled, an Act to provide for a commission system of government in cities which shall adopt the provisions of this Act.

Received from House, 243.  
First and second reading, 264.  
Reference, 264.  
Reported, 761.  
Passed, 958.  
Other action, 1267.

**House Bill No. 93.—(Lewis)**

A bill for an Act to amend Section 1787 of the Revised Codes of the State of North Dakota for 1905.

Received from House, 528.  
First and second reading, 545.  
Reference, 545, 1080.  
Reported, 698, 1332.  
Passed, 698.  
Other action, 1079, 1081, 1615.

**House Bill No. 94.—(Lewis)**

A bill for an Act making an appropriation for a mess house on the Rock Island Military Wood Reservation near Devils Lake, North Dakota, and a Stand of Colors.

Received from House, 552.  
First and second reading, 567.  
Reference, 567.  
Reported, 698.  
Passed, 892.  
Other action, 1084.

**House Bill No. 95.—(Sorlie)**

A bill for an Act to amend and reenact Section 2494 of the Revised Codes of North Dakota for the year 1905, relating to the duties of state's attorney and attorney general.

Received from House, 242.  
First and second reading, 263.  
Reference, 263.

**House Bill No. 105.—(F. W. Turner)**

A bill for an Act to amend Section 3048 of the Revised Codes of North Dakota for 1905, relating to the organization of townships.

Received from House, 266.  
First and second reading, 299.  
Reference, 299.  
Reported, 711.  
Passed, 893.  
Other action, 1085.

**House Bill No. 111.—(Curry)**

A bill for an Act to provide for the non-partisan nomination and election of the state superintendent of public instruction and county superintendent of schools.

Received from House, 489.  
First and second reading, 520.  
Reference, 520.  
Reported, 1118.  
Passed, 1286.  
Other action, 1445.

**House Bill No. 113.—(Leu)**

A bill for an Act to repeal Chapter 114 of the Laws of 1911, relating to the bonding of county commissioners.  
 Received from House, 242.  
 First and second reading, 263.  
 Reference, 263.  
 Reported, 1057.  
 Indefinitely postponed, 1057.

**House Bill No. 114.—(Ployhar)**

A bill for an Act to provide for the making of permanent improvements at the state normal school at Valley City, North Dakota, to assist in the maintenance thereof and for other purposes and make an appropriation therefor.  
 Received from House, 815.  
 First and second reading, 843.  
 Reference, 843.  
 Reported, 1107.  
 Passed, 1191, 1383.  
 Other action, 1446.

**House Bill No. 116.—(Huso)**

A concurrent resolution amending the Constitution of the State of North Dakota, relating to the uniformity of taxation and permitting the classification of property for the purpose of taxation and relating further to the assessment and taxation of certain public utility companies.  
 Received from House, 266.  
 First and second reading, 298.  
 Reference, 298.  
 Reported, 600.  
 Passed, 671.

**House Bill No. 119.—(Buck)**

A bill for an Act authorizing the court or judge to remove officers for misfeasance, malfeasance or nonfeasance in office, and providing the method of procedure therefor.  
 Received from House, 574.  
 First and second reading, 617.  
 Reference, 617.  
 Reported, 1460.  
 Lost, 1538.

**House Bill No. 122.—(Dean)**

A bill for an Act to amend Sections 1, 2 and 4 of Chapter 258 of the Session Laws of 1907, relating to trade discrimination and unfair competition.  
 Received from House, 242.  
 First and second reading, 263.  
 Reference, 263.  
 Reported, 902.  
 Amended, 1219, 1381.  
 Passed, 1209, 1221, 1381.  
 Reconsidered, 1210, 1508.

**House Bill No. 129.—(O'Connor)**

A bill for an Act entitled, "An Act to amend Section 2478 of the Revised Codes of 1905, relating to partial payment of taxes.  
 Received from House, 243.  
 First and second reading, 264.  
 Reference, 264.  
 Reported, 426.  
 Passed, 522.

**House Bill No. 133.—(Ployhar and Blakemore)**

Concurrent resolution for an amendment of the Constitution, providing for the initiative and referendum, and the provisions thereof, the recall of public officers and future amendments to the Constitution.  
 Received from House, 300.  
 First and second reading, 317.  
 Reference, 317.  
 Reported, 533.  
 Amended, 1345.  
 Passed, 1346.  
 Lost, 1404.  
 Reconsidered, 1400.  
 Other action, 1451.

**House Bill No. 143.—(Owens)**

A bill for an Act providing for taxation and fixing the rate of taxation on inheritances devisees, bequests, legacies and gifts and providing for the manner of payment as well as the manner of enforcing the payment thereof.  
 Received from House, 676.  
 First and second reading, 780.  
 Reference, 780.  
 Reported, 1204.  
 Amended, 1204.  
 Passed, 1319.  
 Other action, 1543.

**House Bill No. 145.—(Lambert)**

A bill for an Act entitled, "An Act to amend and re-enact Section 15 of Chapter 137 of the Session Laws of 1907, relating to the payment of costs or treatment and board of patients in the insane hospital."

Received from House, 676.  
First and second reading, 781.  
Reference, 781.  
Reported, 851.  
Amended, 966.  
Other action, 1355.

**House Bill No. 147.—(Anderson)**

A bill for an Act to appropriate the sum of five thousand dollars for the biennial period for the purchase of books by the Public Library Commission with especial reference to the needs of farmers, school and community libraries.

Received from House, 451.  
First and second reading, 479.  
Reference, 479.  
Reported, 757.  
Passed, 943.  
Other action, 1085.

**House Bill No. 152.—(Harty)**

A bill for an Act to provide for the making of improvements at the North Dakota School of Forestry and to assist in the maintenance thereof, and making appropriation therefor.

Received from House, 450.  
First and second reading, 479.  
Reference, 479.  
Reported, 756.  
Passed, 942.  
Other action, 1267.

**House Bill No. 154.—(Balsdon)**

A bill for an Act requiring treasurers to fair associations to give a bond to the directors thereof.

Received from House, 243.  
First and second reading, 263.  
Reference, 263.  
Amended, 521.  
Lost, 522.  
Reconsidered, 550.  
Passed, 562.

**House Bill No. 155.—(Bartley)**

A bill for an Act permitting counties to appropriate money to prevent the spread of tuberculosis in this state.

Received from House, 527.  
First and second reading, 545.  
Reference, 545.  
Reported, 585.  
Passed, 671.

**House Bill No. 159.—(Wiley)**

A bill for an Act to amend Section 2607 of the Revised Codes of North Dakota for 1905, relating to coroner fees.

Received from House, 575.  
First and second reading, 618.  
Reference, 618.  
Reported, 1327.  
Passed, 1443.  
Other action, 1543.

**House Bill No. 160.—(P. H. Butler)**

A bill for an Act relating to the duties of clerks of courts or other officers in charge of such courts in cancelling and discharging judgments.

Received from House, 300.  
First and second reading, 317.  
Reference, 317.  
Reported, 367.  
Passed, 412.

**House Bill No. 163.—(Norheim)**

A bill for an Act to provide for the preparing of a state budget.

Received from House, 386.  
First and second reading, 411.  
Reference, 411.  
Reported, 1011.  
Passed, 1415.  
Other action, 1522.

**House Bill No. 165.—(Odland)**

A bill for an Act to define co-operative associations to authorize their incorporation, and to declare an emergency.

Received from House, 1172.  
First and second reading, 1187.  
Reference, 1187.  
Reported, 1455.  
Indefinitely postponed, 1455.

**House Bill No. 168.—(Blakemore)**

A bill for an Act to regulate in certain class of cases the entry by county auditors of notations of prior taxes of land upon the tax lists for subsequent years; and when and how empowered to erase, cancel and annual any already entered and noted in cases of that same class.

Received from House, 386.  
First and second reading, 410.  
Reference, 410.  
Reported, 1325.  
Passed, 1446.  
Other action, 1542.

**House Bill No. 170.—(Calnan)**

A bill for an Act providing for physical connections and joint rates between telephone companies defining the same and giving the State Board of Railroad Commissioners certain powers in connection therewith.

Received from House, 528.  
First and second reading, 545.  
Reference, 545.  
Reported, 862.  
Passed, 997, 1175.  
Other action, 1152, 1174.

**House Bill No. 172.—(Twitchell)**

A bill for an Act authorizing the cities to incur indebtedness and issue bonds for certain city purposes, when such proposition for issuing such bonds shall have been approved by a majority vote of the electors of such city, and fixing a limit to the indebtedness to be thereby incurred.

Received from House, 417.  
First and second reading, 439.  
Reference, 439.  
Reported, 799.  
Passed, 962.  
Other action, 1267.

**House Bill No. 174.—(Warriner)**

A bill for an Act to amend and re-enact Chapter 208 of the Session Laws of 1911, relating to expenses of delegates to national conventions.

Received from House, 387.  
First and second reading, 412.  
Reference, 412.  
Reported, 456, 702.  
Indefinitely postponed, 703.

**House Bill No. 177.—(Blakemore)**

A bill for an Act entitled "An Act to amend and re-enact Section 1546 of the Revised Codes of North Dakota of 1905, relating to duties of county treasurer."

Received from House, 553.  
First and second reading, 369.  
Reference, 369.  
Reported, 1325.  
Amended, 1469.  
Passed, 1470.

**House Bill No. 179.—(Morrison)**

A bill for an Act appropriating money for the maintenance and protection of the Military Wood reservation in Ramsey County, North Dakota.

Received from House, 573.  
First and second reading, 620.  
Reference, 620.  
Reported, 1051.  
Passed, 1420.  
Other action, 1612.

**House Bill No. 180.—(Twitchell)**

A bill for an Act to amend Article 4, Chapter 30, of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to powers of city councils.

Received from House, 387.  
First and second reading, 411.  
Reference, 411.  
Reported, 862.  
Amended, 969.  
Passed, 969.  
Other action, 1355.

**House Bill No. 182.—(Gardiner)**

A bill for an Act requiring the owners of contracts creating liens on or reserving title in grain to notify elevators of such liens or reservation of title.

Received from House, 387.  
First and second reading, 410.  
Reference, 410.  
Reported, 494.

**House Bill No. 184.—(Weis)**

A bill for an Act to provide an appropriation for the current and contingent expenses and for the permanent improvements for the state school of science at Wahpeton.

Received from House, 623.  
First and second reading, 669.  
Reference, 669.  
Reported, 756.  
Indefinitely postponed, 756.

**House Bill No. 187.—(Bope)**

A bill for an Act to amend and reenact Section 1597 of the Revised Codes of 1905, as amended by Chapter 302, Laws of 1911, relating to duty of county auditor, and requirements of taxes and deeds.  
 Received from House, 624.  
 First and second reading, 670.  
 Reference, 670.  
 Passed, 1527.  
 Other action, 1616.

**House Bill No. 188.—(Burnett)**

A bill for an Act to amend Section 1871 of the Revised Codes, relating to the purchase, sale and management of an asylum for the poor.  
 Received from House, 376.  
 First and second reading, 383.  
 Reference, 383.  
 Reported, 1588.  
 Indefinitely postponed, 1589.

**House Bill No. 190.—(Sorlie)**

A bill for an Act repealing Chapter 199 of the Session Laws of 1907 and providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers, for the transportation of passengers and baggage, and providing a penalty for the violation thereof.  
 Received from House, 335.  
 First and second reading, 356.  
 Reference, 356.  
 Reported, 561, 1058.  
 Indefinitely postponed, 1058.  
 Other action, 891.

**House Bill No. 192.—(Miller)**

A bill for an Act making an appropriation for the Normal School at Minot to meet an expenditure for the erection of buildings and permanent improvements necessary in connection therewith, and for furnishing, equipment and maintenance.  
 Received from House, 814.  
 First and second reading, 842.  
 Reference, 842.  
 Reported, 1107.  
 Passed, 1192.  
 Other action, 1543.

**House Bill No. 193.—(Hjort)**

A bill for an Act making appropriation for the deficit, covering the support and maintenance during the last biennial report of the Agricultural Sub-experiment Station located at Hettinger.  
 Received from House, 513.  
 First and second reading, 521.  
 Reference, 521.  
 Reported, 755.  
 Passed, 940.  
 Other action, 1084.

**House Bill No. 194.—(Hjort and Stinger)**

A bill for an Act making an appropriation annually for the support and maintenance of the Agricultural Sub-experiment Station located at Hettinger, Adams County.  
 Received from House, 623.  
 First and second reading, 670.  
 Reference, 670.  
 Reported, 754.  
 Passed, 940.  
 Other action, 1267.

**House Bill No. 197.—(Twitchell)**

A bill for an Act to amend Article 4, Chapter 30 of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota for 1905, relating to powers of city councils.  
 Received from House, 387.  
 First and second reading, 411.  
 Reference, 411.  
 Passed, 964.  
 Other action, 1267.

**House Bill No. 198.—(Twitchell)**

A bill for an Act to amend Article 4, Chapter 30 of the Political Code of North Dakota of 1905, relating to powers of city council, as amended by Chapter 79 of the Session Laws of 1911.  
 Received from House, 335.  
 First and second reading, 356.  
 Reference, 356.  
 Reported, 800.  
 Passed, 965.  
 Other action, 1268.

**House Bill No. 201.—(Hill)**

A bill for an Act entitled, "An Act creating the office of deputy commissioner of labor, defining his powers and duties and making an appropriation therefor.

Received from House, 813.

First and second reading, 841.

Reference, 841, 1338.

Amended, 1472, 1493.

Passed, 1493.

Other action, 1583.

**House Bill No. 206.—(Odland)**

A bill for an Act to amend Chapter 201, Session Laws of 1911, relating to transient merchants and peddlers.

Received from House, 488.

First and second reading, 520.

Reference, 520.

Reported, 582.

Amended, 582.

Indefinitely postponed, 891.

**House Bill No. 209.—(Hoge)**

A bill for an Act to amend and reenact Sections 9 and 12 of Chapter 109 of the Laws passed by the Tenth Legislative Assembly of the State of North Dakota and Acts amendatory thereto, relating to primary election ballots and party nominations and repealing Chapter 212 of the Laws of 1911.

Received from House, 1086.

First and second reading, 1104.

Reference, 1104.

Reported, 1344.

Passed, 1500.

Other action, 1613.

**House Bill No. 211.—(Divet and Weis)**

A bill for an Act to appropriate money for the maintenance, care and repair of the State Park at Fort Abercrombie, in Richland County, North Dakota.

Received from House, 451.

First and second reading, 479.

Reference, 479.

Reported, 1430.

Passed, 1505.

Other action, 1611.

**House Bill No. 212.— (Committee on State Affairs)**

A bill for an Act to amend and reenact Section 408 of the Revised Codes of 1905, relating to the bonds of county, township, city, village or school district officers and repealing Section 405 of the Revised Codes of 1905, relating to official bonds of county treasurers.

Received from House, 526.

First and second reading, 545.

Reference, 545.

Reported, 1057.

Indefinitely postponed, 1058.

**House Bill No. 214.—(Williams)**

A bill for an Act to amend Section 1508 of the Revised Codes of North Dakota of 1905, relating to the assessment of bank stock, and to provide a method for reviewing the same, and to repeal inconsistent provisions.

Received from House, 623.

First and second reading, 670.

Reference, 670.

Reported, 1124.

Passed, 1371.

Lost, 1359.

Reconsidered, 1371.

Other action, 1543.

**House Bill No. 218.—(Williams)**

A bill for an Act entitled "An Act amending Section 2693 of the Revised Codes of 1905, relating to cities."

Received from House, 387.

First and second reading, 411.

Reference, 411.

Reported, 800.

Passed, 963, 1520.

Other action, 1268.

**House Bill No. 223.—(Lindstrom)**

A bill for an Act to prohibit the building of a public school house within less than 80 rods from a cemetery, and to prohibit the surveying, platting or laying out of a cemetery within less than 80 rods from a public school house.

Received from House, 387.

First and second reading, 411.

Reference, 411, 571.

Reported, 530, 628.

Indefinitely postponed, 531, 628.

Reconsidered, 571.

**House Bill No. 225.—(Divet)**

A bill for an Act to amend Section 10 of Chapter 129, Laws of 1911, relating to charitable contributions by candidates.

Received from House, 417.  
First and second reading, 439.  
Reference, 439.  
Reported, 910.  
Passed, 1300.  
Other action, 1446.

**House Bill No. 226.—(Divet)**

A bill for an Act authorizing the Supreme Court of North Dakota to direct the Bar Association of North Dakota for the disbarment, or other discipline, of practicing attorneys of the State of North Dakota, providing for the payment of counsel in the conduct of such disbarment proceedings and authorizing the Supreme Court to fix the amount and direct the payment thereof.

Received from House, 575.  
First and second reading, 620.  
Reference, 620.  
Reported, 1329.  
Passed, 1464.  
Other action, 1542.

**House Bill No. 227.—(Owens)**

A bill for an Act to authorize changes in the schedule of items to be listed and valued for purposes of taxation.

Received from House, 318.  
First and second reading, 333.  
Reference, 333.  
Reported, 1351.  
Passed, 1512.  
Other action, 1613.

**House Bill No. 228.—(Hill of Cass)**

A bill for an Act declaring to be common nuisance any house, building, room or place where gambling paraphernalia is kept and where persons resort, or are permitted to resort for gambling or disorderly purpose and prescribing remedies for the prevention and penalties for the violation of the same.

Received from House, 814.  
First and second reading, 842.  
Reference, 842.  
Reported, 904.  
Passed, 1210.  
Other action, 1445.

**House Bill No. 229.—(Walsh)**

A bill for an Act creating park districts for villages and providing for the government thereof, creating a board of park commissioners, and specifying the power and authority of such commissioners.

Received from House, 553.  
First and second reading, 568.  
Reference, 568.  
Reported, 1122.  
Passed, 1359.  
Other action, 1540.

**House Bill No. 233.—(Bartley)**

A bill for an Act making an appropriation to meet the deficiency incurred by the State Live Stock Sanitary Board in carrying out the purposes of Chapter 169 of the Session Laws of 1907.

Received from House, 450.  
First and second reading, 480.  
Reference, 480.  
Reported, 755.  
Passed, 941.  
Other action, 1084.

**House Bill No. 234.—(Bartley)**

A bill for an Act to amend Section 19 of Chapter 169 of the Laws of 1907, entitled "An Act to establish the Live Stock Sanitary Board of North Dakota and to provide for the suppression and control of dangerous, contagious and infectious diseases of domestic animals," and the amendment thereto, Chapter 37, Session Laws of 1909.

Received from House, 527.  
First and second reading, 544.  
Reference, 544.  
Reported, 911, 978, 1330.  
Passed, 1439.  
Other action, 1542.

**House Bill No. 238.—(Homan)**

A bill for an Act to amend Section 70 of Chapter 266 of the Session Laws of 1911, relating to the purchase of school supplies.

Received from House, 1086.  
First and second reading, 1103.  
Reference, 1103.  
Reported, 1243.  
Amended, 1411.  
Passed, 1411.  
Other action, 1542.

**House Bill No. 239.—(Hendrickson)**

A bill for an Act to amend and reenact Chapter 301 of the Session Laws of 1911, relating to auditor's notice of tax sale, and providing for the manner of preparing copy for, and the publication of, the auditor's notice of tax sale, and for the furnishing of bond by the person or persons publishing the newspapers in which such tax list shall be published.

Received from House, 814.  
First and second reading, 842.  
Reference, 842.  
Reported, 1393.  
Amended, 1449.  
Passed, 1450.  
Other action, 1612.

**House Bill No. 240.—(Bjornson)**

A bill for an Act to amend and reenact Section 3 of Chapter 264 of the Session Laws of 1911, relating to a thorough system of instruction in schools.

Received from House, 387.  
First and second reading, 411.  
Reference, 411.  
Reported, 531.  
Indefinitely postponed, 531.

**House Bill No. 242.—(Fritz)**

A bill for an Act to prohibit the soliciting or receiving of gratuities or tips by the patrons or employees of public places or public service corporations; and prohibiting the giving or tendering of tips or gratuities and providing a penalty for the violation of this Act.

Received from House, 417.  
First and second reading, 439.  
Reference, 439.  
Reported, 1328.  
Indefinitely postponed, 1443.

**House Bill No. 245.—(Fritz)**

A bill for an Act to amend Section 7575 of the Revised Codes of North Dakota for A. D. 1905 and prescribing the instances where the right of eminent domain may be exercised for public uses.

Received from House, 573.  
First and second reading, 619.  
Reference, 619.  
Reported, 851.  
Indefinitely postponed, 851.

**House Bill No. 246.—(Fritz)**

A bill for an Act providing for the construction, maintenance and repair of wire fences along public highways, and providing for penalties for violations of the provisions of this Act.

Received from House, 528.  
First and second reading, 544.  
Reference, 544.  
Reported, 632.  
Indefinitely postponed, 632.

**House Bill No. 248.—(Lambert)**

A bill for an Act to amend Section 26 of Chapter 62, Laws of 1911, relating to board of control and providing for the commitment of non-resident insane patients to the state hospital by county board of commissioners of insanity.

Received from House, 376.  
First and second reading, 382.  
Reference, 382.  
Reported, 1395.  
Other action, 1613.

**House Bill No. 249.—(Martin)**

A bill for an Act prescribing the duties of the state engineer in connection with the construction of highway bridges and culverts.

Received from House, 416.  
First and second reading, 440.  
Reference, 440.  
Reported, 538.  
Passed, 570.

**House Bill No. 250.—(Williams)**

A bill for an Act making an appropriation to pay F. O. Hellstrom for the use of land for the state penitentiary for the years 1907, 1908, 1909, 1910, 1911, 1912.

Received from House, 622.  
First and second reading, 669.  
Reference, 669.  
Reported, 758.  
Passed, 955.  
Other action, 1084.

**House Bill No. 252.—(Hawkinson)**

A bill for an Act to amend Section 8 of Chapter 62 of the Session Laws of 1911, relating to institutions under jurisdiction of the board of control of state institutions.

Received from House, 449.  
First and second reading, 480.  
Reference, 480.  
Reported, 1395.  
Passed, 1513.  
Other action, 1612.

**House Bill No. 253.—(Hawkinson)**

A bill for an Act to provide that portions of the grounds belonging to the state tuberculosis sanitarium may be leased to individuals, firms, corporations, associations or societies for the purpose of erecting cottages for patients afflicted with tuberculosis when such property is used exclusively for charitable purposes.

Received from House, 527.  
First and second reading, 545.  
Reference, 545.  
Reported, 752.  
Indefinitely postponed, 1505.

**House Bill No. 255.—(Haraldson)**

A bill for an Act to amend and reenact Chapter 41 of the Session Laws of 1907, Chapter 308 of the Session Laws of 1911 and Section 2083 of the Revised Codes of 1905, relating to the planting of trees and providing a bounty for the encouragement of same.

Received from House, 574.  
First and second reading, 620.  
Reference, 620.  
Reported, 1391.  
Indefinitely postponed, 1391.

**House Bill No. 256.—(Calnan)**

A bill for an Act providing for a bounty for and defining shelter hedges.

Received from House, 574.  
First and second reading, 619.  
Reference, 619.  
Reported, 1069.  
Indefinitely postponed, 2069.

**House Bill No. 258.—(Norheim)**

A bill for an Act to limit tax levies during the years 1913 and 1914, to restrict debt limits, and to regulate salaries of officers which, under existing laws, depend upon assessed valuation.

Received from House, 994.  
First and second reading, 1101.  
Reference, 1101.  
Reported, 1324.  
Passed, 1465.  
Other action, 1542.

**House Bill No. 260.—(Owens)**

A bill for an Act making an appropriation for the Williston Experimental Station located at Williston, in Williams County, North Dakota.

Received from House, 622.  
First and second reading, 669.  
Reference, 669.  
Reported, 758.  
Passed, 958.  
Other action, 1084.

**House Bill No. 261.—(Lindstrom)**

A bill for an Act to amend Section 7459 of the Revised Codes of 1905, relating to publication of notice of foreclosure and publisher's affidavit of publication.

Received from House, 527.  
First and second reading, 544.  
Reference, 544.

**House Bill No. 264.—(Streeter)**

A bill for an Act providing for failure to close gates on private roadways.

Received from House, 575.  
First and second reading, 618.  
Reference, 618.  
Reported, 865.  
Passed, 970.  
Other action, 1268.

**House Bill No. 267.—(Moen)**

A bill for an Act to amend Sections 1, 2, 3 and 5 of Chapter 279 of the Session Laws of 1911, entitled "An Act to amend Section 1, 3, 5, 8 and 13 of Chapter 161 of the Session Laws of 1909."

Received from House, 552, 882.  
First and second reading, 568.  
Reference, 568.  
Reported, 912.  
Passed, 1301.  
Other action, 1584.

**House Bill No. 268.—(O'Connor)**

A bill for an Act limiting the time within which real estate mortgages may be foreclosed.

Received from House, 813.  
First and second reading, 841.  
Reference, 841.  
Indefinitely postponed, 1014.

**House Bill No. 270.—(Geiger)**

A bill for an Act to appropriate money for the maintenance, care and repair of the Old Settlers' and Historical Park at Waihalla, in Pembina County, North Dakota.  
 Received from House, 513.  
 First and second reading, 521.  
 Reference, 521.  
 Reported, 1431.  
 Passed, 1506.

**House Bill No. 274.—(Williams)**

A bill for an Act authorizing the board of trustees of public property to acquire for the state, by purchase or condemnation proceedings in the name of the state, additional land for capitol park and site purposes and making an appropriation therefor.  
 Received from House, 1086.  
 First and second reading, 1103.  
 Reference, 1103, 1382.  
 Reported, 1456.  
 Passed, 1499.  
 Other action, 1583.

**House Bill No. 282.—(Dean)**

A bill for an Act to amend Sections 921, 923, 924, 925, 928 and 933 of the Revised Codes of the State of North Dakota of 1905, relating to city and school depositories.  
 Received from House, 575.  
 First and second reading, 618.  
 Reference, 618.  
 Reported, 1205.

**House Bill No. 283.—(Lewis)**

A bill for an Act to prohibit false and misleading advertising of all kinds, and providing a penalty therefor.  
 Received from House, 449.  
 First and second reading, 480.  
 Reference, 480.  
 Reported, 1394.  
 Passed, 1522.  
 Other action, 1616.

**House Bill No. 287.—(Hendrickson)**

A bill for an Act entitled, "An Act to appropriate \$578.35 out of the general fund in the state treasury not otherwise appropriated to the County of Burke, State of North Dakota, for the purpose of reimbursing said county for moneys paid out of the county treasury on

account of glandered horses.  
 Received from the House, 450.  
 First and second reading, 480.  
 Reference, 480.  
 Reported, 757.  
 Passed, 945.  
 Other action, 1084.

**House Bill No. 288.—(Moen)**

A bill for an Act providing for the inspection of freight and express books and records by the state's attorney in the enforcement of the prohibition law.  
 Received from House, 488.  
 First and second reading, 520.  
 Reference, 520.  
 Reported, 1132.  
 Passed, 1321.  
 Other action, 1542.

**House Bill No. 290.—(F. W. Turner)**

A bill for an Act to repeal Section 1503 of the Revised Codes of North Dakota of 1905, relating to the assessment of property of companies or associations and the listing of the same.  
 Received from House, 416.  
 First and second reading, 440.  
 Reference, 440.  
 Reported, 1125.  
 Passed, 1363.  
 Other action, 1542.

**House Bill No. 293.—(France)**

A bill for an Act to appropriate money for the expenses of the state government and for other purposes; to repeal certain laws which may conflict with this general appropriations bill, when such repeal is specifically stated following; specifying the amount and time for which such appropriations shall be available, and providing the manner in which the appropriations herein made shall be paid.  
 Received from House, 936.  
 First and second reading, 960.  
 Reference, 960.  
 Reported, 1456.  
 Amended, 1456.  
 Passed, 1507.  
 Other action, 1624.

**House Bill No. 294.—(Twitchell)**

A bill for an Act repealing Chapter 3 of the Laws of North Dakota for the year 1911.

Received from House, 416, 639.

First and second reading, 240.

Reference, 240, 640.

Reported, 483, 1069.

Passed, 1420.

Indefinitely postponed, 583.

Other action, 640, 1584.

**House Bill No. 296.—(Calnan)**

A bill for an Act providing for stopping of passenger trains at junction points.

Received from House, 881.

First and second reading, 889.

Reference, 889.

Reported, 1397.

**House Bill No. 297.—(Fox)**

A bill for an Act to reimburse John Harold for work done under the direction of the capitol commission in grading Ninth street to the state capitol.

Received from House, 450.

First and second reading, 480.

Reference, 480.

Reported, 978.

Passed, 1313.

Other action, 1584.

**House Bill No. 300.—(Miller)**

A bill for an Act making an appropriation for the mining sub-station at Hebron, Morton county, for the purpose of perfecting the process or formula used in the manufacturing of briquettes.

Received from House, 623.

First and second reading, 669.

Reported, 1108.

Indefinitely postponed, 1359.

Other action, 1583.

**House Bill No. 307.—(Walsh)**

A bill for an Act to amend and reenact Section 2231 of the Revised Codes of North Dakota, as amended by Chapter 1 of the 1907 Session Laws, relating to abstractors of title, and to repeal Chapter 329 of the Session Laws of 1911, relating to abstractors of title.

Received from House, 553.

First and second reading, 569.

Reference, 569.

Reported, 1323.

Amended, 1509.

Passed, 1510.

Other action, 1612.

**House Bill No. 309.—(Wardrope)**

A bill for an Act to amend Section 6295 of the Revised Code of North Dakota for 1905, as amended by Chapter 168 of the Laws of 1907, providing for a lien for repairs upon personal property.

Received from House, 522, 882.

First and second reading, 568.

Reference, 568, 888.

Reported, 1133.

Indefinitely postponed, 1353.

Other action, 764.

**House Bill No. 311.—(Streeter)**

A bill for an Act to amend Section 1217, of the Revised Codes of 1905, relating to funds of soldiers' home. How kept.

Received from House, 450.

First and second reading, 480.

Reference, 480.

Reported, 1392.

Passed, 1484.

Other action, 1584.

**House Bill No. 312.—(Sorlie)**

A bill for an Act to amend Sections 2294 and 2296 and re-enacting Section 2295 of the Revised Codes of 1905, relating to the publication of Constitutional Amendments.

Received from House, 553.

First and second reading, 569.

Reference, 569.

Reported, 852.

Passed, 968.

**House Bill No. 314.—(O'Connor)**

A bill for an Act to legalize deeds, judgments and decrees.

Received from House, 814.

First and second reading, 841.

Reference, 841.

Reported, 905.

Passed, 1211.

Other action, 1445.

**House Bill No. 318.—(Bass)**

A bill for an Act creating a state board of chiropractic examiners to regulate the practice of chiropractic in the State of North Dakota; defining chiropractic and to provide for licensing chiropractors and to prescribe penalties for the violation of this Act.

Received from House, 527.

First and second reading, 544.

Reference, 544.

**House Bill No. 319.—(Bass)**

A bill for an Act to amend Section 3, of Chapter 129, of the Session Laws of 1911, relating to rates for state officers in the publicity pamphlet.

Received from House, 676.  
First and second reading, 780.  
Reference, 780.  
Reported, 115.  
Passed, 1272.  
Other action, 1540.

**House Bill No. 321.—(Morrison)**

A bill for an Act to amend Section 2020 of the Revised Code of 1905, relating to registration fees and compensation of the state board of veterinary examiners, and the amendment thereto, Chapter, 282, Session Laws of 1911.

Received from House, 450.  
First and second reading, 479.  
Reference, 479.  
Reported, 798.  
Passed, 962.  
Other action, 1268.

**House Bill No. 328.—(Norheim)**

A bill for an Act to regulate the certification of public accountants and the practicing of the profession of accountancy in North Dakota.

Received from House, 677.  
First and second reading, 782.  
Reference, 782.  
Reported, 1325.  
Passed, 1465.  
Other action, 1612.

**House Bill No. 329.—(Kyllo)**

A bill for an Act providing for the proper identification of persons charged with the commission of a public offense.

Received from House, 575.  
First and second reading, 618.  
Reference, 618.  
Reported, 753.  
Passed, 939.  
Other action, 1084.

**House Bill No. 330.—(O'Connor)**

A bill for an Act to amend Section 4463 of the Revised Codes of 1905, relating to conditions of admission of foreign insurance companies to do business in this state.

Received from House, 1171.  
First and second reading, 1188.  
Reference, 1188.  
Reported, 1458.  
Indefinitely postponed, 1458.

**House Bill No. 335.—(Streeter)**

A bill for an Act amending and re-enacting Section 1213, Chapter 278, of the Session Laws of 1911, relating to boards of trustees of the soldiers' home.

Received from House, 450.  
Reported, 1392.  
Amended, 1392.  
Passed, 1483.

**House Bill No. 337.—(Streeter)**

A concurrent resolution amending Section 45 of Article 2 of the Constitution of the State of North Dakota, relating to the compensation of the members of the Legislative Assembly.

Received from House, 528.  
First and second reading, 544.  
Reference, 544.  
Reported, 701.  
Indefinitely postponed, 893, 1022.  
Other action, 895.

**House Bill No. 338.—(Weis)**

A bill for an Act to establish a day in the State of North Dakota, to be known as "Mothers' Day."

Received from House, 814.  
First and second reading, 841.  
Reference, 841.  
Reported, 1326.  
Passed, 1448.  
Other action, 1541.

**House Bill No. 339.—(Dynes)**

A bill for an Act providing for the appointment of a township overseer of highways and his compensation, defining his duties and powers, and providing for the levying and collection of road taxes and their distribution.

Received from House, 489.  
First and second reading, 520.  
Reference, 520.  
Reported, 538.  
Passed, 620.

**House Bill No. 340.—(Curry)**

A bill for an Act amending Section 2 of Chapter 128 of the Session Laws of North Dakota for 1905, being Section 8878 of the Revised Codes of North Dakota for 1905. Received from House, 488. First and second reading, 488. Reference, 520. Reported, 851. Passed, 965. Other action, 1147, 1152, 1445.

**House Bill No. 341.—(O'Connor)**

A bill for an Act to amend Section 8 of Chapter 177, Session Laws of 1911, relating to dependent and neglected children. Received from House, 553. First and second reading, 569. Reference, 569. Reported, 1327. Passed, 1443. Other action, 1541.

**House Bill No. 342.—(Northrop)**

A bill for an Act to prevent procreation of confirmed criminals, insane, idiots, defectives and rapists; providing for a board of medical examiners and making provision for carrying out the same. Received from House, 527. First and second reading, 545. Reference, 545, 585. Reported, 585, 1238. Amended, 1238. Passed, 1408. Other action, 1541.

**House Bill No. 343.—(Burnett)**

A bill for the relief of Company L, First Regiment, North Dakota National Guard Training School, a corporation. Received from House, 574. First and second reading, 619. Reference, 619. Reported, 906. Passed, 1312. Other action, 1508.

**House Bill No. 349.—(P. H. Butler)**

A bill for an Act providing for county treasurers notice to taxpayers. Received from House, 1043. First and second reading, 1102. Reference, 1102. Reported, 1245. Indefinitely postponed, 1511.

**House Bill No. 350.—(Stenehjem)**

A bill for an Act to avoid the expense of selling land or lots for a trivial tax. Received from House, 575. First and second reading, 618. Reference, 618. Reported, 916.

**House Bill No. 355.—(Dean)**

A bill for an Act to provide for non-partisan municipal elections and method of making nominations for such officers. Received from House, 994. First and second reading, 479. Reference, 479, 1101. Reported, 1343. Amended, 1343. Passed, 1486. Other action, 1612.

**House Bill No. 357.—(Buck)**

A bill for an Act to amend and reenact Section 1189 of the Revised Codes of North Dakota for 1905. Received from House, 528. First and second reading, 546. Reference, 546. Reported, 902. Amended by Conference Committee, 1341. Passed, 1208. Other action, 1541.

**House Bill No. 358.—(Divet, Lambert and Buck)**

A bill for an Act providing the rules of practice to prevail in the district courts, county courts of increased jurisdiction, before referees appointed by such courts and in the Supreme court, and repealing Sections 7054, 7055, 7056, 7057, 7058, 7059, 7064, 7065, 7067, 7068, 7069, 7204 and all other laws in conflict therewith. Received from House, 553. First and second reading, 568. Reference, 568. Reported, 1065. Amended, 1436. Passed, 1436. Other action, 1611.

**House Bill No. 360.—(Williams)**

A bill for an Act authorizing and directing the board of university and school lands and the state treasurer to allow counties, cities, villages and school districts that have sold their bonds at par to the state to redeem any of said bonds when they have sufficient funds in their sinking fund to redeem one or more bonds at par with the accrued interest.

Received from House, 935.  
First and second reading, 959.  
Reference, 959.  
Reported, 1144.  
Indefinitely postponed, 1144.

**House Bill No. 361.—(Moen)**

A bill for an Act to amend Section 1350 of the Revised Codes of 1905, as amended in Chapter 148 of the Laws of 1911, relating to laying out, altering or discontinuing roads.

Received from House, 1085.  
First and second reading, 1103.  
Reference, 1103.  
Reported, 1216.  
Passed, 1437.  
Other action, 1508.

**House Bill No. 369.—(Twichell)**

A bill for an Act to provide for suspension or modification of sentence of persons convicted of misdemeanors.

Received from House, 678.  
First and second reading, 780.  
Reference, 780.  
Reported, 852.  
Passed, 968.  
Other action, 1268.

**House Bill No. 372.—(Twichell)**

A bill for an Act to amend Section 4588 of the Revised Codes of North Dakota of 1905, relating to the powers of cemetery corporations.

Received from House, 741.  
First and second reading, 783.  
Reference, 783.  
Reported, 912.  
Passed, 1306.  
Other action, 1445.

**House Bill No. 373.—(Putnam)**

A bill for an Act to provide for the care, maintenance and instruction of blind babies and children under school age.

Received from House, 994.  
First and second reading, 1100.  
Reference, 1100.  
Reported, 1245.  
Amended, 1414.  
Passed, 1414.  
Other action, 1616.

**House Bill No. 374.—(Owens)**

A bill for an Act to amend Section 2770, of the Revised Codes of 1905, amended by Chapter 46 of the Laws of North Dakota, A. D., 1907, relating to sidewalk special assessment funds.

Received from House, 623.  
First and second reading, 670.  
Reference, 670.  
Reported, 1066.  
Passed, 1434.  
Other action, 1509.

**House Bill No. 375.—(Owens)**

A bill for an Act to amend Section 2657 of the Revised Codes of 1905, with respect to the revision and adoption of ordinances by cities.

Received from House, 741.  
First and second reading, 782.  
Reference, 782.  
Reported, 1123.  
Passed, 1407.  
Other action, 1522.

**House Bill No. 376.—(Odland)**

A bill for an Act to provide for the disposition of school and institutional lands required for townsite purposes, school house sites, church sites, cemetery sites, sites for other educational or charitable purposes, public parks, fair grounds, public highways, railroad right of way and other railroad uses and purposes; reservoirs for the storage of water for irrigation, grain ditches and irrigation ditches and lands required for any of the purposes over which the right of eminent domain may be exercised under the Constitution and laws of this state.

Received from House, 553.  
First and second reading, 568.  
Reference, 568.  
Reported, 1580.  
Lost, 1589.

**House Bill No. 377.**—(Williams)

A bill for an Act providing for accepting by the State of North Dakota any military reservation, Indian school reservation and all property connected therewith, that the United States may cede or transfer to the State of North Dakota, subject to any conditions and requirements which congress may make.

Received from House, 935.  
First and second reading, 959.  
Reference, 959.  
Reported, 1094.  
Amended, 1419.  
Passed, 1419.  
Other action, 1543.

**House Bill No. 378.**—(Bartley)

A bill for an Act to amend Sections 259, 262, 263, 264, 267, 275, 3116 and 3117 of the Revised Codes of 1905, relating to county and township boards of health and relating to the meetings and duties of officers of county boards of health.

Received from House, 1291.  
First and second reading, 1302.  
Reference, 1302.  
Reported, 1455.  
Passed, 1498.  
Other action, 1612.

**House Bill No. 380.**—(Committee on Highways)

A bill for an Act entitled, "An Act authorizing private associations or organizations to work upon and improve the public roads at their own expense and to name said roads under the authority and with the approval of the county commissioners of the various counties.

Received from House, 574.  
First and second reading, 619.  
Reference, 619.  
Reported, 707.  
Amended, 894.  
Passed, 894.  
Other action, 1268.

**House Bill No. 389.**—(Twichell)

A bill for an Act to amend Section 5 of Chapter 109 of the Laws of 1907, relating to primary elections.

Received from House, 740.  
First and second reading, 783.  
Reference, 783.  
Reported, 910.  
Passed, 1298.  
Other action, 1445.

**House Bill No. 392.**—(Twichell)

A bill for an Act to amend Sections 20 and 38 of Chapter 77 of the Laws of 1911, entitled, "An Act to provide for a commission system of government in cities which shall adopt the provisions of this Act."

Received from House, 552.  
First and second reading, 567.  
Reference, 567.  
Reported, 1122.  
Passed, 1362.  
Other action, 1615.

**House Bill No. 393.**—(Buck)

A bill for an Act providing for the satisfaction of judgments pleading an appeal therefrom to the supreme court.

Received from House, 678.  
First and second reading, 782.  
Reference, 782.  
Reported, 852.  
Passed, 967.  
Other action, 1268.

**House Bill No. 395.**—(Dynes)

A bill for an Act to provide that notice of foreclosure of mortgages upon personal property shall be given to the county.

Received from House, 574.  
First and second reading, 574.  
Reference, 618.  
Indefinitely postponed, 905.

**House Bill No. 396.**—(Lewis)

A bill for an Act to amend Section 2801 of the Revised Codes of North Dakota of 1905, relating to special assessments in cities.

Received from House, 552.  
First and second reading, 569.  
Reference, 569.  
Reported, 1123.  
Passed, 1406.  
Other action, 1523.

**House Bill No. 403.**—(Lambert)

A concurrent resolution to amend Section 119 of the constitution of the State of North Dakota, pertaining to candidacy of judges of the supreme court or district courts for other offices during the term for which they have been elected.

Received from House, 1291.  
First and second reading, 1302.  
Reference, 1302.

**House Bill No. 405.**—(Martin)

A bill for an Act to amend Section 1 of Chapter 177 of the Session Laws of North Dakota for 1907, relating to attorney's fees on foreclosure.

Received from House, 1085.

First and second reading, 1103.

Reference, 1103.

Reported, 1530.

Indefinitely postponed, 1530.

**House Bill No. 406.**—(Hanson)

A bill for an Act to amend Chapter 156 of the Laws of 1907.

Received from House, 1086, 1614.

First and second reading, 1103.

Reference, 1103.

Reported, 1458.

Passed, 1510.

Indefinitely postponed, 1458. Reconsidered, 1510.

**House Bill No. 408.**—(Batzer)

A bill for an Act to repeal Section 9202 of the Revised Codes of 1905, as amended by Chapter 43 of the Session Laws of 1907, and Section 9203 of the Revised Codes of 1905.

Received from House, 622.

First and second reading, 670.

Reference, 670.

Reported, 980.

Passed, 1361.

Other action, 1508.

**House Bill No. 409.**—(Haraldson)

A bill for an Act authorizing the establishment of nurseries under the supervision of a state forester (providing for the distribution of seeds and forest trees seedlings to institutions and land owners of the state.

Received from House, 814.

First and second reading, 842.

Reference, 842.

Reported, 1069.

Passed, 1437.

Other action, 1508.

**House Bill No. 410.**—(Haraldson)

A bill for an Act to amend and reenact Section 7119 of the Revised Codes of North Dakota for 1905, relating to exemptions.

Received from House, 574.

First and second reading, 619.

Reference, 619.

Reported, 1132.

Passed, 1318.

Other action, 1612.

**House Bill No. 413.**—(Gardiner)

A bill for an Act providing for the inspection of coal imported into this state and charging the state oil inspector and his deputies with the performance of his duties imposed by this Act.

Received from House, 1171.

First and second reading, 1187.

Reference, 1187.

Reported, 1243.

Passed, 1511.

Other action, 1615.

**House Bill No. 414.**—(Stenehjelm)

A bill for an Act to provide for the collection, arrangement and display of the products and resources of the State of North Dakota at the Centennial Exposition to be held in Christiania, Norway, in 1914, and providing for a board of commissioners therefor, and making an appropriation for such purpose.

Received from House, 1262.

First and second reading, 1302.

Reference, 1302.

Reported, 1333.

Passed, 1478.

Other action, 1584.

**House Bill No. 415.**—(Stenehjelm)

A bill for an Act to amend Section 2386 of the Revised Codes of 1905, providing for the increase or diminishing of the number of county commissioners.

Received from House, 994.

First and second reading, 1101.

Reference, 1101.

Reported, 1326.

Passed, 1444.

Other action, 1541.

**House Bill No. 416.**—(Carey)

A bill for an Act to compensate persons who have been wrongfully and innocently incarcerated and imprisoned in the state penitentiary.

Received from House, 678.

First and second reading, 780.

Reference, 780.

Reported, 1328.

**House Bill No. 417.—(Lindstrom)**

A bill for an Act to amend and reenact Chapter 221 of the Session Laws of North Dakota for 1907, entitled, 'An Act providing for the giving of notice by merchants to their creditors before making sale of thier entire stock or business.'

Received from House, 741.  
First and second reading, 783.  
Reference, 783.  
Reported, 1056.  
Passed, 1431.  
Other action, 1508.

**House Bill No. 420.—(Committee on Judiciary)**

A bill for an Act to amend Section 470 of the Revised Codes for 1905 of the State of North Dakota, as amended by Chapter 172 of the Session Laws of 1911 of the State of North Dakota, relating to the boundaries of, and terms of court in, the Second Judicial District.

Received from House, 677.  
First and second reading, 782.  
Reference, 782.  
Reported, 1012.  
Passed, 1417.  
Other action, 1523.

**House Bill No. 421.—(Committee on Judiciary)**

A bill for an Act to amend Section 474 of the Revised Codes, 1905, as amended by Chapter 171 of the Laws of 1911, relating to the boundaries and terms of court in the Sixth Judicial District.

Received from House, 677.  
First and second reading, 781.  
Reference, 781.  
Reported, 1013.  
Passed, 1418.  
Other action, 1523.

**House Bill No. 422.—(Harty)**

A bill for an Act to provide funds for the erection, purchase, lease, or establishment of a terminal elevator system in the State of Wisconsin, or in the State of Minnesota, or in both said states, and for the maintenance and operating of the same, and for the establishment of additional duties of the board of control of state institu-

tions in relation thereto.

Received from House, 815.  
First and second reading, 843.  
Reference, 843.  
Reported, 1391.  
Amended, 1412, 1582.  
Passed, 1413, 1582.  
Indefinitely postponed, 1392. Reconsidered, 1412.  
Other action, 1624.

**House Bill No. 423.—(Twichell)**

A bill for an Act to amend Sections 628, 629 and 631 of the Revised Codes of North Dakota of 1905, relating to elections.

Received from House, 740.  
First and second reading, 783.  
Reference, 783.  
Reported, 909.  
Passed, 1299.  
Other action, 1446.

**House Bill No. 424.—(Hanson)**

A bill for an Act to repeal Chapter 145 of the Laws of 1907.

Received from House, 1156.  
First and second reading, 1186.  
Reference, 1186.  
Reported, 1457.  
Passed, 1503.  
Other action, 1583.

**House Bill No. 425.—(Homan)**

A bill for an Act to amend Article 4, Chapter 30 of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to powers of city councils.

Received from House, 741.  
First and second reading, 783.  
Reference, 783.  
Reported, 1119.  
Lost, 1291.

**House Bill No. 426.—(Committee on Judiciary)**

A bill for an Act to amend Section 473 of the Revised Codes of North Dakota for the year 1905, as amended by Chapter 74 of the Session Laws of 1909, relating to the boundaries of and terms of court in the Fifth Judicial District.

Received from House, 677.  
First and second reading, 781.  
Reference, 781.  
Reported, 1013.  
Passed, 1415.  
Other action, 1541.

**House Bill No. 427.**—(Committee on Judiciary)

A bill for an Act to amend Chapter 161 of the Session Laws of 1907, as amended by Chapter 76 of the Session Laws of 1909, of the State of North Dakota, relating to the boundaries of and terms of court in the Ninth Judicial District.

Received from House, 677.  
First and second reading, 782.  
Reference, 782.  
Indefinitely postponed, 1014.

**House Bill No. 428.**—(Wardrope)

A bill for an Act entitled, "An Act specifying who may be sent to the state reform school and amending Section 10401 of the Revised Codes of North Dakota of 1905."

Received from House, 993.  
First and second reading, 1102.  
Reference, 1102.  
Reported, 1396.  
Passed, 1484.  
Other action, 1543.

**House Bill No. 429.**—(Leu)

A bill for an Act to amend and reenact Section 9452 of the Revised Codes of 1905, pertaining to the promiscuous distribution of drug samples.

Received from House, 1172, 1614.  
First and second reading, 1187.  
Reference, 1187.  
Reported, 1344.  
Passed, 1435, 1614.  
Indefinitely postponed, 144. Reconsidered, 1529.  
Other action, 1624.

**House Bill No. 432.**—(Fritz)

A bill for an Act to amend and reenact Sections 2792, 2793 and 2804 of the Revised Codes of North Dakota for 1905, relating to special assessments for sewers, water mains, sidewalks and other purposes.

Received from House, 994.  
First and second reading, 1100.  
Reference, 1100.  
Reported, 1396.  
Passed, 1485.  
Other action, 1541.

**House Bill No. 433.**—(Moen)

A bill for an Act to amend Section 2548 of the Revised Codes of North Dakota for 1905, relating to the compensation of the public administrator.

Received from House, 622.  
First and second reading, 671.  
Reference, 671.  
Reported, 865.  
Indefinitely postponed, 970.

**House Bill No. 434.**—(Hendrickson)

A bill for an Act to amend and reenact Section 1349 of the Revised Codes, relating to the jurisdiction of township supervisors and county commissioners in laying out public highways.

Received from House, 882.  
First and second reading, 888.  
Reported, 981.  
Passed, 1357.  
Other action, 1508.

**House Bill No. 442.**—(Watt)

A bill for an Act to prohibit township treasurers from depositing township moneys in their own name.

Received from House, 1171.  
First and second reading, 1187.  
Reported, 1227.  
Passed, 1315.  
Other action, 1542.

**House Bill No. 448.**—(Twichell)

A bill for an Act to amend Section 2589 of the Revised Codes of 1905, as amended by Chapter 119 of the Session Laws of 1909, relating to fees in county court.

Received from House, 993.  
First and second reading, 1101.  
Reported, 1330.  
Other action, 1542.

**House Bill No. 453.**—(Twichell)

A bill for an Act to amend Section 9 of Chapter 80 of the Session Laws of North Dakota for the year 1909, relating to practice in county courts having increased jurisdiction.

Received from House, 993.  
First and second reading, 1102.  
Reference, 1102.  
Reported, 1329.  
Passed, 1442.  
Other action, 1542.

**House Bill No. 456.—(Twitchell)**

A bill for an Act to provide for the manner of letting and making all contracts by or on the behalf of cities for work or improvements.  
 Received from House, 1086, 1564.  
 First and second reading, 1103.  
 Reference, 1103.  
 Reported, 1342.  
 Amended, 1342.  
 Lost, 1613.  
 Indefinitely postponed, 1493. Reconsidered, 1567.

**House Bill No. 459.—(Twichell)**

A bill for an Act regulating the sweeping of railway coaches or cars while occupied by passengers and providing for a penalty therefor.  
 Received from House, 814.  
 First and second reading, 841.  
 Reference, 841.  
 Reported, 1070.  
 Other action, 1508.

**House Bill No. 463.—(Ryan)**

A bill for an Act prohibiting the making of false representations by agents and prescribing penalty for violation thereof.  
 Received from House, 882.  
 First and second reading, 888.  
 Reference, 888.  
 Revoted, 1135.  
 Indefinitely postponed, 1135.

**House Bill No. 467.—(Lambert)**

A bill for an Act requiring every railroad, railroad corporation, railway company, car company and every common carrier other than by water whether operated by steam or electricity, to keep and maintain a constant and uninterrupted lookout for animals, pedestrians or any obstructions on its track that might interfere with the moving of trains and making such railroad, railroad corporation, railway company, car company and of every such common carrier liable for any damages caused by its failure to keep and maintain such lookout and abolishing the defense of contributory negligence in such cases.  
 First and second reading, 889.  
 Reference, 889.  
 Reported, 1070.  
 Indefinitely postponed, 1530.

**House Bill No. 471.—(Wardrope)**

A bill for an Act to amend Sections 7140 and 7144 of the Revised Codes of 1905, relating to redemption of real estate, payment on and period for redemption, and the filing of certificate of redemption, and the rate of interest to be paid by the redemptioner.  
 Received from House, 881.  
 First and second reading, 889.  
 Reference, 889.  
 Reported, 1065.  
 Indefinitely postponed, 1065.

**House Bill No. 472.—(Wardrope)**

A bill for an Act entitled, "An Act creating a board of immigration, prescribing its powers and duties, directing the disbursement of appropriations therefor, and repealing Sections 131 and 132 of the Revised Codes of North Dakota of 1905.  
 Received from House, 1291.  
 First and second reading, 1303.  
 Reference, 1303, 1338.  
 Reported, 1482.  
 Indefinitely postponed, 1482.

**House Bill No. 476.—(Blakemore)**

A bill for an Act to provide for a means of removal of elective officers by the will of the people, and for the political reserve powers of electors to be used through the initiative and referendum in city matters and the form of petitions, applicable to cities which have adopted or may hereafter adopt the commission system of government; also to prescribe the manner by which a city having adopted the commission system of government may return to the former system.  
 Received from House, 936.  
 First and second reading, 959.  
 Reference, 959.  
 Reported, 1118.  
 Passed, 1280.  
 Other action, 1280, 1616.

**House Bill No. 477.—(Moen)**

A bill for an Act enabling certain school districts in this state to consolidate and to maintain dormitories for the housing of children and pertaining to the care of school children.

Received from House, 1291.  
First and second reading, 1303.  
Reference, 1303.  
Reported, 1397.  
Indefinitely postponed, 1397.

**House Bill No. 478.—(Haraldson)**

A bill for an Act to regulate the procedure in cases of escheat of property to the state.

Received from House, 936.  
First and second reading, 960.  
Reported, 1133.  
Indefinitely postponed, 1133.

**House Bill No. 481.—(Williams)**

A bill for an Act to amend Section 16 of Chapter 77 of the Laws of 1911, entitled "Commission system of government."

Received from House, 1043.  
First and second reading, 1102.  
Reference, 1102.  
Reported, 1343.  
Passed, 1487.  
Other action, 1611.

**House Bill No. 482.—(Williams)**

A bill for an Act authorizing and directing the state board of pardons to reconsider after favorable action has been taken by them of the application of any convict in the state penitentiary for pardon or parole, on their own motion or on the application of interested parties before the release of such convict from the state penitentiary.

Received from House, 993.  
First and second reading, 1101.  
Reference, 1101.  
Reported, 1394.  
Passed, 1524.  
Other action, 1616.

**House Bill No. 486.—(Bope)**

A bill for an Act to amend Section 1575 of Chapter 20 of the Revised Codes of 1905, as amended by Chapter 298, Laws of 1911, relating to the disposition of penalty and interest.

Received from House, 677.  
First and second reading, 781.  
Reference, 781.  
Reported, 1058.  
Indefinitely postponed, 1058.

**House Bill No. 487.—(Smith of Kinder)**

A bill for an Act to provide for the publication of the Session Laws of the state in pamphlet form for distribution in the state.

Received from House, 936.  
First and second reading, 959.  
Reference, 959.  
Reported, 1067.  
Passed, 1432.  
Other action, 1540.

**House Bill No. 488.—(Stinger)**

A bill for an Act extending the powers and duties of state and district veterinarians and providing for the testing of animals exposed to the disease known as glanders.

Received from House, 1172.  
First and second reading, 1187.  
Reference, 1187.  
Reported, 1351.  
Amended, 1351.  
Passed, 1471.  
Other action, 1624.

**House Bill No. 495.—(Committee on Supplies and Expenditures)**

A bill for an Act to amend Sections 377 and 378 of the Revised Codes of 1905, relating to the penalty for failing to make reports and duties of the attorney general in connection with such failure.

Received from House, 935.  
First and second reading, 959.  
Reference, 959.  
Reported, 1066.  
Indefinitely postponed, 1066.

**House Bill No. 496.—(Williams)**

A bill for an Act authorizing county commissioners to submit to the voters of their respective counties at any general or special election called for that purpose, the question of establishing at the county seat of their county a public market place for the sale of farm produce and the maintenance of such market place.

Received from House, 1085.  
First and second reading, 1102.  
Reference, 1102.  
Reported, 1393.  
Lost, 1526.

**House Bill No. 500.—(Twitchell)**

A bill for an Act to amend and reenact Sections 44, 45 and 73 of the Revised Codes of North Dakota of 1905, relating to printing and distribution of journals, bills and public documents.

Received from House, 1291.  
First and second reading, 1303.  
Reference, 1303.  
Passed, 1521.  
Other action, 1615.

# GENERAL INDEX

## ADJOURNMENT—

Resolution for, 26, 27.

## APPROPRIATION COMMITTEE—

Report of visit to Jamestown, 159-163.

## BOARD OF CONTROL—

Communication from, 38, 145.

## COMMUNICATIONS FROM—

Governor Burke, 27-32.

Governor Hanna, 168, 200, 204, 228, 287, 504, 577, 712, 935, 1048,  
1149, 1226, 1273, 1357, 1475, 1519, 1523.

Donald Campbell, 133.

## COMMITTEES—

Standing, 42, 44.

Joint, 44.

Of the whole, 773, 777, 923.

## CONSTITUTIONAL AMENDMENTS—

Reported by Secretary of State, 101-114.

## CONCURRENT RESOLUTION—

To annotate Codes, 31.

In memory of Chief Justice Morgan and Judge Templeton, 126, 743.

Relating to abandonment of Fort Lincoln, 208.

Relating to Independent Harvester Co., 483.

Relating to survey of Red River, 505.

Relating to amendment of Section 155 of Constitution, 855.

Washington's farewell address in Blue Book, 1075.

Care and maintenance of Indians, 1160.

Knight Printing Co., 1609.

## EMPLOYEES—

Authority for additional, 80.

## EXECUTIVE SESSIONS—

Held, 27, 95, 122, 164, 172, 299, 334, 550, 556, 637, 712, 779, 1000.

Confirmation of, 556, 713, 1000.

## GILBERT, E. F.—

Elected president pro tem, 4.

In the chair, 100, 207, 378, 471, 515, 611, 642, 674.

## HOTCHKISS, DR.—

Addressed Senate, 572.

## INSURANCE—

On public buildings, 192.

## JOINT SUB-COMMITTEE—

On education, 779.

## KRAABEL, A. T.—

Oath administered to, 1.

## LITTLE, C. B.—

Resolution for, 139.

MANDAN REFORM SCHOOL—  
Communication from, 1155.

McVEY, FRANK L.—  
Letter of transmittal, 133.

MILEAGE AND PER-DIEM—  
Report of committee, 137.

MESSAGES—

From the House, 16, 36, 62, 67, 85, 96, 129, 153, 179, 202, 216, 232, 241, 265, 280, 300, 318, 335, 375, 386, 416, 449, 488, 513, 617, 622, 639, 740, 764, 775, 776, 777, 813, 815, 818, 881, 928, 935, 943, 993, 1043, 1081, 1085, 1098, 1147, 1156, 1159, 1160, 1171, 1179, 1184, 1264, 1266, 1271, 1276, 1280, 1281, 1282, 1286, 1291, 1307, 1318, 1320, 1335, 1348, 1360, 1364, 1375, 1378, 1383, 1401, 1405, 1425, 1427, 1435, 1440, 1450, 1460, 1462, 1468, 1489, 1496, 1514, 1520, 1530, 1533, 1544, 1547, 1558, 1562, 1567, 1568, 1571, 1572, 1573, 1575, 1576, 1577, 1578, 1581, 1585, 1587, 1589, 1594, 1602, 1614, 1618, 1619.

ORGANIZATION—  
Proceedings, 1-25.

PIERCE, EX-SENATOR—  
Resolution, 128.

PRESIDENT PRO TEM—  
Elected, 1592.

PROBATE CODE COMMISSION—  
Report of, 91.

REPORT OF SPECIAL COMMITTEES—  
On in coming and retiring Governors Messages, 173.  
Resolution relating to John Flittee, 918.  
Relating to employment of children under 16, 507.  
Relating to sanitary conditions at Insane Hospital, 377.  
Relating to notices to corporations, 1033.  
Relating to national department of health, 1261.

RESOLUTION—  
For repairs in Senate Chamber, 1372.

RULES—  
Committee on, 25.  
Report of, 26, 41, 70, 71, 72, 73, 74, 75, 76, 77, 78.  
Suspension of, 573.  
Amendment of, 1264.

SECRETARY OF SENATE—  
Election of W. D. Austin, 4.

SECRETARY OF STATE—  
Communication from, 1, 101, 226.

SPECIAL COMMITTEE—  
Report, 503.

SENATE JOINT MEMORIAL—  
292.

SOCIAL SESSION—  
572.

# INDEX TO MEMBERS

- ALBRECHT—Bills—96, 99, 606.  
Motions—41, 794, 795, 1199, 1295.  
Committees—61.
- ALLEN—Bills—98, 249, 351.  
Committee Reports—146, 1270.  
Resolutions—1264.  
Motions—25, 146, 197, 772, 921, 1075, 1169, 1188, 1241, 1264, 1270,  
1419, 1502, 1505, 1507, 1531.  
Committees—25.
- BARNES—Bills—141, 275, 311, 714.  
Motions—1377.  
Committees—61.
- BOND—Bills—45, 83, 151, 179, 210, 330, 432, 540, 713, 716, 767, 769.  
Committee Reports—130, 143, 154, 171, 196, 197, 205, 231, 236, 247,  
269, 290, 306, 307, 323, 324, 338, 339, 359, 388, 420, 458, 455, 491,  
493, 530, 556, 579, 558, 625, 626, 679, 680, 749, 793, 794, 856, 896,  
971, 1024, 1044, 1073, 1081, 1145, 1157, 1206, 1221, 1224, 1230, 1238,  
1256, 1263, 1278, 1292, 1348, 1387, 1423, 1440, 1448, 1487, 1494,  
1503, 1512, 1560, 1565, 1579, 1591, 1603, 1620, 1622, 1625.  
Motions—130, 143, 154, 172, 196, 197, 206, 231, 236, 247, 270, 290,  
306, 307, 323, 324, 339, 359, 391, 420, 455, 456, 493, 530, 556, 580,  
581, 582, 625, 626, 680, 684, 712, 750, 859, 861, 898, 997, 1074, 1081,  
1145, 1151, 1207, 1221, 1224, 1231, 1238, 1246, 1256, 1263, 1278, 1292,  
1344, 1350, 1388, 1424, 1441, 1449, 1488, 1495, 1503, 1505, 1512, 1524,  
1546, 1561, 1566, 1575, 1579, 1591, 1604, 1621, 1623, 1626.  
Committees—25.
- BONZER—Bills—607, 713.
- BRONSON—Bills—46, 47, 49, 82, 99, 123, 150, 182, 195, 211, 276, 279, 470,  
634.  
Committee Reports—126.  
Resolutions—126.  
Motions—61, 87, 94, 122, 123, 152, 196, 284, 319, 348, 381, 437, 509,  
550, 674, 764, 828, 829, 832, 834, 835, 867, 874, 894, 966, 1017, 1019,  
1020, 1034, 1040, 1076, 1077, 1165, 1168, 1210, 1240, 1258, 1314,  
1316, 1320, 1373, 1493, 1551, 1557, 1598.  
Committees—62, 166.
- CARTER—Bills—194, 311.  
Committees—33.  
Committee Reports—148.  
Resolutions—505.  
Motions—148, 506, 810, 998, 1314.
- CASHEL—Bills—45, 50, 802, 129, 130, 140, 157, 158, 232, 247, 275.  
Committees—25, 62, 124, 166, 278.  
Committee Reports—125, 167, 187, 288, 428, 907, 1316.  
Resolutions—377.  
Motions—66, 78, 126, 167, 188, 288, 310, 429, 436, 504, 784, 907, 919,  
1028, 1312, 1328, 1428.  
Chair—438.
- CLARK—Bills—210, 212, 310.  
Committees—61.

DAVIDSON—Bills—123, 149, 248, 431, 540, 766.

Committees—837.

Committee Reports—60, 79, 89, 95, 101, 132, 144, 153, 204, 245, 267, 308, 320, 336, 358, 383, 416, 453, 489, 554, 576, 675, 743, 792, 833, 855, 866, 890, 934, 1043, 1095, 1150, 1297, 1389.

Resolutions—31, 61.

Motions—60, 61, 68, 79, 89, 95, 102, 133, 145, 153, 204, 225, 245, 267, 302, 320, 336, 337, 358, 384, 416, 453, 489, 509, 529, 550, 555, 571, 577, 624, 675, 743, 793, 820, 856, 934, 1039, 1043, 1096, 1151, 1255, 1296, 1298, 1386, 1389, 1405.

DAVIS—Bills—140, 178, 248, 274, 275, 294, 311, 351, 434, 469, 470, 607.

Committees—70, 164.

Committee Reports—119, 136, 155, 185, 186, 189, 206, 213, 238, 245, 246, 346, 361, 363, 427, 459, 460, 462, 463, 495, 529, 536, 586, 587, 625, 699, 751, 752, 798, 824, 832, 844, 845, 846, 847, 900, 901, 902, 955, 956, 982, 984, 1000, 1002, 1011, 1052, 1053, 1074, 1082, 1086, 1099, 1137, 1134, 1181, 1200, 1201, 1237, 1238, 1244, 1259, 1324, 1325, 1326, 1327, 1328, 1344, 1393, 1395, 1580, 1588, 1605.

Motions—26, 27, 28, 32, 37, 95, 119, 120, 136, 141, 148, 155, 186, 189, 206, 214, 328, 245, 246, 285, 301, 346, 362, 363, 378, 427, 360, 462, 463, 486, 495, 536, 539, 564, 587, 599, 700, 752, 753, 779, 789, 799, 844, 848, 870, 900, 903, 982, 983, 1011, 1021, 1034, 1052, 1053, 1054, 1075, 1080, 1137, 1144, 1148, 1185, 1200, 1201, 1234, 1237, 1238, 1245, 1259, 1279, 1316, 1324, 1325, 1326, 1327, 1328, 1338, 1371, 1382, 1393, 1394, 1395, 1398, 1451, 1544, 1546, 1559, 1581, 1589, 1601, 1605, 1607.

Chair—1080, 1284.

DUNCAN—Bills—46, 47, 92, 258, 260, 329, 350, 469, 606, 766.

Committees—62.

Committee Reports—583, 633, 1069, 1391.

Motions—348, 561, 565, 583, 584, 633, 721, 1020, 1069, 1391.

ELKEN—Bills—129, 151, 312, 350.

Committees—124, 148, 862, 916, 980.

Committee Reports—148, 172, 204, 271, 363, 393, 421, 423, 497, 501, 582, 797, 798, 865, 913, 916, 979, 1047, 1055, 1058, 1227, 1243, 1245.

Motions—148, 178, 207, 271, 367, 393, 422, 423, 467, 501, 798, 827, 865, 866, 913, 916, 981, 996, 1021, 1046, 1047, 1056, 1058, 1098, 1099, 1158, 1162, 1194, 1195, 1197, 1198, 1208, 1228, 1244, 1254, 1246, 1301, 1451, 1592, 1597.

ELLINGSON—Bills—50, 156, 211, 232.

Committee Reports—137, 170, 502, 538, 632, 705, 981, 1068, 1216, 1217.

Motions—137, 170, 502, 538, 632, 707, 827, 931, 981, 1068, 1098, 1216, 1217, 1311, 1501.

ENGLUND—Bills—48, 182, 210, 294, 295, 379, 432, 607, 634, 767, 768.

Committees—837.

Resolutions—51, 507.

Motions—51, 511, 834, 837, 871.

GANSLE—Bills—93, 94, 97, 311, 540.

Committee Reports—711, 1111, 1112.

Motions—711, 1111, 1112, 1113.

GARDEN—Bills—46, 150, 259, 281, 357, 378, 508, 715, 739.

Committee Reports—239, 391, 393, 456, 533, 534, 535, 909, 979, 1074, 1113, 1114, 1115, 1116, 1117, 1118, 1343, 1582.

Resolutions—1476, 1529.

## INDEX

LXXXI

- Motions—239, 391, 392, 414, 456, 533, 534, 535, 613, 668, 703, 777, 895, 909, 911, 979, 1060, 1074, 1091, 1113, 1118, 1152, 1344, 1404, 1412, 1476, 1496, 1592, 1602.
- GIBBENS—Bills—48, 98, 400, 779.  
Committees—25, 164.  
Committee Reports—114, 284, 494, 737, 761, 911, 1047, 1351.  
Motions—116, 284, 449, 494, 583, 665, 703, 737, 740, 762, 912, 927, 995, 1018, 1019, 1041, 1048, 1054, 1076, 1077, 1078, 1314, 1352, 1381.
- GILBERT—Bills—63, 158.  
Committees—25, 120, 201, 256.  
Committee Reports—61, 346, 360, 361, 457, 466, 559, 560, 561, 615, 750, 801, 1058, 1070, 1113, 1237, 1257, 1397.  
Memorials—292.  
Resolutions—100, 128, 257, 483, 1553.  
Motions—25, 33, 41, 59, 61, 86, 100, 120, 124, 128, 139, 201, 209, 230, 256, 257, 280, 293, 347, 360, 361, 458, 467, 475, 555, 559, 560, 561, 573, 616, 750, 751, 764, 773, 785, 801, 891, 921, 1059, 1070, 1113, 1237, 1317, 1345, 1358, 1398, 1431, 1487, 1608.
- GRONVOLD—Bills—49, 50, 62, 92, 97, 273, 379, 634.  
Committee Reports—270, 369, 394, 428, 441, 468, 558, 584, 662, 762, 906, 932, 934, 1227, 1304, 1344, 1452, 1454, 1490, 1553.  
Motions—186, 270, 369, 349, 404, 428, 433, 444, 468, 559, 585, 664, 762, 763, 833, 907, 934, 1227, 1255, 1305, 1344, 1454, 1455, 1491, 1529, 1555, 1614.
- HANLEY—Bills—64, 97, 129, 130, 149, 294, 379, 470, 766, 769, 779.  
Committees—25, 163, 201.  
Committee Reports—906, 1094, 1124, 1125, 1204, 1205, 1392.  
Motions—27, 91, 132, 134, 144, 163, 170, 187, 208, 285, 402, 413, 441, 485, 486, 554, 556, 724, 774, 855, 890, 906, 958, 960, 970, 1021, 1022, 1040, 1095, 1100, 1125, 1126, 1204, 1205, 1240, 1261, 1264, 1276, 1280, 1317, 1347, 1363, 1393, 1399, 1562, 1576, 1581, 1597, 1598, 1601, 1610, 1624.  
Chair—297, 1231, 1265, 1610, 1624.
- HECKLE—Bills—123, 312, 432, 562, 713.  
Committees—120.  
Motions—1511.
- HELGELAND—Bills—91, 321.
- HOOKEY—Bills—130, 233, 248, 469, 607, 768.  
Committees—33, 206.  
Motions—100, 240, 616, 854, 995, 1099, 1152, 1260, 1338, 1587.
- HOVERSON—Bills—64, 93, 178, 233, 350, 399, 508, 765, 766.  
Committees—25.  
Motions—887.
- HUGHES—Bills—64, 92, 149, 157, 232, 249, 432, 714, 767.  
Committees—139.  
Committee Reports—45.  
Resolutions—139, 208, 348.  
Motions—139, 646, 719, 763, 1075, 1256, 1258, 1290, 1317, 1400, 1409, 1514, 1530, 1532, 1568, 1601.
- HYLAND—Bills—97, 98, 716.  
Committees—25, 62, 166.  
Committee Reports—503.  
Resolution—1372.

- Motions—335, 377, 432, 503, 550, 621, 767, 830, 832, 833, 1162, 1166, 1236, 1240, 1264, 1303, 1418, 1571.
- JACOBSEN—Bills—49, 63, 81, 273, 293, 295, 507, 606, 765.  
 Committees—139, 164.  
 Committee Reports—429, 558, 912, 1109, 1455.  
 Motions—283, 415, 429, 430, 558, 629, 869, 913, 941, 1016, 1152, 1169, 1317, 1347, 1392, 1455, 1462, 1527, 1528.
- KRETSCHMAR—Bills—97, 293, 378.  
 Committees—25.  
 Motions—1162, 1178, 1359.
- LEUTZ—Bills—123, 130, 143, 182, 212, 312, 541.  
 Committees—120, 197.  
 Committee Reports—1390.  
 Motions—264, 980, 1175, 1184, 1338, 1391, 1398.
- LINDE—Bills—130, 312, 765.  
 Committees—25, 124, 837, 848, 849, 1066.  
 Committee Reports—328, 399, 426, 600, 861, 1123, 1322, 1350, 1351.  
 Resolutions—1559.  
 Motions—328, 399, 426, 427, 600, 617, 848, 849, 861, 924, 969, 1016, 1017, 1018, 1038, 1066, 1319, 1351, 1372, 1399, 1529, 1560.
- LOFTSGAARD—Bills—63.
- McBRIDE—Bills—82, 124, 129, 140, 149, 280, 716, 768.  
 Committees—124.  
 Motions—1373, 1578.
- McDOWELL—Bills—178, 212, 330, 356, 432, 769.  
 Committees—25, 70.  
 Resolutions—172, 1580.  
 Motions—96, 172, 334, 1079, 1080, 1088, 1246, 1285, 1314, 1481, 1532, 1537.
- McLEAN—Bills—47, 51, 63, 195, 258, 294, 509.  
 Committees—139, 164.  
 Committee Reports—708, 710.  
 Resolutions—257.  
 Motions—257, 265, 521, 710, 1152, 1163, 1164, 1337, 1426, 1539, 1568.
- MUDGETT—Bills—141, 159, 212, 259, 433, 768, 778, 1207.  
 Memorials—446.  
 Committees—916.  
 Committee Reports—429, 432, 1059, 1061, 1135.  
 Motions—383, 429, 532, 917, 1015, 1016, 1029, 1060, 1061, 1136, 1323.
- NELSON—Bills—48, 194, 195, 379, 431.  
 Committees—201.  
 Committee Reports—807, 862, 1067, 1146, 1243, 1396.  
 Resolutions—239, 1033.  
 Motions—240, 519, 809, 862, 998, 1000, 1034, 1067, 1147, 1231, 1235, 1243, 1339, 1340, 1385, 1397, 1501.
- OVERSON—Bills—48, 81, 179, 211, 233, 275, 350, 380, 424, 425, 470, 482, 483, 541, 606, 607, 778.  
 Committees—62, 916.  
 Committee Reports—60, 68, 117, 118, 155, 171, 188, 217, 292, 296, 307, 308, 327, 342, 343, 367, 369, 394, 395, 424, 425, 463, 464, 465, 466, 494, 535, 536, 600, 601, 602, 604, 605, 629, 701, 758, 759, 760, 796, 797, 849, 853, 903, 905, 924, 1011, 1015, 1023, 1024, 1061, 1066, 1110, 1127, 1135, 1144, 1242, 1329, 1330, 1460, 1530.  
 Resolutions—190, 328, 1253.

## INDEX

LXXXIII

Motions—36, 41, 51, 60, 62, 68, 91, 117, 118, 119, 134, 135, 136, 142, 155, 171, 188, 190, 218, 292, 296, 297, 307, 308, 327, 329, 342, 343, 344, 349, 367, 369, 378, 394, 395, 396, 414, 444, 447, 464, 465, 468, 481, 494, 504, 509, 516, 535, 536, 600, 604, 605, 617, 631, 641, 701, 759, 760, 761, 764, 773, 786, 787, 789, 796, 797, 832, 849, 853, 874, 879, 888, 903, 905, 918, 924, 999, 1011, 1015, 1036, 1037, 1061, 1066, 1076, 1098, 1111, 1127, 1135, 1145, 1148, 1181, 1188, 1230, 1242, 1254, 1275, 1281, 1303, 1317, 1318, 1329, 1330, 1338, 1388, 1460, 1462, 1464, 1530, 1560, 1577, 1586, 1596, 1597.  
Chair—71, 89.

PLAIN—Bills—98, 99, 111, 142, 210, 295, 379, 508, 868.

Committees—25, 62, 378.

Committee Reports—423, 456, 646, 647, 648, 649, 650, 651, 653, 654, 655, 656, 657, 658, 659, 660, 661, 685, 689, 754, 755, 756, 758, 975, 978, 1051, 106, 1107, 1108, 1215, 1331, 1332, 1333, 1334, 1391, 1429, 1430, 1431, 1456, 1474, 1482.

Motions—31, 36, 79, 86, 123, 163, 424, 457, 573, 647, 648, 649, 655, 656, 657, 658, 659, 660, 661, 685, 689, 754, 758, 792, 810, 813, 819, 827, 829, 831, 867, 919, 929, 970, 975, 978, 995, 1051, 1087, 1096, 1107, 1108, 1148, 1152, 1153, 1155, 1159, 1191, 1215, 1314, 1322, 1332, 1333, 1334, 1377, 1392, 1400, 1402, 1412, 1430, 1451, 1456, 1474, 1475, 1482, 1574.

Chair—637.

PORTERFIELD—Bills—81, 82, 93, 140, 179, 310, 508, 767,

Committee Reports—744, 745, 747, 853, 898, 899, 1026, 1104, 1246, 1454, 1479, 1556, 1590, 1592, 1604, 1605, 1616.

Resolutions—156.

Motions—744, 745, 747, 749, 854, 899, 900, 972, 974, 975, 1026, 1045, 1106, 1247, 1438, 1455, 1479, 1556, 1591, 1593, 1604, 1606, 1617.

PUTNAM—Bills—93, 259.

Committee Reports—374, 375, 763, 1136, 1137.

Resolutions—79.

Motions—80, 374, 375, 524, 550, 763, 827, 1077, 1136, 1137, 1334, 1374.

STEELE—Bills—150, 272, 540.

Committees—205.

Committee Reports—309, 537, 761, 799, 800, 861, 908, 1093, 1094, 1119, 1120, 1121, 1123, 1342, 1343, 1396.

Motions—39, 226, 309, 537, 761, 778, 800, 801, 862, 908, 923, 1094, 1119, 1120, 1121, 1123, 1193, 1312, 1343, 1396, 1403, 1551, 1557.

TALCOTT—Bills—49, 69, 83, 93, 141, 142, 151, 194, 216, 351, 400, 469, 714, 717.

Committees—25, 70.

Committee Reports—95, 147, 185, 276, 324, 340, 341, 370, 371, 372, 373, 396, 530, 531, 628, 703, 704, 705, 802, 803, 807, 1071, 1073, 1091, 1100, 1127, 1198, 1205, 1206, 1242, 1397.

Resolutions—25, 26, 29, 30, 196, 1609.

Motions—25, 33, 35, 51, 59, 86, 87, 95, 133, 147, 164, 172, 181, 185, 196, 201, 217, 231, 233, 253, 257, 260, 261, 264, 277, 279, 281, 282, 326, 334, 340, 341, 370, 371, 372, 373, 396, 398, 486, 487, 509, 531, 539, 550, 571, 573, 609, 611, 628, 637, 703, 904, 705, 913, 763, 775, 802, 803, 807, 833, 843, 895, 916, 921, 953, 1042, 1071, 1073, 1092, 1097, 1123, 1127, 1147, 1185, 1199, 1206, 1210, 1212, 1222, 1242, 1258, 1382, 1388, 1397, 1406, 1412, 1422, 1435, 1462, 1472, 1526, 1536, 1546, 1553, 1570, 1581, 1584, 1586, 1597, 1600, 1601, 1624.

Sine Die—1627.

Chair—404, 728, 834.

- THORESON—Bills—130, 158, 378, 768.  
Committee Reports—458, 459, 1092.  
Motions—221, 344, 458, 459, 621, 833, 980, 1016, 1093, 1209, 1226,  
1462, 1546, 1551.
- TRAGETON—Bills—150, 258, 400, 433, 563, 769.  
Committees—33, 206.  
Committee Reports—35, 38, 254, 291, 1212, 1213, 1438.  
Resolutions—1261.  
Motions—35, 38, 240, 254, 287, 291, 476, 673, 1211, 1212, 1215, 1239,  
1241, 1439, 1538.
- TURNER—Bills—82.
- VAIL—Bills—48, 100, 273, 274, 715, 716.  
Resolutions—190.  
Motions—194, 357, 507, 613, 614, 1047, 1176, 1322, 1352, 1428.
- WARTNER—Bills—63, 129, 276, 563.  
Committees—124, 147, 378.  
Motions—147, 382, 435, 637, 839, 870, 895, 1152, 1162, 1296, 1317,  
1340, 1416, 1443.
- WILLIAMS—Bills—432, 508.  
Committees—206, 985.  
Committee Reports—189, 272, 309, 310, 584, 632, 909, 945, 1002, 1045,  
1189, 1216, 1457, 1458.  
Motions—189, 272, 309, 310, 334, 351, 507, 584, 632, 909, 953, 993,  
1002, 1045, 1190, 1191, 1216, 1358, 1457, 1458, 1551, 1607, 1610.
- YOUNG—