

STATE OF NORTH DAKOTA

Journal of the Senate

OF THE

EIGHTEENTH SESSION

OF THE

LEGISLATIVE ASSEMBLY

BEGUN AND HELD AT THE CAPITOL AT BISMARCK
JANUARY 2 TO MARCH 2, 1923
INCLUSIVE

QUICK PRINT, INC., BISMARCK, N. D.



ERRATA

- Page 15. In line 8 after the word "four" insert "be appointed." In line 19 correct spelling of "older." After last line add "which motion prevailed."
- Page 25. Strike out lines 2 and 3.
- Page 67. After line 5 insert "which motion prevailed."
- Page 80. Add "which motion prevailed" just before Secretary's name.
- Page 91. After line 43 insert "which motion prevailed."
- Page 98. Place lines 31, 32 and 33 below line 38.
- Page 102. Insert at top of page as line 2 "Seventeenth Day."
- Page 133. After line 10 insert "which motion prevailed."
- Page 135. Strike out lines 5 and 6.
- Page 150. In line 11 change "0" to "1".
- Page 207. After line 18 insert "The courtesies of the floor were extended to Messrs."
- Page 217. After line 29 insert "Senator Kretschmar moved that the report be adopted, which motion prevailed."
- Page 221. In line 4 change "Ace" to "Act."
- Page 243. In last line change "Sophophora" to "Lophophora."
- Page 245. In line 47 correct spelling of "compelled."
- Page 259. After line 11 add "which motion prevailed."
- Page 262. In line 12 change "149" to "49".
- Page 280. In line 30 change "naws" to "nays".
- Page 283. Place line 24 below line 26.
- Page 308. After line 7 insert "So the bill passed and the title was agreed to".
- Page 310. In line 53 change "Ex-examiner" to "Ex-Senator".
- Page 323. At bottom of page change "enrolled" to "engrossed".
- Page 333. In line 17 correct spelling of "passed".
- Page 346. After line 12 insert "Mr. Carey introduced".
- Page 347. After line 17 insert "Senator Stevens moved that the Senate do now adjourn, which motion prevailed".
- Page 351. In line 1 change "25" to "5".
- Page 385. In line 7 change "W. L. Bond" to "W. R. Bond".
- Page 397. In line 4 change "9" to "7".
- Page 423. Strike out line 26.

- Page 425. Strike out line 7.
- Page 431. In line 35 change "No" to "Aye".
- Page 434. After line 44 insert "House Bill No. 98 etc. was read the first and second time and referred to the Committee on Appropriations".
- Page 436. In line 48 change "151" to "155".
- Page 449. After line 6 insert "Senator Kretschmar moved that the report be adopted, which motion prevailed".
- Page 453. In line 7 change "on" to "at".
- Page 462. After line 8 insert "which the House has indefinitely postponed".
- Page 486. In line 22 after "committee" insert "on Senate Bill No. 252".
- Page 492. After line 15 insert "So the bill passed and the title was agreed to".
- Page 501. In line 26 change "House" to "Senate".
- Page 505. In lines 46 and 47 strike out "Recess subject to the call of the President" and insert in lieu thereof "Adjourn".
- Page 516. In line 20 after "motion on" insert "the motion to remove". In line 21 add "from the table and place it on the "Secretary's desk".
- Page 524. In line 34 correct spelling of "Hamilton".
- Page 537. In line 38 strike out "moved to" and insert in lieu thereof "requested the".
- Page 547. In line 6 strike out "re-" and "pursuant to". In line 7 strike out "recess taken".
- Page 549. In line 44 strike out "do pass" and insert in lieu thereof "be indefinitely postponed".
- Page 552. In lines 2 and 3 change "Whitman" to "Whitmer".
- Page 561. Correct spelling of "President" in the last line.
- Page 576. After line 22 insert "which motion was lost".
- Page 581. In line 24 correct spelling of "minutes".
- Page 622. In line 6 add "s" to "amendment".
- Page 644. In line 45 correct spelling of "Hamilton".
- Page 657. In line 2 correct spelling of "enrollment".
- Page 663. After line 25 add "So the bill passed and the title was agreed to". After line 48 add "which motion prevailed".
- Page 670. In line 12 change "Senate" to "House".
- Page 674. After line 15 insert "AFTER RECESS".
- Page 678. In next to bottom line correct spelling of "the".
- Page 687. After line 5 insert "W. S. Whitman, chairman". Strike out all of lines 24 and 25 after the word "moved" and insert in lieu thereof "that the minority report be substituted for that of the majority".

- Page 689. After line 23 insert "the question being on the motion of Senator Bond, the motion prevailed and the majority report was adopted".
- Page 695. In line 7 strike out "enrolled".
- Page 697. Lines 13, 14, 15 and 16 should be placed below line 21.
- Page 703. After line 10 insert "the hour of 5:30 having arrived the Senate recessed until 7:30 P. M.".
- Page 739. Strike out lines 43 and 44.
- Page 740. In line 4 change "demanded" to "moved".
- Page 741. In line 42 strike out all after "moved" and all of line 43 and insert in lieu thereof "to substitute the minority report for that of the majority".
- Page 743. Strike out line 23.
- Page 746. In line 23 after "motion" insert "on the motion".
- Page 758. In line 14 strike out "do pass" and insert in lieu thereof "be amended as follows".
- Page 759. After line 22 insert "the question being on the motion of Senator Baird, the motion prevailed".
- Page 762. In line 42 strike out "report" where it appears the second time.
- Page 768. In line 3 strike out "Senate Bill No. 35, etc.," and insert in lieu thereof "Senate Bill No. 204 etc."
- Page 779. In line 21 after the word "substance" insert "insert the following".
- Page 781. After line 39 insert "which motion prevailed".
- Page 782. In line 54 strike out "Ettestad" and insert in lieu thereof "Eastgate".
- Page 787. After line 3 insert "which motion prevailed".
- Page 788. In line 4 strike out remainder of line after "motion" and all of line 5 and insert in lieu thereof "on the vote by which Senate Bill No. 348 was lost".
- Page 790. Strike out lines 4, 5, 6 and 7.
- Page 794. In line 19 strike out "public" and insert in lieu thereof "final".
- Page 799. After line 40 insert "So the bill passed". In line 42 change "266" to "366".
- Page 810. After line 30 insert "the question being on the motion of Senator Eastgate, the motion prevailed and the minority report was adopted".
- Page 811. In line 24 change "House" to "Senate".
- Page 820. In line 9 add "s" to "amendment".
- Page 824. In lines 12 and 13 strike out "the report of the conference committee" and insert in lieu thereof "further action".

- Page 832. Strike out lines 4 and 5. In line 10 insert "Ingerson" after "Senator".
- Page 835. In line 42 change "commission" to "committee".
- Page 838. Strike out lines 7, 8 and 9.
- Page 845. Strike out lines 11, 12 and 13, and place them at top of page 46.
- Page 846. In line 44 change "House" to "Senate".
- Page 848. Correct spelling of "Journal" in line 1. In line 26 change "prevailed" to "lost".
- Page 849. At bottom of Page add "W. E. Parsons, Secretary". In line 1 change "Wednesday" to "Tuesday".
- Page 850. Strike out line 25 and remainder of page.
- Page 851. Strike out lines 2 and 3. In line 17 strike out "insert" where it appears the first time.
- Page 856. In line 12 change "offered" to "moved".
- Page 861. Strike out line 4 and insert in lieu thereof "So the resolution was adopted".
- Page 877. In line 1 correct spelling of "Thursday."
- Page 878. Strike out lines 8 and 9.
- Page 881. After line 15 insert "have had same under consideration and recommend that the same do pass."
- Page 884. Strike out the third and fourth lines from bottom of page.
- Page 886. Strike out lines 4 to 9 inclusive.
- Page 892. Correct page number.
- Page 895. In line 2 strike out "in lieu thereof."
- Page 896. Correct page number.
- Page 908. In lines 15 and 16 strike out "conference." Strike out lines 19, 20 and 21.
- Page 918. In line 7 strike "do pass" and insert in lieu thereof "be adopted."
- Page 922. After line 36 insert "and the President signed the same in the presence of the Senate."
- Page 922. Strike out lines 46, 47 and 48.
- Page 923. Place lines 2 and 3 below line 6.
- Page 925. After the last line add "So the bill passed and the title was agreed to."
- Page 928. In line 3 change "165" to 163."
- Page 929. At bottom of page add "Senate Bill No. 149, etc."
- Page 933. In line 15 change "13" to "18."
- Page 965. After line 22 insert "Senator Carey moved that the Senate do now concur in the House amendments to Senate Bill No. 226, which motion prevailed."
- Page 966. In line 3 change "House" to "Senate."

- Page 991. In line 33 change "Senate" to "House."
- Page 1019. In line 12 strike out "do pass" and insert in lieu thereof "be amended as follows." After line 14 insert "Nels Peterson, chairman."
- Page 1021. In lines 6 and 7 change "reconsidered" to "recommend."
- Page 1022. After line 15 insert "the question being on the motion of Senator Kretschmar, the motion prevailed and the majority report was adopted."
- Page 1040. Strike out lines 11 to 26 inclusive.
- Page 1041. Strike out lines 27, 28 and 29.
- Page 1042. After line 22 insert "Senator Stevens moved to verify the roll call on House Bill No. 80, which motion prevailed. The verification showed the roll call to be correct."
- Page 1043. Lines 30, 31, 32 and 33 should be placed below line 12 on page 1042.
- Page 1062. In line 17 change "engrossed" to "enrolled." Strike out line 27 and up to "speaker" in line 28. Add to line 30 "On Senate Bill No. 176."
- Page 1071. In line 14 change "House" to "Senate."
- Page 1083. After line 4 insert "T. J. Kelsh, chairman." Strike out lines 15 and 16 and insert in lieu thereof "Robert Byrne."
- Page 1087. Strike out lines 26, 27, 28 and 29 from this page and place them after line 6 on page 1099.
- Page 1090. Correct roll call on House Bill No. 84 to show Stevens voting "aye" and totals as follows: ayes 43, absent 6.
- Page 1127. After line 12 insert "Mr. President, I have the honor to return herewith the following bills:"
- Page 1130. In line 36 change "now" to "not."
- Page 1131. Strike out lines 20, 21 and 22.
- Page 1138. Strike out lines 32, 33 and 34 and insert in lieu thereof "Senator McCoy moved that the report be adopted, which motion prevailed."
- Page 1154. In line 28 after "amend" insert "title of."
- Page 1174. In line 23 change "prevailed" to "lost."
- Page 1176. In line 47 change "Husch" to "Rusch."
- Page 1177. After line 26 insert "The question being on the motion to adopt the majority report, the motion prevailed."
- Page 1180. Strike out line 25 and remainder of page.
- Page 1181. Strike out lines 2 to 12 inclusive.
- Page 1190. In line 40 change "317" to "347."
- Page 1201. Strike out line 26 and insert in lieu thereof "a roll call was demanded."

- Page 1209. Strike out line 12.
- Page 1224. In 3rd line from bottom of page change "31" to "51."
- Page 1225. In line 36 change "lost" to "carried."
- Page 1248. In line 25 change "5000" to "4000."
- Page 1250. In line 37 change "6000" to "5000."
- Page 1252. After line 28 insert lines 34, 35 and 36. The last three lines should be placed after line 38 on page 1254.
- Page 1253. In line 45 change "Senate Bill" to "House Bill."
- Page 1258. In line 23 change "Senate" to "House." In line 27 strike out "as." In line 28 strike out "amended by the House." In last line change "Senate" to "House."
- Page 1272. In line 2 change "335" to "235."
- Page 1283. Strike out line 22.
- Page 1290. Strike out line 22.
- Page 1291. After line 41 insert "Senator Peterson moved that the conference committee report on House Bill No. 149 be adopted, which motion prevailed."
- Page 1292. After line 7 insert "Senator Ployhar moved that the report be adopted, which motion prevailed."
- Page 1307. Strike out line 28.
- Page 1312. Strike out lines 32, 33, 34 and 35 and invert remainder of page.
- Page 1317. In line 20 strike out "Concurrent Resolution by Mr. Trubshaw" and insert in lieu thereof the correct title of Senate Bill No. 20. Strike out lines 34 and 35.
- Page 1336. Strike out lines 19, 20 and 21.

MEMBERS

Dist.	County	Name	Address
1.	Pembina	Fred Van Camp	St. Thomas
2.	Pt. of Ward	John E. Fleckten	Niobe
3.	Pt. of Walsh	Christ Levang	Park River
4.	Pt. of Walsh	P. J. Murphy	Grafton
5.	Pt. of Grand Forks	J. E. Eastgate	Larimore
6.	Pt. of Grand Forks	W. S. Whitman	Grand Forks
7.	Pt. of Grand Forks	P. O. Thorson	Grand Forks
8.	Traill	Theo. Kaldor	Hillsboro
9.	Pt. of Cass	H. J. Rusch	Fargo
10.	Pt. of Cass	A. G. Storstad	Horace
11.	Pt. of Cass	Peter McLachlin	Hunter
12.	Pt. of Richland	J. H. McCoy	Wahpeton
13.	Sargent	Nels Peterson	Gwinner
14.	Ransom	F. F. Babcock	Elliott
15.	Pt. of Barnes	Frank E. Ployhar	Valley City
16.	Steele & Griggs	John L. Miklethun	Wimbledon
17.	Nelson	R. J. Gardiner	Brocket
18.	Cavalier	W. H. Porter	Calvin
19.	Rolette	John W. Benson	Rolette
20.	Benson	E. B. Page	Leeds
21.	Ramsey	J. E. Stevens	Lawton
22.	Towner	S. J. Atkins	Cando
23.	Stutsman	Alfred Steel	Jamestown
24.	LaMoure	W. D. Lynch	LaMoure
25.	Dickey	T. J. Kelsh	Fullerton
26.	Emmons & Kidder	C. A. Ward	Hazleton
27.	Burleigh	Lynn W. Sperry	Bismarck
28.	Bottineau	Nels Magnuson	Souris
29.	Pt. of Ward	Walter R. Bond	Minot
30.	Morton	W. E. Martin	Huff
31.	Stark	L. R. Baird	Dickinson
32.	Eddy & Foster	O. H. Olson	New Rockford
33.	Wells	James A. Wenstrom	Dover
34.	Pt. of McHenry	D. H. Hamilton	Eckman
35.	Sheridan	John Nathan	Goodrich
36.	McIntosh & Logan	P. T. Kretschmar	Venturia
37.	Pt. of Richland	C. W. Carey	Lidgerwood
38.	Pt. of Barnes	C. J. Olson	Valley City
39.	Billings, Bowman, Golden Valley, Slope	Gust Wog	Belfield
40.	Burke & Divide	Ralph Ingerson	Flaxton
41.	Williams & M'Kenzie	Robert Byrne	Arnegard
42.	Pierce	O. T. Tofsrud	Rugby
43.	Renville	B. F. Baker	Glenburn
44.	Mountrail	R. W. Patten	Plaza
45.	Pt. of McHenry	Ole Ettestad	Balfour
46.	McLean	A. A. Peck	Underwood
47.	Grant	O. C. Gross	Raleigh
48.	Mercer-Oliver and Dunn	Chas. M. Whitmer	Yucca
49.	Adams-Hettinger and Sioux	P. B. Garberg	Hettinger

OFFICERS AND MEMBERS

OF THE

SENATE OF NORTH DAKOTA

FOR THE

Eighteenth Legislative Assembly
1923

OFFICERS

Lieutenant-Governor	Frank H. Hyland
President Pro Tem	Frank Ployhar
Secretary of the Senate.....	W. E. Parsons
First Assistant Secretary.....	D. E. Shipley
Second Assistant Secretary.....	A. D. McKinnon
Sergeant-at-Arms	Dana Wright
Desk Stenographer	Edith Barker
Proofreader	G. G. Semple
Assistant Proofreader	L. W. Sullivan
Enrolling and Engrossing Clerk.....	F. B. Ingstad
Bill Room Clerk.....	T. Talackson
Doorkeeper and Janitor.....	Adam Leismeister
Bill Messenger	Don McDonald
Postmaster and Voucher Clerk.....	F. A. McDonald
Stenographer	Alfhild O. Alfson
Stenographer	Ida Cooper
Stenographer	Gladys Harvey
Stenographer	Ruth Lunseth
Stenographer	Mrs. Millie J. Wood
Page	James Meisner
Page	Thomas Kelly
Mailing Clerk	E. Carey
Telephone Messenger	E. Griffin
Governor's Messenger	M. Skarison
Asst. Enrolling and Engrossing Clerk.....	H. H. Roberts
Bill Clerk	George Enger
Clerk State Affairs Committee.....	J. E. Buttree
Clerk Appropriations Committee.....	R. E. Hamilton
Clerk Judiciary Committee	M. D. Avery
Committee Clerk, Banks and Banking, Taxes and Tax Laws	E. A. Watt
Chaplains—S. F. Halfyard, E. F. Alfson, Thomas Homer, I. G. Monson, L. R. Johnson, H. C. Postlethwaite, John A. H. Slag, Gerhard Sprock, C. F. Strutz.	
Clerk of Committee	A. H. Bolton

Journal of the Senate



Eighteenth Legislative Assembly.

EIGHTEENTH LEGISLATIVE ASSEMBLY FIRST DAY

Senate Chamber,
Bismarck, North Dakota,
January, 2, 1923.

At the hour of 12 o'clock Meridian, being the day and hour appointed by law for the convening of the Eighteenth Legislative Assembly, members of the Senate assembled in the Senate Chambers and were called to order by Senator Steel, who stated that in the absence of the former Lieutenant-Governor, the President pro tem of the 1921 session and the Secretary of the Senate, it was necessary for someone to call this body to order. He therefore moved that Senators Ployhar, Stevens and Byrne escort Lieutenant-Governor-elect Frank H. Hyland, to the President's chair. The motion prevailed. The Committee retired and escorted Lieutenant-Governor Hyland to the chair where he was introduced to the Senate by Senator Ployhar. Senator Steel moved that Senators Levang, Baird and Peterson be a committee to escort Chief Justice Birdzell to the Senate Chamber, which motion prevailed. The Chief Justice administered the oath of office to Lieutenant-Governor-elect Frank H. Hyland.

Lieutenant-Governor Hyland spoke briefly as follows:

"It has been a good many years since I was elected a member of the House of Representatives where I served two years. Since then I have served eight years in this body. Legislative work has always appealed to me strongly as giving one a wonderful opportunity to do needed service for the people of the state. In our work in this body during the next sixty days I anticipate only honest and beneficial effort on the part of every member. We have various political parties and factions in the different parties, but knowing the intent of the personnel of the Senate I feel that when our sixty days service has been completed that the people of the state will look upon it as having been the most beneficial Session of the Legislature that this or any other state has ever had. I am looking to each member of the Senate to reduce the taxes and perfect defects in existing laws so that the people of the State of North Dakota will be a more happy and contented people than they were when the legislature convened. I assure you that I am more than anxious to co-operate with every member of the Senate in any way, and at any time, for the

best interests of the people and tax payers of the State of North Dakota. Gentlemen of the Senate, we are all human; full of hope and ambition; of kindness and red blood and we are bound to have different ideas and opinions, and each of you have the same right to express your ideas and defend them. Let us each consider the feelings of one another and so conduct ourselves as servants of the state, that when the sixty day session has expired we will think more of each other and the people of the state will feel that ours has been the most constructive session of the legislature that the state has ever known.'

Prayer was offered by Rev. S. F. Halfyard.

The following communication was received from the Secretary of State:

Bismarck, North Dakota,
January 2, 1923.

Secretary of the Senate,
Eighteenth 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 qualified as members of the Senate of the Eighteenth Legislative Assembly of the State of North Dakota.

Dist.	County	Name	Address
1.	Pembina	Fred Van Camp	St. Thomas
2.	Pt. of Ward	John E. Fleckten	Niobe
3.	Pt. of Walsh	Christ Levang	Park River
4.	Pt. of Walsh	P. J. Murphy	Grafton
5.	Pt. of Grand Forks	J. E. Eastgate	Larimore
6.	Pt. of Grand Forks	W. S. Whitman	Grand Forks
7.	Pt. of Grand Forks	P. O. Thorson	Grand Forks
8.	Trail	Theo. Kaldor	Hillsboro
9.	Pt. of Cass	H. J. Rusch	Fargo
10.	Pt. of Cass	A. G. Storstad	Horace
11.	Pt. of Cass	Peter McLachlin	Hunter
12.	Pt. of Richland	J. H. McCoy	Wahpeton
13.	Sargent	Nels Peterson	Gwinner
14.	Ransom	F. F. Babcock	Elliott
15.	Pt. of Barnes	Frank E. Ployhar	Valley City
16.	Steele & Griggs	John L. Micklethun	Wimbledon
17.	Nelson	R. J. Gardiner	Brocket
18.	Cavalier	W. H. Porter	Calvin
19.	Rolette	John W. Benson	Rolette
20.	Benson	E. B. Page	Leeds
21.	Ramsey	J. E. Stevens	Lawton
22.	Towner	S. J. Atkins	Cando
23.	Stutsman	Alfred Steel	Jamestown
24.	LaMoure	W. D. Lynch	LaMoure
25.	Dickey	T. J. Kelsh	Fullerton
26.	Emmons & Kidder	C. A. Ward	Hazelton
27.	Burleigh	Lynn W. Sperry	Bismarck
28.	Bottineau	Nels Magnuson	Souris
29.	Pt. of Ward	Walter R. Bond	Minot
30.	Morton	W. E. Martin	Huff
31.	Stark	L. R. Baird	Dickinson

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33.	Wells	James A. Wenstrom	Dover
34.	Pt. of McHenry	D. H. Hamilton	Eckman
35.	Sheridan	John Nathan	Goodrich
36.	McIntosh & Logan	P. T. Kretschmar	Venturia
37.	Pt. of Richland	C. W. Carey	Lidgerwood
38.	Pt. of Barnes	C. J. Olson	Valley City
39.	Billings, Bowman, Golden Valley, Slope	Gust Wog	Belfield
40.	Burke & Divide	Ralph Ingerson	Flaxton
41.	Williams & M'Kenzie	Robert Byrne	Arnegard
42.	Pierce	O. T. Tofsrud	Rugby
43.	Renville	B. F. Baker	Glenburn
44.	Mountrail	R. W. Patten	Plaza
45.	Pt. of McHenry	Ole Ettestad	Balfour
46.	McLean	A. A. Peck	Underwood
47.	Grant	O. C. Gross	Raleigh
48.	Mercer-Oliver and Dunn	Chas. M. Whitmer	Yucca
49.	Adams-Hettinger and Sioux	P. B. Garberg	Hettinger

In witness whereof, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 2nd day of January, 1923.

THOMAS HALL,
Secretary of State.

(SEAL)

The roll of the holdover Senators was called, all answering present.

HOLDOVER SENATORS

Dist.	County	Name	Address
1.	Pembina	Fred Van Camp	St. Thomas
3.	Pt. of Walsh	Christ Levang	Park River
5.	Pt. of Grand Forks	J. E. Eastgate	Larimore
7.	Pt. of Grand Forks	P. O. Thorson	Grand Forks
9.	Pt. of Cass	H. J. Rusch	Fargo
11.	Pt. of Cass	Peter McLachlin	Hunter
13.	Sargent	Nels Petterson	Gwinner
15.	Pt. of Barnes	Frank E. Ployhar	Valley City
17.	Nelson	R. J. Gardiner	Brocket
19.	Rolette	John W. Benson	Rolette
21.	Ramsey	J. E. Stevens	Lawton
23.	Stutsman	Alfred Steel	Jamestown
25.	Dickey	T. J. Kelsh	Fullerton
27.	Burleigh	Lynn W. Sperry	Bismarck
29.	Pt. of Ward	Walter R. Bond	Minot
31.	Stark	L. R. Baird	Dickinson
33.	Wells	James A. Wenstrom	Dover
35.	Sheridan	John Nathan	Goodrich
37.	Pt. of Richland	C. W. Carey	Lidgerwood
39.	Billings, Bowman, Golden Valley, Slope	Gust Wog	Belfield
41.	Williams & M'Kenzie	Robert Byrne	Arnegard
43.	Renville	B. F. Baker	Glenburn
45.	Pt. of McHenry	Ole Ettestad	Balfour
47.	Grant	O. C. Gross	Raleigh
49.	Adams, Hettinger, Sioux	P. H. Garberg	Hettinger

The roll call of Senators-elect was called, all answering present with the exception of Senators Fleckten, Lynch and Page.

SENATORS-ELECT

Dist.	County	Name	Address
2.	Pt. of Ward	John E. Fleckten	Niobe
4.	Pt. of Walsh	P. J. Murphy	Grafton
6.	Pt. of Grand Forks	W. S. Whitman	Grand Forks
8.	Traill	Theo. Kaldor	Hillsboro
10.	Pt. of Cass	A. G. Storstad	Horace
12.	Pt. of Richland	J. H. McCoy	Wahpeton
14.	Ransom	F. F. Babcock	Elliott
16.	Steele and Griggs	John L. Miklethun	Wimbledon
18.	Cavalier	W. H. Porter	Calvin
20.	Benson	E. B. Page	Leeds
22.	Towner	S. J. Atkins	Cando
24.	LaMoure	W. D. Lynch	LaMoure
26.	Emmons & Kidder	C. A. Ward	Hazleton
28.	Bottineau	Ne's Magnuson	Souris
30.	Morton	W. E. Martin	Huff
32.	Eddy and Foster	O. H. Olson	New Rockford
34.	Pt. of McHenry	D. H. Hamilton	Eckman
36.	McIntosh & Logan	P. T. Kretschmar	Venturia
38.	Pt. of Barnes	C. J. Olson	Valley City
40.	Burke and Divide	Ralph Ingerson	Flaxton
42.	Pierce	O. T. Tofsrud	Rugby
44.	Mountrail	R. W. Patten	Plaza
46.	McLean	A. A. Peck	Underwood
48.	Mercer, Oliver and Dunn	Chas. M. Whitmer	Yucca

Chief Justice Birdzell administered the oath of office to the Senators-elect with the exceptions of Senators Fleckten, Lynch and Page.

SENATE ROLL CALL

Senator Van Camp nominated W. E. Parsons for Secretary of the Senate.

The question being on the election of W. E. Parsons for Secretary of the Senate, the roll was called and there were ayes, 46; nays 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Page

So W. E. Parsons was declared elected Secretary of the Senate.

Thereupon Lieutenant-Governor Hyland administered the oath of office to W. E. Parsons.

SENATE ROLL CALL

Senator Baird nominated D. E. Shipley for First Assistant Secretary of Senate.

The question being on the election of D. E. Shipley for First Assistant Secretary of Senate, the roll was called and there were ayes, 46; nays 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Page

So D. E. Shipley was declared elected First Assistant Secretary of the Senate.

SENATE ROLL CALL

Senator Baird nominated A. D. McKinnon for Second Assistant Secretary of Senate.

The question being on the election of A. D. McKinnon for Second Assistant Secretary of Senate, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Foster

So A. D. McKinnon was declared elected Second Assistant Secretary of the Senate.

SENATE ROLL CALL

Senator Van Camp nominated Dana Wright for Sergeant At Arms.

The question being on the election of Dana Wright for Sergeant at Arms, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Page

So Dana Wright was declared elected Sergeant at Arms.

SENATE ROLL CALL

Senator Rusch nominated Edith Barker for Desk Stenographer.

The question being on the election of Edith Barker for Desk Stenographer, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Foster

So Edith Barker was declared elected Desk Stenographer.

SENATE ROLL CALL

Senator Baird nominated G. G. Semple for Proof Reader.

The question being on the election of G. G. Semple for Proof Reader, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Steel
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Page

So G. G. Semple was declared elected Proof Reader.

SENATE ROLL CALL

Senator Rusch nominated F. B. Ingstad for Enrolling and Engrossing Clerk.

The question being on the election of F. B. Ingstad for

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Enrolling and Engrossing Clerk, the roll was called and there were ayes, 46; nays, 0, absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kal'dor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Steel
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Page

So F. B. Ingstad was declared elected Enrolling and Engrossing Clerk.

SENATE ROLL CALL

Senator Baird nominated T. Tallackson for Bill Room Clerk.

The question being on the election of T. Tallackson for Bill Room Clerk, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kal'dor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Steel
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Page

So T. Tallackson was declared elected Bill Room Clerk.

SENATE ROLL CALL

Senator Baird nominated E. G. Casey for Mailing Clerk.

The question being on the election of E. G. Casey for

Mailing Clerk, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ploybar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Steel
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Page

So E. G. Casey was declared elected Mailing Clerk.

SENATE ROLL CALL

Senator Baird nominated Adam Leismeister for Doorkeeper and Janitor.

The question being on the election of Adam Leismeister for Doorkeeper and Janitor, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ploybar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Steel
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Page

So Adam Leismeister was declared elected Doorkeeper and Janitor.

SENATE ROLL CALL

Senator Rusch nominated Don Macdonald for Bill Messenger.

The question being on the election of Don Macdonald

for Bill Messenger, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Page

So Don Macdonald was declared elected Bill Messenger.

SENATE ROLL CALL

Senator Rusch nominated F. A. McDonald for Postmaster and Voucher Clerk.

The question being on the election of F. A. McDonald for Postmaster and Voucher Clerk, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Page

So F. A. McDonald was declared elected Postmaster and Voucher Clerk.

SENATE ROLL CALL

Senator Baker nominated Alfhild O. Alfson for Stenographer.

The question being on the election of Alfhild O. Alfson for Stenographer, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babeock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Page

So Alfild O. Alfson was declared elected Stenographer.

SENATE ROLL CALL

Senator Baird nominated Ida Cooper for Stenographer.

The question being on the election of Ida Cooper for Stenographer, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babeock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Page

So Ida Cooper was declared elected Stenographer.

SENATE ROLL CALL

Senator Baird nominated Gladys Harvey for Stenographer.

The question being on the election of Gladys Harvey for Stenographer, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babeock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud

Messrs.	Messrs.	Messrs.	Messrs.
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Page

So Gladys Harvey was declared elected Stenographer.

SENATE ROLL CALL

Senator Rusch nominated Ruth Lunseth for Stenographer.

The question being on the election of Ruth Lundseth for Stenographer, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babeock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Page

So Ruth Lunseth was declared elected Stenographer.

SENATE ROLL CALL

Senator Ingerson nominated Mrs. Millie J. Wood for Stenographer.

The question being on the election of Mrs. Millie J. Wood for Stenographer, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babeock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

So Mrs. Millie J. Wood was declared elected Stenographer.

SENATE ROLL CALL

Senator Murphy nominated Senator Ployhar for President pro tem of the Senate.

The question being on the election of Senator Ployhar for President pro tem of the Senate, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Page

So Senator Ployhar was declared elected President pro tem of the Senate.

SENATE ROLL CALL

Senator Rusch nominated James Meisner for Page.

The question being on the election of James Meisner for Page, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Page

So James Meisner was declared elected Page.

SENATE ROLL CALL

Senator Rusch nominated Thomas Kelley for Page.

The question being on the election of Thomas Kelley for Page, the roll was called and there were ayes, 46; nays, 0; absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Ka'dor	Olson, Eddy-	Thorson
Renson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Fastgate	McLachlin	Ployhar	Whitman
Fttestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Page

So Thomas Kelley was declared elected Page.

Sen. Rusch nominated M. Skarison for Governor's Messenger.

The question being on the election of M. Skarison for Governor's Messenger, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Ka'dor	Olson, Eddy-	Thorson
Renson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Fastgate	McLachlin	Ployhar	Whitman
Fttestad	Magnuson	Porter	Whitmer
Fleckten	Martin	Rusch	Wog
Garberg	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Page

So M. Skarison was declared elected as Governor's Messenger.

The President Administered the Oath of Office to the following employees: D. E. Shipley, Dana Wright, Adam Leismester, M. Skarison, Thos. Kelley, Gladys Harvey, Ida Cooper, Alfhild Alfson, Don McDonald, James Meisner.

Senator Steel moved that the Senate do not select any more employees than those already chosen until such time as it may be necessary, which motion prevailed.

Senator Thorson moved that a temporary committee on Revision and Correction of the Journal be appointed.

Which motion prevailed.

Senator Stevens moved that a committee of three on Senate Rules be appointed.

Which motion prevailed.

Senator Murphy moved that a committee of four to act with the Chair in making Committee appointments.

Which motion prevailed.

Senator Gardiner moved that the Rules of the last Session govern this body until such time as new rules be adopted.

Which motion prevailed.

Senator Kaldor moved that the senators now proceed to the selection of their seats, the same to be determined on the basis of seniority and continuous service, except in case of the newly elected senators whose seats are to be determined by lot, after the older members have selected their seats. Which motion prevailed.

Senator Baker moved that the pastors of Bismarck be Chaplains of the Senate.

Which motion prevailed.

Senator Sperry moved that a Committee of three be appointed to consult with the Board of Administration regarding supplies for the use of the Senate and Committee Rooms for the different committees.

Which motion prevailed.

Senator Murphy moved that the Chair appoint a committee of three to wait on the Governor and inform him that the Senate has organized and is ready to transact business.

Which motion prevailed.

Senator Rusch moved that employees receive pay from date of being sworn into office.

Which motion prevailed.

Senator Baird moved that a committee of three be appointed to notify the House that the Senate was organized and was ready to transact business.

Which motion prevailed.

Senator Hamilton moved that a committee of five be appointed to handle the question of additional employees if it be found necessary to secure more help.

Which motion prevailed.

Senator Carey moved that a committee of three be appointed to act with similar committee from the House to prepare for a joint session for receiving the Governor's message.

Senator Murphy moved to recess to reconvene at the call of the President.

Which motion prevailed.

Senate reconvened at 2 p. m. with the President presiding.

The roll was called, all Senators being present with the exception of Senators Fleckten, Kretschmar, Lynch, Martin, and Page.

Senator Sperry moved that the absent Senators be excused.

Which motion prevailed.

The President announced the following committees :

Committee on Revision and Correction of the Journal—Levang, Storstad, Patten.

Committee on Temporary Rules—Stevens, Baker, Steel.

Committee on Committees—Murphy, Ettestad, Byrne and Ployhar.

Committee on Supplies and Committee Rooms—Sperry, Martin, Kretschmer.

Committee to Notify Governor that Senate was Organized—Thorson, Kelch, and Olson of Eddy.

Committee to Notify House that the Senate is Ready to Transact Business—Ettestad, McLaughlin, Nathan.

Committee to Arrange for Joint Session to Receive Governor's Message—Bond, Sperry, Miklethun.

Committee on Employment—Van Camp, Baird, Ingerson, Rusch, Benson.

Senator Sperry reported that his committee had met with the Board of Administration, and the Senate would receive necessary supplies when properly ordered, and they would also endeavor to secure committee rooms.

Senator Thorson reported that the Governor had been notified of the organization of the Senate.

On motion of Senator Bond the Senate returned to Eighth order of business.

Senator Bond moved that a committee of three be appointed to draft suitable resolutions to send to Senator Lynch on account of sickness in his family.

Which motion prevailed, and Senators Bond, Ward and Kelsh were appointed.

Senator Baker moved that a committee of three be appointed to draft suitable resolutions respecting the death of Senator Hagen.

Which motion prevailed and Senators Baker, Magnuson and Murphy were appointed.

Senator Ettestad reported that his committee had notified the House that the Senate was ready to transact business.

Senator Sperry moved that the Senate recess until 1:15 p. m., January 3rd, 1923.

Which motion prevailed and the Senate recessed.

W. E. PARSONS,
Secretary.

FIRST DAY AFTER RECESS AND SECOND DAY

Senate Chamber,
Bismarck, North Dakota,
January 3, 1923.

Senate reassembled at 1:15 p. m. pursuant to recess taken, the President presiding.

The President administered the oath of office to Senator Page of Benson.

Senator Bond reported that arrangements had been made with the House for a Joint Session at 2:00 p. m., and asked that the Committee be discharged. No objections being made, the committee was discharged.

Senator Kelsh read a resolution of Condolence to be forwarded to Senator Lynch, and moved its adoption.

Which motion prevailed.

RESOLUTION OF CONDOLENCE

RESOLVED, by the Senate of North Dakota, that whereas, we learned of the serious illness of the wife of our colleague, Senator W. D. Lynch, we hereby extend our sincere sympathy and the hope for her speedy recovery.

BE IT FURTHER RESOLVED, that a copy of this resolution be spread on the Journal of the Senate, and that the resolution be wired to Senator Lynch.

By the Committee:

W. R. BOND,
C. A. WARD,
T. J. KELSH.

Senator Sperry reported that the American Legion Hall opposite The Tribune Building would be available for committee rooms.

Senator Rusch moved that the Committee on Supplies and Committee Rooms be made permanent.

Which motion prevailed.

Senator Stevens moved that the Senate work under the rules of the Seventeenth Legislative Assembly until such time as changes may be made.

Which motion prevailed.

Senator Baker asked for an extension of time for the special committee appointed to draw up resolutions regarding the death of Senator Hagan.

His request was granted.

Senator Sperry asked the unanimous consent of the Senate to take up the Fifth Order of Business. There be-

ing no objections, the Senate took up the Fifth Order of Business.

Senator Sperry presented the Following communication:

The Butler Studio of Bismarck, North Dakota, undertakes and agrees to make one large group picture to include each member of the Senate and undertakes to hang this picture in the Senate Chamber, said picture to hang as a permanent fixture and become the property of the State of North Dakota.

For the above consideration, and for the further consideration that the photographs be of first class workmanship, each member of the Senate agrees to pay to the Butler Studio the sum of \$1.00, and hereby appoints the Butler studio as its own and exclusive photographer of the Senate of the Eighteenth Legislative Assembly.

Senator Murphy moved that the above communication be referred to the Committee on State Affairs.

Which motion prevailed.

Senator Van Camp stated that it had been found to be impossible for Mr. Casey to accept the position of Mailing Clerk and moved that Mr. Elim Carey be substituted in his place.

SENATE ROLL CALL

The question being on the election of E. Carey as Mailing Clerk, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Steel
Babcock	Gross	Nathan	Stevens
Baird	Hamilton	Olson, Barnes	Thorson
Baker	Ingerson	Page	Tofsrud
Benson	Kador	Patten	Van Camp
Bond	Kelsh	Peck	Ward
Byrne	Levang	Peterson	Wenstrom
Carey	McCoy	Pleyhar	Whitman
Fastgate	McLachlin	Porter	Whitmer
Fttestad	Martin	Rusch	Wog
Garberg	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Olson, Eddy-	Storstad
Kretschmar	Magnuson	Foster	

So E. Carey was declared Elected Mailing Clerk.

SENATE ROLL CALL

Senator Van Camp nominated E. Griffin for Telephone Messenger.

The question being on the election of E. Griffin as Telephone Messenger, the roll was called and there were ayes, 44; nays 0; absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Steel
Babeock	Gross	Nathan	Stevens
Baird	Hamilton	Olson, Barnes	Storstad
Baker	Ingerson	Page	Thorson
Benson	Kaldor	Patten	Tofsrud
Bond	Kelsh	Peck	Van Camp
Byrne	Levang	Peterson	Ward
Carey	McCoy	Ployhar	Wenstrom
Castgate	McLachlin	Porter	Whitman
Ettestad	Martin	Rusch	Whitmer
Garberg	Miklethun	Sperry	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Olson, Eddy-
Kretschmar	Magnuson	Foster

So E. Griffin was declared elected Telephone Messenger.

A committee from the House informed the Senate that the House is organized and ready to transact business.

The President administered the Oath of Office to the following employees:

F. B. Engstad, Ruth Lunseth, Edith Barker, Mrs. Millie Wood, G. G. Semple, and E. Griffin.

Senator Gardiner moved that the Senate be now adjourned to re-convene at 2:00 p. m. January 3, 1923.

Which motion prevailed.

Senate adjourned.

SECOND DAY

Senate convened at 2:00 o'clock p. m. pursuant to adjournment, the President presiding.

Prayer by the Chaplain, Rev. S. F. Halfyard.

The roll was called, all Senators being present with the exception of Atkins, Fleckten, and Lynch.

The President asked for the report of the committee on the correction and revision of the Journal. The Chairman asked for further time, which was granted.

The President advised that the Committee on Committees would be glad to receive a list of Committee preferences.

Senator Ployhar moved that a recess be taken to re-convene at the call of the President.

Which motion prevailed, and the Senate recessed.

The Senate re-convened at 2:20 p. m.

A select committee of the House informs the Senate that the House is ready to meet with the Senate in Joint Session.

Senator Bond moved that the Senate proceed to the House for the Joint Session.

Which motion prevailed, and the Senate proceeded to the House for the Joint Session.

The Senate re-assembled, the President presiding.

Senator Levang asked the unanimous consent of the Senate to take up the Seventh Order of Business.

There being no objection, the Senate took up the Seventh Order of Business.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the First day and recommend that the same be corrected as follows:

On page 1, line 14, correct spelling of "some."

On page 3, line 24, strike out "Stebbins" and insert in lieu thereof "Raleigh."

On page 4, line 5, strike out "P. H. Garberg....Hettinger" and insert in lieu thereof "O. C. Gross....Raleigh."

On page 4, line 7, strike out "O. C. Gross....Stebbins" and insert in lieu thereof "P. H. Garberg....Hettinger."

On page 4, line 14, strike out "Christ Levang...Park River" and insert in lieu thereof "P. J. Murphy....Grafton."

On page 12, line 15, leave out letter "d" in Lundseth.

On page 14, after line 24, insert the following:

Sen. Rusch nominated M. Skarison for Governor's Messenger.

The question being on the election of M. Skarison for Governor's Messenger, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Poster	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Byrne	Levang	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	Lynch	Page

So M. Skarison was declared elected as Governor's Messenger.

On page 14, after line 40, insert: "Senator Kaldor moved that the senators now proceed to the selection of their seats, the same to be determined on the basis of seniority and continuous service, except in case of the newly elected senators whose seats are to be determined by lot, after the older members have selected their seats." Which motion prevailed.

On page 16, line 23, strike out "that" after the word "notified."

Correct the spelling of "Kelsh" and "Tofsrud" in all roll calls.

And when so corrected recommend that the same be approved.

CHRIST LEVANG,
Chairman.

Mr. Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The President administered the oath of office to Emil Carey.

Senator Ployhar moved that the Senate recess until 1:45 P. M., January 4, 1923.

Which motion prevailed and the Senate recessed.

W. E. PARSONS,
Secretary.

SECOND DAY AFTER RECESS AND THIRD DAY

Senate Chamber,
Bismarck, North Dakota,
January 4, 1923.

Senate re-assembled at 1:45 p. m. pursuant to recess taken, the President presiding.

Moved by Senator Rusch to adjourn, and re-convene at 2:00 p. m.

Which motion prevailed.

THIRD DAY

Senate convened at 2:00 P. M., the president presiding.

Prayer by Chaplain, S. F. Halfyard.

Roll was called, all Senators being present with the exception of Senators Fleckten and Lynch.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the first day after recess and second day and recommend that the same be corrected as follows:

On page 2, line 3, strike out "Senator Baker asked for more time for his committee to prepare resolutions of the death of Senator Hagen," and insert in lieu thereof: "Senator Baker asked for an extension of time for the special committee appointed to draw up resolutions regarding the death of Senator Hagan."

And when so corrected recommend that the same be approved.

CHRIST LEVANG,
Chairman.

Mr. Levang moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Wog presented the following communication:

The Rembrandt Photograph Studio of Bismarck, N. D., undertakes and agrees to make one large group picture to include each member of the House and one large group picture to include each member of the Senate and undertakes to hang these two pictures in their respective chambers, said pictures to hang as permanent fixtures and become the property of the State of North Dakota.

For the above consideration, and for the further consideration that the photographs be of first class work-

manship, each member of the House and Senate agrees to pay to the Rembrandt Studio the sum of One Dollar, and hereby appoint the Rembrandt Photograph Studio as the sole and exclusive photographer of the Eighteenth Legislative Assembly.

Senator Sperry moved that the above communication be referred to the Committee on State Affairs.

Which motion prevailed.

Moved by Senator Stevens that a committee of five Senators be appointed to act with a like committee from the House to agree upon and formulate a plan whereby the Journals of the two Houses, the Senate and House of Representatives, may be mailed to the various sections of the State, together with other public documents which may be of interest.

Which motion prevailed, and the President appointed the following as members of the Committee:

Senators Stevens, Baker, Thorson, Miklethun and Sperry.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. H. J. Rusch introduced:

Senate Bill No. 1. A Bill for an Act to Amend Section 5205 of the Compiled Laws of the State of North Dakota, Relating to the Term of Existence of Certain Corporations.

Was read the first and second time, and referred to Committee on Corporations other than Municipal.

Mr. Tofsrud introduced:

Senate Bill No. 2. A Bill for an Act to Provide for the Storing of Grain in Store Rooms or Granaries on Farms, the Loaning of Money on the Same and the Manner of Collecting Said Loans.

Was read the first and second time, and referred to Committee on Warehouse and Grain Grading.

House Chamber,
Bismarck, North Dakota,
January 4, 1923.

Mr. President: I have the honor to transmit the following motion:

Moved by Mr. Sproul that the Speaker be authorized to appoint a committee of five, to act with a like committee from the Senate, to regulate the number of Journals and Bills to be printed during the session and to arrange for the distribution.

Which motion prevailed.

The Speaker appointed the following committee: Messrs. Sproul, Arduser, Peters, Hanson and Sims.

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

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Ployhar moved the adoption of the House Resolution on appointment of Committees to supervise the distribution of Journals and Bills.

Which motion prevailed.

Senator Miklethun introduced the following Concurrent Resolution:

BE IT RESOLVED, By the Senate of the State of North Dakota, the House of Representatives concurring:

WHEREAS, We believe that the Volstead Act as it is now written upon the statute books should remain unchanged, and

WHEREAS, We believe that the same should be rigidly enforced, now

BE IT RESOLVED, By the Legislative Assembly of the State of North Dakota, assembled in regular session, that the National Congress be urged to permit the same to remain unchanged and that the said Congress do all in its power to the end that the purposes of said Act may be attained.

NOW, THEREFORE, BE IT RESOLVED FURTHER, That the Secretary of State of the State of North Dakota be requested to forward copies of this Concurrent Resolution immediately upon its passage and approval to the President of the Senate of the United States and the Speaker of the National House of Representatives at Washington, D. C., and to the members of the Senate and the House of Representatives of the National Congress from the State of North Dakota.

Senator Miklethun moved that the Resolution be adopted.

Which motion prevailed.

Senator Kretschmar introduced the following Concurrent Resolution:

GREAT LAKES-ST. LAWRENCE WATERWAY PROJECT

Senate Concurrent Resolution

Introduced by Mr. Kretschmar

BE IT RESOLVED, by the Senate of the State of North Dakota, the House of Representatives concurring therein:

WHEREAS, the great and natural resources of the State of North Dakota are as yet undeveloped, and said State is dependent upon agriculture for its prosperity, and agriculture being the fundamental basis for prosperity in all northwest states; and

WHEREAS, in a large measure, if not entirely, the price of agricultural products is dependent upon foreign markets; and

WHEREAS, the present rates for transportation of such products are too high to be in just proportion to the price received therefor at terminal markets, and thus has a tendency to curtail the production of the staple articles of agriculture needed by all people in all lands; and

WHEREAS, the Great Lakes-St. Lawrence Waterway Project, if completed and perfected, will furnish to the people of the State of North Dakota a cheaper method of transportation of their products to foreign markets, thus assuring them a higher revenue for the same.

NOW, THEREFORE, BE IT RESOLVED, by the Senate of the **Eighteenth Legislative Assembly** of the State of North Dakota, the House of Representatives concurring therein, that we do hereby memorialize the Congress of the United States, and respectfully urge that Congress take immediate action towards the passage of such law or laws, which will make possible the early completion and perfection of the Great Lakes-St. Lawrence Waterway Project.

BE IT FURTHER RESOLVED, that the Secretary of the Senate send a copy of this Resolution to the President of the United States and the President of the Senate, and Speaker of the House of Representatives of the United States, and of the Montana and Minnesota Legislatures respectively, also to our members in Congress.

Senator Kretschmar moved the adoption of the Resolution, which motion prevailed.

Senator Murphy moved that the absent Senators be excused.

Which motion prevailed.

The President administered the Oath of Office to T. Tallackson and F. A. McDonald.

Senator Ettestad moved that the Senate recess subject to the call of the President.

Which motion prevailed, and the Senate recessed.

Senate re-convened at 3:35 p. m., the President presiding.

MESSAGE FROM THE HOUSE

House Chamber,
Bismarck, North Dakota,
January 4, 1923.

Mr. President:

I have the honor to transmit herewith the following

CONCURRENT RESOLUTION

By Mr. Watt.

WHEREAS, the report of the State Budget Board upon the situation existing at the State Training School at Man-

dan seems to be of vital importance and of an emergency nature;

THEREFORE, BE IT RESOLVED, By the House of Representatives, the Senate concurring therein, that the committee asked for be appointed, with full powers to make a thorough investigation of existing conditions and to make recommendations as to the future policy and development of this institution; and

BE IT FURTHER RESOLVED, that the report of such findings and recommendations be submitted to the Legislative Assembly at the earliest possible date.

Resolution adopted.

The Speaker appointed the following committee as requested by the resolution: Dougherty, Miller, Rustad and Johnson of Traill.

Very Respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Murphy moved that the Resolution be referred to the Committee on State Affairs.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber,
Bismarck, North Dakota,
January 4, 1923.

Mr. President:

I have the honor to transmit herewith the following

CONCURRENT RESOLUTION

Introduced by Mr. J. C. Miller.

BE IT RESOLVED, By the House of Representatives of the State of North Dakota, the Senate concurring:

WHEREAS, We believe that the Volstead Act as it is now written upon the statute books should remain unchanged, and

WHEREAS, We believe that the same should be rigidly enforced, now

BE IT RESOLVED, By the Legislative Assembly of the State of North Dakota, assembled in regular session, that the National Congress be urged to permit the same to remain unchanged and that the said Congress do all in its power to the end that the purposes of said Act may be attained.

NOW, THEREFORE, BE IT RESOLVED FURTHER, That the Secretary of State of the State of North Dakota be requested to forward copies of this Concurrent Resolution immediately upon its passage and approval to the President of the Senate of the United States and the Speaker of the National House of Representatives at Wash-

ington, D. C., and to the members of the Senate and the House of Representatives of the National Congress from the State of North Dakota.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Kelsh moved that the Resolution be referred to the Committee on Temperance.

Which motion prevailed.

The President asked to return to the Seventh Order of Business. There being no objection, the Senate returned to the Seventh Order of Business, and the Secretary read the following Committee appointments:

SENATE STANDING COMMITTEES.

AGRICULTURE: Gardiner, Ettestad, Eastgate, Carey, Babcock, Hamilton, Ingerson, McLachlin, Peterson, Van Camp, Wog.

APPROPRIATIONS: Kretschmar, Benson, Baird, Bond, Carey, Kaldor, Kelsh, Magnuson, Martin, Murphy, Ployhar, Rusch, Sperry, Steel, Stevens, Thorson, Van Camp.

APPORTIONMENT: Kelsh, Wog, Baker, Bond, Byrne, Carey, Ettestad, Fleckten, Garberg, Kretschmar, Martin, Miklethun, Murphy, Olson of Eddy and Foster, Page, Peck, Ployhar, Steel, Stevens, Storstad, Thorson, Ward, Whitmer.

BANKS AND BANKING: Bond, Rusch, Atkins, Baker, Byrne, Garberg, Ingerson, Kretschmar, Levang, McLachlin, Miklethun, Page, Patten, Porter, Tofsrud.

CITIES AND MUNICIPAL CORPORATIONS: Byrne, Kaldor, Baird, Bond, Garberg, Olson of Eddy and Foster, Ployhar, Rusch, Sperry, Steel, Tofsrud.

CORPORATIONS OTHER THAN MUNICIPAL: Lynch, Tofsrud, Baird, Benson, Ingerson, Magnuson, Olson of Barnes, Peterson, Whitman.

COUNTIES: Ingerson, Gardiner, Baker, Benson, Bond, Byrne, Fleckten, Garberg, Miklethun, Whitmer, Wog.

EDUCATION: Steele, Storstad, Byrne, Eastgate, Garberg, Gross, Kelsh, Murphy, Peck, Porter, Thorson.

ELECTIONS: Carey, Miklethun, Atkins, Baird, Benson, Kaldor, Steel, Stevens, Storstad.

ENROLLED AND ENGROSSED BILLS: Levang, Bond, Gross, Sperry, Storstad.

FEDERAL RELATIONS: Benson, Kelsh, Baker, Garberg, Gardiner, Page, Patten.

GAME AND FISH: Stevens, Hamilton, Atkins, Eastgate, Kretschmar, Page, Peck, Ward, Whitmer.

HIGHWAYS: Peterson, Whitman, Benson, McCoy, McLachlin, Martin, Patten, Peck, Sperry, Van Camp, Wog.

IMMIGRATION: Van Camp, Ingerson, Byrne, Eastgate, McLachlin, Nathan, Porter, Whitman, Whitmer.

INDIAN AFFAIRS: Patten, Stevens, Benson, Garberg, Page.

INSURANCE: Murphy, Porter, Carey, Gardiner, Hamilton, Ingerson, Kelsh, Levang, Magnuson, Olson of Eddy and Foster, Rusch.

IRRIGATION AND DRAINAGE: McLachlin, Whitmer, Babcock, Byrne, Hamilton, Kaldor, McCoy, Magnuson, Van Camp.

JUDICIARY: Baird, Garberg, Baker, Ettestad, Fleckten, Kaldor, Levang, Lynch, McCoy, Olson of Barnes, Page, Steel, Storstad, Tofsrud, Ward, Wenstrom, Whitman.

LIVESTOCK: Eastgate, McLachlin, Carey, Babcock, Hamilton, Kelsh, Nathan, Patten, Ward, Whitmer, Wog.

MILEAGE AND PER DIEM: Wenstrom, Eastgate, McCoy.

MILITARY AFFAIRS: Sperry, Baird, Babcock, Hamilton, Martin, Murphy, Olson of Eddy and Foster, Ployhar, Stevens.

MINES AND MINERALS: Atkins, Nathan, Baird, Bond, Fleckten, Ingerson, Lynch, Sperry, Wog.

PUBLIC HEALTH: Porter, Gross, Garberg, Lynch, Martin, Stevens, Thorson, Van Camp, Wenstrom.

PUBLIC LAND: Wog, Peterson, Carey, Gross, Hamilton, Kaldor, Kelsh, Olson of Barnes, Peck.

PUBLIC PRINTING: Ettestad, Porter, Lynch, Magnuson, Page, Ployhar, Peterson, Thorson, Tofsrud.

RAILROADS: Whitman, McCoy, Benson, Eastgate, Ettestad, Gardiner, Gross, Kelsh, Kretschmar, Levang, Patten, Rusch, Ward.

REVISION AND CORRECTION OF THE JOURNAL: McCoy, Levang, Sperry.

RULES: Kaldor, Storstad, Fleckten, Gross, Levang, Rusch, Stevens.

STATE AFFAIRS: Ployhar, Murphy, Atkins, Bond, Byrne, Eastgate, Gardiner, Gross, Hamilton, Ingerson, McLachlin, Mikelthun, Nathan, Olson of Eddy and Foster, Peterson, Porter, Wog.

STATISTICS: Fleckten, Olson of Eddy and Foster, Babcock, Baker, Kretschmar, Olson of Barnes, Wenstrom.

TAXES AND TAX LAWS: Thorson, Wenstrom, Baker, Benson, Ettestad, Page, Peck, Rusch, Storstad, Van Camp, Whitman.

TEMPERANCE: Miklethun, Olson of Barnes, Babcock, Gross, Magnuson, Nathan, Peck, Tofsrud, Van Camp, Ward, Wenstrom.

WAREHOUSE AND GRAIN GRADING: Storstad, Ward, Fleckten, Ingerson, McCoy, McLachlin, Magnuson, Olson of Foster and Eddy, Peterson, Stevens, Whitman.

WAYS AND MEANS: Rusch, Fleckten, Babcock, Gardiner, Lynch, McLachlin, Olson of Barnes, Patten, Steel, Whitman, Whitmer.

WOMEN'S AND CHILDREN'S WELFARE: Baker, Sperry, Atkins, Gross, Martin, Miklethun, Olson of Barnes, Page, Porter, Stevens, Whitman.

PUBLIC BUILDINGS: Olson of Eddy and Foster, Magnuson, Olson of Barnes, Rusch, Sperry, Steel, Thorson.

CHARITABLE INSTITUTIONS: Nathan, Van Camp, Babcock, Benson, Martin, Murphy, Steel.

EDUCATIONAL INSTITUTIONS: Ward, Thorson, Atkins, Etestad, Lynch, Murphy, Ployhar.

PENAL INSTITUTIONS: Hamilton, Kretschmar, Martin, Nathan, Sperry, Tofsrud, Wenstrom.

STATE LIBRARY: Gross, Carey, Etestad, Gardiner, Levang, Patten, Peck.

JOINT RULES: Garberg, Ployhar, Baird, Kaldor, Lynch, Miklethun, Peterson.

SENATE ROLL CALL

Senator Van Camp nominated H. H. Roberts as Assistant Enrolling and Engrossing Clerk.

The question being on the election of H. H. Roberts as Assistant Enrolling and Engrossing Clerk, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Steel
Babcock	Hamilton	Olson, Barnes	Storstad
Baird	Ingerson	Olson, Eddy-	Thorson
Baker	Kaldor	Foster	Tofsrud
Benson	Kelsh	Page	Van Camp
Bond	Kretschmar	Patten	Ward
Byrne	Levang	Peck	Wenstrom
Carey	McCoy	Peterson	Whitman
Eastgate	Magnuson	Ployhar	Whitmer
Etestad	Martin	Porter	Wog
Garberg	Miklethun	Rusch	
Gardiner	Murphy	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Lynch	McLachlin	Stevens

So H. H. Roberts was declared elected Assistant Enrolling and Engrossing Clerk.

SENATE ROLL CALL

Senator Van Camp nominated Geo. Enger as Bill Clerk.

The question being on the election of Geo. Enger as Bill Clerk, the roll was called and there were ayes, 45; nays, 0; absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Steel
Babcock	Hamilton	Olson, Barnes	Storstad
Baird	Ingerson	Olson, Eddy-	Thorson
Baker	Kaldor	Foster	Tofsrud
Benson	Kelsh	Page	Van Camp
Bond	Kretschmar	Patten	Ward
Byrne	Levang	Peck	Wenstrom
Carey	McCoy	Peterson	Whitman
Eastgate	Magnuson	Ployhar	Whitmer
Ettestad	Martin	Porter	Wog
Garberg	Miklethun	Rusch	
Gardiner	Murphy	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Lynch	McLachlin	Stevens

So Geo. Enger was declared elected Bill Clerk.

Senator Rusch moved that the Chairmen of the committees should state which bills were to be considered when they announced meetings of their committees.

Which motion prevailed.

Senator Stevens requested an extension of time in which to submit report of committees on the matter of mailing Senate and House Journals.

Which request was granted.

Senator Stevens moved that the Senate recess until 1:30 p. m., January 5th, 1923.

Which motion prevailed, and the Senate recessed.

W. E. PARSONS,
Secretary.

THIRD DAY AFTER RECESS AND FOURTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 5, 1923.

The Senate re-assembled at 1:30 o'clock P. M. pursuant to recess taken, the President presiding. The President administered the Oath of Office to A. D. McKinnon.

Senator Murphy moved that the Senate adjourn to reconvene at 2:00 o'clock p. m. January 5, 1923.

FOURTH DAY

Senate convened at 2:00 o'clock P. M. pursuant to adjournment, the President presiding.

Prayer by the Chaplain, Rev. S. F. Halfyard.

The roll was called, all Senators being present with the exception of Senators Kretchmar and Lynch.

The President administered the Oath of Office to Senator J. E. Fleckten.

Senator Gardiner moved that all absent Senators be excused.

Which motion prevailed.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the Second Day after recess and Third day and recommend that the same be corrected as follows:

On page 4, last line, correct spelling of "Tallackson."

On page 7, last paragraph, "Public Printing" should be in capitals.

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Mr. Levang moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Senator Wenstrom presented a communication from the Secretary of the Tri-County Medical Society, Carrington, N. D., and moved that the same be printed in the Journal, which motion was lost and the communication was referred to the Committee on Public Health.

Senator Baker introduced the following resolution:

RESOLUTION LAMENTING THE DEATH OF THE HONORABLE A. M. HAGAN, SENATOR FROM BOTTINEAU COUNTY, NORTH DAKOTA.

WHEREAS, It has pleased Almighty God to remove from among those to whom he had been a loving and devoted husband and father and from us, our esteemed friend and co-worker, the Honorable A. M. Hagan of Westhope, Bottineau County, Member of the Senate during the Sixteenth and Seventeenth Sessions and member of the House of Representatives during the Fifteenth Legislative Session, who departed this life December 2nd, 1922;

THEREFORE, BE IT RESOLVED, That while bowing to the will of the omnipotent Deity, we the members of the Senate of the Eighteenth Legislative Assembly of the State of North Dakota sincerely deplore the loss to the home, the community and the state, of one whose life and labors contributed so much to the upbuilding of character and social progress.

BE IT FURTHER RESOLVED, That we especially extend our greatest sympathy and condolences to his bereaved wife and children in this, their great affliction and assure them that they are not alone in their sorrow, but that we representing the entire state, join with them in mourning in their great bereavement.

BE IT FURTHER RESOLVED, That this resolution be made a part of the permanent journal of the Senate and an engrossed copy thereof be forwarded to his bereaved wife.

B. F. BAKER,
NELS MAGNUSON,
P. J. MURPHY,
Committee.

Senator Baker moved the adoption of the above Resolution.

Which motion prevailed.

Senator Stevens moved that the Commissioner of University and School Lands furnish to the Senate a list of all who have contracted for such land and are four or more years delinquent. Also a list of delinquent mortgages representing school funds.

Senator Baker moved to amend by striking out "four" and inserting in lieu thereof "two."

The vote being on the amendment, the amendment carried.

The vote being on the motion as amended, the motion prevailed.

Senator Steel moved to amend the temporary rule by prohibiting smoking during Session hours.

Which motion prevailed.

CONCURRENT RESOLUTION

Introduced by Senator Ingerson:

MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO TAKE FAVORABLE ACTION ON LEGISLATION TO STABILIZE THE PRICES OF AGRICULTURAL PRODUCTS.

Senator Ingerson moved to refer the above Resolution to its appropriate Committee.

Which motion prevailed, and it was referred to the Committee on Agriculture.

Senator Baker moved that all Joint and Concurrent Resolutions be referred to the appropriate committees.

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Van Camp introduced:

Senate Bill No. 3: A Bill for an Act to Amend and Re-enact Section 1 of Chapter 4 of the Laws Passed by the Sixteenth Legislative Assembly of the State of North Dakota, in 1919, as Amended by Chapter 5 of the Laws of North Dakota for the Year 1921, Being an Act to appropriate out of the State Highway Fund the Sum of \$35,000.00 for the Construction of a Bridge Across the Red River at Pembina, Pembina County, North Dakota, and Kittson County, Minnesota, Under the Provisions of Chapter 73 of the Laws Passed at the Legislative Assembly of North Dakota, approved March 5th, 1919.

Was read the first and second time, and referred to the Committee on Highways, Roads and Bridges.

Mr. Rusch introduced:

Senate Bill No. 4. A Bill for an Act Validating the Record of Mortgages and Assignments of Mortgages in the Office of the Register of Deeds of the Counties of the State between July 1, 1917, and January 1, 1923.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Whitman introduced:

Senate Bill No. 5. A Bill for an Act to Amend and Re-enact Section 4926, Compiled Laws of 1913, Relating to Resident and Non-resident Insurance Agents.

Was read the first and second time and referred to the Committee on Insurance.

Mr. Stevens introduced:

Senate Bill No. 6. A Bill for an Act to Repeal Section 991 of the Compiled Laws of North Dakota, for the Year 1913, Requiring Ballots of Women to be Deposited in Separate Boxes.

Was read the first and second time and referred to the Committee on Elections.

Mr. Stevens introduced:

Senate Bill No. 7. A Bill for an Act to Amend and Re-enact Section 948 of the Compiled Laws of North Dakota, for the Year 1913, Relating to the Qualifications of Electors.

Was read the first and second time and referred to the Committee on Elections.

Mr. Stevens introduced:

Senate Bill No. 8. A Bill for an Act to Amend and Re-enact Section 968 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Ballot Boxes.

Was read the first and second time and referred to the Committee on Elections.

Senator Storstad moved that the Senate recess until 1:45 o'clock p. m., January 6, 1923.

Which motion prevailed, and the Senate recessed.

W. E. PARSONS,
Secretary.

FOURTH DAY AFTER RECESS AND FIFTH DAY

Senate Chambers,
Bismarck, N. D.
January 6, 1923.

The Senate re-assembled at 1:45 o'clock P. M. pursuant to recess taken, the President presiding.

Senator Ployhar asked the unanimous consent of the Senate to take up the Eighth Order of Business.

There being no objection, the Senate took up the Eighth Order of Business.

RESOLUTION

Introduced by Senator Ployhar

Whereas, North Dakota has always been looked upon as being, primarily, an agricultural state and the possibilities which exist in the development of other natural resources have never received the consideration their merits warrant, and

Whereas, this is especially true with regard to our great coal and clay deposits which are sure to become more extensively used with the developing of better methods of utilization and

Whereas, experiments have been conducted along these lines, for many years, by Dean Babcock of the State School of Mines, by power plant engineers and others and

Whereas, there are many new members of the legislative assembly and others among our citizenry, who are not familiar with either the extent of these resources or the progress that has been made in their development, therefore be it

Resolved, that the President of the Senate appoint a committee of two members, who shall confer with the Governor, and a like committee from the House, as to arranging for a demonstration and exhibit in the near future, to show the new members of this assembly and the general public as well, just what our natural resources are and also the progress that has been made in better methods of utilization.

Senator Ployhar moved that the above Resolution be referred to its appropriate Committee.

Which motion prevailed, and it was referred to the Committee on Mines and Minerals.

Senator Stevens asked the unanimous consent of the Senate to return to the Seventh Order of Business. There being no objection the Senate took up the Seventh Order of Business.

Mr. President:

Your Committee appointed to confer with a like Committee from the House would report as follows:

We recommend the printing of 3,000 copies of the Journal of each day's proceedings of each House and that there be assigned to the presiding officer of the House and Senate, also to each member of the respective Houses, ten copies of this Journal, and that in addition thereto there be placed on the mailing list all state institutions, public libraries, State Historical Society, high schools, consolidated rural schools, all county judges, county auditors, the auditor of each incorporated city, the president of the village council of each incorporated village, that any newspapers published in the state, any farmers' club or commercial club within the state, may be placed on the mailing list at the request of any member of either House; that all bills and journals authorized by this resolution to be printed shall be delivered by the printer direct to the Secretary of the Publication and Printing Commission who shall receipt therefor to the printer.

And we recommend that each member of the Senate hand to the chairman of this Committee a list of names and addresses to whom he wishes copies mailed, such list to be handed by the Chairman to the mailing clerk.

And we would recommend that there be printed 500 copies of the permanent journals, the 500 copies of the permanent journals herein provided for to be distributed as follows: one copy to each member of the respective Houses and the balance to be delivered to the office of the Secretary of State and by him to be distributed as provided by law.

There is also to be printed 1,000 copies of each bill introduced in either House.

J. E. STEVENS,
Chairman

Senator Stevens moved the adoption of the report.

Which motion prevailed, and the report was adopted.

The President administered the Oath of Office to Geo. Enger.

Senator Benson asked the unanimous consent of the Senate to take up the Eighth Order of Business. There being no objection, the Senate took up the Eighth Order of Business.

Senator Benson moved that the courtesies of the floor be extended to Hon. D. J. McLennon.

Which motion prevailed.

Senator Storstad moved that the Senate do now adjourn to re-convene at 2:00 o'clock P. M.

FIFTH DAY

Senate convened at 2:00 o'clock P. M. pursuant to adjournment, the President presiding.

Prayer by the Chaplain, Rev. S. F. Halfyard.

Roll was called, all Senators being present with the exception of Senators Kretschmar, Lynch, and Nathan.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the Third day after recess and Fourth day and find it correct.

J. H. McCOY,
Chairman.

Mr. McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Senator Gardiner presented a communication from the Rural Letter Carriers of Nelson County urging the re-enactment of Section 2976 of the Revised Code of 1913, signed by M. J. Borgen, and 17 others, which was referred to the Committee on Highways.

Senator Carey presented a Resolution from the Richland County Medical Society, which was referred to the Committee on Public Health.

INTRODUCTION, FIRST AND SECOND READING OF
SENATE BILLS

Mr. McCoy introduced:

Senate Bill No. 9. A Concurrent Resolution to amend the Constitution extending the term of office in each organized County of the State of North Dakota of the several county officers thereof, to-wit: County Judge, Clerk of the District Court, Register of Deeds, County Auditor, Treasurer, Sheriff, and States Attorney, from two years to four years.

Was read the first and second time, and referred to the Committee on Elections.

Senator Ployhar moved that the Senate now recess for twenty minutes.

Which motion prevailed, and the Senate recessed.

Senate re-convened at 2:50 o'clock P. M., the President presiding.

The committee on Mines and Minerals made the following report:

Mr. President: Your committee on Mines and Minerals to whom was referred the Resolution offered by Senator Ployhar concerning a demonstration of coal and clay products have had the same under consideration and recommend that the same be adopted.

S. J. ATKINS,
Chairman.

Mr. Atkins 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 following Concurrent Resolution:

Whereas, the report of the State Budget Board upon the situation existing at the State Training School at Mandan seems to be of vital importance, and of an emergency nature, therefore be it

Resolved, by the House of Representatives, the Senate concurring therein, that the Committee asked for be appointed, with full powers to make a thorough investigation of existing conditions, and to make recommendations as to the future policy and development of this institution, and be it further

Resolved, that the report of such findings and recommendations be submitted to the Legislative Assembly at the earliest possible date.

Have had the same under consideration, and recommend that the same do pass, and that the President of the Senate appoint a Committee of four Senators to act with a like committee from the House.

FRANK E. PLOYHAR,
Chairman.

Mr. Ployhar moved that the report be adopted, which motion prevailed, and the report was adopted, and the President appointed as a Committee, Senators Wenstrom, Kelsh, McCoy, Ettestad.

Senator Bond asked the unanimous consent of the Senate to take up the Fifth Order of Business. There being no objections, the Senate took up the Fifth Order of Business.

Senator Bond presented the following communication:

Minneapolis, Minnesota,
January 5, 1923.

Senators Bonds, Ward, and Kelsh. Care Legislature,
Bismarck, N. D.

We deeply appreciate message of sympathy and fervently concur in Resolutions of Hope. Mrs. Lynch appears to be improving, and we are still hopeful and encouraged.

W. D. LYNCH.

Senator Wenstrom moved that all absent Senators be excused, which motion prevailed.

Senator Hamilton moved that the Senate do now adjourn until 2:00 o'clock P. M. January 8, 1923.

W. E. PARSONS,
Secretary.

SEVENTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 8, 1923.

Senate convened at 2:00 o'clock p. m. pursuant to adjournment, the President presiding.

Prayer by the Chaplain, Rev. S. F. Halfyard.

Roll was called, all Senators being present with the exception of Senators Baird, Kretschmar, Lynch, and Nathan.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the Fourth Day after Recess and Fifth day and find the same correct.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

The President appointed a committee of two consisting of Senators Atkins and Wog to arrange with a like committee from the House to prepare an exhibit of the mineral and clay deposits of the state.

The committee on Temperance made the following report:

Mr. President: Your committee on Temperance to whom was referred the Concurrent Resolution concerning the Volstead Act introduced by Mr. J. C. Miller of the House, Have had the same under consideration and recommend that the same do pass.

JOHN L. MIKLETHUN,
Chairman.

Senator Miklethun moved that the report be adopted, which motion prevailed and the report was adopted.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Senator Atkins Introduced:

Senate Bill No. 10. A Bill for an Act Entitled an Act to Amend and Re-enact Section 4937, Compiled Laws of 1913, relating to Reserve Fund of Mutual Insurance Companies.

MONDAY, JANUARY 8, 1923

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Was read the first and second time, and referred to the Committee on Insurance.

Senator Peterson moved that all absent Senators be excused.

Which motion prevailed.

Senator Murphy moved that the Senate do now recess until 1:45 p. m., January 9, 1923.

Which motion prevailed, and the Senate recessed.

W. E. PARSONS,
Secretary.

SEVENTH DAY AFTER RECESS AND EIGHTH DAY

Senate Chamber,
Bismarck, North Dakota,
January, 9, 1923.

The Senate re-assembled at 1:45 o'clock P. M., pursuant to recess taken, the President presiding.

Senator Kretschmar moved that the Senate do now adjourn until 2:00 o'clock P. M.

Which motion prevailed.

EIGHTH DAY

Senate convened at 2:00 o'clock P. M., pursuant to adjournment, the President presiding.

Prayer by the Chaplain, Rev. E. F. Alfson.

The roll was called, all Senators being present with the exception of Senator Lynch.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the Seventh day and find the same correct.

J. H. McCOY,
Chairman.

Senator McCoy 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. 6. A Bill for an Act to Repeal Section 991 of the **Compiled Laws of North Dakota**, for the Year 1913, Requiring Ballots of Women to be Deposited in Separate Boxes.

Have had the same under consideration and recommend that the same do pass.

C. W. CAREY,
Chairman.

Senator Carey 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. 7. A Bill for an Act to Amend and Re-

enact Section 948 of the Compiled Laws of North Dakota, for the Year 1913, Relating to the Qualifications of Electors.

Have had the same under consideration and recommend that the same be amended as follows:

In line 9, strike out the words "same county" and insert in lieu thereof "state."

In line 10 strike out the word "moved" and insert in lieu thereof the word "moves."

In line 11 strike out the word "moved" and insert in lieu thereof the word "moves."

And when so amended recommend the same do pass.

C. W. CAREY,
Chairman.

Senator Carey 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. 8. A Bill for an Act to Amend and Re-enact Section 968 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Ballot Boxes.

Have had the same under consideration and recommend that the same do pass.

Senator Carey moved that the report be adopted, which motion prevailed and the report was adopted.

C. W. CAREY,
Chairman.

Senator Atkins reported that the Special committee from the Committee on Mines and Minerals has arranged for a display of the natural resources of the state at the Capitol Building January 13, 1923, at 2:30 P. M.

Senator Miklethun moved that Resolution No. 1 be recalled from the House.

Which motion prevailed.

Senator Levang moved that all absent Senators be excused.

Which motion prevailed.

Senator Bond moved that the courtesies of the floor be extended to Mr. M. R. Porter, Minot, N. D., which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF
SENATE BILLS

Mr. Carey introduced:

Senate Bill No. 11. A Bill for an Act to Amend and Re-enact Sections 869 and 983 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 119, Session Laws of 1919, Relating to the Opening and Closing of Polls in Primary and General Elections.

Was read the first and second time, and referred to the Committee on Elections.

Mr. Baird introduced:

Senate Bill No. 12. A Bill for an Act to Repeal Sections 5518 and 5519 of the Compiled Laws of the State of North Dakota for the Year 1913.

Was read the first and second time, and referred to the Committee on Mines and Minerals.

Mr. Stevens introduced:

Senate Bill No. 13. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 236, Session Laws of 1915, Relating to the qualifications of Graduated Registered Nurses.

Was read the first and second time, and referred to the Committee on Public Health.

Senator Van Camp asked the unanimous consent of the Senate to return to the Eighth Order of Business; there being no objection, the Senate took up the Eighth Order of Business.

SENATE ROLL CALL

Senator Van Camp nominated J. E. Buttree as Clerk of the State Affairs Committee.

The question being on the election of J. E. Buttree for Clerk of State Affairs Committee, the roll was called and there were ayes 48; nays 0; absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Stevens
Babcock	Hamilton	Olson, Barnes	Storstad
Baird	Ingerson	Olson, Eddy-	Thorson
Baker	Kaldor	Foster	Tofsrud
Benson	Kelsh	Page	Van Camp
Bond	Kretschmar	Patten	Ward
Byrne	Levang	Peck	Wenstrom
Carey	McCoy	Peterson	Whitman
Eastgate	McLachlin	Ployhar	Whitmer
Ettestad	Magnuson	Porter	Wog
Flechten	Martin	Rusch	
Garberg	Miklethun	Sperry	
Gardiner	Murphy	Steel	

Absent and not voting:

Messrs.
Lynch

So J. E. Buttree was declared elected clerk of State Affairs Committee.

SENATE ROLL CALL

Senator Van Camp nominated R. E. Hamilton as Clerk of Appropriations Committee.

The question being on the election of Mr. Hamilton as Clerk of Appropriations Committee, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Stevens
Babcock	Hamilton	Olson, Barnes	Storstad
Baird	Ingerson	Olson, Eddy-	Thorson
Baker	Kaldor	Foster	Tofsrud
Benson	Kelsh	Page	Van Camp
Bond	Kretschmar	Patten	Ward
Byrne	Levang	Peck	Wenstrom
Carey	McCoy	Peterson	Whitman
Eastgate	McLachlin	Ployhar	Whitmer
Ettestad	Magnuson	Porter	Wog
Fleckten	Martin	Rusch	
Garberg	Miklethun	Sperry	
Gardiner	Murphy	Steel	

Absent and not voting:

Messrs.

Lynch

So R. E. Hamilton was declared elected Clerk of Appropriations Committee.

SENATE ROLL CALL

Senator Van Camp nominated M. D. Avery as Clerk of Judiciary Committee.

The question being on the election of Mr. Avery as Clerk of Judiciary Committee, the roll was called and there were ayes, 48; nays 0, absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Stevens
Babcock	Hamilton	Olson, Barnes	Storstad
Baird	Ingerson	Olson, Eddy-	Thorson
Baker	Kaldor	Foster	Tofsrud
Benson	Kelsh	Page	Van Camp
Bond	Kretschmar	Patten	Ward
Byrne	Levang	Peck	Wenstrom
Carey	McCoy	Peterson	Whitman
Eastgate	McLachlin	Ployhar	Whitmer
Ettestad	Magnuson	Porter	Wog
Fleckten	Martin	Rusch	
Garberg	Miklethun	Sperry	
Gardiner	Murphy	Steel	

Absent and not voting:

Messrs.

Lynch

So M. D. Avery was declared elected Clerk of Judiciary Committee.

SENATE ROLL CALL

Senator Van Camp nominated E. A. Watt as Committee Clerk on Banks and Banking, and Taxes and Tax Laws.

The question being on the election of E. A. Watt as Committee Clerk on Banks and Banking, and Taxes and Tax Laws, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Stevens
Babeock	Hamilton	Olson, Barnes	Storstad
Baird	Ingerson	Olson, Eddy-	Thorson
Baker	Kaldor	Foster	Tofsrud
Benson	Kelsh	Page	Van Camp
Bond	Kretschmar	Patten	Ward
Byrne	Levang	Peck	Wenstrom
Carey	McCoy	Peterson	Whitman
Eastgate	McLachlin	Ployhar	Whitmer
Ettestad	Magnuson	Porter	Wog
Fleckten	Martin	Rusch	
Garberg	Miklethun	Sperry	
Gardiner	Murphy	Steel	

Absent and not voting:

Messrs.

Lynch

So E. A. Watt was declared elected Committee Clerk of Banks and Banking, and Taxes and Tax Laws.

The President administered the Oath of Office to J. E. Buttree.

Senator Ployhar moved that the Senate do now recess until 1:45 p. m., January 10, 1923.

Which motion prevailed, and the Senate recessed.

W. E. PARSONS,
Secretary.

EIGHTH DAY AFTER RECESS AND NINTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 10, 1923.

The Senate re-assembled at 1:45 o'clock P. M. pursuant to recess taken, the President presiding.

The President administered the Oath of Office to M. D. Avery and E. A. Watt.

The committee on Highways made the following report:

Mr. President: Your committee on Highways to whom was referred:

Senate Bill No. 3: A Bill for an Act to Amend and Re-Enact Section 1 of Chapter 4 of the Laws Passed by the Special Session of the Sixteenth Legislative Assembly of the State of North Dakota, in 1919, as Amended by Chapter 5 of the Laws of North Dakota for the Year 1921, Being an Act to appropriate out of the State Highway Fund the Sum of \$35,000.00 for the Construction of a Bridge Across the Red River at Pembina, Pembina County, North Dakota, and Kittson County, Minnesota, Under the Provisions of Chapter 73 of the Laws Passed at the Legislative Assembly of North Dakota, approved March 5th, 1919.

Have had the same under consideration and recommend that the same do pass.

NELS PETERSON,
Chairman.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Senator Kretschmar presented a communication from the Women's Club of Ashley, N. D., which was referred to the Committee on Public Health.

The Secretary read the following communication from the State Budget Board:

STATE OF NORTH DAKOTA
Office of the State Auditor
Bismarck

January 9, 1923.

To the Honorable Members of the Eighteenth Legislative Assembly:

Gentlemen:

Chapter 61, Session Laws of 1915, creating the State

Budget Board, provides that the report of this Board must be submitted to the Legislative Assembly not later than the tenth day of the session. Due to the date set by law for the convening of the Budget Board falling five days later than two years ago, and the Legislature convening three days earlier, we have not had sufficient time to complete our work. For this reason, we ask the Legislative Assembly to extend the time of submission sufficiently to allow us to complete our work in a proper manner.

R. A. NESTOS,
Chairman.

Secretary.
D. C. POINDEXTER,

SENATE ROLL CALL

Senator Stevens moved that the Senate grant the State Budget Board an extension of ten days time to complete its report.

The question being on extending 10 days time to the Budget Board, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Sperry
Babcock	Hamilton	Nathan	Stevens
Baker	Ingerson	Olson, Barnes	Storstad
Benson	Kaldor	Olson, Eddy-	Thorson
Byrne	Kelsh	Foster	Tofsrud
Carey	Kretschmar	Page	Van Camp
Eastgate	Jevang	Patten	Ward
Ettestad	McCoy	Peck	Whitman
Fleekten	McLachlin	Peterson	Whitmer
Garberg	Magnuson	Porter	Wog
Gardiner	Mikieithun	Rusch	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Lynch	Ployhar	Wenstrom
Bond	Martin	Steel	

And so 10 days additional time was granted the Budget Board.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
January 10, 1923.

Mr. President: I have the honor to inform you that the House has indefinitely postponed the resolution of Senator Mikieithun regarding the Volstead Act.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Thorson moved that the Temporary Committee on Distribution of Journals be made permanent. Which motion prevailed.

Senator Rusch moved that the Senate do now adjourn.
Which motion prevailed.

NINTH DAY.

Senate convened at 2:00 o'clock P. M., January 10, 1923,
the President presiding.

Prayer by the Chaplain, Rev. E. F. Alfson.

Roll was called, all Senators being present with the exception of Senators Baird, Bond, Lynch, Martin, Ployhar, Steel.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the Seventh Day after Recess and Eighth Day and recommend that the same be corrected as follows:

On page 5, line 24, insert the word "and" between "Banks" and Banking."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy 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. 4. A Bill for an Act Validating the Record of Mortgages and Assignments of Mortgages in the Office of the Register of Deeds of the Counties of the State between July 1, 1917, and January 1, 1923.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD.
Chairman.

Senator Garberg moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 6. A Bill for an Act to Repeal Section 991 of the Compiled Laws of North Dakota, for the Year 1913, Requiring Ballots of Women to be Deposited in Separate Boxes.

Senate Bill No. 7. A Bill for an Act to Amend and Re-enact Section 948 of the Compiled Laws of North Dakota, for the Year 1913, Relating to the Qualifications of Electors.

Senate Bill No. 8. A Bill for an Act to Amend and Re-enact Section 968 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Ballot Boxes.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Storstad moved that all absent Senators be excused, which motion prevailed.

Senator Rusch introduced the following Joint Resolution:

JOINT RESOLUTION

Introduced by H. J. Rusch

Asking for reports from the Guaranty Commission.

WHEREAS, There have been a number of bank failures in the state during the past two years, and as a result thereof a large number of depositors have been unable to withdraw their deposits, and have been expecting to be reimbursed therefor out of the guaranty of deposits fund created by state law, but only a few of such reimbursements have been made and a general feeling exists that there is not sufficient understanding of the situation of the closed banks, and the guaranty fund, and it is the belief of the members of the legislative assembly that full information should be available and a full understanding had to the end that the law may be strengthened in any particulars it may be defective; and

WHEREAS, The Guaranty Fund Commission stands ready upon request to furnish to the legislature, or its appropriate committees, the fullest information in regard to all the affairs of the closed banks and the guaranty fund:

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of North Dakota, the House of Representatives joining therein, that the Guaranty Fund Commission should make to each of the two houses of the Legislature a report showing the condition of the fund, the manner of its administration, the condition of the closed banks, the relative amount of the available fund and the liabilities of the closed banks, and such other details and information as is likely to be of interest to either the legislature or the public.

BE IT FURTHER RESOLVED, That upon the passage of this resolution by both houses, the Secretary of the Senate transmit a copy thereof to said Guaranty Fund Commission.

Referred to Committee on Banks and Banking.

INTRODUCTION, FIRST AND SECOND READING OF
SENATE BILLS

Messrs. McCoy and Sperry introduced:

Senate Bill No. 14. A Bill for an Act to Prohibit the Wearing of Masks or Other Disguises in Public, and Designating the Penalty for Same.

Was read the first and second time, and referred to the Committee on State Affairs.

Senator Carey moved that the third reading of the Bills on the Calendar be deferred one day.

Which motion prevailed.

The courtesies of the floor were extended to Mr. J. C. Gould, of Oakes, N. D., and Hon. Alex McDonald, of Glencoe, N. D.

Senator Murphy moved that the Senate recess until 1:45 p. m. January 11, 1923.

Which motion prevailed, and the Senate recessed.

W. E. PARSONS,
Secretary.

NINTH DAY AFTER RECESS AND TENTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 11, 1923.

The Senate re-assembled at 1:45 P. M., pursuant to recess taken, the President presiding.

Senator Carey moved that the Senate do now adjourn.

Which motion prevailed.

TENTH DAY

Senate convened at 2:00 P. M. January 11, 1923, the President presiding.

Prayer by the Chaplain, Rev. E. F. Alfson.

Roll was called, all Senators being present with the exception of Senators Baker, Kretschmar and Lynch.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the Eighth Day After Recess and Ninth Day and recommend that the same be corrected as follows:

On page 2, line 26, insert word "the" before the word "Budget."

On page 6 add to the Calendar "Senate Bill No. 4. A Bill for an Act Validating the Record of Mortgages and Assignments of Mortgages in the Office of the Register of Deeds of the Counties of the State Between July 1, 1917 and January 1, 1923.

And when so corrected recommend that the same be approved.

CHRIS LEVANG,
Chairman Pro tem.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

The President read the following communication:

Hon. Frank H. Hyland,
Bismarck, N. D.

My Dear Lieutenant Governor:

I have this day taken the Oath before Judge Cole at Fargo, and enclose the same herewith.

I regret that I have been unable to attend the Session

but now have reason to believe that I will be able to attend in about a week, or perhaps not later than two weeks, as my wife's condition is much improved. She, of course is not out of danger yet, but we are very hopeful.

Thanking you all for your sympathy and courtesies, and hoping to be of some assistance later in the Session, I am,

Very sincerely yours,

W. D. LYNCH.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 4. A Bill for an Act Validating the Record of Mortgages and Assignments of Mortgages in the Office of the Register of Deeds of the Counties of the State between July 1, 1917, and January 1, 1923.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Mr. Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Rules made the following report:

Mr. President: Your Committee on Rules beg leave to report that it has prepared the Rules hereto attached and that five hundred copies of the same be printed in pamphlet form of approximately the size of seven inches long by four inches wide; that said pamphlet shall, in addition to said Rules, also contain the Joint Rules, the names of the officers and employees of the Senate; the name, post office address and legislative district of each Senator and all standing committees of the Senate, and recommends that said attached Rules be adopted as the Rules of the Senate of the Eighteenth Legislative Assembly.

THEO. KALDOR,
Chairman.

SENATE RULES

of the

EIGHTEENTH LEGISLATIVE ASSEMBLY

1. ORDER OF BUSINESS: The order of business shall be as follows:

- (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.
- (18) Announcements.

2. **CALLING TO ORDER, READING OF JOURNAL, DECORUM:** 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.

3. **ABSENTEES:** No member or officer of the Senate, unless he from illness or other cause 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.

4. **CALL OF THE SENATE:** 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.

5. **QUORUM:** A quorum for the transaction of business shall consist of a majority of members elected to the Senate.

6. **PRESIDENT, PRO TEM:** 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.

7. **SERGEANT-AT-ARMS, DUTIES:** The sargeant-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 adopted by the Senate, 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.

8. **CALLING MEMBER TO ORDER:** 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.

9. **DECISION AND APPEAL:** 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.

10. **INTERRUPTION:** 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.

11. **VOTING, EXCUSED WHEN:** Every member present, when the question is put shall vote unless he shall, for 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 in any case where he was not present when the question was put.

12. **RECOGNITION AND ORDER IN DEBATE:** 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.

13. **ORDER OF DEBATE:** 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 more than five minutes at the second time, without unanimous consent of the Senate; but in all cases the members who shall first address the chair shall speak first.

14. **OBJECTIONAL STATEMENT REDUCED TO WRITING:** 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.

15. **PERSONS ADMITTED WITHIN BAR:** 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, members of the constitutional convention, and all federal officials of the state, except by a vote of the Senate and such other information as may be called for by the Committee on Banks and Banking of the Senate or House.

16. COMMITTEES: 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 engrossment and enrollment, 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, to consist 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 women's and Children's welfare, 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 seven members.

On charitable institutions, to consist of seven members.

On penal institutions, to consist of seven members.

On educational institutions, to consist of seven members.

On state library, to consist of seven members.

On joint rules, to consist of seven members.

On insurance, to consist of seven members.

On labor, to consist of seven members.

17. **RULES:** Robert's Rules of Order shall govern the Senate in all cases to which they are applicable, and to 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.

18. **STATING OF QUESTION AND DIVISION:** 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 is in 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.

19. **MOTIONS IN WRITING:** 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 the consent of the Senate.

20. **ORDER OF MOTIONS:** When a question is under debate no motion shall be received except to adjourn, to lay on the table, to move 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, and to commit, having been decided, shall be entertained on the same day and at the same stage of the bill or proposition, and the motion to indefinitely postpone, if carried, shall have the effect to entirely remove the question from before the assembly for that session.

21. **NON-DEBATABLE MOTIONS:** The following motions are not debatable:

Adjournment.

Order of the day.

Objections to considering questions.

Reading of papers.

Withdrawal of a motion.

Suspension of the rules.

To lay on the table.

Previous question.

22. MOTION TO RECONSIDER: 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.

23. SUSPENSION OF RULES: 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.

24. EXECUTIVE NOMINATIONS: 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.

25. EXECUTIVE SESSION: Before acting on executive business the Senate Chamber shall be cleared, by the direction of the president, of all persons except members, the secretary of the Senate and sargeant-at-arms to be sworn.

26. DIVISION OF QUESTION: 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.

27. MOTIONS TO BE SECONDED: No motion shall be debatable until the same shall be seconded and stated by the president.

28. OBJECTION TO READING OF PAPERS: 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.

29. **UNFINISHED BUSINESS:** The unfinished business in which the Senate was engaged at the last preceding adjournment, shall have preference in the special order of the day.

30. **DEMANDING ROLL CALL:** When the ayes and the 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.

31. **EXPLANATION OF VOTE:** 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 remark upon any question taken and extended on the record.

32. **INTRODUCTION OF BILLS:** 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.

33. **READING OF BILLS:** Every bill shall be read through several times, but the first and second reading, 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.

34. **FIRST AND SECOND READING:** 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.

35. **PRINTING OF BILLS:** All bills and joint resolutions, after the second reading, shall be printed, unless otherwise ordered by the Senate.

36. **BILLS REFERRED:** Upon the second reading of a bill or joint resolution, the president shall refer it to its appropriate committee, unless the Senate upon motion decides to refer the same to a select or other standing committee, or to the 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.

37. **THIRD READING:** 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.

38. **AMEND OR RECOMMIT ON THIRD READING:** 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.

39. **AMENDING BILLS:** 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.

40. **FILLING BLANKS:** In filling blanks the largest sum and longest time shall be put first.

41. **VOTE ON FINAL PASSAGE:** No bill shall become a law except by a vote of the majority of the members-elect of each House, nor unless on its final passage the vote be taken by ayes and nays and the names of those voting be entered on the journal; provided, however, that no measure enacted or approved by a vote of the electors shall be repealed or amended by the Legislature except on a ye and nay vote upon roll call of two-thirds of all the members-elected to each House.

42. **AMENDING LAW:** 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.

43. **LIMITATION FOR INTRODUCTION OF BILLS:** No bills for the appropriation of money, except for the expenses of the Legislative session shall be introduced after the twenty-fifth day of the session, except by two-thirds vote 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 thirty-fifth day of the session, unless upon the application of the committee, an extension of time is granted. No bills shall be introduced in the Senate after the thirty-fifth day of the session, except by two-thirds vote. Every bill, or resolution, referred to a committee, except appropriation bills, must be returned to the Senate with the committee's report thereon, not later than the seventh day after it is referred unless, upon application of the committee, an extension of time is granted within which to consider it. In case the same is not reported on the seventh day after it is referred, and such time is not extended, it shall go automatically on the calendar of bills without recommendation.

44. **RECALLING BILL FROM COMMITTEE:** 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.

45. **ENGROSSING BILLS:** All bills reported from committees with amendments shall be engrossed before being read the third time and placed upon final passage.

46. **REPORTS OF SPECIAL COMMITTEES:** All reports of special 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.

47. **SIGNING OF BILLS.** 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.

48. **REFUSAL OF HOUSE TO RETURN BILL:** 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.

Senator Kaldor moved that the report be adopted, which motion prevailed, and the report was adopted.

The committee on Joint Rules made the following report:

Mr. President: Your committee on Joint Rules begs leave to report that it has prepared the rules hereto attached and recommends that they be adopted as the rules of the Eighteenth Legislative Assembly.

JOINT RULES

1. **TRANSMITTING OF PAPERS:** Each House shall transmit to the other all papers on which any bill or resolution shall be founded.

2. **NOTICE OF REJECTION OF BILLS:** When a bill or resolution which shall have passed in one House is rejected in the other, notice thereof shall be given to the House in which the same may have passed.

3. **MESSAGES:** Messages from one House to the other shall be communicated by the Secretary of the Senate and Clerk of the House of Representatives, unless the House transmitting the message shall especially direct otherwise.

4. **AMENDMENTS:** It shall be in the power of either House to amend any amendment made by the other to any bill or resolution.

5. **CONFERENCE COMMITTEES:** In every case of a difference between the Two Houses upon any subject of legislation, if either House shall request a conference and appoint a committee for that purpose, and the other House shall also appoint a committee, such committee shall meet at such hour and place as shall be agreed on by the chairmen; and state to each other, verbally, or in writing, as either may choose, the reasons of their respective Houses, and confer freely thereon; and they shall be authorized to report to their respective Houses such modifications as they think advisable.

6. **RECEDING BEFORE CONFERENCE:** It shall be in order for either House to recede from any subject matter of difference existing between the two Houses at any time previous to a conference, whether the papers on

which difference has arisen are before the House receding formally or informally, and a majority shall govern, except in cases where two-thirds are required by the Constitution, and the question having been put and lost, shall not be again put the same day, and the consideration thereof in other respects shall be regulated by the rules of the respective Houses.

7. **REVIVAL OF LOST BILL:** After each House has adhered to its disagreement and the bill which is the subject of difference shall be deemed lost, it shall not be again revived during the same session in either House, unless by consent of three-fourths of the members present of the House reviving it.

8. **CONTENTS OF BILLS.** The same bill shall not create, renew, or continue more than one incorporation, nor contain any provision in relation to the altering of more than one act of incorporation, nor shall the same bill appropriate public money or property for more than one purpose. Any bill appropriating moneys for the payment of the officers of the government shall be confined to that purpose exclusively.

9. **PRINTING DUPLICATE BILLS:** No duplicates of any bill, which may have been introduced and printed by one House shall, upon introduction into the other House, be printed by said other House, except by a two-thirds vote of all the members present.

10. **LIMITATION OF MESSAGING BILLS:** Whenever a time shall have been previously fixed for an adjournment of the Legislature before the constitutional limitation thereof, no bill that shall have passed one House shall be sent for concurrence to the other on either of the last four days of the session, and in case no such time for adjournment is fixed, other than the constitutional limitation, no bill that shall have passed one House shall be sent to the other for concurrence after the 50th day of the session.

11. **JOINT COMMITTEE ON ENROLLED BILLS:** The committee on enrolled bills in each of the two Houses shall act jointly in the examination of all bills and resolutions before their presentation to the Governor, either as a body or by such respective sub-committees as such committees may appoint for that purpose.

12. **EMERGENCY CLAUSE:** Whenever both Houses, by the constitutional vote, direct that any act or resolution shall take effect immediately or at any time before July 1, following the session of the Legislature, a proviso shall be added at the enrollment of the same in words to this effect: "This act shall take effect immediately (or in..... days)."

13. **APPROPRIATION BILLS:** Every resolution by which any money or other property of the state shall be donated or appropriated, or by which any expense to the state shall be incurred, or which shall have an operation or effect outside of the two Houses of the Legislature, except such appropriation and expenses as shall be for the

exclusive use, necessity or convenience of the Legislature, shall be either a joint or concurrent resolution, and shall take the same course as a bill, and shall be enrolled and presented to the Governor for his signature before the same shall take effect.

14. RETURNING OF BILL: Either House shall return any bill or resolution called for by resolution of the other House, if the bill or resolution is yet in possession of the House called upon, and no action thereon has been had. In case action has been had, then it shall require a two-thirds vote of the House asked to return a bill or resolution called for.

P. B. GARBERG,
Chairman.

Senator Garberg moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Sperry moved that all absent Senators be excused, which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Baird introduced:

Senate Bill No. 15. A Bill for an Act to Transfer Money From the Hail Insurance Fund to the Hail Insurance Operating Fund for the Purpose of Paying the Unpaid Bills Incurred by the Hail Insurance Department During the Year Beginning January 1, 1922, and Ending December 31, 1923.

Was read the first and second time, and referred to the Committee on Insurance.

Mr. Whitman introduced:

Senate Bill No. 16. A Bill for an Act to Regulate the Practice of Chiropody in the State of North Dakota, to Provide for the Establishment of a State Board of Chiropody Examiners, to Define the Duties and Powers of Said Board, to Provide for Examining and Registering of Chiropodists in this State, and to Provide Penalties for the Violation of said Act.

Was read the first and second time, and referred to the Committee on Public Health.

Mr. Rusch introduced:

Senate Bill No. 17. A Bill for an Act to Appropriate the Sum of Eight Thousand Two Hundred and Fifty Dollars (\$8,250.00) for the Purpose of Purchasing and Installing One Complete Stoker Unit Under Modern Boiler at the North Dakota Agricultural College, and Purchasing and Installing Necessary Equipment and Technical Instruments to Measure the Efficiency of Such Stoker and Boiler.

Was read the first and second time, and referred to the Committee on Appropriations.

Senator Carey moved to amend Senate Bill No. 6, as follows:

In line 1 of Section 1, after the figure 1, insert the word "repeal" same to be inclosed in brackets.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 6. A Bill for an Act to Repeal Section 991 of the Compiled Laws of North Dakota, for the Year 1913, Requiring Ballots of Women to be Deposited in Separate Boxes.

Was read the third time .

The question being on the final passage of the bill, as amended, the roll was called, and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Olson, Barnes	Steel
Babcock	Hamilton	Olson, Eddy-	Stevens
Baird	Ingerson	Foster	Storstad
Benson	Kaldor	Page	Thorson
Bond	Levang	Patten	Tofsrud
Byrne	McLachlin	Peck	Van Camp
Carey	Magnuson	Peterson	Ward
Eastgate	Martin	Ployhar	Whitman
Fleckten	Miklethun	Porter	Whitmer
Garberg	Murphy	Rusch	Wog
Gardiner	Nathan	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Kelsh	Lynch	Wenstrom
Ettestad	Kretschmar	McCoy	

So the bill passed as amended.

SENATE ROLL CALL

Senate Bill No. 7. A Bill for an Act to Amend and Re-enact Section 948 of the Compiled Laws of North Dakota, for the Year 1913, Relating to the Qualifications of Electors.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Olson, Barnes	Steel
Babcock	Hamilton	Olson, Eddy-	Stevens
Baird	Ingerson	Foster	Storstad
Benson	Kaldor	Page	Thorson
Bond	Levang	Patten	Tofsrud
Byrne	McLachlin	Peck	Van Camp
Carey	Magnuson	Peterson	Ward
Eastgate	Martin	Ployhar	Whitman
Fleckten	Miklethun	Porter	Whitmer
Garberg	Murphy	Rusch	Wog
Gardiner	Nathan	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Kelsh	Lynch	Wenstrom
Ettestad	Kretschmar	McCoy	

So the bill passed.

SENATE ROLL CALL

Senate Bill No. 8. A Bill for an Act to Amend and Re-enact Section 968 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Ballot Boxes.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Olson, Barnes	Steel
Babeock	Hamilton	Olson, Eddy-	Stevens
Baird	Ingerson	Foster	Storstad
Benson	Ka'dor	Page	Tofsrud
Bond	Levang	Patten	Van Camp
Byrne	McLachlin	Peck	Ward
Carey	Magnuson	Peterson	Whitman
Eastgate	Martin	Ployhar	Whitmer
Fleckten	Miklethun	Porter	Wog
Garberg	Murphy	Rusch	
Gardiner	Nathan	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Kelsh	Lynch	Thorson
Ettestad	Kretschmar	McCoy	Wenstrom

So the bill passed.

Senator Baird moved that Senate Bill No. 4 be referred to the committee on Appropriations.

Which motion prevailed.

The President administered the Oath of Office to R. E. Hamilton.

The courtesies of the floor were extended to Messrs. George Bittersted, and Gottlieb Gebhart of Merricourt, N. D.; Jacob Heitzman, McClusky, N. D. and A. W. Cupler, Fargo, N. D.

Senator Levang moved that the Senate recess until 1:45 o'clock P. M. January 12, 1923.

Which motion prevailed, and the Senate recessed.

W. E. PARSONS,
Secretary.

TENTH DAY AFTER RECESS AND ELEVENTH DAY

Bismarck, North Dakota,
Senate Chamber,
January 12, 1923.

The Senate reassembled at 1:45 P. M. pursuant to recess taken, the President presiding.

The President announced that if there were no objections the titles to Senate Bills Nos. 6, 7 and 8 would stand approved. There being no objections, the titles were agreed to.

The question being on the emergency clause of Senate Bill No. 7, the roll was called and there were ayes 34, nays 6, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Fleckten	Patten	Storstad
Babcock	Garberg	Peck	Thorson
Baird	Gardiner	Peterson	Tofsrud
Benson	Hamilton	Ployhar	Van Camp
Bond	Kaldor	Porter	Ward
Byrne	Levang	Ruscher	Whitman
Carey	Martin	Sperry	Wog
Eastgate	Murphy	Steel	
Ettestad	Page	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Gross	Miklethun	Olson, Barnes
Ingrerson	Nathan	Whitmer

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Lynch	Magnuson	Wenstrom
Kelsh	McCoy	Olson, Eddy-	
Kretschmar	McLachlin	Foster	

So the emergency clause passed.

Gross: I see no reason why an emergency clause should be attached to these bills. If we pass emergency clauses with these bills, it will cause us to pass an emergency clause with many like bills, and it will bring our laws into action with undue haste. I may be wrong, but I am going to vote "No."

Nathan: I don't see any necessity for this—I think there are two years before another election, so we have plenty of time. I vote "No."

Ruscher: I vote "Yes" for the reason that we have several city and town elections in the spring.

Senator Stevens moved that the Journal of January 11, 1923, be corrected to show Senators Ettestad, Wenstrom, McCoy and Kelsh present as they were on Committee work.

Senator Kelsh moved that the Senate do now adjourn.
Which motion prevailed.

ELEVENTH DAY

Senate convened at 2:00 o'clock P. M. January 12, 1923, the President presiding.

Prayer by the Chaplain, Rev. E. F. Alfson.

Roll was called, all Senators being present, with the exception of Senators Lynch, McLachlin, Magnuson, and Olson of Eddy.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the tenth day and recommend that the same be corrected as follows:

On page 1, bottom line, add "pro tem" after "Chairman."

On page 4, line 11, place a comma between "Sergeant-at-arms" and "Duties."

On page 5, bottom line, correct the spacing of words "eleven members."

On page 6, line 12, add (s) to words "women" and "children."

On page 7, line 17 correct spelling of "session."

On page 8, line 5, strike out "chief clerk" and insert in lieu thereof "Secretary of the Senate."

On page 8, line 10, strike out "on" and in lieu thereof insert "of."

On page 8, line 28, strike out the comma after the word "reasons" and insert in lieu thereof the word "he."

On page 9, line 1, correct number of year.

On page 9, line 13, correct spelling of "resolution."

On page 11, line 6, correct spelling of "clerk."

On page 11, line 23, correct spelling of "recede."

On page 6, line 32, correct spelling of "inconsistent."

On page 8, line 22, strike out "proceeding" and insert in lieu thereof "preceding."

On page 3, line 33, correct spelling of "omissions."

And when so corrected that the same be approved.

J. H. McCOY,
Chairman.

Sen. McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Olson moved that all absent Senators be excused.

Which motion prevailed.

PETITIONS AND COMMUNICATIONS

Senator Page read a communication from the Timely Topics Club of Minnewaukan N. D., which was referred to the Committee on Public Health.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs, to whom was referred the following resolution:

The Butler Studio of Bismarck, North Dakota, undertakes and agrees to make one large group picture to include each member of the Senate and undertakes to hang this picture in the Senate Chamber, said picture to hang as a permanent fixture and become the property of the State of North Dakota.

For the above consideration and for the further consideration that the photographs be of first class workmanship each member of the Senate agrees to pay to the Butler Studio the sum of \$1.00 and hereby appoints the Butler Studio as its own and exclusive photographer of the Senate of the Eighteenth Legislative Assembly.

Have had the same under consideration and recommend that the same be adopted.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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 following resolution:

The Rembrandt Photograph Studio of Bismarck, North Dakota, undertakes and agrees to make one large group picture to include each member of the House and one large group picture to include each member of the Senate and undertakes to hang these two pictures in their

respective Chambers, said pictures to hang as permanent fixtures and become the property of the State of North Dakota.

For the above consideration and for the further consideration that the photographs be of first class workmanship, each member of the House and Senate agrees to pay to the Rembrandt Studio the sum of one dollar and hereby appoint the Rembrandt Photograph Studio as the sole and exclusive photographer of the Eighteenth Legislative Assembly.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 3: A Bill for an Act to Amend and Re-enact Section 1 of Chapter 4 of the Laws Passed by the Special Session of the Sixteenth Legislative Assembly of the State of North Dakota, in 1919, as Amended by Chapter 5 of the Laws of North Dakota for the Year 1921, Being an Act to appropriate out of the State Highway Fund the Sum of \$35,000.00 for the Construction of a Bridge Across the Red River at Pembina, Pembina County, North Dakota, and Kittson County, Minnesota, Under the Provisions of Chapter 73 of the Laws Passed at the Legislative Assembly of North Dakota, approved March 5th, 1919.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 6. A bill for an act to repeal Section 991 of the Compiled Laws of North Dakota for the year 1913, requiring ballots of women to be deposited in separate boxes.

And find the same to be correctly re-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

INTRODUCTION, FIRST AND SECOND READING OF
SENATE BILLS

Mr. Whitman introduced:

Senate Bill No. 18. A Bill for an Act to Amend and Re-enact Section 8657 of the Compiled Laws of North Dakota for the Year 1913, relating to Letters of Administration, and Who are Entitled Thereto.

Was read the first and second time, and referred to the Committee on Judiciary.

Mr. Whitman introduced:

Senate Bill No. 19. A Bill for an Act to Amend and Re-enact Section 8551 of the Compiled Laws of North Dakota for the Year 1913, Relating to Citations and Notices Issued by the County Court and How the Same Must be Served.

Was read the first and second time, and referred to the Committee on Judiciary.

Mr. Ingerson introduced:

Senate Bill No. 20. A Bill for an Act to Amend and Re-enact Sections 3, 5, 9, 12, 13, 15, 16, 17, 20, 26 and 27 of Chapter 160 of the Session Laws of North Dakota as Amended by Chapter 38 of the Special Session Laws of the Sixteenth Legislative Assembly of the State of North Dakota, as Amended and Re-enacted by Chapter 77 of the Session Laws of North Dakota for the Year 1921, Relating to State Hail Insurance.

Was read the first and second time, and referred to the Committee on Insurance.

Mr. Thorson introduced:

Senate Bill No. 21. A Bill for an Act to Amend and Re-enact Chapter 224, Laws of North Dakota for the Year 1919, as Amended by Chapter 60, Special Session Laws of 1919; an Act for the Purpose of Raising Revenue to Defray the General Expenses of the State Government by Providing for a Tax on the Incomes of Individuals, Fiduciaries, Corporations, Joint Stock Companies or Associations and Insurance Companies in the State of North Dakota; Graduating Incomes for the Purpose of Taxation; Providing for Exemptions and Deductions in Certain Cases; Describing a method of Levying and Collecting Said Tax; Prescribing Penalties for Nonconformance with the Provisions of this Act; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first and second time, and referred to the Committee on Taxes and Tax Laws.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
January 12 1923.

Mr. President: I have the honor to transmit the following concurrent resolution:

CONCURRENT RESOLUTION

(Introduced by Mr. Jackson, 21st District.)

Be It Resolved by the House of Representatives of the Eighteenth Legislative Assembly of the State of North Dakota, the Senate Concurring Therein:

WHEREAS, Since the cessation of the war with Germany and the removal of the minimum wheat price guaranty of the Federal Government in effect during a part of the period of said war, the price of wheat to the wheat producer of the northwest has depreciated to a point far below the cost of production; and

WHEREAS, The general level of price on articles which the wheat producer is obliged to buy and consume gives no promise of a proportionate reduction, but on the contrary appears to be increasing at this time; and

WHEREAS, These circumstances have caused an unprecedented condition of distress to the wheat producer of the northwest and to all legitimate enterprises more or less directly dependent upon his prosperity and solvency, which condition of distress is so acute as to threaten a great loss of population in the farming communities of the northwest, accompanied by consequent insolvency, bankruptcy and other results so dire and serious as to directly and indirectly affect a large proportion of the population of the nation; and

WHEREAS, We are fully aware of the fallacy of a general policy of government price fixing in times of peace except to correct a serious injustice done to a large and important element of the population by an emergency war measure; and

WHEREAS, The Federal guaranty of a minimum price on wheat during a part of the war period was in fact a serious injustice to the wheat producer of the Northwest, resulting as it did in greatly reducing his price far below the level of the price which supply and demand conditions would have otherwise created, and which therefore operated as an actual and artificial reduction and limitation of his price and not as a subsidy; and

WHEREAS, The Northwest wheat producer, alone among all the producers in the United States, suffered such arbitrary reduction in the price of his product during the war period from which the entire consuming

public directly benefitted, he being obliged during the said period to pay the highest market prices for all articles which he used and consumed, there being no governmental limitation on the price of any such articles during said period; and

WHEREAS, His present condition resulting from the foregoing is such as to threaten a calamity; now, therefore,

BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTEENTH LEGISLATIVE ASSEMBLY of the State of North Dakota, the Senate concurring therein, that we do hereby respectfully urge the Congress of the United States to take cognizance of the present situation in which the Northwest wheat farmer is placed, and the circumstances which have resulted in his present condition of distress;

BE IT FURTHER RESOLVED, That inasmuch as the policy of government aid has been recognized under similar circumstances as being proper and constitutional, and was so recognized in the six months guaranty provision contained in the Esch-Cummings law, and is now being urged in connection with the so-called Ship Subsidy bill, the Congress of the United States is hereby respectfully urged, and earnestly petitioned to labor to the end that it may find a proper and constitutional means of bringing immediate relief to the Northwest wheat producer without establishing an unwise general precedent, and without increasing the present distress by artificially stimulating production, to the end that the present emergency may be relieved.

BE IT FURTHER RESOLVED, That this resolution shall not be construed as an endorsement of, or in opposition to any specific legislation now pending before the Congress of the United States, as to the details and merits of which we are not sufficiently informed to make any recommendations.

BE IT FURTHER RESOLVED, That the Secretary of State be directed to transmit a copy of this Resolution to the President of the United States, the President of the United States Senate, the Speaker of the National House of Representatives, and to all members of both Houses of the National Congress from North Dakota, immediately upon its passage and approval.

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

Very Respectfully,

W. F. CUSHING,
Chief Clerk.

Which was referred to the Committee on Agriculture.

Senator Peterson moved that Senate Bill No. 3 be referred to the Committee on Highways.

Which motion prevailed.

Senator Thorson asked the unanimous consent of the Senate to return to the Eighth Order of Business. There being no objections, the Senate took up the Eighth Order of Business.

Senator Thorson moved that 1500 extra copies of Senate Bill No. 21 be printed.

Senator Rusch moved to amend by substituting 2000 for 1500, which amendment prevailed.

The vote being on the motion, as amended, the motion as amended prevailed.

Senator Atkins presented the following program which will be rendered Saturday, January 13, 1923, at 2:30 P. M. in the House Chamber in connection with the exhibition of the coal and clay products of the State of North Dakota, and moved that the same be printed in the Senate Journal. Which motion prevailed.

1. Star Spangled Banner—Orchestra.
2. Address—Governor R. A. Nestos.
3. Address—Dean E. J. Babcock, N. D. State University.
4. Address—L. Pistner, Fuel Economy Co.
5. Address—Hon. G. W. Stewart, Supt., Wilton Lignite Coal Co.
6. Community song led by F. L. Gale.
7. Demonstration—North Dakota School Children.
8. Address—Prof. H. D. Simpson, State Geologist.
9. Address—C. E. Austin, Manager N. D. Mill and Elevator.
10. Solo, selected—F. L. Gale.
11. Address—Dr. John Lee Coulter, President Agricultural College.
12. America—Audience—Led by F. L. Gale.

Senator Peterson moved that the Senate recess until 1:45 o'clock P. M. January 13, 1923.

Which motion prevailed, and the Senate recessed.

W. E. PARSONS,
Secretary.

ELEVENTH DAY AFTER RECESS AND TWELFTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 13, 1923.

The Senate re-assembled at 1:45 o'clock P. M. pursuant to recess taken, the President, Frank H. Hyland, presiding.

Senator Kretschmar asked the unanimous consent of the Senate to return to the Sixth Order of Business. There being no objections, the Senate took up the Sixth Order of Business.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations, to whom was referred

Senate Bill No. 17. A Bill for an Act to appropriate the sum of Eight Thousand Two Hundred and Fifty Dollars (\$8,250.00) for the purpose of purchasing and installing one complete stoker unit under modern boiler at the North Dakota Agricultural College, and purchasing and installing necessary equipment and technical instruments to measure the efficiency of such stoker and boiler.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Kretschmar moved that the rules be suspended, that Senate Bill No. 17 be considered engrossed, that it be placed on its third reading, and voted on for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 17. A Bill for an Act to appropriate the sum of Eight Thousand Two Hundred and Fifty Dollars (\$8,250.00) for the purpose of purchasing and installing one complete stoker unit under modern boiler at the North Dakota Agricultural College, and purchasing and installing necessary equipment and technical instruments to measure the efficiency of such stoker and boiler.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 42, nays 1, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Murphy	Stevens
Babcock	Gardiner	Nathan	Storstad
Baird	Gross	Olson, Barnes	Thorson
Baker	Hamilton	Page	Tofsrud
Benson	Ingerson	Patten	Van Camp
Bond	Ka'dor	Peck	Wenstrom
Byrne	Kelsh	Peterson	Whitman
Carey	Kretschmar	Ployhar	Whitmer
Eastgate	Levang	Rusch	Wog
Ettestad	McCoy	Sperry	
Fleckten	Miklethun	Steel	

Those voting in the negative were:

Messrs.
Martin

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lynch	Olson, Eddy-	Ward
McLachlin	Foster	
Magnuson	Porter	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

The question being on the emergency clause of Senate Bill No. 17, the roll was called and there were ayes 42, nays 1, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Murphy	Stevens
Babcock	Gardiner	Nathan	Storstad
Baird	Gross	Olson, Barnes	Thorson
Baker	Hamilton	Page	Tofsrud
Benson	Ingerson	Patten	Van Camp
Bond	Ka'dor	Peck	Wenstrom
Byrne	Kelsh	Peterson	Whitman
Carey	Kretschmar	Ployhar	Whitmer
Ettestad	Levang	Rusch	Wog
Eastgate	McCoy	Sperry	
Fleckten	Miklethun	Steel	

Those voting in the negative were:

Messrs.
Martin

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lynch	Olson, Eddy-	Ward
McLachlin	Foster	
Magnuson	Porter	

So the emergency clause passed.

The Committee on Banks and Banking made the following report:

Mr. President: Your Committee on Banks and Banking, to whom was referred Joint Resolution asking for reports from the Guaranty Commission, have had the same under consideration and recommend that the same be amended as follows:

After line No. 16, page five, of the Senate Journal for the Ninth Day, insert the following: "And such other information as may be called for by the Committee on Banks and Banking of the Senate or the House."

And when so amended recommend the same do pass.

W. R. BOND,
Chairman.

Senator Bond 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. 15. A Bill for an Act to Transfer Money From the Hail Insurance Fund to the Hail Insurance Operating Fund for the Purpose of Paying the Unpaid Bills Incurred by the Hail Insurance Department During the Year Beginning January 1, 1922, and Ending December 31, 1922.

Have had the same under consideration and recommend that the same do pass.

P. J. MURPHY,
Chairman.

Senator Murphy moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Gardiner moved that the Senate do now adjourn.

Which motion prevailed.

TWELFTH DAY

Senate convened at 2:00 o'clock P. M. January 13, 1923, the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. E. F. Alfson.

Roll was called, all Senators being present with the exception of Senators Lynch, McLachlin, Magnuson, Olson of Eddy, Porter, and Ward.

SENATE ROLL CALL

Present:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Miklethun	Steel
Babeock	Gardiner	Murphy	Stevens
Baird	Gross	Nathan	Storstad
Baker	Hamilton	Olson, Barnes	Thorson
Benson	Ingerson	Page	Tofsrud
Bond	Ka'dor	Patten	Van Camp
Byrne	Kelsh	Peck	Wenstrom
Carey	Kretschmar	Peterson	Whitman
Eastgate	Levang	Ployhar	Whitmer
Ettestad	McCoy	Rusch	Wog
Fleckten	Martin	Sperry	

Absent:

Messrs.	Messrs.	Messrs.
Lynch	Olson, Eddy-	Ward
McLachlin	Foster	
Magnuson	Porter	

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Tenth Day After Recess and Eleventh Day and recommend that the same be corrected as follows:

On page 2, line 14, correct spelling of "convened."

On page 2, line 22, correct spelling of "correction."

On page 4, line 45, correct spelling of "engrossment."

On page 6, line 10, correct spelling of "concurrent."

On page 7, line 47, correct spelling of "respectfully."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Senator Kaldor presented a communication from John E. Paulson, president of the Traill County Telephone Company, regarding taxing the gross earnings of telephone companies, which was referred to the Committee on Taxes and Tax Laws.

The Committee on Mileage and Per Diem made the following report:

Name and Address	N. P.	G. N.	Soo	Milw.	Team	Total
Fred Van Camp, St. Thomas.....	388	270				658
John E. Fleckten, Kenmare.....			482			482
Christ Levang, Park River.....	388	286				674
P. J. Murphy, Grafton.....	730					730
J. E. Eastgate, Larimore.....	388	212			10	610
W. S. Whitman, Grand Forks.....	388	156				544
P. O. Thorson, Grand Forks.....	388	156				544
Theo. Kaldor, Hillsboro.....	388	78				466
H. J. Rusch, Fargo.....	388					388
A. G. Storstad, Horace.....	412				6	418
Peter McLachlin, Hunter.....	388	72				460
J. H. McCoy, Wahpeton.....	388			96		484
Nels Peterson, Gwinner.....			364		24	388
F. F. Babcock, Elliott.....	352				10	362
Frank E. Ployhar, Valley City.....	278					278
John L. Miklethun, Wimbledon.....	300				16	316
R. J. Gardiner, Brocket.....	388	320				8 716
W. H. Porter, Calvin.....	388	416				804
John W. Benson, Rolette.....	388	208	276			872
E. B. Page, Leeds.....	204	216				420
J. E. Stevens, Lawton.....	388	320				708
S. J. Atkins, Cando.....	388	402				790
Alfred Steel, Jamestown.....	204					204
W. D. Lynch, LaMoure.....	302					302
T. J. Kelsh, Fullerton.....			280		12	292
C. A. Ward, Hazelton.....	94				14	108
L. W. Sperry, Bismarck.....					16	16
Nels Magnuson, Souris.....	390	550			14	954
Walter R. Bond, Minot.....	366		274			640
W. E. Martin, Huff.....	50				12	62
L. R. Baird, Dickinson.....	230					230
O. H. Olson, New Rockford.....	326				20	346
James A. Wenstrom, Dover.....	306				2	308
D. H. Hamilton, Eckman.....	272		572		12	856
John Nathan, Goodrich.....	386				8	394
P. T. Kretschmar, Ventura.....			216			216
C. W. Carey, Lidgerwood.....			404		20	424
C. J. Olson, Valley City.....	278				22	300
Gust Wog, Belfield.....	270				36	306
Ralph Ingerson, Flaxton.....	274		512		6	792
Robert Byrne, Arnegard.....	552	82			4	638
O. T. Tofsrud, Rugby.....	388	448				836
B. F. Baker, Glenburn.....		90	380		6	476
R. W. Patten, Plaza.....			236		14	250
Ole Ettestad, Balfour.....			296		10	306
A. A. Peck, Underwood.....			132		18	150
Otis C. Gross, Raleigh.....	192				44	236
Chas. M. Whitmer, Yucca.....					54	54
P. B. Garberg, Hettinger.....	520			306		826

JAMES A. WENSTROM,
Chairman.

Senator Wenstrom moved that the report be adopted and be printed in the Journal, which motion prevailed and the report was adopted.

Senator Stevens moved that all absent Senators be excused.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
January 13, 1923.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 4. A Bill for an Act to Amend and Re-enact Section 4625 of Chapter 14 of the Compiled Laws of North Dakota for the Year 1913, Relating to Conditional Sale Contracts Given by Railroad Corporations.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Whitman introduced:

Senate Bill No. 22. A Bill for an Act to Amend and Re-enact Section 5888 Requiring Certain Contracts to be in writing.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Baker introduced:

Senate Bill No. 23. A Bill for an Act to Amend and Re-enact Chapter 51 of the Session Laws of North Dakota for the Year 1921, Authorizing Boards of County Commissioners to Issue Refunding Bonds to Fund or Refund for the Purpose of Seed Grain or Seed and Feed Grain bonds or Warrants heretofore Issued Pursuant to Law for the Purchase of Seed Grain and Feed or Either.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Sperry introduced:

Senate Bill No. 24. A Bill for an Act Making an Appropriation to Company A First Regiment, North Dakota National Guard, Training School, a Corporation, for the Purpose of Protecting and Preserving the Title of Its Property and the Security of the State of North Dakota.

Was read the first and second time and referred to the Committee on Appropriations.

Mr. Kelsh introduced:

Senate Bill No. 25. A Bill for an Act Relating to the Validation of Bonds Voted and Issued, or to be Issued, by Any Common, Special or Independent School District, in Cases Where the School District Issuing Such Bonds, or Where by Such Vote Bonds Are Authorized to be Issued, Has Theretofore, by a Majority Vote, Increased the Limit of Indebtedness Five Per Cent on the Assessed Valuation of the Taxable Property in Such School District, Beyond the Five Per Cent Limit of Indebtedness Established by the Constitution, as Provided by Article 35 of the Amendments to the Constitution of the State of North Dakota, and Where the Indebtedness of Such School District, but Does Not Exceed Ten Per Cent on the Assessed Valuation of the Taxable Property of Such School District, and Declaring Such Bonds Legal and Valid.

Was read the first and second time and referred to the Committee on Education.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 4. A Bill for an Act to Amend and Re-enact Section 4625 of Chapter 14 of the Compiled Laws of North Dakota for 1913 Relating to the Conditional Sale Contracts Given by Railroad Corporations.

Was read the first and second time, and referred to the Committee on Railways.

The courtesies of the floor were extended to Mr. Kristjanson, County Agent, Nelson County, N. D.; Mr. Spencer, Grand Forks, N. D.; Mr. C. E. Austin, Grand Forks, N. D.; Mr. James S. Milloy, and Mr. Carl Danielson, Minot, N. D.

Senator Gardiner moved to adjourn.

W. E. PARSONS,
Secretary.

FOURTEENTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 15, 1923.

Senate convened at 2:00 o'clock P. M., January 15, 1923, the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. E. F. Alfson.

Roll was called, all Senators being present with the exception of Senators Lynch, Martin, Miklethun, and Ward.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the Eleventh Day After Recess and Twelfth Day and recommend that the same be corrected as follows:

On page 5, line 6, strike out "730" in G. N. column and insert "730" in N. P. column.

On page 5, line 10, change "70" to read "78."

On page 5, line 19, change figures "308" to read "320."

On page 5, line 19, change figures "704" to read "716."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

SENATE ROLL CALL

The question being on the adoption of the Rules and Joint Rules as printed in the Senate Journal of January 11, 1923, the roll was called and there were ayes, 43; nays, 0; absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Rusch
Babcock	Gross	Nathan	Steel
Baird	Hamilton	Olson, Barnes	Stevens
Baker	Ingerson	Olson, Eddy-	Storstad
Benson	Ka'dor	Foster	Thorson
Bond	Kelsh	Page	Tofsrud
Byrne	Kretschmar	Patten	Van Camp
Eastgate	Levang	Peck	Wenstrom
Ettestad	McCoy	Peterson	Whitman
Fleckten	McLachlin	Ployhar	Whitmer
Garberg	Magnuson	Porter	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Carey	Martin	Sperry
Lynch	Miklethun	Ward

So the Rules and Joint Rules were adopted.

The committee on Highways made the following report:

Mr. President: Your committee on Highways to whom was referred:

Senate Bill No. 3: A Bill for an Act to Amend and Re-enact Section 1 of Chapter 4 of the Laws Passed by the Special Session of the Sixteenth Legislative Assembly of the State of North Dakota, in 1919, as Amended by Chapter 5 of the Laws of North Dakota for the Year 1921, Being an Act to appropriate out of the State Highway Fund the Sum of \$35,000.00 for the Construction of a Bridge Across the Red River at Pembina, Pembina County, North Dakota, and Kittson County, Minnesota, Under the Provisions of Chapter 73 of the Laws Passed at the Legislative Assembly of North Dakota, approved March 5th, 1919.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 2, after the word "fund" insert the following: "Under paragraph 2-a of Section 11 of Chapter 44 of the Laws of the Special Session of North Dakota for the year 1919."

And when so amended recommend the same do pass.

NELS PETERSON,
Chairman.

Senator Peterson 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. 18. A Bill for an Act to Amend and Re-enact Section 8657 of the Compiled Laws of North Dakota for the Year 1913, relating to Letters of Administration, and Who are Entitled Thereto.

Have had the same under consideration and recommend that the same be amended as follows:

On page one of the printed bill, insert as line 12 the figure "6" and the words, "The grand children"; on page two of the printed bill strike out lines 15, 16, 17, 18, 19 and 20, being paragraph 8; in line 21, strike out the figure 9 and insert in lieu thereof the figure "8"; in line 22 strike out the figure 10 and insert in lieu thereof the figure "9"; in line 23 strike out the figure 11 and insert in lieu thereof the figure "10"; on pages two and three of the printed bill strike out lines 38, 39, and 40 and insert in lieu thereof the following: "When a widow appointed administratrix of her deceased husband's estate, remarries, her authority as administratrix is extinguished." And at the bottom of page two of the printed bill strike out the line designated by the figure 12.

L. R. BAIRD,
Chairman.

And when so amended recommend the same do pass.

Senator L. R. Baird 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. 4. A Bill for an Act Validating the Record of Mortgages and Assignments of Mortgages in the Office of the Register of Deeds of the Counties of the State between July 1, 1917, and January 1, 1923.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 23. A Bill for an Act to Amend and Re-enact Chapter 51 of the Session Laws of North Dakota for the Year 1921, Authorizing Boards of County Commissioners to Issue Refunding Bonds to Fund or Refund for the Purpose of Seed Grain or Seed and Feed Grain bonds or warrants Theretofore Issued Pursuant to Law for the Purchase of Seed Grain and Feed or Either.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 13. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 236, Session Laws of 1915, Relating to the qualifications of Graduated Registered Nurses.

Have had the same under consideration and recommend that the same be amended as follows:

In line 13 of the printed Bill strike out the first three words "in the hospital" and place a comma after the word "given" in line 12.

In line 13, after the word "school," insert the words "in a hospital."

In line 21 after the word "nurse," insert the following: "Provided, however, that nothing herein contained shall be construed to change the status of any applicant who is or has been in training prior to the passage of this Act."

And when so amended recommend the same do pass.

W. H. PORTER,
Chairman.

Senator Porter moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Storstad moved that all absent Senators be excused.

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Gross introduced:

Senate Bill No. 26. A Bill for an Act to Amend and Re-enact Section 1945 of the Compiled Laws of North Dakota for the year 1913, Relating to County Road Funds.

Was read the first and second time, and referred to the committee on Highways.

Mr. Ployhar and Mr. Porter introduced:

Senate Bill No. 27. A Bill for an Act to Amend and Re-enact Sections 3, 6, 7, 8, 11 and 54 of Chapter 161 of the Session Laws for the Year 1915, and to Amend and Re-enact Section 27 of Chapter 161 of the Session Laws for the Year 1915 as Amended and Re-enacted by Section 2 of Chapter 134 of the Session Laws for the Year 1919, and to Amend and Re-enact Section 28 of Chapter 161 of the Session Laws for the Year 1915 as Amended and Re-enacted by Section 3 of Chapter 134 of the Session Laws for the

Year 1919, and as Amended and Re-enacted by Section 1 of Chapter 71 of the Session Laws for the Year 1921, and to Amend and Re-enact Section 34 of Chapter 161 of the Session Laws for the Year 1915 as Amended and Re-enacted by Section 9 of Chapter 134 of the Session Laws for the Year 1919, and as Amended and Re-enacted by Section 1 of Chapter 69 of the Session Laws for the Year 1921, and to Repeal Section 10298 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 162 of the Session Laws for the Year 1915, and as Amended by Section 9 of Chapter 134 of the Session Laws for the Year 1919, and Chapter 69 of the Session Laws for the Year 1921, Relating to Game and Fish.

Was read the first and second time, and referred to the committee on Game and Fish.

Mr. Ployhar introduced:

Senate Bill No. 28. A Bill for an Act to Empower Cities, Villages, and Towns to Purchase, Sell, Construct, Rent, Lease, Extend, Connect, or Erect, High Tension Electric Transmission Lines and Electrical Equipment, Within and Without the Corporate Limits, and Necessary Secondary Transmission Lines and Distribution Systems Within the Corporate Limits, for the Purpose of Securing Light, Power and Electrical Energy for Municipal and Commercial use; and to Assess the Property Within the Corporate Limits, and to Provide for the Method of Such Assessment and the Collection Thereof, and to Provide for the Issuance of Bonds.

Was read the first and second time, and referred to the committee on Cities and Municipal Corporations.

Mr. Ployhar introduced:

Senate Bill No. 29. A Bill for an Act to Empower Cities and Villages to Levy and Collect a Tax for the Purposes of Furnishing Musical Concerts to the Public.

Was read the first and second time and referred to the committee on Municipal Corporations:

Mr. Stevens introduced:

Senate Bill No. 30. A Bill for an Act to Amend and Re-enact Section 4989, Compiled Laws of 1913, Relating to Filing of Statements by Mining Corporations.

Was read the first and second time, and referred to the Committee on Banks and Banking.

Mr. Stevens introduced:

Senate Bill No. 31. A Bill for an Act to Amend and Re-enact Section 62, Compiled Laws of 1913, Relating to Legislative Journals.

Was read the first and second time, and referred to the committee on Joint Rules.

Senator Levang asked the unanimous consent of the Senate to return to the Sixth Order of Business. There being no objections, the Senate took up the Sixth Order of Business.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the Joint Resolution Asking for Reports from Guaranty Commission, and find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 15. A Bill for an Act to Transfer Money From the Hail Insurance Fund to the Hail Insurance Operating Fund for the Purpose of Paying the Unpaid Bills Incurred by the Hail Insurance Department During the Year Beginning January 1, 1922, and Ending December 31, 1922.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The President announced the appointment of the following committees:

JOINT COMMITTEE ON LABOR: Magnuson, McCoy, Eftestad, Thorson, Whitmer, Peterson, Kelsh.

JOINT COMMITTEE ON INSURANCE: Tofsrud, Wog, Atkins, Eastgate, Olson of Barnes, Byrne, McLachlin.

Senator Wenstrom moved that the Committee on Elections be granted an extension of five days time for further consideration of Senate Bill No. 9.

Which motion prevailed.

The courtesies of the floor were extended to Messrs. Francis Murphy, Minot, N. D., M. N. Hatcher, W. W. Fuller, J. H. Trotter, A. W. Crary of Fargo, N. D., and Dr. J. Grassick of Grand Forks, N. D.

Senator Hamilton moved to adjourn.

Which motion prevailed.

W. E. PARSONS,
Secretary.

FIFTEENTH DAY

Senate Chamber,
Bismarck, N. D.
January 16, 1923.

Senate convened at 2:00 o'clock P. M., January 16, 1923, the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Ensign Thos. Homer.

Roll was called, all Senators being present with the exception of Senators Lynch, McLachlin, Miklethun and Peterson.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the 14th day and find the same to be correct.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

The Secretary read a communication from the Attorney General which was referred to the Committee on Rules.

Senator Garberg moved that a separate roll call be not necessary on emergency clauses.

Senator Ingerson moved as a substitute motion that the communication from the Attorney General be referred to the Committee on Rules.

Which substitute motion prevailed.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 3: A Bill for an Act to Amend and Re-Enact Section 1 of Chapter 4 of the Laws Passed by the

Special Session of the Sixteenth Legislative Assembly of the State of North Dakota, in 1919, as Amended by Chapter 5 of the Laws of North Dakota for the Year 1921, Being an Act to Appropriate out of the State Highway Fund the Sum of \$35,000.00 for the Construction of a Bridge Across the Red River at Pembina, Pembina County, North Dakota, and Kittson County, Minnesota, Under the Provisions of Chapter 73 of the Laws Passed at the Legislative Assembly of North Dakota, approved March 5th, 1919.

Also:

Senate Bill No. 13. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 236, Session Laws of 1915, Relating to the qualifications of Graduated Registered Nurses.

Also:

Senate Bill No. 23. A Bill for an Act to Amend and Re-enact Chapter 51 of the Session Laws of North Dakota for the Year 1921, Authorizing Boards of County Commissioners to Issue Refunding Bonds to Fund or Refund for the Purpose of Seed Grain or Seed and Feed Grain bonds or warrants Theretofore Issued Pursuant to Law for the Purchase of Seed Grain or Feed or either.

Also:

Senate Bill No. 4. A Bill for an Act Validating the Record of Mortgages and Assignments of Mortgages in the Office of the Register of Deeds of the Counties of the State between July 1, 1917, and January 1, 1923.

Also:

Senate Bill No. 18. A Bill for an Act to Amend and Re-enact Section 8657 of the Compiled Laws of North Dakota for the Year 1913, relating to Letters of Administration, and Who are Entitled Thereto.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Murphy moved that an extension of three days time be granted the Committee on Insurance for the further consideration of Senate Bills No. 5 and 10.

Which motion prevailed.

Senator Ployhar moved that an extension of seven days time be granted the Committee on State Affairs for the further consideration of Senate Bill No. 14.

Which motion prevailed.

Senator Kelsh moved that all absent Senators be excused.

Which motion prevailed.

RESOLUTION.

Introduced by Employment Committee

WHEREAS, a delay is being caused daily in the furnishing of the Bills and Journals of the Senate by reason of the fact that one proof reader is unable to do the required work in the time specified, and

WHEREAS, it is necessary that the Bills and Journals be furnished promptly in order to expedite the business of the Senate:

NOW, THEREFORE, BE IT RESOLVED, That the office of assistant proof reader, as one of the Senate employees, be established and the salary thereof be fixed at five dollars (\$5.00) per day.

Senator Van Camp moved the adoption of the above Resolution.

Which Resolution was adopted.

SENATE ROLL CALL

Senator Van Camp nominated L. W. Sullivan for assistant proof reader.

The question being on the election of L. W. Sullivan for assistant proof reader the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Nathan	Stevens
Babeock	Gross	Olson, Barnes	Storstad
Baird	Hamilton	Olson, Eddy-	Thorson
Baker	Ingerson	Foster	Tofsrud
Benson	Kaldor	Page	Van Camp
Bond	Kelsh	Patten	Ward
Byrne	Kretschmar	Peck	Wenstrom
Carey	Levang	Ployhar	Whitman
Eastgate	McCoy	Porter	Whitmer
Ettestad	Magnuson	Rusch	Wog
Fleckten	Martin	Sperry	
Garberg	Murphy	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Lynch	McLachlin	Miklethun	Peterson

So L. W. Sullivan was declared elected assistant proof reader.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
January 16, 1923.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 17. A Bill For an Act to Appropriate the Sum of Eight Thousand Two Hundred and Fifty Dollars

(\$8,250.00) for the Purpose of Purchasing and Installing One Complete Stoker Unit Under Modern Boiler at the North Dakota Agricultural College, and Purchasing and Installing Necessary Equipment and Technical Instruments to Measure the Efficiency of Such Stoker and Boiler, which the House has passed unchanged with the emergency approved.

Very Respectfully,

W. F. CUSHING,
Chief Clerk.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Mr. Atkins introduced:

Senate Bill No. 32. A Bill for an Act to Amend and Re-enact Section 4016 of the Compiled Laws of 1913 Relating to Bonded Indebtedness of Cities, and Purposes for which Incurred.

Was read the first and second time and referred to the Committee on Cities and Municipal Corporations.

Mr. Atkins introduced:

Senate Bill No. 33. A Bill for an Act to Repeal Chapter 171 of the Session Laws of 1919 Relating to the Granting of Injunctions in Certain Cases.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Kaldor introduced:

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 89 of the Session Laws of 1921, Relating to the Furnishing by the Register of Deeds of Each County to Elevators Making Application and Paying the Fee Provided Therefore, of an Abstract of all Mortgages and Liens upon Grain Grown During Each Year, and filed in the Office of the Register of Deeds.

Was read the first and second time and referred to the Committee on Warehouses and Grain Grading.

Mr. Kaldor introduced:

Senate Bill No. 35. A Bill for an Act Relative to the Admission of Persons Under Eighteen Years of Age to Public Dances and Requiring the posting of a Copy of the Law and Prescribing Penalty for its Violation.

Was read the first and second time and referred to the Committee on State Affairs.

THIRD READING OF SENATE BILLS.

Senate Bill No. 3: A Bill for an Act to Amend and Re-enact Section 1 of Chapter 4 of the Laws Passed by the Special Session of the Sixteenth Legislative Assem-

bly of the State of North Dakota, in 1919, as Amended by Chapter 5 of the Laws of North Dakota for the Year 1921, Being an Act to Appropriate out of the State Highway Fund the Sum of \$35,000.00 for the Construction of a Bridge Across the Red River at Pembina, Pembina County, North Dakota, and Kittson County, Minnesota, Under the Provisions of Chapter 73 of the Laws Passed at the Legislative Assembly of North Dakota, approved March 5th, 1919.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Nathan	Stevens
Babcock	Gross	Olson, Barnes	Storstad
Baird	Hamilton	Olson, Eddy-	Thorson
Baker	Ingerson	Foster	Tofsrud
Benson	Kaldor	Page	Van Camp
Bond	Kelsh	Patten	Ward
Byrne	Kretschmar	Peck	Wenstrom
Carey	Lynch	Ployhar	Whitman
Enstrate	McCoy	Porter	Whitmer
Ettestad	Magnuson	Rusch	Wog
Fleckten	Martin	Sperry	
Garberg	Murphy	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Levang	McLachlin	Miklithun	Peterson

So the bill passed and the title was agreed to.

Senate Bill No. 15. A Bill for an Act to Transfer Money From the Hail Insurance Fund to the Hail Insurance Operating Fund for the Purpose of Paying the Unpaid Bills Incurred by the Hail Insurance Department During the Year Beginning January 1, 1922, and Ending December 31, 1922.

Was read the third time.

Senator Baird moved to amend the title by inserting after the word "to" in the first line thereof the words "appropriate and," and to amend line 1, section 1, of the printed bill by inserting the words "appropriated and" after the word "hereby."

The question being on the final passage of the bill as amended, the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Nathan	Stevens
Babcock	Gross	Olson, Barnes	Storstad
Baird	Hamilton	Olson, Eddy-	Thorson
Baker	Ingerson	Foster	Tofsrud
Benson	Kaldor	Page	Van Camp
Bond	Kelsh	Patten	Ward
Byrne	Kretschmar	Peck	Wenstrom
Carey	Levang	Ployhar	Whitman

Messrs.	Messrs.	Messrs.	Messrs.
Eastgate	McCoy	Porter	Whitmer
Ettestad	Magnuson	Rusch	Wog
Fleckten	Martin	Sperry	
Garberg	Murphy	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Lynch	McLachlin	Miklethun	Peterson

So the bill passed and the title was agreed to.

The question being on the emergency clause of Senate Bill No. 15, the roll was called and there were ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Murphy	Stevens
Babcock	Gardiner	Nathan	Storstad
Baird	Gross	Olson, Barnes	Thorson
Baker	Hamilton	Olson, Eddy-	Tofsrud
Benson	Ingerson	Foster	Van Camp
Bond	Kaldor	Page	Ward
Byrne	Kelsh	Peck	Wenstrom
Carey	Kretschmar	Ployhar	Whitman
Eastgate	Levang	Porter	Whitmer
Ettestad	McCoy	Rusch	Wog
Fleckten	Magnuson	Sperry	
Garberg	Martin	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lynch	Miklethun	Peterson
McLachlin	Patten	

So the emergency clause carried.

Senate Bill No. 18. A Bill for an Act to Amend and Re-enact Section 8657 of the Compiled Laws of North Dakota for the Year 1913, relating to Letters of Administration, and Who are Entitled Thereto.

Was read the third time.

The question being on the final pasage of the bill, the roll was called and there were ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Olson, Barnes	Stevens
Babcock	Gross	Olson, Eddy-	Storstad
Baird	Hamilton	Foster	Thorson
Baker	Kaldor	Page	Tofsrud
Benson	Kelsh	Patten	Van Camp
Bond	Kretschmar	Peck	Ward
Byrne	Levang	Ployhar	Wenstrom
Carey	McCoy	Porter	Whitman
Eastgate	Magnuson	Rusch	Whitmer
Ettestad	Martin	Sperry	Wog
Fleckten	Murphy	Steel	
Garberg	Nathan		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ingerson	McLachlin	Peterson
Lynch	Miklethun	

So the bill passed and the title was agreed to.

Senate Bill No. 4. A Bill for an Act Validating the Record of Mortgages and Assignments of Mortgages in the Office of the Register of Deeds of the Counties of the State Between July 1, 1917, and January 1, 1923.

Was read the third time.

The question being on the final pasage of the bill, the roll was called and there were ayes 43, nays 2, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	McCoy	Sperry
Babcock	Gardiner	Nathan	Steel
Baird	Gross	Olson, Barnes	Stevens
Baker	Hamilton	Olson, Eddy-	Storstad
Benson	Kaldor	Foster	Thorson
Bond	Kelsh	Page	Tofsrud
Byrne	Kretschmar	Patten	Van Camp
Carey	Levang	Peck	Wenstrom
Eastgate	Magnuson	Porter	Whitman
Fleckten	Martin	Ployhar	Whitmer
Ettestad	Murphy	Rusch	Wog

Those voting in the negative were:

Messrs.	Messrs.
Ingerson	Ward

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Lynch	McLachlin	Miklethun	Peterson

So the bill passed and the title was agreed to.

The question being on the emergency clause of Senate Bill No 4 the roll was called and there were ayes 38, nays 7, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Murphy	Sperry
Babcock	Gardiner	Nathan	Steel
Baird	Gross	Olson, Barnes	Stevens
Baker	Kaldor	Olson, Eddy-	Storstad
Benson	Kelsh	Foster	Thorson
Bond	Kretschmar	Page	Tofsrud
Byrne	Levang	Patten	Van Camp
Carey	McCoy	Ployhar	Wenstrom
Eastgate	Magnuson	Porter	Whitman
Ettestad	Martin	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Ingerson	Ward	Wog
Hamilton	Peck	Whitmer	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Lynch	McLachlin	Miklethun	Peterson

So the Emergency Clause was carried.

Senate Bill No. 23. A Bill for an Act to Amend and Re-enact Chapter 51 of the Session Laws of North Dakota for the Year 1921, Authorizing Boards of County Commissioners to Issue Refunding Bonds to Fund or Refund for the Purpose of Seed Grain or Seed and Feed Grain bonds or warrants Theretofore Issued Pursuant to Law for the Purchase of Seed Grain and Feed or Either.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Olson, Barnes	Storstad
Babeock	Gross	Olson, Eddy-	Thorson
Baird	Hamilton	Foster	Tofsrud
Baker	Ingerson	Page	Van Camp
Benson	Kaldor	Patten	Ward
Bond	Kelsh	Peck	Wenstrom
Byrne	Kretschmar	Ployhar	Whitman
Carey	Levang	Porter	Whitmer
Eastgate	McCoy	Rusch	Wog
Ettestad	Magnuson	Sperry	
Fleckten	Murphy	Steel	
Garberg	Nathan	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Lynch	Martin	Miklethun	Peterson
McLachlin			

So the bill passed and the title was agreed to.

The question being on the passage of the emergency clause of Senate Bill No. 23 the roll was called and there were ayes 43, nays none, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Nathan	Steel
Babeock	Gardiner	Olson, Barnes	Stevens
Baird	Gross	Olson, Eddy-	Storstad
Baker	Ingerson	Foster	Thorson
Benson	Kaldor	Page	Tofsrud
Bond	Kelsh	Patten	Van Camp
Byrne	Kretschmar	Peck	Ward
Carey	Levang	Ployhar	Wenstrom
Eastgate	McCoy	Porter	Whitman
Ettestad	Magnuson	Rusch	Whitmer
Fleckten	Murphy	Sperry	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Hamilton	McLachlin	Miklethun
Lynch	Martin	Peterson

So the emergency clause of Senate Bill No. 23 carried.

Senator Martin moved that Senate Bill No. 13 be referred to the Committee on Public Health.

Which motion prevailed.

Joint Resolution asking for Reports from the Guaranty Fund Commission.

Was read the third time.

Senator Rusch moved the adoption of the Joint Resolution and requested a roll call on the same.

The question being on the adoption of the Joint Resolution the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Nathan	Stevens
Babcock	Gross	Olson, Barnes	Storstad
Baird	Hamilton	Olson, Eddy-	Thorson
Baker	Ingerson	Foster	Tofsrud
Benson	Kaldor	Page	Van Camp
Bond	Kelsh	Patten	Ward
Byrne	Kretschmar	Peck	Wenstrom
Carey	Levang	Ployhar	Whitman
Eastgate	McCoy	Porter	Whitmer
Ettestad	Magnuson	Rusch	Wog
Fleckten	Martin	Sperry	
Garberg	Murphy	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Lynch	McLachlin	Miklethun	Peterson

So the Joint Resolution was adopted.

Senator Wenstrom asked the unanimous consent of the Senate to return to the Eighth Order of Business. There being no objections, the Senate took up the Eighth Order of Business.

Senator Wenstrom moved that the report of the Committee on Mileage and Per Diem as corrected be adopted.

Which motion prevailed.

The President, Frank H. Hyland, appointed Senator Kaldor of Traill as a committee of one to escort former Lieutenant-Governor A. T. Kraabel to the rostrum.

Mr. Kraabel responded to President Hyland's invitation and spoke briefly to the Senators.

MESSAGE FROM THE GOVERNOR

Senator Ployhar 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 Messrs. G. H. Garnett of St. Thomas, N. D., W. W. Felson, of

Cavalier, N. D., Olaf Hagen, Lawton, N. D., Ferdinand Leutz of Hebron, N. D., and Henry Schacher, Mandan, N. D., H. H. Steele of Minneapolis, Minn.

The president administered the Oath of Office to L. W. Sullivan.

Senator Kelsh moved that the Senate do now adjourn.

Which motion prevailed.

W. E. PARSONS,
Secretary.

SIXTEENTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 17, 1923.

Senate convened at 2:00 o'clock P. M., January 17, 1923, the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Ensign Thos. Homer.

Roll was called, all Senators being present with the exception of Senators Lynch, McCoy, McLachlin, Magnuson, Nathan, Olson of Eddy, Peterson, Thorson and Wenstrom.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the 15th day and recommend that the same be corrected as follows:

On page 5, line 39, correct spelling of "Baird."

On page 5, line 41, correct spelling of "appropriate."

On page 8, line 11, correct spelling of "passage."

And when so corrected recommend that the same be approved.

J. H. MCCOY,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

The Secretary read a communication addressed to Senator Whitman, signed by W. A. Hensrud, and fifty-two others, parents and voters of Mekinock, Grand Forks County, N. D., relative to House Bill No. 25.

The Secretary read communications addressed to Senator Ward, signed by Mr. and Mrs. D. A. Ritchie, of Steele, N. D., and Rev. F. W. Gress of Steele, N. D., relative to House Bill No. 25.

Which communications were laid over until House Bill No. 25 reaches the Senate.

REPORT OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 15. A Bill for an Act to Transfer Money From the Hail Insurance Fund to the Hail Insurance Operating Fund for the Purpose of Paying the Unpaid Bills Incurred by the Hail Insurance Department During the Year Beginning January 1, 1922, and Ending December 31, 1922.

And find the same correctly re-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Enrollment and Engrossment have examined the following bill:

Senate Bill No. 17. A Bill For an Act to Appropriate the Sum of Eight Thousand Two Hundred and Fifty Dollars (\$8,250.00) for the Purpose of Purchasing and Installing One Complete Stoker Unit Under Modern Boiler at the North Dakota Agricultural College, and Purchasing and Installing Necessary Equipment and Technical Instruments to Measure the Efficiency of Such Stoker and Boiler.

And find the same correctly enrolled.

CHRIST LEVANG,
Chairman.

Senator Levang 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:

P. J. MURPHY,
Chairman.

The committee on Insurance made the following report:

Senate Bill No. 5. A Bill for an Act to Amend and Re-enact Section 4926, Compiled Laws of 1913, Relating to Resident and Non-resident Insurance Agents.

Have had the same under consideration and recommend that the same be indefinitely postponed.

Mr. President: Your committee on Insurance to whom was referred:

Senate Bill No. 10. A Bill for an Act Entitled an Act to Amend and Re-enact Section 4937, Compiled Laws of 1913, relating to Reserve Fund of Mutual Insurance Companies.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. J. MURPHY,
Chairman.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred:

Senate Bill No. 24. A Bill for an Act Making an Appropriation to Company A First Regiment, North Dakota National Guard, Training School, a Corporation, for the Purpose of Protecting and Preserving the Title to Its Property and the Security of the State of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. T. KRETSCHMAR,
Chairman.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred:

Senate Bill No. 19. A Bill for an Act to Amend and Re-enact Section 8551 of the Compiled Laws of North Dakota for the Year 1913, Relating to Citations and Notices Issued by the County Court and How the Same Must be Served.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

The committee on Rules made the following report:

Mr. President: Your committee on Rules to whom was referred the Attorney General's Communication on Emergency Measures.

Have had the same under consideration and recommend that the same be re-referred to the Joint Committee on Rules.

THEO. KALDOR,
Chairman.

Senator Kaldor moved that the report be adopted, which motion prevailed and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 17. A Bill for an Act to appropriate the Sum of Eight Thousand Two Hundred and Fifty Dollars

(\$8,250) for the Purpose of Purchasing and Installing One Complete Stoker Unit Under Modern Boiler at the North Dakota Agricultural College, and Purchasing and Installing Necessary Equipment and Technical Instruments to Measure the Efficiency of Such Stoker and Boiler.

And the President signed the same in the presence of the Senate.

Senator Kelsh moved that all absent Senators be excused, which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Page introduced:

Senate Bill No. 36. A Bill for an Act to Amend and Re-enact Sections 5605, 5607 and 5611 of the Compiled Laws of the State of North Dakota for the Year 1913, Defining the Homestead Exemption.

Was read the first and second time, and referred to the Committee on Judiciary.

Mr. Kelsh introduced:

Senate Bill No. 37. A Bill for an Act to Repeal Section 1119 of the Compiled Laws of 1913 Relating to the Publication of the Proceedings of the State Education Association.

Was read the first and second time, and referred to the committee on Education.

Mr. Rusch introduced:

Senate Bill No. 38. A Bill for an Act to Prescribe a Form of Procedure for the Administration of Express trusts, as Are Defined by Chapter 71 of the Civil Code.

Was read the first and second time and referred to the committee on Judiciary.

Mr. Bond introduced:

Senate Bill No. 39. A Bill for an Act to Amend and Re-enact Section 287 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 241 of the Session Laws of 1915, and as Amended by Chapter 204 of the Session Laws of 1917, and as Amended by Chapter 198 of the Session Laws of 1919, and as Amended by Chapter 108 of the Session Laws of 1921, Relating to Investment of University and School Land Funds.

Was read the first and second time and referred to the committee on Banks and Banking.

Mr. Ingerson introduced:

Senate Bill No. 40. A Bill for an Act Relating to the Receipt and Filing by the Register of Deeds, of Warranty Deeds and Quit Claim Deeds.

Was read the first and second time, and referred to the committee on Judiciary.

Mr. Ingerson introduced:

Senate Bill No. 41. A Bill for an Act to Amend and Re-enact Section 16 of Chapter 58 of the Session Laws for the Year 1917.

Was read the first and second time, and referred to the committee on Education.

Senator Kretschmar moved that a committee of three be appointed to meet Mr. Anderson, representative of the Yeoman Lodge, relative to the erection of a Home for the Widows, Children and Dependents of members of the Yeoman Lodge, to be located somewhere in the State of North Dakota.

Which motion prevailed, and the President appointed Senators Bond, Kretschmar, and Garberg as such committee.

Senator Ployhar 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 Hon. J. E. Davis of Goodrich, Messrs. E. A. Ripley, of Mandan; W. L. Stockwell of Fargo; J. J. Solem, of Hettinger; Jas. McKechnie of Mohall; A. C. Stolt of Sherwood; N. J. Snider of Donnybrook; J. W. Copeland of Glenburn; Dean H. E. French, Dr. Robt. Olesen, Odin Overby, of Grand Forks; Geo. H. Hollister of Fargo; Andrew Swanson of Lawton; P. Martinson of Hampden.

Senator Levang moved that the Senate do now adjourn.

Which motion prevailed.

W. E. PARSONS,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
January 18, 1923.

The Senate convened at 2:00 o'clock P. M., January 18, 1923, the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Ensign Thos. Homer.

Roll was called, all Senators being present with the exception of Senators Lynch, Ingerson, McCoy, McLachlin, Magnuson, Olson of Eddy, Peterson, Ployhar, Storstad, Thorson, and Wenstrom.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the 16th day and recommend that the same be corrected as follows:

On page 5, line 15, strike out "Anson" and insert in lieu thereof "Anderson."

And when so corrected recommend that the same be approved.

CHRIST LEVANG,
Chairman Pro. Tem.

Senator Levang 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:

Senate Bill No. 19. A Bill for an Act to Amend and Re-enact Section 8551 of the Compiled Laws of North Dakota for the Year 1913, Relating to Citations and Notices Issued by the County Court and How the Same Must be Served.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 5. A Bill for an Act to Amend and Re-enact Section 4926, Compiled Laws of 1913, Relating to Resident and Non-resident Insurance Agents.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. J. MURPHY,
Chairman.

Senator Murphy 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. 10. A Bill for an Act Entitled an Act to Amend and Re-enact Section 4937, Compiled Laws of 1913, relating to Reserve Fund of Mutual Insurance Companies.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. J. MURPHY,
Chairman.

Senator Murphy moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Benson asked the unanimous consent of the Senate to re-refer Senate Bill No. 24 to the Committee on Appropriations, and the Bill was so re-referred.

The committee on Joint Rules made the following report:

Mr. President: Your committee on Joint Rules begs leave to report that it has considered the communication of the Attorney General regarding roll calls on emergency measures, and that it has prepared an amendment to rule 12 of the joint rules, and it is recommended that the Senate amend and re-adopt Rule 12 of the Joint Rules by adding to the said section as it now reads the following: "Eight or more members of the Senate may demand a separate roll call on the emergency clause on bills up for third reading and final passage."

P. B. GARBERG,
Chairman.

Senator Garberg moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Carey moved that the Committee on Elections be granted five days additional time in which to consider Senate Bill No. 11, which motion prevailed.

Senator Sperry moved that all absent Senators be excused.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
January 18, 1923.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 27. A Bill for an Act to Amend and Re-enact Section 3239 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 117 of the Session Laws of North Dakota for 1915 as Amended by Chapter 102 of the Session Laws of 1917, Relating to the Frequency of Holding Election for the Removal of County Seats Not Located on the Railroad and Providing a Primary Election Thereon and Prescribing the Number of Votes Required for Such Removal.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
January 18, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 6. A Bill for an Act to Repeal Section 991 of the Compiled Laws of North Dakota, for the Year 1913, Requiring Ballots of Women to be Deposited in Separate Boxes.

Senate Bill No. 7. A Bill for an Act to Amend and Re-enact Section 948 of the Compiled Laws of North Dakota, for the Year 1913, Relating to the Qualifications of Electors.

Senate Bill No. 8. A Bill for an Act to Amend and Re-enact Section 968 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Ballot Boxes.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
January 18, 1923.

Mr. President: I have the honor to return herewith the following:

Senate Resolution by Mr. Rusch, asking for a report from the Guaranty Fund Commission.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

INTRODUCTION, FIRST AND SECOND READING OF
SENATE BILLS.

Mr. Carey introduced:

Senate Bill No. 42. Amendment to the Constitution Extending the Term of Office in Each Organized County of the State of North Dakota of the County Superintendent of Schools Thereof, to-wit: From Two Years to Four Years.

Was read the first and second time, and referred to the Committee on Elections.

Mr. Gardiner introduced:

Senate Bill No. 43. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 33 of the Laws Enacted by the Special Session of the Legislature of 1919 Relating to the Formation and Division of Voting Districts.

Was read the first and second time, and referred to the committee on Elections.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 27. A Bill for an Act to Amend and Re-enact Sections 3239 of the Compiled Laws of North Dakota, for the year 1913, as Amended by Chapter 117 of the Session Laws of North Dakota for the Year 1915, as Amended by Chapter 102 of the Session Laws of 1917, Relating to the Frequency of holding an Election for the Removal of County Seats not Located on the Railroad and Providing a Primary Election Thereon and Prescribing the Number of Votes Required for such Removal.

Was read the first and second time and referred to the committee on Counties.

Senator Murphy 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 that the Senate do now advise and consent to the nomination by the Governor of C. C.

Converse, of Williston, N. D., to the position of State Tax Commissioner, for the term expiring July 26, 1925.

Senator Stevens moved that the Senate recess until 2:45 P. M.

Which motion prevailed.

At 2:45 P. M. Senator Murphy moved that the Senate recess until the call of the President, which motion prevailed.

At the call of the President, the Senate re-assembled at 3:15 P. M.

The Senate took up the Sixth Order of Business.

REPORT OF STANDING COMMITTEES

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. 39. A Bill for an Act to Amend and Re-enact Section 287 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 241 of the Session Laws of 1915, and as Amended by Chapter 204 of the Session Laws of 1917, and as Amended by Chapter 198 of the Session Laws of 1919, and as Amended by Chapter 108 of the Session Laws of 1921, Relating to Investment of University and School Land Funds.

Have had the same under consideration and recommend that the same do pass.

W. R. BOND,
Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

The Secretary read the following communications from the Governor:

"January 17, 1923.

To the State 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. 17, an Act to appropriate \$8,250.00 for purchasing and installing a complete Stoker at the Agricultural College.

Very truly yours,

R. A. NESTOS,
Governor."

THURSDAY, JANUARY 18, 1923

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"January 17, 1923.

Frank Hyland, Lieutenant Governor,
Bismarck, North Dakota.

My Dear Mr. Hyland:

In looking up the appointments made by me during the past year, for the purpose of reporting the same to the Senate, for their consent and approval, I discovered to my great surprise that the Tax Commissioner was the only official appointed by me who was subject to the consent and approval of the State Senate.

I am personally of the opinion that in the case of practically all of these major appointments that it would be wisdom, and for the best interests of the State to have the consent and approval of the Senate to the appointments made by the Governor and I would suggest to you that you bear this matter in mind so that if any of the legislation to be enacted this year provides for the appointment of any official who deals with large amounts of public funds, or who occupies important official positions, that the Act contain a provision that such appointment be made with the consent and approval of the Senate.

Very truly yours,

R. A. NESTOS,
Governor."

Senator Bond moved that the communications from the Governor be printed in the Senate Journal.

Which motion prevailed.

The courtesies of the floor were extended to Messrs. Geo. Dickinson, of Minnewaukan, J. J. Coyle, Wm. Smart, Even Thomas, H. E. Wheeler, Hon. C. J. Fisk, of Minot; Messrs. M. R. Keith, of Kenmare; A. A. Ludwigs, Henry Jerke, of Ashley; Nat. Greenburg of Grand Forks; E. T. Judd of Cando; Ivan Metzger, Williston; Rev. A. E. Tien, of Portland; Rev. F. L. Larson of Hastings; Rev. F. D. Ulvesaker, of Fargo, and Rev. G. A. Larson of Edmore; Wm. Stern, Nick McKeller, of Fargo.

Senator Carey moved that the Senate do now adjourn.

Which motion prevailed.

W. E. PARSONS,
Secretary.

EIGHTEENTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 19, 1923.

The Senate convened at 2:00 P. M., January 19, 1923, the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Ensign Thos. Homer.

Roll was called, all Senators being present with the exception of Senators Lynch, McCoy, McLachlin, Magnuson, Olson of Eddy, Peterson, Storstad and Wenstrom.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the 17th day and recommend that the same be corrected as follows:

On page 6, line 22, after the word "with" insert the word "the."

And when so corrected recommend that the same be approved.

CHRIST LEVANG,
Chairman Pro Tem.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Senator Kaldor presented a communication from the citizens and taxpayers of Traill County, which was referred to the Committee on Taxes and Tax Laws.

Senator Ingerson presented a communication from the Mothers' Club, Fillmore Township, Divide County, which was referred to the Committee on Women's and Children's Welfare.

Senator Wog presented a Resolution from the Women's Club of Beach, N. D., which was referred to the Committee on Public Health.

Senator Sperry presented a Resolution from the Bismarck Gun Club, which was referred to the committee on Game and Fish.

Senator Miklethun presented a Resolution from the Traill-Steele County District Medical Society, which was referred to the committee on Public Health.

A resolution from the North Dakota Live Stock Breeders' Association, regarding appropriations for the North Dakota Agricultural College was read and referred to the committee on Appopriations.

A resolution from the North Dakota Live Stock Breeders' Association, was read and referred to the committee on Live Stock.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 39. A Bill for an Act to Amend and Re-enact Section 287 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 241 of the Session Laws of 1915, and as Amended by Chapter 204 of the Session Laws of 1917, and as Amended by Chapter 198 of the Session Laws of 1919, and as Amended by Chapter 108 of the Session Laws of 1921, Relating to Investment of University and School Land Funds.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 6. A Bill for an Act to Repeal Section 991 of the Compiled Laws of North Dakota, for the Year 1913, Requiring Ballots of Women to be Deposited in Separate Boxes.

Senate Bill No. 7. A Bill for an Act to Amend and Re-enact Section 948 of the Compiled Laws of North Dakota, for the Year 1913, Relating to the Qualifications of Electors.

Senate Bill No. 8. A Bill for an Act to Amend and Re-enact Section 968 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Ballot Boxes.

And find the same correctly enrolled:

CHRIST LEVANG,
Chairman.

Senator Levang 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. 22. A Bill for an Act to Amend and Re-enact Section 5888 Requiring Certain Contracts to be in writing.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 38. A Bill for an Act to Prescribe a Form of Procedure for the Administration of Express trusts, as Are Defined by Chapter 71 of the Civil Code.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Rusch moved that the report of the Depositors' Guaranty Fund Commission be received, and that it be printed in the Senate Journal, and that it be messaged to the House.

Which motion prevailed.

TO THE SENATE AND HOUSE OF REPRESENTATIVES
OF THE LEGISLATIVE ASSEMBLY OF THE STATE
OF NORTH DAKOTA:

Pursuant to the request contained in the joint resolution adopted by you, for a report of the activities of the Depositors' Guaranty Fund Commission for the past two years, we beg leave to report.

The Legislature of 1917 enacted the law creating the Depositors' Guaranty Fund and provided therein for a guaranty of certain deposits in state banks, through an assessment upon the state banks proportionate to such deposits, and provided for a commission of five, of which the Governor and State Examiner are ex-officio members, the three remaining members to be appointed by the Governor from nominations made by the state banks.

The work and problems of this Guaranty Fund Commission for the past two years have been principally the problems of the closed banks. Since the enactment of the law, seventy state banks have been closed by the Banking Department and receivers appointed therefor as provided by law. Of the banks which have been closed, depositors of the First State Bank of Jud and the Farmers State Bank of Marmarth have been paid in full; nineteen banks have been reopened and are now running, leaving now fifty-one state bank closed and in the hands of receivers appointed by the Banking Board.

We submit herewith a statement as to these closed state banks showing their condition in detail, and, as a total. An examination of this statement will show that no substantial amount can be expected to be realized from the assets of these banks after paying expenses.

The state banks, upon which the burden of losses must eventually fall, at their Annual Association Meeting held in 1922, appointed a Committee consisting of Geo. H. Hollister, H. P. Goddard and A. E. Severeid, to represent them in all things before this Commission, and gave to that Committee as full powers as it was possible for them to do.

The rating of the assets of these closed banks has been, we think, thoroughly done. Mr. H. P. Goddard of the State Bank Committee and Mr. B. J. Schoregge, Supervisor of Receivers, have done the work in detail and the Guaranty Fund Commission and the members of the State Bank Committee all feel confident that the values placed upon these assets are as nearly correct as can be determined at this time. In making these ratings, they took advantage of all information they could secure from every source, and much time and care was used in making the ratings reliable.

You will observe that the total deposits in the closed banks amount to \$7,145,636.00, and of this amount, according to the audit by the State Bank Committee, less than fifty per cent is guaranteed under the Guaranty Law.

This same Committee was appointed in June, 1921, by the State Bankers' Association, to aid in the auditing of deposits in all the closed banks, both for their own information and to assist the Commission in developing the facts that they might eventually arrive at an intelligent decision as to what claims were guaranteed and what were not. The origin and detail of every deposit in every one of the closed banks were investigated and the reports are now on file with the Secretary of this Commission, and to which reports reference is hereby made.

The Commission has not finally admitted nor denied liability to individuals on their claims for guaranty of their deposits; the law provides no method for certifying to individual claims. Court decisions will in many cases be necessary to determine the liability of the Guaranty Fund. For example, "Deposits otherwise secured" are not

guaranteed by the law and it is the rule in other states, and is our contention that deposits, on which a greater rate of interest than that permitted by law has been promised or paid, are not guaranteed but are in fact loans. Another class of claims that has been rejected by the Auditors is where stock promoters and like security salesmen have exchanged notes for certificates of deposit, it being claimed that such transactions are in fact but an exchange of credit and do not come within the law. In short, the Commission proposes to treat all deposits as unsecured by the Guaranty Act that are not legally created or received in the ordinary and usual course of banking business as generally understood.

Referring to the item of "Questioned Deposits" shown in the statement submitted herewith: of this amount..... are re-deposits, so-called, by the Bank of North Dakota, made by the Industrial Commission with full knowledge of the condition of these banks. It is claimed that such re-deposits are variously secured and for these and other reasons, we contend that the Guaranty Fund is not liable thereon.

We find that after a bank is closed, the assets depreciate very rapidly. The reason for this is apparent; the personal element is immediately eliminated; the receiver has very limited authority, his power probably restricted to collecting and receipting for money, and to realize as rapidly as possible upon the assets; he may not use any of the funds collected for the purpose of protecting other assets, and generally a receiver is without funds; if he has made even more than a reasonable attempt to collect on the securities in his hands, he is finally apt to let matters drift somewhat, both on account of his lack of power and lack of results of his efforts, until finally he collects sufficient funds to pay his own expenses and lets it go at that. Many of those owing closed banks do not feel the same moral obligation to pay or attempt to pay as to a going bank. The holders of first mortgages on real estate are not inclined to extend the time of payment of interest and principal to the same extent as when the security is under the control of an open bank. We find that the depreciation of the assets increases rapidly, and for this reason we have concluded, and, in many cases recommended, that an early sale, in bulk, be made of the assets of these banks.

The greater portion of the good notes of the closed banks are in the hands of bills payable holders, held as security for obligations of the insolvent bank. Any bank before it closes has exhausted every resource toward collecting its paper, as well as its capacity to borrow, with the result that the best paper is invariably found as collateral to a loan from the correspondent bank, while the notes left in the bank are slow and largely uncollectable. Much of this collateral so pledged for loans has already been foreclosed upon and the title passed to the owner of the bills payable, which nearly always is some correspondent bank in a large city. Several of these institutions have signified their willingness to accept the amount of their claims with interest and expenses, and release the collateral, provided it

is for the benefit of the closed bank and has the approval of the Guaranty Fund Commission. The right of the Guaranty Fund Commission to use funds under its control for the purpose of salvaging or purchasing these assets has been questioned, and while legal opinions have been rendered to the Commission to the effect that it can use funds for this purpose, still it has been done only in special cases and to a very limited extent, and in such cases the Commission has deposited the necessary money in some legal depository as a special deposit, with instructions for such depository to use this money to purchase such assets, to hold them in trust and collect them for the benefit of the Guaranty Fund.

The report herewith submitted discloses that there were loans amounting to \$8,568,766.00 in closed banks, and by determination based on the ratings obtained by the Commission, the value of these loans considered good and collectible is \$3,850,258.00, so that the good and collectible notes in these closed banks are worth approximately, according to the ratings, but forty-four cents on the dollar. The greater amount of these notes is pledged as collateral for money borrowed, which amounts to approximately \$1,677,040.00, including estimated interest and expenses.

The question of having the Guaranty Fund Law amended to permit the use of the fund for the purpose of purchasing the assets outright has been discussed generally, but it is realized that there is danger in delegating such power to any Commission, and if given, should not be included in the general law permanently but if given at all, should be for a limited time only and during the present emergency.

In addition to the closed banks, there are banks which are in danger of being closed, in fact in ordinary times would be closed. The Guaranty Law might be amended so as to permit the use of the Fund for the purpose of preventing the closing of such banks, upon the well based theory that it would require much less money to save any such bank than to pay the depositors after the bank has closed.

On June 30, 1922, there was on deposit in the open banks of the State under the operation of this Act, about \$95,000,000. The maximum assessment under the law, one-fourth of one per cent per annum upon deposits, yields for the current year a little less than \$240,000.00. The admitted liability of the Guaranty Fund to depositors of closed banks, giving due allowance for questions hereinbefore raised, amounts to nearly \$4,000,000.00, which sum under the law draws five per cent interest, leaving from 1922 assessments, less than \$40,000.00 to be applied upon the principal of the claims against the Guaranty Fund. At that time there were 664 banks in the State under the operation of this Act, with an average deposit of \$144,000.00 and with average capital of about \$17,000.00. The average bank was assessed during the past year approximately \$360.00 as its contribution to the Guaranty Fund, something more than two per cent upon the capital stock of the average bank. Any increase in the rate of assessment against banks for this Fund would only have a tendency

to drive them into the National system or liquidation, thereby reducing sources from which assessments could be realized.

There has been received from assessments and otherwise since the date the law was enacted, \$793,848.48; \$14,629.22 has been returned to banks in adjustments of assessments; \$24,402.81 is in banks now closed; \$2,341.99 has been advanced to receivers; \$7,266.81 has been used for expenses; \$171,464.03 has been paid to depositors, leaving \$573,743.62 now deposited in banks within the State, operating under the system, a detailed statement of which is attached herewith and made a part hereof.

By the enactment of this law, as it is worded and as it was advertised, the public was induced to deposit money in state banks under the belief that the deposits were guaranteed by the State itself, and this belief is very general today.

The Guaranty Fund Commission is supposed to have some authority to supervise closed banks, but the law was so crudely drawn and is so conflicting with the laws governing the duties of the Banking Board that adequate and complete supervision has been impossible. The law gives the Banking Board the power to appoint a receiver, so-called, and elsewhere says that the Guaranty Fund Commission "shall supervise the liquidation of the closed banks", and for that purpose may appoint a supervisor of receivers. Any receiver so appointed and supervised is useless.

The Guaranty Fund cannot withdraw from a bank in failing circumstances, nor can it interfere, or investigate a bank that refuses to conduct its business in a prudent manner or carry out the orders of the State Examiner. The situation is, that deposits in state banks are guaranteed and promised to be repaid by assessments upon the remaining state banks, yet the guarantors have nothing to say about the conduct, condition or methods of such banks. The state banks by law are compelled to go into partnership with those over whom they have no control and for the delinquencies of whom they are made responsible. It is eminently unfair that they be not allowed to cause an examination to determine whether they are safe in continuing or to withdraw as guarantor from any bank of this class.

The matter of winding up some of the closed banks has been one of deep concern and much thought and work on the part of the Commission. Realizing the fact that many of their assets were of little value, that the expense of the receiverships was absorbing all that was being realized from collections, the Commission has been working for months to find some way to dispose of these closed banks and determine the real loss, but it was not only difficult to interest purchasers, but when one was found who was interested, it was as difficult for ourselves as well as for the Banking Board to finally realize that sales should necessarily be made at what on its face seemed to be a great sacrifice. Finally, by a combination of circumstances, one case was taken before the District Court in

Grand Forks County and it was there made evident that the powers of the Banking Board, the Guaranty Fund Commission and the receivers were very limited and that unless the law is amended, every one of these closed banks must yet be taken into court, adjudicated and finally administered, involving much expense and delay with further loss to the creditors and to the Guaranty Fund.

The State Banking Board consists of the Governor, Secretary of State and Attorney General, and generally these officials are not expert and experienced in banking problems; they are members of many other boards. Their time is more than taken up with important State affairs, and for these reasons are unable to properly supervise the banks of the State. We believe that had preceding legislatures given our Banking System more constructive consideration, provided and required more vigorous and constructive supervision, that many of the closed banks would never have been in trouble and that generally; banks would now be in better condition. The situation is now that by reason of the many features referred to herein, neither the Banking Board nor the Guaranty Fund Commission can properly function, and immediate and thorough consideration at your hands is necessary.

There appears to be no disposition on the part of the average state bank to evade any responsibility on account of the Guaranty Fund, but they do think that better supervision should be exercised; that the guaranteeing banks should have something material to say as to what sort of a bank, not only comes into the system, for which the other banks are responsible, but particularly to have something to say as to who continues in the system.

One of the principal causes for the many bank failures and for the unsatisfactory condition of a number of open banks is by reason of the fact that the State has greatly more banks than it can support. Banks have been opened in towns which were already well and sufficiently served. The result has been an era of vicious banking practices; making loans larger than the credit or security of the borrower would prudently warrant; overbidding for deposit money; overborrowing from city banks; loading up with real estate and other immovable assets; becoming interested directly or indirectly in the sale and promotion of tractors, automobiles, etc., and generally the over-head expense of maintaining these unnecessary licensed institutions has been a direct and heavy charge upon the community wherein they are located.

For your convenience and definite information, we will summarize some of the conditions as follows:

Receivers have no powers; they can only receive. They cannot compromise debts; they cannot satisfy mortgages; they cannot sell assets either singly or in bulk, except possibly for face value.

There is no recognized authority over a receiver. The supervisor of receivers may direct one thing, the State

Examiner another, and the Banking Board may rescind one or both orders according to some more or less convincing argument at the time presented.

The Guaranty Fund has no definite legal direction as to the method of paying out the money in its hands. Shall it pay the claims in banks in full in order closed? If so, what about two or more which may have been closed the same day? Shall all claims of all banks be paid pro rata by dividends? Or shall they pay on such banks in the year during which the assessment was paid? And how about a bank that was closed yesterday, in respect to banks closed two years ago to whose depositors a percentage may have already been paid? Is the Commission's rule final as to whether a deposit is guaranteed or not?

The Guaranty Fund Commission probably has no power to protect or salvage assets that may be in jeopardy of sale under foreclosure, for a small proportion of their worth.

Once a bank is admitted to the Guaranty Fund System, there is no method of its being eliminated no matter what it does or what condition it is in except to close it, and as to whether a bank is to be closed or not, the Guaranty Fund Commission who represents the guarantors have no power and often know nothing about the prospective failure until the bank is closed and in the hands of the Banking Department.

The Guaranty Fund Law, as it stands now, is nothing more than an advertising dodge to attract deposits,—apparently intended to deceive and worded so that the mass of public do, with reason, think that the State of North Dakota itself guarantees these deposits.

A Banking Board consisting of elected officials only, who by reason of the many other important duties imposed upon them by law and on account of the vagueness of the present banking laws, are unable to adequately administer the very important duties as members of the Banking Board.

The Guaranty Fund Commission now is nothing more nor less than an adviser. It can figure out what ought to be done, only to realize that on account of legal or other reasons their conclusions cannot be put into operation.

The Banking Board has no power to sell the assets of closed banks. The expenses may be eating up the assets and everyone may agree that it should be sold, yet it cannot be done.

There are too many banks. One to each 750 population. The average in the United States is one to each 3600. Overhead cost to maintain two banks—often three or four—where one will serve, is a direct tax on that community. Have less banks, closer supervision and better banks.

In closing, we realize our inability to put in a report such as this, everything that pertains to the subject. We learn of new obstacles at every meeting. The subject is so full of problems that as you proceed, you will become, as we have, somewhat dazed at its magnitude and seriousness. However, we have some very strong convictions as to what should be done, generally, and, if invited, will be glad to present our ideas in the shape of concrete laws for your consideration.

R. A. NESTOS,
Governor—Ex-officio Member.

GILBERT SEMMINGSON,
State Examiner—Ex-officio Member.

M. R. PORTER,
S. G. SEVERTSON,
C. D. McMILLAN,

Members Depositors' Guaranty Fund Commission.

Senator Rusch moved that 500 additional copies of the Senate Journal wherein will appear the report of the Depositors' Guaranty Fund Commission be printed.

Which motion prevailed.

Senator Ward moved that all absent Senators be excused.

Which motion prevailed.

Senator Atkins moved that the Committee on Mines and Minerals be given an extension of time for further consideration of Senate Bill No. 12.

Which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 6. A Bill for an Act to Repeal Section 991 of the Compiled Laws of North Dakota, for the Year 1913, Requiring Ballots of Women to be Deposited in Separate Boxes.

Senate Bill No. 7. A Bill for an Act to Amend and Re-enact Section 948 of the Compiled Laws of North Dakota, for the Year 1913, Relating to the Qualifications of Electors.

Senate Bill No. 8. A Bill for an Act to Amend and Re-enact Section 968 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Ballot Boxes.

And the President signed the same in the presence of the Senate.

INTRODUCTION, FIRST AND SECOND READING OF
SENATE BILLS

Mr. Baird introduced:

Senate Bill No. 44. A Bill for an Act to Establish a State Highway Commission, Prescribing its Powers and Duties, Fixing the Salaries of the Commission and the Employees Thereof, Authorizing the Engagement of Employees and Repealing All Acts and All Parts of Acts in Conflict Herewith.

Was read the first and second time, and referred to the committee on Highways.

Mr. Baird introduced:

Senate Bill No. 45. A Bill for an Act to Amend and Re-enact Sections 6, 11, 12, 16 and 17 of Chapter 44 of the Special Session Laws of North Dakota, for the Year 1919, Relating to the Registration and Licensing of Motor Vehicles, the Creation of a State Highway Fund, the Distribution of Such Fund, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first and second time, and referred to the committee on Highways:

Mr. Baird introduced:

Senate Bill No. 46. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Providing for the Establishment of a State Highway Commission, for the Establishment of a System of State Highways and for the Establishment of a State Highway Fund.

Was read the first and second time, and referred to the committee on Highways.

Mr. Hamilton introduced:

Senate Bill No. 47. A Bill for an Act to Establish a System for the Storing of Grain on Farms; Protecting Same by Insurance; Issuing Farm Warehouse receipts for same; Placing Same Under the Control and Supervision of the Supervisor of Grades, Weights and Measures; Defining His Powers and Duties; Making the Owner the Warehouseman of Same and Charging Him With Certain Duties; and Providing Penalties for the Violation of any Part of this Act.

Was read the first and second time, and referred to the committee on Warehouses and Grain Grading.

Mr. Kelsh introduced:

Senate Bill No. 48. A Bill for an Act to Provide Uniform Salaries for Certain County Officers, to Provide for the Payment of the Same, for the Employment and Payment of Deputies and Clerk Hire in Such Offices, the Collection and Deposit of Official Fees, and the Repeal of Certain Laws.

Was read the first and second time, and referred to the committee on Elections.

Mr. Steel introduced:

Senate Bill No. 49. A Bill for an Act to Amend and Re-enact Section 1782 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Commandant of the Soldier's Home.

Was read the first and second time, and referred to the committee on Military Affairs.

Mr. Porter introduced:

Senate Bill No. 50. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 187 of the Session Laws of North Dakota for the Year 1919, Relating to the Qualifications of Official and Legal Newspapers and Providing for the Method of Selection of Official Newspapers.

Was read the first and second time, and referred to the committee on Public Printing.

Mr. Porter introduced:

Senate Bill No. 51. A Bill for an Act Fixing Publication Fees for Printing Delinquent Tax Lists, School Treasurers' Reports, and County Commissioners' Proceedings.

Was read the first and second time, and referred to the committee on Public Printing.

Mr. Rusch introduced:

Senate Bill No. 52. A Bill for an Act to Amend and Re-enact Chapter 185 of the Session Laws of the State of North Dakota for the Year 1915, Providing for Mothers' Pensions for the Assistance of Indigent Mothers and Their Children Under **Fourteen Years of Age**, Fixing the Proportion to be Paid by County and by Local Poor Districts; Conferring Jurisdiction in Such Matters Upon the County Judges of the Several Counties, Subject to the Approval of the Board of County Commissioners of Such Counties, and Repealing all Acts and Parts of Acts in Conflict Therewith.

Was read the first and second time, and referred to the Committee on Women's and Children's Welfare.

Mr. Baker introduced:

Senate Bill No. 53. A Bill for an Act Authorizing the Commissioner of Insurance to Examine Fire Rating Bureaus; Forbidding Discriminatory Rates and Requiring Written Variation to be Filed; Requiring Fire Insurance Companies to Maintain or be Members of Rating Bureau; Providing that Risks be Inspected; Requiring Rating Agreements to be Submitted to Commissioner of Insurance; also Providing for Review by Commissioner of Insurance of Rates Fixed by Bureau, and Proceedings Under Appeal from Order of Commissioner; Penalty for Violation; Exempting County Mutual Companies, and Providing Appropriation for Administration Thereof.

Was read the first and second time, and referred to the committee on Insurance.

THIRD READING OF SENATE BILLS

SENATE ROLL CALL

Senate Bill No. 39. A Bill for an Act to Amend and Re-enact Section 287 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 241 of the Session Laws of 1915, and as Amended by Chapter 204 of the Session Laws of 1917, and as Amended by Chapter 198 of the Session Laws of 1919, and as Amended by Chapter 108 of the Session Laws of 1921, Relating to Investment of University and School Land Funds.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Fleckten	Miklethun	Sperry
Babeock	Garberg	Murphy	Steel
Baird	Gardiner	Nathan	Thorson
Baker	Gross	Olson, Barnes	Tofsrud
Benson	Hamilton	Page	Van Camp
Bond	Ingerson	Patten	Ward
Byrne	Kaldor	Peck	Whitman
Carey	Kelsh	Ployhar	Whitmer
Eastgate	Kretschmar	Porter	Wog
Eteestad	Levang	Rusch	

Those absent and not voting were:

Messrs.	Messrs.	Messrs.	Messrs.
Lynch	Magnuson	Olson, Eddy-	Stevens
McCoy	Martin	Foster	Storstad
McLachlin		Peterson	Wenstrom

So the bill passed and the title was agreed to.

Senate Bill No. 39 was messaged to the House.

The courtesies of the floor were extended to: Messrs. Ole Underberg, E. B. Lichty, of Cando; August Krantz, A. Haldi, P. Vandenoever, F. Kilbourn, and L. W. Tofner of Ward County; Even Lamén, R. S. Montague, Dave Hunter, of Benson County; Matt Whalen, of Forbes; Roy Mingus of Ludden; A. F. Gramlaw, of Oakes; G. Wendland, of Kulm; J. E. Sorlié of Churchs Ferry; D. D. McNaughton, and M. Cowley of Devils Lake; A. J. Fardahl, of Hettinger; N. P. Nelson of Bucyrus; J. E. Boles of Lemmon, S. D.; Howard Lampman of Williston; C. E. Fisher, of Springbrook; J. K. Brostuen of Alexander; Ernst Siegele, A. B. Booth, W. H. Temple, of McClusky; Thos. Braakel, of Goodrich; Anton Putz of Martin; Frank Heimes, A. B. Ferguson of Valley City; Dan McKeith of Fordville; O. D. Nelson, of Grafton; D. D. Swank, of Wahpeton; Richard Lynch of Crosby; Albert Hauge of Powers Lake; H. A.

Kirklie of Bowbells; J. O. Grubb of Battleview; Ralph Beede, of Fort Yates; Otto Krueger of Fessenden; August Glad, Belfield; A. O. Skalback, of Snow; Jno. Clark of Rolette County; Henry O'Keefe of Grand Forks; F. W. Schalberg and A. J. Bentley, of Grand Forks.

Senator Ward moved that the Senate do now adjourn.

Which motion prevailed.

W. E. PARSONS,
Secretary.

NINETEENTH DAY

Bismarck, North Dakota,
Senate Chamber,
January 20, 1923.

The Senate convened at 2:00 o'clock P. M., January 20, 1923, the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Lt. Ernest Glammeier.

Roll was called, all Senators being present with the exception of Senators Lynch, Kelsh, McCoy, McLachlin, Peterson, Ployhar.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the 18th day and recommend that the same be corrected as follows:

On page 2, line 31, strike out "by H. H. R." after Christ Levang."

On page 2, line 49, strike out "by H. H. R." after "Christ Levang."

On statistical sheet of Guaranty Fund Commission Report the line beginning "New England" will be considered line 1, and the column entitled "Loans and Discounts When Closed" will be considered column "A."

The title of column "E" should be stricken out and in lieu thereof insert "Expense on Acct. of Collections Money Borrowed."

In the title of column "I" strike out the words "Discounts and."

In the title of column "J" strike out the words "Discounts and."

In line "15" strike out "(a)" and insert in lieu thereof "(d)" before the word "Carpio."

In line "2" column "E" change 37,761.92 to 3,761.92.

In line 37 column "R" change 13,153.40 to 11,153.40.

In line 42 column "R" change 28,477.43 to 6,477.43.

In "Statement of Condition of Guaranty Fund" correct spelling of "Marmarth."

And when so corrected recommend that the same be approved.

CHRIST LEVANG,
Chairman Pro Tem.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Senator Hamilton presented a communication from the Minot Association of Commerce, Relating to Immigration, which was referred to the Committee on Immigration.

Senator Wenstrom presented a communication from the Women's Club of Sykeston, N. D., which was referred to the Committee on Public Health.

Senator Garberg presented a Petition from the Board of Education of Hettinger Special School District No. 13, which was referred to the Committee on Education.

Senator Porter moved that the Committee on Public Health be given an extension of time for further consideration of Senate Bill No. 16.

Which motion prevailed.

Senator Thorson moved that the Committee on Taxes and Tax Laws be given an extension of seven days for the consideration of Senate Bill No. 21.

Which motion prevailed.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 38. A Bill for an Act to Prescribe a Form of Procedure for the Administration of Express trusts, as Are Defined by Chapter 71 of the Civil Code.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang 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 re-referred:

Senate Bill No. 13. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 236, Session Laws of 1915, Relating to the qualifications of Graduated Registered Nurses.

Have had the same under consideration and recommend that the same be amended as follows:

In line 9 of the printed bill, after the word "completed" strike out the words "two years" and insert in lieu thereof the words "seven credits."

And when so amended recommend the same do pass.

W. H. PORTER,
Chairman.

Senator Porter 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:

House Bill No. 27. A Bill for an Act to Amend and Re-enact Section 3239 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 117 of the Session Laws of North Dakota for 1915 as Amended by Chapter 102 of the Session Laws of 1917, Relating to the Frequency of Holding an Election for the Removal of County Seats Not Located on the Railroad and Providing a Primary Election Thereon and Prescribing the Number of Votes Required for Such Removal.

Have had the same under consideration and recommend that the same do pass.

RALPH INGERSON,
Chairman.

Senator Ingerson 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. 43. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 33 of the Laws Enacted by the Special Session of the Legislature of 1919 Relating to the Formation and Division of Voting Districts.

Have had the same under consideration and recommend that the same do pass.

C. W. CAREY,
Chairman.

Senator Carey 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. 4. A Bill for an Act to Amend and Re-enact Section 4625, of Chapter 14, of the Compiled Laws

of North Dakota for the Year 1913, Relating to Conditional Sale Contracts given by Railroad Corporations.

Have had the same under consideration and recommend that the same be amended as follows:

Section 2. Whereas, the law of this state should be made uniform with the laws of other states as to the term during which the installments or rents under such contract may be paid, it is hereby declared that this Act is an emergency measure and shall take effect and be in force from and after its passage and approval.

And when so amended recommend the same do pass.

W. S. WHITMAN,
Chairman.

Senator Whitman moved that the report be adopted, which motion prevailed and the report was adopted.

MOTIONS AND RESOLUTIONS

Senator Bond moved that the House be requested to return Senate Bill No. 39.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
January 20, 1923.

Mr. President: I have the honor to return the following concurrent resolution:

Great Lakes-St. Lawrence Waterway Project, which the House adopted.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
January 20, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 38. A Bill for an Act Regulating Procedure and Prescribing Rules of Evidence in Actions Brought by Holders of Grain Storage Tickets, For the Recovery of the Possession or Value of Grain Stored in Public Warehouses, Which Grain Has Been Converted or Improperly Detained From the Owner.

House Bill No. 46. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 52 of the Session Laws of 1921, Providing for the Salary and Other Compensation of Certain County Officers.

House Bill No. 37. A Bill for an Act to Amend and Re-enact Section 6855 of the Compiled Laws of the State of North Dakota, for the Year 1913, Relating to the Procedure to Obtain a Thresher's Lien, and Fixing the Time Within Which the Same Must be Filed.

House Bill No. 47. A Bill for an Act to Amend and Re-enact Section 3854 of the Compiled Laws of North Dakota of 1913, Providing for the Election and Terms of Office of Township Officials.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
January 20, 1923.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 39. A Bill for an Act to Amend and Re-enact Section 287 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 241 of the Session Laws of 1915, and as Amended by Chapter 204 of the Session Laws of 1917, and as Amended by Chapter 198 of the Session Laws of 1919, and as Amended by Chapter 108 of the Session Laws of 1921, Relating to Investment of University and School Land Funds.

Which the House has returned at your request.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Mr. Whitman introduced :

Senate Bill No. 54. A Bill for an Act to Provide for a State Department of Health; a Public Health Advisory Council; Working Divisions and Employees; Office Space; Making an Appropriation Therefor; Repealing Sections 397, 398, 401, and 403, Compiled Laws of 1913, Declaring Emergency.

Was read the first and second time and referred to the committee on Public Health.

Mr. Whitman introduced:

Senate Bill No. 55. A Bill for an Act Authorizing the State Department of Health to Establish Full-time Co-operative County Health Units; and Making an Appropriation therefor.

Was read the first and second time and referred to the committee on Public Health.

Mr. Whitman introduced:

Senate Bill No. 56. A Bill for an Act Providing for the Acceptance of the Provisions of the Sheppard-Towner Act; Making an Appropriation to Meet the Allotments of the Sheppard-Towner Act; Authorizing State Department of Health to Accept Funds for Infant and Maternal Hygiene Work.

Was read the first and second time and referred to the committee on Public Health.

Mr. Whitmer introduced:

Senate Bill No. 57. A Bill for an Act to Amend and Re-enact Section 8122 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 180 of the Laws of 1915, Chapter 151 of the Laws of 1917 and Chapter 65 of the Laws of 1921, Relating to Foreclosure of land contracts.

Was read the first and second time and referred to the committee on Judiciary.

Mr. Whitmer introduced:

Senate Bill No. 58. A Bill for an Act to Provide for the Appointment of a State Electrical Inspector Under the Administration of the State Board of Electricians for the Better Enforcement of the Existing State Electrical Law; Defining His Duties and Powers and Making an Appropriation Therefor.

Was read the first and second time and referred to the committee on Appropriations.

Mr. Garberg introduced:

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 4929 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 76 of the Session Laws for the Year 1921, Relating to the Fees to be Paid by Insurance Companies Doing Business in This State.

Was read the first and second time and referred to the committee on Insurance.

Mr. Garberg introduced:

Senate Bill No. 60. A Bill for an Act Appropriating Eight Hundred Fifty-three Dollars and Sixty-one Cents (\$853.61) to Take Care of Deficit in Biennial Appropriation of Department of Insurance.

Was read the first and second time and referred to the committee on Appropriations.

Mr. Van Camp introduced:

Senate Bill No. 61. A Bill for an Act amending Sections 728 and 729 of the Compiled Laws of North Dakota for

the year 1913 relating to fees in the Supreme Court and their coverage into the State Treasury.

Was read the first and second time and referred to the committee on Judiciary.

Mr. Fleckten introduced:

Senate Bill No. 62. A Bill for an Act to Amend and Re-enact Section 1136 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 208 of the Session Laws of 1917, and as Amended and Re-enacted by Chapter 104 of the Session Laws of 1919, and as Amended and Re-enacted by Chapter 53 of the Session Laws of 1921, Relating to the Office of County Superintendent of Schools.

Was read the first and second time and referred to the committee on Education.

Mr. Rusch introduced:

Senate Bill No. 63. A Bill for an Act to Amend Section 318 of the Compiled Laws of North Dakota for the year 1913, Relating to Cancellations of School Land Contracts.

Was read the first and second time and referred to the committee on Banks and Banking.

Senator Steel introduced the following:

CONCURRENT RESOLUTION Memorializing the United States Congress to Prohibit the Further Issuance of Tax Exempt Securities.

WHEREAS, the 61st Congress of the United States of America at its first session, adopted the 16th Amendment to the Constitution of the United States of America providing that Congress have the power to collect taxes on incomes from whatever source derived without apportionment among the several states, and without regard to any census or enumeration, which amendment was ratified by joint resolution of the Legislative Assembly of the State of North Dakota in 1911; and

WHEREAS, the Congress of the United States of America subsequently enacted a graduated income tax law levying taxes upon incomes on a graduated basis in proportion to the amounts of the respective incomes; and

WHEREAS, the United States Government, the several states of the Union and all the political divisions of said states now have the right to issue their bonds and obligations in form exempt from taxation under said graduated income tax law; and

Whereas, the several states and their political subdivisions are actually issuing such bonds and obligations in forms exempt from taxation under said graduated income tax law to the amount estimated to be more than \$1,250,000,000.00 per annum; and

WHEREAS, the investment of wealth in such tax exempt securities defeats the universal and equitable application of the United States graduated income tax law, and also similarly defeats the universal and equitable application of the graduated income tax laws of North Dakota and the several states of the Union and violates the ability principle of taxation and unfairly discriminates between taxpayers creating social unrest, because of the large investments in such tax exempt securities by the wealthy classes of the Nation; and

WHEREAS, every dollar's worth of income and every person should carry a fair portion of the public expense, and a large and rapidly increasing portion of the incomes of the property owners of the nation, is escaping taxation through investment in tax exempt securities, thereby causing great loss of revenue to the Federal and State governments, granting to concentrated wealth, an avenue of escape from its equitable share of the cost of Government, and in so doing, is in effect granting private subsidy to certain interests; and

WHEREAS, we recognize the Federal graduated income tax as a most equitable and effective plan of taxation, but realize that both its equity and effectiveness will be destroyed in such proportion, as those most able to pay are allowed to obtain exemption therefrom by the conversion of their property into tax exempt securities, and that this Nation ought not to continue with part of its people taxed and part of its people tax-free; and

WHEREAS, such tax exemption of securities encourages extravagant expenditures on the part of the various and political subdivisions thereof, in the way of unnecessary public improvements and otherwise, withdrawing funds therefor from the necessary business enterprises of the Nation; and

WHEREAS, such withdrawal of funds from the necessary enterprises of the Nation is sapping the business vitality of the Nation, increasing the rate of interest required on borrowed capital for all enterprises not carried on by the government, thereby adding to the cost of living, discouraging investment of funds in new enterprises that are essential to the proper prosperity and development of the Nation, and producing a substantial shortage of funds available for Farm Mortgage loans and other necessary financing in our State and the several states of the Nation; and

WHEREAS, the president of the United States, and the Secretary of the Treasury of the United States have both condemned this EVIL of tax exempt securities and recommended an amendment to the United States Constitution prohibiting same, the President's statement, as reported in the public press, being in part as follows, to-wit:

"I think our tax problem, the tendency of wealth to seek non-taxable investment, and the menacing increase of public debt—Federal, State, and Municipal—all justify a proposal to change the Constitution so as to end the issue of non-taxable bonds."

AND, WHEREAS, there is now pending in the Congress of the United States an amendment to the United States Constitution that will prohibit further issuance of tax exempt securities;

NOW THEREFORE, BE IT RESOLVED, by the Senate of the State of North Dakota, the House of Representatives concurring, that the Congress of the United States of America be, and the same is hereby memorialized and urged by the Legislative Assembly of the State of North Dakota to take such action as may be necessary to prohibit as soon as possible the further issuance of securities that are in any way exempt from taxation under the Income tax law of the United States Government, and under the Income tax laws of the several States of the Union;

AND THAT BE IT FURTHER RESOLVED, that certified copies of this concurrent resolution be forwarded by the Governor of this State, to the Secretary of State of Washington, D. C., and to the President of the Senate and the Speaker of the House of Representatives of the National Congress, and to each of North Dakota's Senators and Congressmen in the National Congress.

Which was referred to the Committee on Taxes and Tax Laws.

Senator Steele moved that the Resolution be printed in the Journal, which motion prevailed.

Senator Stevens introduced the following

CONCURRENT RESOLUTION

WHEREAS, a survey made in the year 1922, in the State of North Dakota, under the auspices of state health authorities, disclosed the fact that scores of children were suffering from incipient tuberculosis; and

WHEREAS, it appeared upon investigation and careful examination into the history and the physical condition of these cases, that in the overwhelming majority of them, cures could be effected under proper conditions, with proper treatments timely given; and

WHEREAS, the State of North Dakota at the present time, does not have any facilities for providing such treatments or any building or buildings where such treatments and care can be given to children thus afflicted; and

WHEREAS, under the existing difficult economic conditions in the State, it will not be possible for the State of North Dakota to provide in the immediate or near future, the necessary equipment, buildings and facilities to give such treatments; and

WHEREAS, the government of the United States maintains several commodious and well equipped buildings at

what is known as Ft. Lincoln in Burleigh County, North Dakota, within three or four miles of the capitol of the state, some of which could be readily equipped as a preventoria for the purpose of treating incipient cases of tuberculosis in children who cannot be taken care of elsewhere; and

WHEREAS, these buildings are not used by the War Department or by the government of the United States at the present time for any military or other purpose; and

WHEREAS, the State of North Dakota has a very active tuberculosis association, which association, under the leadership of the men and women who have given much time and study to this work, is willing and able to assume the charge and control of a preventorium or preventoria for the purpose set forth in this resolution.

NOW THEREFORE, be it resolved by the Senate of the Eighteenth Legislative Assembly of the State of North Dakota, the House of Representatives concurring therein, that we respectfully urge upon the government of the United States and particularly the War Department and the Secretary of War, to authorize the use of one or more of the buildings at Ft. Lincoln that are not needed by the United States government or the War Department for any military purpose or purposes, for the purpose of housing and making it possible for the State of North Dakota, under the auspices of the North Dakota Tuberculosis Association, to give treatments to children in the State suffering from incipient tuberculosis.

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted by the Secretary of State to the United States Senators and the members of Congress representing North Dakota, and an original duly authenticated copy thereof be transmitted to the Secretary of War.

Which was referred to the Committee on Public Health.

Senator Stevens moved that the Resolution be printed in the Journal, which motion prevailed.

THIRD READING OF SENATE BILLS

Senate Bill No. 38. A Bill for an Act to Prescribe a Form of Procedure for the Administration of Express trusts, as Are Defined by **Chapter 71 of the Civil Code.**

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 0; absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Murphy	Stevens
Babeock	Gardiner	Nathan	Thorson
Baird	Gross	Olson, Barnes	Tofsrud
Baker	Hamilton	Olson, Eddy-	Van Camp
Benson	Ingerson	Foster	Ward
Bond	Kaldor	Page	Wenstrom
Byrne	Kretschmar	Patten	Whitraan
Carey	Levang	Peck	Wog
Eastgate	Magnuson	Porter	
Ettestad	Martin	Rusch	
Fleckten	Miklethun	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Kelsh	McLachlin	Sperry
Lynch	Peterson	Storstad
McCoy	Ployhar	Whitmer

So the bill passed and the title was agreed to.

FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 37. A Bill for an Act to Amend and Re-enact Section 6855 of the Compiled Laws of the State of North Dakota, for the Year 1913, Relating to the Procedure to Obtain a Thresher's Lien, and Fixing the Time Within which the Same Must be Filed.

Was read the first and second time, and referred to the committee on Judiciary.

House Bill No. 38. A Bill for an Act Regulating Procedure and Prescribing Rules of Evidence in Actions Brought by Holders of Grain Storage Tickets, for the Recovery of the Possession or Value of Grain Stored in Public Warehouses, Which Grain Has Been Converted or Improperly Detained From the Owner.

Was read the first and second time, and referred to the committee on Judiciary.

House Bill No. 46. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 52 of the Session Laws of 1921, Providing for the Salary and Other Compensation of Certain County Officers.

Was read the first and second time and referred to the committee on Elections.

House Bill No. 47. A Bill for an Act to Amend and Re-enact Section 3854 of the Compiled Laws of North Dakota of 1913, Providing for the Election and Terms of Office of Village Officials.

Was read the first and second time and referred to the committee on Elections.

Senator Stevens asked the unanimous consent of the Senate to return to the Eighth Order of Business. There being no objections, the Senate took up the Eighth Order of Business.

Senator Stevens moved that the vote by which Senate Bill No. 39 was passed, be reconsidered.

Which motion prevailed.

Senator Bond moved that Senate Bill No. 39 be re-referred to the committee on Banks and Banking.

Which motion prevailed.

The courtesies of the floor were extended to Messrs. C. W. Mason, Halvor Halvorson of Minot Mrs. M. H. Lynch of Lidgerwood; Messrs. W. J. Carroll of Valley City; A. H. Reed of Towner; Ole Hildre, of Petersburg.

Senator Murphy moved that the Senate do now adjourn.

W. E. PARSONS,
Secretary.

TWENTY-FIRST DAY

Senate Chamber,
Bismarck, North Dakota,
January 22, 1923.

The Senate convened at 2:00 o'clock P. M., January 22, 1923, the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Lieut. Ernest Glammeier.

The roll was called, all Senators being present with the exception of Senators Lynch, Kelsh, Miklethun, Peterson, Rusch, and Storstad.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the 19th day and recommend that the same be corrected as follows:

On page 1, line 9 strike out "Rev. Lammier" and insert in lieu thereof "Lt. Ernest Glammeier."

On page 2, line 4, correct spelling of "Guaranty."

On page 11, line 46, strike out "Township" and insert in lieu thereof "Village."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Senator Byrne presented a petition from Williams County, regarding the repeal of the Anti-Cigarette Law, signed by Harriet B. Hoare, and 39 others, which was referred to the committee on Public Health.

The Secretary read a communication from the Governor of Arizona introducing Senator J. L. Schleimer of Santa Cruz County, Ariz., which was referred to the committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

The committee on Enrollment and Engrossment made the following report:

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 13. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 236, Session Laws of 1915, Relating to the Qualifications of Graduated Registered Nurses.

Senate Bill No. 43. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 33 of the Laws Enacted by the Special Session of the Legislature of 1919 Relating to the Formation and Division of Voting Districts.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Election made the following report:

Mr. President: Your committee on Election to whom was referred:

Senate Bill No. 9. A Concurrent Resolution to amend the Constitution extending the term of office in each organized County of the State of North Dakota of the several county officers thereof, to-wit: County Judge, Clerk of the District Court, Register of Deeds, County Auditor, Treasurer, Sheriff, and States Attorney, from two years to four years.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. CAREY,
Chairman.

Senator Carey moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Election made the following report:

Mr. President: Your committee on Election to whom was referred:

Senate Bill No. 42. A Concurrent Resolution. Amendment to the Constitution Extending the Term of Office in Each Organized County of the State of North Dakota of the County Superintendent of Schools Thereof, to-wit: From Two to Four Years.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. CAREY,
Chairman.

Senator Carey 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. 38. A Bill for an Act Regulating the Procedure and Prescribing Rules of Evidence in Actions Brought by Holders of Grain Storage Tickets for the Recovery of the Possession or Value of Grain Stored in Public Warehouses, Which Grain Has Been Converted, or Improperly Detained From the Owner.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Murphy moved that the committee on Insurance be granted an extension of seven days for further consideration of Senate Bill No. 20.

Which motion prevailed.

Senator Nathan moved that all absent Senators be excused.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
January 22, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 44. A Bill for an Act to Amend and Re-enact Section 147 of the Compiled Laws of North Dakota for the Year 1913 and Repealing Section 147a of the Compiled Laws of North Dakota for the Year 1913; Providing for Publicity of State Finances.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Messrs. Baird and Baker introduced:

Senate Bill No. 64. A Bill for an Act Concerning Aero-

nautics and to make Uniform the Law with Reference Thereto.

Was read the first and second time, and referred to the committee on State Affairs.

Mr. Stevens introduced:

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 838, Compiled Laws of 1913, relating to Records of Notaries Public.

Was read the first and second time, and referred to the committee on Judiciary.

Mr. Stevens introduced:

Senate Bill No. 66. A Bill for an Act to Amend and Re-enact Section 844 of the Compiled Laws of North Dakota for the Year 1913.

Was read the first and second time, and referred to the committee on Judiciary.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 44. A Bill for an Act to Amend and Re-enact Section 147 of the Compiled Laws of North Dakota, for the year 1913, and repealing Section 147a of the Compiled Laws of North Dakota for the Year 1913, Providing for Publicity of State Finances.

Was read the first and second time, and referred to the committee on Banks and Banking.

The courtesies of the floor were extended to Messrs. George H. Purchase of Ft. Yates; P. E. Schley of New Rockford; Paul Goldade of Rugby; Staale Hendrickson of Coteau.

Senator McLachlin asked the unanimous consent of the Senate to return to the Eighth Order of Business. There being no objections, the Senate took up the Eighth Order of Business.

Senator McLachlin introduced the following Concurrent Resolution:

WHEREAS, it has been the will of the Supreme Master of the Universe to remove from his earthly labors, our esteemed friend and honored citizen, the Honorable Frank S. Talcott, a long time resident of the Eleventh Legislative District of North Dakota, and an active and useful citizen in all matters pertaining to the welfare of the state; and

WHEREAS, Frank S. Talcott was for seven consecutive sessions a member of this Senate body and during said service was actuated by an earnest desire to have good and wholesome laws enacted, and has in that respect been a valuable asset to this state, the effect of which will be felt by generations yet to come:

THEREFORE, BE IT RESOLVED, By the Senate of the Eighteenth Legislative Assembly, the House of Represent-

atives concurring therein, that both Houses do, as a mark of respect to Frank S. Talcott, at this time adjourn.

Senator McLachlin moved the adoption of the resolution. Which resolution was adopted by a rising vote after eulogistic remarks on the life and talents of Mr. Talcott were made by Senators Stevens, Steel and Baker.

And the Senate did adjourn.

W. E. PARSONS,
Secretary.

TWENTY-SECOND DAY

Senate Chamber,
Bismarck, North Dakota,
January 23, 1923.

The Senate convened at 2:00 o'clock P. M. January 23, 1923, the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. I. G. Monson.

The roll call was called, all Senators being present with the exception of Senators Lynch and Storstad.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the 21st day and find the same to be correct.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Senator Whitmer presented a petition, signed by Richard Bubel, and 42 others, which was referred to the Committee on Judiciary.

Senator Magnusson presented a petition, signed by C. G. Hedeen, and 43 others, relating to House Bill No. 25.

Senator Martin presented a Petition, relating to House Bill No. 25, signed by Henry Johnson, and 23 others.

Senator Whitmer presented a Petition, relating to House Bill No. 25, signed by E. F. Mutchler, and 62 others.

REPORTS OF STANDING COMMITTEES

The committee on Federal Relations made the following report:

Mr. President: Your committee on Federal Relations to whom was referred the letter from Thomas E. Campbell,

Governor of the State of Arizona, have had the same under consideration and recommend that the following Resolution be adopted and a copy sent to Governor Campbell and a copy be sent to President Obregon of the Republic of Mexico.

EIGHTEENTH LEGISLATIVE ASSEMBLY

State of North Dakota

Bismarck

SENATE RESOLUTION

Introduced by Federal Relations Committee

WHEREAS, there has existed for a period of years in the Republic of Mexico, a condition of civil strife causing untold misery, destruction of life and property, and an almost complete cessation of civil government; and

WHEREAS, the people of the State of North Dakota appreciate the ability and integrity of President Alvaro Obregon in his friendship to the people of the Border States which has been shown by the recent action of the Mexican government by permitting thousands of head of cattle from the drouth-stricken district of the Border States to enter the ranges of Northern Mexico under the most favorable conditions, and that through his able administration of the duties of his office, a new era of happiness and freedom is dawning for our Sister Republic:

THEREFORE, BE IT RESOLVED, by the Senate of North Dakota now assembled that we urge the authorized authorities of the United States government to do all in their power to bring about and continue more friendly and cordial relations between the two Republics.

JOHN W. BENSON,
Chairman.

Senator Benson 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 a Resolution from the North Dakota Live Stock Association have had the same under consideration and recommend that no action be taken thereon.

J. E. EASTGATE,
Chairman.

Senator Eastgate 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 a Concurrent Resolution introduced by Mr. Stevens, pertaining to a Tuberculosis Preventorium,

have had the same under consideration and recommend that the same be amended as follows:

In paragraph 3, of the Resolution, in line 2, after the word "treatment" insert a comma; in paragraph 5, in line 2, after the word "Lincoln" insert a comma, and when so amended recommend the same be adopted.

W. H. PORTER,
Chairman.

Senator Porter 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. 49, a Bill for an Act to amend and re-enact Section 1782 of the compiled laws of North Dakota for the year 1913, relating to the Commandant of the Soldiers Home, have had the same under consideration and recommend that the same do pass.

L. W. SPERRY,
Chairman.

Senator Sperry moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: A majority of your committee on Appropriations to whom was referred and re-referred Senate Bill No. 24, a Bill for an Act making an Appropriation to Company A, First Regiment, North Dakota National Guard, Training School, a Corporation, for the purpose of Protecting and Preserving the Title to its property and the Security of the State of North Dakota, have had the same under consideration and recommend that the same be indefinitely postponed.

P. T. KRETSCHMAR,
Chairman.

C. W. CAREY,
P. O. THORSON,
FRED VAN CAMP,
W. R. BOND,
J. E. STEVENS,
H. J. RUSCH,
ALFRED STEEL,
T. J. KELSH,
L. R. BAIRD,
THEO. KALDOR,
P. J. MURPHY.

Mr. President: A minority of your committee on Appropriations to whom was referred and re-referred Senate Bill No. 24, a Bill for an Act, making an appropriation to Company A, First Regiment, North Dakota National Guard, Training School, a Corporation, for the purpose of protecting and Preserving the Title of its property and the

security of the State of North Dakota, have had the same under consideration and recommend that the same do pass.

JOHN W. BENSON,
NELS MAGNUSON.

Senator Kretschmar moved that the majority report be adopted.

Senator Benson moved to amend the motion by substituting the word "minority" for the word "majority."

Which motion was lost.

The question being on the motion of Senator Kretschmar, a roll call was demanded.

SENATE ROLL CALL

There were ayes 24, nays 23, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Page	Steel
Baird	Ke'sch	Peterson	Stevens
Bond	Kretschmar	Ployhar	Thorson
Carey	McCoy	Porter	Tofsrud
Eastgate	Me'achlin	Rosch	Van Camp
Gardiner	Murphy	Sperry	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Mertin	Patten
Baker	Gross	Mik'ethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingrison	O'sen, Barnes	Wenstrom
Ettestad	Levang	Olsen, Eddy-	Whitmer
Fleekten	Magnuson	Lester	Wog

Absent and not voting:

Messrs.	Messrs.
Lynch	Storstad

So the motion prevailed.

Mr. President: A majority of your committee on Elections to whom was referred Senate Bill No. 11, a Bill for an Act to amend and re-enact Sections 869 and 983 of the Compiled Laws of North Dakota for the Year 1913, as amended by Chapter 119 Session Laws of 1919 relating to the Opening and Closing of Polls in Primary and General Elections, have had the same under consideration and recommend that the same be amended as follows:

In section 1 after the figure 1, insert the word "Amended" and in line "3" strike out the word "five" and insert in lieu thereof the word "seven," and beginning with the word "provided" strike out balance of line 3, all of line 4 and up and including "seven o'clock P. M." in line 5.

In section 2, after the figure "2" insert the word "amended" and in line 4 strike out the word "five" and insert in lieu thereof the word "seven," and beginning with the word "provided" strike out all balance of line 4, all of line 5 and up to and including "seven o'clock P. M." in

line six, and when so amended recommend the same to pass.

L. R. BAIRD,
S. J. ATKINS,
ALFRED STEEL,
THEO KALDOR,
C. W. CAREY,
Chairman.

Mr. President: A minority of your committee on Elections to whom was referred Senate Bill No. 11, a Bill for an Act, to amend and re-enact Sections 869 and 983 of the Compiled Laws of North Dakota for the Year 1913, as amended by Chapter 119 Session Laws of 1919 relating to the Opening and Closing of Polls in Primary and General Elections have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN W. BENSON,
JOHN MIKLETHUN,

Senator Carey moved the adoption of the majority report.

Senator Benson moved to amend the motion by substituting the word "minority" for the word "majority."

SENATE ROLL CALL DEMANDED

The question being on the motion of Senator Benson, the roll was called and there were ayes 23, nays 24, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Martin	Patten
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Ettestad	Levang	Olson, Eddy-	Whitmer
Fleckten	Magnuson	Foster	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Page	Steel
Baird	Kelsch	Peterson	Stevens
Bond	Kretschmar	Ployhar	Thorson
Carey	McCoy	Porter	Tofsrud
Eastgate	McLachlin	Rusch	Van Camp
Gardiner	Murphy	Sperry	Whitman

Absent and not voting:

Messrs.	Messrs.
Lynch	Storstad

So the motion of Senator Benson to amend was lost.

The question being now on the motion of Senator Carey to adopt the majority report of the committee, the motion prevailed.

MOTIONS AND RESOLUTIONS

Senator Gardiner moved that seven days additional time

be granted to the Committee on Agriculture for the consideration of the Concurrent Resolutions introduced by Representative Jackson, and Senator Ingerson.

Which motion prevailed.

Senator Kelsh announced that he had received word of the death of Mrs. Lynch, and moved that the President appoint a committee of three to draw suitable resolutions, which motion prevailed.

President Hyland appointed as such committee Senators Kelsh, Steel and Babcock.

Senator Rusch moved that Senate Bill No. 38 be re-called from the House.

Which motion prevailed.

Senator Carey moved that all absent Senators be excused.

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Van Camp introduced:

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 1104 of the Compiled Laws of the State of North Dakota for the year 1913, Relating to What Cities and Villages Shall Register Before Any General Election or Annual City Election.

Was read the first and second time and referred to the committee on Elections.

Mr. Kelsh introduced:

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Section 1421 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 266 of the Session Laws for the Year 1915, Legalizing and Validating Certain indebtedness of School Districts in the Form of School Warrants and Negotiable Bonds Issued to Fund the Same.

Was read the first and second time and referred to the committee on Education.

Mr. Sperry introduced:

Senate Bill No. 69. A Bill for an Act Making an Appropriation for the Improvement and Paving of the State Trolley Line.

Was read the first and second time and referred to the committee on Appropriations.

Mr. Bond introduced:

Senate Bill No. 70. A Bill for an Act to Incorporate and Establish the North West Agricultural, Live Stock and

Fair Association, and Making an Appropriation Therefor.

Was read the first and second time and referred to the committee on Appropriations.

Mr. Byrne introduced:

Senate Bill No. 71. A Bill for an Act to Amend and Re-enact Chapter 107 of the Session Laws of North Dakota for the Year 1921, Relating to High Schools and Tuition Fees.

Was read the first and second time and referred to the committee on Education.

Mr. Hamilton introduced:

Senate Bill No. 72. A Bill for an Act Requiring all Agents Acting for or on Behalf of any Insurance Company Doing Business in this State to be Licensed, Regulating the Methods, Practices and Transactions of such Agents in Conducting Such Insurance Business, and Providing Penalties for the Violation of any of the Provisions of This Act.

Was read the first and second time and referred to the committee on Insurance.

Mr. Miklethun introduced:

Senate Bill No. 73. A Bill for an Act to Amend and Re-enact Chapter 70 of the Special Session Laws of North Dakota for the Year 1919, relating to Cutting and Removing Weeds and Grasses Along the Public Roads or Highways.

Was read the first and second time and referred to the committee on Highways.

Messrs Miklethun and Gross introduced:

Senate Bill No. 74. A Bill for an Act to Amend Sections 6072 and 6073 of the Revised Codes of North Dakota for 1913 as Amended by Chapter 176 of the Session Laws of 1915 prescribing lawful rates of interest for any legal indebtedness, defining usury.

Was read the first and second time and referred to the committee on Banks and Banking.

Mr. Steel introduced:

Senate Bill No. 75. A Bill for an Act Legalizing and Validating Certain Acts of City Officials with Reference to Electric Lights or Distribution Systems.

Was read the first and second time and referred to the committee on Judiciary.

Committee on Appropriations introduced:

Senate Bill No. 76. A Bill for an Act Making an Appropriation of \$117,338.00 as an Offset for Federal Aid in Extension Division Work of the Agricultural College.

Was read the first and second time and referred to the committee on Appropriations.

Committee on Appropriations introduced:

Senate Bill No. 77. A Bill for an Act Making an Appropriation for Per Diem and Expenses of the State Budget Board as Prescribed by Chapter 61 of the Session Laws of North Dakota for 1915.

Was read the first and second time and referred to the committee on Appropriations.

Committee on Appropriations introduced:

Senate Bill No. 78. A Bill for an Act Making an Appropriation for the General Expense of the State Oil Inspection.

Was read the first and second time and referred to the committee on Appropriations.

Committee on Appropriations introduced:

Senate Bill No. 79. A Bill for an Act Making an Appropriation of \$47,000.00 for the Acquiring and Opening of a Mine, and the Building and Equipping of a Commercial Demonstration Unit of Briquetting Plant at Mouth of Said Mine.

Was read the first and second time and referred to the committee on Appropriations.

Committee on Appropriations introduced:

Senate Bill No. 80. A Bill for an Act Making an Appropriation of \$1,042,965.00 for the Purpose of Paying the General Maintenance, Improvements and Repairs, New Equipment etc., of the State University at Grand Forks, North Dakota.

Was read the first and second time and referred to the committee on Appropriations.

Committee on Appropriations introduced:

Senate Bill No. 81. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal and Industrial School at Ellendale, and Making Permanent Improvements and Additions Thereto.

Was read the first and second time and referred to the committee on Appropriations.

Committee on Appropriations introduced:

Senate Bill No. 82. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Teachers' College at Valley City, and Making Permanent Improvements and Additions Thereto.

Was read the first and second time and referred to the committee on Appropriations.

Committee on Appropriations introduced:

Senate Bill No. 83. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal School at Mayville and Making Permanent Improvements and Additions Thereto.

Was read the first and second time and referred to the committee on Appropriations.

Committee on Appropriations introduced:

Senate Bill No. 84. A Bill for an Act making an Appropriation for the Current and Contingent Expenses of the State School for the Blind at Bathgate, and Making Permanent Improvements and Additions Thereto.

Was read the first and second time and referred to the committee on Appropriations.

Committee on Appropriations introduced:

Senate Bill No. 85. A Bill for an Act Making an Appropriation for the General Expenses of the Department of Motor Vehicle Registration.

Was read the first and second time and referred to the committee on Appropriations.

Committee on Appropriations introduced:

Senate Bill No. 86. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall be Available, and Repealing all Acts, or Parts of Acts, Insofar as the Same shall Relate to Appropriations Conflicting Herewith, or to Appropriations for the Same Matters or Purposes Provided for Herein.

Was read the first and second time and referred to the committee on Appropriations.

Mr. Kretschmar introduced:

Senate Bill No. 87. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the Traveling Expenses and Propagation of Game Departments of the State Game and Fish Board.

Was read the first and second time and referred to the committee on Appropriations.

Committee on Appropriations introduced:

Senate Bill No. 88. A Bill for an Act Making an Appropriation of \$292,250.00 to Pay the General Maintenance, Improvements, Repairs, New Buildings, Equipment and Purchase of Live Stock, for the Experiment Station at the Agricultural College at Fargo, for the Biennium.

Was read the first and second time and referred to the committee on Appropriations.

Mr. Thorson introduced:

Senate Bill No. 89. A Bill for an Act Relating to What Shall be Carried as "Consolidated Tax Account," and Repealing Section 2274, Compiled Laws of 1913 as Amended by Chapter 253, Session Laws of 1915.

Was read the first and second time and referred to the committee on Taxes and Tax Laws.

Mr. Wenstrom introduced:

Senate Bill No. 90. A Bill for an Act to Amend and Re-

enact Section 9037 of the Compiled Laws of North Dakota for the Year 1913, Relating to Places of Trial.

Was read the first and second time and referred to the committee on Judiciary.

Mr. Rusch introduced:

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact the Third Subdivision of Section 3999; and Section 4001, of the Compiled Laws of North Dakota for the Year 1913 Relating to Firemen's Relief Association fund.

Was read the first and second time and referred to the committee on Ways and Means.

THIRD READING OF SENATE BILLS SENATE ROLL CALL

Senate Bill No. 13. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 236, Session Laws of 1915, Relating to the qualifications of Graduated Registered Nurses.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 41, nays 4, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Sperry
Babcock	Ingerson	Nathan	Steel
Baird	Kaldor	Olson, Barnes	Stevens
Baker	Kelsch	Olson, Eddy-	Thorson
Byrne	Kretschmar	Poster	Tofsrud
Carey	Levang	Page	Van Camp
Eastgate	McCoy	Patten	Ward
Ettestad	McLachlin	Peterson	Wenstrom
Fleckten	Magnuson	Ployhar	Whitmer
Garberg	Martin	Porter	
Gardiner	Miklethun	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Hamilton	Peck	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Bond	Lynch	Storstad	Whitman

So the bill passed and the title was agreed to.

Senator Ettestad moved to amend Senate Bill No. 43 by striking out in line 33 of the printed bill the words "of the" and inserting in lieu thereof "in any voting district or."

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No.43. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 33 of the Laws enacted by the

Special Session of the Legislature of 1919 relating to the Formation and Division of Voting Districts.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 44, nays 2, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Sperry
Babcock	Hamilton	Nathan	Steel
Baird	Ingerson	Olson, Barnes	Stevens
Benson	Kaldor	Olson, Eddy-	Thorson
Bond	Kelsch	Foster	Tofsrud
Byrne	Kretschmar	Page	Van Camp
Carey	Levang	Patten	Ward
Eastgate	McCoy	Peck	Whitmer
Ettestad	McLachlin	Peterson	Wog
Fleckten	Magnuson	Ployhar	
Garberg	Martin	Porter	
Gardiner	Miklethun	Rusch	

Those voting in the negative were:

Messrs.	Messrs.
Baker	Wenstrom

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lynch	Storstad	Whitman

So the bill passed and the title was agreed to.

THIRD READING OF HOUSE BILLS SENATE ROLL CALL

House Bill No. 4. A Bill for an Act to Amend and Re-enact Section 4625 of Chapter 14, of the Compiled Laws of North Dakota for the Year 1913, Relating to Conditional Sale Contracts Given by Railroad Corporations.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 45, nays 0, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Miklethun	Rusch
Babcock	Gross	Murphy	Sperry
Baird	Hamilton	Nathan	Steel
Baker	Ingerson	Olson, Barnes	Thorson
Benson	Kaldor	Olson, Eddy-	Tofsrud
Bond	Kelsch	Foster	Van Camp
Byrne	Kretschmar	Page	Ward
Carey	Levang	Patten	Wenstrom
Eastgate	McCoy	Peck	Whitmer
Ettestad	McLachlin	Peterson	Wog
Fleckten	Magnuson	Ployhar	
Garberg	Martin	Porter	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Lynch	Stevens	Storstad	Whitman

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 38. A Bill for an Act Regulating Procedure and Prescribing Rules of Evidence in Actions Brought by Holders of Grain Storage Tickets, for the Recovery of the Possession or Value of Grain Stored in Public Warehouses, Which Grain Has Been Converted or Improperly Detained From the Owner.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays 0, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Sperry
Babcock	Hamilton	Nathan	Steel
Baird	Ingerson	Olson, Barnes	Stevens
Baker	Kaldor	Olson, Eddy-	Thorson
Bond	Kelsch	Foster	Tofsrud
Byrne	Kretschmar	Page	Van Camp
Carey	Levang	Patten	Ward
Eastgate	McCoy	Peck	Wenstrom
Ettestad	McLachlin	Peterson	Whitmer
Flechten	Magnuson	Ployhar	Wog
Garberg	Martin	Porter	
Gardiner	Miklethun	Rusch	

Those voting in the negative were:

Messrs.
Benson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lynch	Storstad	Whitman

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 27. A Bill for an Act to Amend and Re-enact Section 3239 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 117 of the Session Laws of North Dakota for 1915 as Amended by Chapter 102 of the Session Laws of 1917, Relating to the Frequency of Holding an Election For the Removal of County Seats Not Located on the Railroad and Providing a Primary Election Thereon and Prescribing the Number of Votes Required for Such Removal.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 20, nays 26, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Ingerson	Nathan	Wenstrom
Benson	Kretschmar	Olson, Barnes	Whitmer
Byrne	Levang	Olson, Eddy-	Wog
Flechten	Magnuson	Foster	
Garberg	Martin	Patten	
Hamilton	Miklethun	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Page	Stevens
Baird	Gross	Peterson	Thorson
Baker	Kaldor	Ployhar	Tofsrud
Bond	Kelsch	Porter	Van Camp
Carey	McCoy	Rusch	Ward
Eastgate	McLachlin	Sperry	
Ettestad	Murphy	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lynch	Storstad	Whitman

So the bill failed to pass.

Senator Ployhar moved that the vote by which House Bill No. 27 was lost, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Baird asked the unanimous consent of the Senate to return to the Eighth Order of Business. There being no objections the Senate took up the Eighth Order of Business.

Senator Baird moved for an extension of seven days time for further consideration of Senate Bills Nos. 33 and 22.

Which motion prevailed.

Senator Stevens moved for an extension of time on Senate Bill No. 27.

Which motion prevailed.

Senator Steel moved for an extension of time on Senate Bill No. 25.

Which motion prevailed.

The courtesies of the floor were extended to Messrs. F. W. McKendry of Mandan; Jos. Bell De Remer, Rev. F. Halsey Ambrose of Grand Forks; M. L. Murphy and J. M. Sutherland of Fargo; Peder L. Pederson of Van Hook; E. R. Sinkler, of Minot.

Senator Gardiner moved to adjourn.

Which motion prevailed.

W. E. PARSONS,
Secretary.

TWENTY-THIRD DAY

Senate Chamber,
Bismarck, N. D.
January 24, 1923.

The Senate convened at 2:00 o'clock, P. M., January 24, 1923, the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. I. G. Monson.

The roll was called, all senators being present with the exception of Senators Lynch, Kretschmar and Storstad.

REVISION AND CORRECTION 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 have carefully examined the Journal of the 22nd day and recommend that the same be corrected as follows:

On page 7, line 24 correct spelling of "grasses."

On page 10, line 10 correct spelling of "Firemen's."

On page 11, line 3 add "s" to word "District."

On page 11, line 36 after the word "bill" insert "as amended."

On page 14, strike out all of lines 4, 5 and 6.

On page 13, after line 37 insert "Sen. Gardiner moved to adjourn, which motion prevailed."

And when so corrected recommend that the same be approved:

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Senator Kelsh presented a Resolution from the Keeping UP Club, of Monango, N. D., which was referred to the Committee on Public Health.

Senator Levang presented a communication from the Parent-Teachers Association of Fairdale, N. D., which was referred to the Committee on Public Health.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 43. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 33 of the Laws Enacted by the Special Session of the Legislature of 1919 Relating to the Formation and Division of Voting Districts.

And find the same correctly re-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 11. A Bill for an Act to Amend and Re-enact Sections 869 and 983 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 119, Session Laws of 1919, Relating to the Opening and Closing of Polls in Primary and General Elections.

Senate Bill No. 49. A Bill for an Act to Amend and Re-enact Section 1782 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Commandant of the Soldier's Home.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Highways made the following report:

Mr. President: Your committee on highways to whom was referred:

Senate Bill No. 26. A Bill for an Act to Amend and Re-enact Section 1945 of the Compiled Laws of North Dakota for the year 1913, Relating to County Road Funds.

Have had the same under consideration and recommend that the same do pass.

NELS PETERSON,
Chairman.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES FROM THE HOUSE.

House of Representatives,
Bismarck, N. D.
January 24, 1923.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 18. A Bill for an Act to Amend and Re-enact Section 8657 of the Compiled Laws of North Dakota for the Year 1913, relating to Letters of Administration, and Who are Entitled Thereto.

Which the House has indefinitely postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, N. D.
January 24, 1923.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 38. A Bill For an Act to Prescribe a Form of Procedure for the Administration of Express Trusts, as Are Defined by Chapter 71 of the Civil Code.

As requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

The appropriations Committee introduced:

Senate Bill No. 92. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit incurred by the Board of Railroad Commissioners.

Was read the first and second time and referred to the Committee on Appropriations.

The appropriations Committee introduced:

Senate Bill No. 93. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Supreme Court.

Was read the first and second time and referred to the Committee on Appropriations. •

The appropriations Committee introduced:

Senate Bill No. 94. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance Fund of the State Normal School at Dickinson.

Was read the first and second time and referred to the Committee on Appropriations.

The appropriations Committee introduced:

Senate Bill No. 95. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit by Members of the State Canvassing Board.

Was read the first and second time and referred to the Committee on Appropriations.

The appropriations Committee introduced:

Senate Bill No. 96. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance of the State School for the Blind at Bathgate.

Was read the first and second time and referred to the Committee on Appropriations.

The appropriations Committee introduced:

Senate Bill No. 97. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Maintenance Fund of the Institute for the Feeble Minded.

Was read the first and second time and referred to the Committee on Appropriations.

The appropriations Committee introduced:

Senate Bill No. 98. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred by the Flood Control Commission.

Was read the first and second time and referred to the Committee on Appropriations.

The appropriations Committee introduced:

Senate Bill No. 99. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit by the District Judges.

Was read the first and second time and referred to the Committee on Appropriations.

The appropriations Committee introduced:

Senate Bill No. 100. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Maintenance Fund of the School of Science at Wahpeton, N. Dak.

Was read the first and second time and referred to the Committee on Appropriations.

The appropriations Committee introduced:

Senate Bill No. 101. A Bill for an Act Making an Appropriation to Provide for the Payment of Expenses and Fees of Appraisers of Indebtedness, Devises, Bequests, Legacies, and Gifts, as Provided for in Section 8991 of the Compiled Laws of 1913 for North Dakota.

Was read the first and second time and referred to the Committee on Appropriations.

The appropriations Committee introduced:

Senate Bill No. 102. A Bill for an Act Making an Appropriation to Provide Funds to Pay the Necessary Expenses and Reasonable Compensation to Commissioners Appointed in Actions to Release Insane Patients, Prescribed by Section 2552 of the Compiled Laws of 1913 for North Dakota.

Was read the first and second time and referred to the Committee on Appropriations.

The appropriations Committee introduced:

Senate Bill No. 103. A Bill for an Act Making an Appropriation of \$30,950.00 for the purpose of carrying out the Provisions of Chapter 115 of the Session Laws of 1921 Relating to Vocational Education and Vocational Rehabilitation.

Was read the first and second time and referred to the Committee on Appropriations.

The appropriations Committee introduced:

Senate Bill No. 104. A Bill for an Act Making an Appropriation of the Sum of \$5,000.00 for the Biennium, to Pay the Expenses and Per Diem of Agents in the Arrest and Return of Fugitives from Justice as Prescribed by Section 11162 of the Compiled Laws of 1913 of North Dakota.

Was read the first and second time and referred to the Committee on Appropriations.

The appropriations Committee introduced:

Senate Bill No. 105. A Bill for an Act Making an Appropriation of \$18,825.00 for the Purpose of Paying Per Diem, Clerk Hire, Traveling Expense etc., in Carrying Out the Provisions of Chapter 126 of the Session Laws of 1917 Relative to the Depositors Guaranty Fund Commission.

Was read the first and second time and referred to the Committee on Appropriations.

The appropriations Committee introduced:

Senate Bill No. 106. A Bill for an Act Making an Appropriation to Pay the Expenses And Per Diem of Presidential Electors as Prescribed by Section 1038 of the Compiled Laws of 1913 for North Dakota.

Was read the first and second time and referred to the Committee on Appropriations.

The appropriations Committee introduced:

Senate Bill No. 107. A Bill for an Act Making an Appropriation for Per Diem, Clerk Hire, and General Expense of the Department of Public Health.

Was read the first and second time and referred to the Committee on Appropriations.

The appropriations Committee introduced:

Senate Bill No. 108. A Bill for an Act Making an Appropriation of \$56,600.00 for the Enforcement of the Feeding Stuffs, Fertilizer, Beverage and Sanitary Inspection Laws.

Was read the first and second time and referred to the Committee on Appropriations.

The appropriations Committee introduced:

Senate Bill No. 109. A Bill for an Act to Appropriate \$2,000.00 Out of any Money in the State Treasury Not Otherwise Appropriated for the Purpose of Paying Premiums on State Official Bonds as Provided by Chapter 175 of the Session Laws of North Dakota for 1917.

Was read the first and second time and referred to the Committee on Appropriations.

The appropriations Committee introduced:

Senate Bill No. 110. A Bill for an Act Making an Appropriation to Defray the Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of North Dakota for the Year 1913.

Was read the first and second time and referred to the Committee on Appropriations.

The appropriations Committee introduced:

Senate Bill No. 111. A Bill for an Act Making an Appropriation of \$20,000.00 for the Maintenance of the Pure Seed Laboratory and Pure Seed Law Enforcement at the Agricultural College, Fargo.

Was read the first and second time and referred to the Committee on Appropriations.

The appropriations Committee introduced:

Senate Bill No. 112. A Bill for an Act Making an Appropriation of \$22,230.00 for the Purpose of Paying Salary, Clerkhire and General Expense of the State Historical Society.

Was read the first and second time and referred to the Committee on Appropriations.

Mr. Sperry introduced:

Senate Bill No. 113. A Bill for an Act to Appropriate the Sum of \$54,000.00 for the Purpose of Aiding in the Construction of a Bridge Across the Missouri River From Burleigh County to Morton County in the State of North Dakota Under the Provision of Chapter 73 of the Laws Passed at the Sixteenth Session of the Legislative Assembly of North Dakota, Approved March 5, 1919, in Addition to the Sums Appropriated by Chapter 4 of the Special Session of the Sixteenth Legislative Assembly, Approved December 12, 1919, and Chapter 6 of the Laws Passed at the Seventeenth Session of the Legislative Assembly of the State of North Dakota Approved March 9, 1921, and That Such Appropriation Be Made From the State Highway Fund.

Was read the first and second time and referred to the Committee on Appropriations.

Mr. Atkins introduced:

Senate Bill No. 114. A Bill for an Act to Amend Sections 9658 and 9659 of the Compiled Laws of 1913 Relating to the Crime of Vagrancy.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Ployhar introduced:

Senate Bill No. 115. A Bill for an Act Entitled, an Act Relating to *Lophophora Williamsii* or Peyote (Pellote) and *Agava Americana* (Commonly Known as Mescal); Prohibiting the Use or Possession Thereof, Traffic Therein, and Providing Penalties for the Violation of this Act.

Was read the first and second time and referred to the Committee on Public Health.

Mr. Martin introduced:

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 147 of the Session Laws of the State of North Dakota for the Year 1919, Relating to the Qualifications of Persons Employed or to be Employed in the Farm Loan Department of the Bank of North Dakota.

Was read the first and second time and referred to the Committee on Banks and Banking.

Mr. Baker introduced:

Senate Bill No. 117. A Bill for an Act to Amend and Re-enact Sections 7 and 12 of Chapter 126 of the Session Laws of North Dakota for the Year 1917, Relating to Depositors' Guaranty Fund.

Was read the first and second time and referred to the Committee on Banks and Banking.

Mr. Baker introduced:

Senate Bill No. 118. A Bill for an Act Providing for the Issuing of Bonds of the Depositors' Guaranty Fund Commission in the Sum of \$10,000,000.00 to be Known as Bankers' Guaranty Bonds; Describing the Terms and Stating the Purpose Thereof; Making Provision for the Payment Thereof; and Making Provision for the Carrying Into Effect of the Provisions of this Act.

Was read the first and second time and referred to the Committee on Banks and Banking.

Mr. Bond introduced:

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Section 341 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Manner Common School Lands and Other Public Lands Shall be Leased.

Was read the first and second time and referred to the Committee on Banks and Banking.

Mr. Fleckten introduced:

Senate Bill No. 120. A Bill for an Act to Amend and Re-enact Sections 780 and 781 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 30 of the Special Session Laws of North Dakota for the Year 1919, as Amended by Chapter 54 of the Session Laws of

1921, Relating to Compensation of Court Stenographers and Providing for the Payment of Expenses.

Was read the first and second time and referred to the Committee on Judiciary.

Senator Kelsh asked the unanimous consent of the Senate to return to the Eighth Order of Business. There being no objections, the Senate took up the Eighth Order of Business.

RESOLUTION

WHEREAS, word having come to the Senate body that a member, Senator W. D. Lynch, has sustained an irreparable loss in the death of his wife,

NOW, THEREFORE, BE IT RESOLVED that the President of the Senate be asked to communicate with Senator Lynch and say to him that each individual member of the Senate of the State of North Dakota wishes to extend to him his sincere sympathy for his present great sorrow, and although there are times when words mean little the members would like Senator Lynch to know that they hold him in kindly remembrance.

T. J. KELSH,
ALFRED STEEL,
F. F. BABCOCK.

Senator Kelsh moved that this Resolution be adopted and that the same be printed in the Journal.

Which motion prevailed.

Senator Rusch moved that the vote by which Senate Bill No. 38, passed the Senate be re-considered.

Which motion prevailed.

Senator Rusch moved that Senate Bill No. 38 be referred to the Committee on Judiciary.

Which motion prevailed.

Senator Ward moved that all absent Senators be excused.

Which motion prevailed.

Senator Sperry moved to amend Senate Bill No. 49 by striking out in line ten of section one of the printed bill the words "First North Dakota Volunteers" and removing the parenthesis from around the words "Spanish American War."

Which motion prevailed.

Senator Rusch requested that in responding to the Roll Call on Senate Bill No. 49, that all Senators arise to their feet, as a mark of respect to the Veterans of the Civil War.

Which request was complied with.

THIRD READING OF SENATE BILLS SENATE ROLL CALL

Senate Bill No. 49. A Bill for an Act to Amend and Re-

enact Section 1782 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Commandant of the Soldier's Home.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 46, nays none, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Sperry
Babcock	Gross	Nathan	Steel
Baird	Hamilton	Olson, Barnes	Stevens
Baker	Ingerson	Olson, Eddy-	Thorson
Benson	Kaldor	Foster	Tofsrud
Bond	Kelsch	Page	Van Camp
Byrne	Levang	Patten	Ward
Carey	McCoy	Pack	Wenstrom
Eastgate	McLachlin	Peterson	Whitman
Ettestad	Magnuson	Ployhar	Whitmer
Fleckten	Martin	Porter	Wog
Garberg	Miklethun	Rush	

Those absent and not voting were:

Messrs.	Messrs.	Messrs.
Kretschmar	Lynch	Storstad

So the bill passed and the title was agreed to.

Senator Stevens: I ask to explain my vote on the Roll Call. It is indeed sad for me to vote on this Roll Call—not that I do not wish to vote for it, but it brings back to me memories of my boyhood days. My father was one who did not live to participate with the Grand Army Veterans in the work that they had done. It is sad for me to realize that companions of early manhood are so nearly all gone. I vote "Aye" on this bill.

Senator Carey moved to re-refer Senate Bill No. 11 to the Committee on Elections.

Which motion prevailed.

Senator Baird asked the unanimous consent of the Senate to return to the Eighth Order of Business. There being no objections, the Senate took up the Eighth Order of Business.

Senator Baird moved that the committee on Elections be given an extension of time in which to consider Senate Bills No. 36 and 40.

Which motion prevailed.

The courtesies of the floor were extended to Mr. and Mrs. Hampton Lyness, of Fessenden; Hon. T. Welo, of McHenry Co.; R. L. Brown, of Valley City; Anton Larson, of Temvik; A. B. Benson of Hazelton; Aslak Olsness of Sheyenne; L. Haas, of Hamar.

Senator Carey moved that the Senate do now adjourn.

Which motion prevailed.

W. E. PARSONS,
Secretary.

TWENTY-FOURTH DAY

Senate Chamber,
Bismarck, N. D.
January 25, 1923.

The Senate convened at 2:00 o'clock P. M., January 25, 1923, the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. I. G. Monson.

The roll was called, all senators being present with the exception of Senator Lynch.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the 23rd day and recommend that the same be corrected as follows:

On page 1, line 17 correct spelling of "recommend."

On page 4, line 54, correct spelling of "guaranty."

On page 5, line 26 correct spelling of "official."

On page 8 line 38 strike out "Atkins" and insert in lieu thereof "Baird."

On page 8, line 42 strike out "Atkins" and insert in lieu thereof, "Baird" also strike out "elections" and insert in lieu thereof "Judiciary."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS.

The Secretary read the following communications:

“STATE OF NORTH DAKOTA
OFFICE OF THE GOVERNOR

Bismarck

R. A. NESTOS, Governor

January 24, 1923.

To the Senate of the State of North Dakota:

This is to notify you that I have this day approved and filed with the Secretary of State Senate Bill No. 6, repealing section 991 of the Compiled Laws of North Dakota, for the year 1913, requiring ballots of women to be deposited in separate boxes.

Yours very truly,

R. A. NESTOS,
Governor.”

“STATE OF NORTH DAKOTA
OFFICE OF THE GOVERNOR

Bismarck

R. A. NESTOS, Governor

January 24, 1923.

To the Senate of the State of North Dakota:

This is to notify you that I have this day approved and filed with the Secretary of State, Senate Bill No. 7, being a bill to amend and re-enact section 948 of the Compiled Laws of North Dakota, for the year 1913, relating to the qualifications of electors.

Yours very truly,

R. A. NESTOS,
Governor.”

January 24, 1923.

“STATE OF NORTH DAKOTA
OFFICE OF THE GOVERNOR

Bismarck

R. A. NESTOS, Governor

January 24, 1923.

To the Senate of the State of North Dakota:

This is to notify you that I have this day approved and filed with the Secretary of State, Senate Bill No. 8, being a bill to amend and re-enact section 968 of the Compiled Laws of North Dakota, for the year 1913, relating to ballot boxes.

Yours very truly,

R. A. NESTOS,
Governor.”

Senator Kaldor presented a communication from the American Legion Auxiliary, of Hillsboro, N. D., which was referred to the Committee on Public Health.

The Secretary read a communication from the North Dakota Duroc-Jersey Breeders' Association, which was referred to the Committee on Agriculture.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 26. A Bill for an Act to Amend and Re-enact Section 1945 of the Compiled Laws of North Dakota for the year 1913, Relating to County Road Funds.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 49. A Bill for an Act to Amend and Re-enact Section 1782 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Commandant of the Soldier's Home.

And find the same correctly re-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang 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. 50. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 187 of the Session Laws of North Dakota for the Year 1919, Relating to the Qualifications of Official and Legal Newspapers and Providing for the Method of Selection of Official Newspapers.

Have had the same under consideration and recommend that the same do pass.

OLE ETTESTAD,
Chairman.

Senator Ettestad 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. 91. A Bill for an Act to Amend and Re-enact the Third Subdivision of Section 3999; and Section 4001, of the Compiled Laws of North Dakota for the Year 1913 Relating to Firemen's Relief Association Fund.

Have had the same under consideration and recommend that the same do pass.

H. J. RUSCH,
Chairman.

Senator Rusch 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. 36. A Bill for an Act to Amend and Re-enact Sections 5605, 5607 and 5611 of the Compiled Laws of the State of North Dakota for the Year 1913, Defining the Homestead Exemption.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 75. A Bill for an Act Legalizing and Validating Certain Acts of City Officials with Reference to Electric Lights or Distribution Systems.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1 of the printed bill, after the words "Section 1," insert the word "Certain;" in line 2 of the printed bill, after the word "state," insert the phrase "prior to the passage of this Act;" in line 13, of the printed bill, insert the words "Section 2. EMERGENCY;" in line 14 of the printed bill, strike out the word "the" and insert in lieu thereof, the word "its"; and strike out line 15.

And when so amended recommend the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 40. A Bill for an Act Relating to the Receipt and Filing by the Register of Deeds, of Warranty Deeds and Quit Claim Deeds.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Peterson moved that Senate Bill No. 26 be referred to the Committee on Highways.

Which motion prevailed.

Senator Kelsh moved that all absent senators be excused.

Which motion prevailed.

Senator Ployhar moved that the State Affairs Committee be given an extension of two days time for the consideration of Senate Bill No. 14.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber,
Bismarck, N. D.
January 25, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 23. A Bill for an Act Providing for Investigation of Violation of Laws, Arrest and Seizure, Starting Prosecutions, Regulations Governing Same and Penalty.

Also

House Bill No. 43. A Bill for an Act to Amend and Re-enact Section 3835 of the Compiled Laws of the State of North Dakota for the Year 1919 Relating to Recall of City Officials Under City or Commission Form of Government.

Also

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 2861, Compiled Laws of North Dakota for 1913, Relating to Penalty for Violating Dairy Laws.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, N. D.
January 25, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 4. A Bill for an Act Validating the Record of Mortgages and Assignments of Mortgages in the Office of the Register of Deeds of the Counties of the State Between July 1, 1917, and January 1, 1923.

Which the House has passed unchanged.

W. F. CUSHING,
Chief Clerk.

House of Representatives.
Bismarck, N. D.
January 25, 1923.

Mr. President: I have the honor to inform you the House has concurred in the senate amendment to House Bill No. 4 and passed the same unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

The appropriations committee introduced:

Senate Bill No. 121. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Actions to Release Insane Patients.

Was read the first and second time and referred to the committee on Appropriations:

The appropriations committee introduced:

Senate Bill No. 122. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance Fund of the State Training School.

Was read the first and second time and referred to the committee on Appropriations:

The appropriations committee introduced:

Senate Bill No. 123. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Treasurer's Office.

Was read the first and second time and referred to the committee on Appropriations:

The appropriations committee introduced:

Senate Bill No. 124. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit Incurred in the State Executive Department.

Was read the first and second time and referred to the committee on Appropriations:

The appropriations committee introduced:

Senate Bill No. 125. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Miscellaneous Refunds of the State.

Was read the first and second time and referred to the committee on Appropriations:

The appropriations committee introduced:

Senate Bill No. 126. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Arrest and Return of Fugitives from Justice Fund.

Was read the first and second time and referred to the committee on Appropriations:

The appropriations committee introduced:

Senate Bill No. 127. A Bill for an act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Maintenance Fund of the Hospital for the Insane at Jamestown.

Was read the first and second time and referred to the committee on Appropriations:

The appropriations committee introduced:

Senate Bill No. 128. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Survey of Coal Mines Fund.

Was read the first and second time and referred to the committee on Appropriations:

The appropriations committee introduced:

Senate Bill No. 129. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit incurred in the State Auditor's Office.

Was read the first and second time and referred to the committee on Appropriations:

The appropriations committee introduced:

Senate Bill No. 130. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the Attorney General's Department.

Was read the first and second time and referred to the committee on Appropriations:

The appropriations committee introduced:

Senate Bill No. 131. A Bill for an Act Making an Appropriation for the Reward and Apprehension of Criminals According to Chapter 200 of the Session Laws of 1917.

Was read the first and second time and referred to the committee on Appropriations:

The appropriations committee introduced:

Senate Bill No. 132. A Bill for an Act Making an Appropriation for the General Expense of the Hotel Inspection Department.

Was read the first and second time and referred to the committee on Appropriations:

The appropriations committee introduced:

Senate Bill No. 133. A Bill for an Act Making an Appropriation for the General Expense of the State Live Stock Sanitary Board.

Was read the first and second time and referred to the committee on Appropriations:

The appropriations committee introduced:

Senate Bill No. 134. A Bill for an Act Making an Appropriation for a Bounty for Wolves and Coyotes, as Provided for by Chapter 242 of the Session Laws of 1919 for North Dakota.

Was read the first and second time and referred to the committee on Appropriations:

The appropriations committee introduced:

Senate Bill No. 135. A Bill for an Act Making an Appropriation to pay the Burial Expenses of Inmates of the Penitentiary and Reform School as Provided for Under Section 11302 of the Compiled Laws of 1913 for North Dakota.

Was read the first and second time and referred to the committee on Appropriations:

The appropriations committee introduced:

Senate Bill No. 136. A Bill for an Act to Provide a State Contingency Fund to be Placed at the Disposal of the State Emergency Commission to be Used as Provided by Chapter 26 and 152 of the Session Laws of North Dakota for 1915; and Making an Appropriation of \$50,000.00 which Shall be Known as the State Contingency Fund.

Was read the first and second time and referred to the committee on Appropriations:

The appropriations committee introduced:

Senate Bill No. 137. A Bill for an Act Making an Appropriation of \$2,000.00 for the Biennium to Defray the Expenses of Disbarment Proceedings, as Prescribed by Section 808 to 812 of the Compiled Laws of 1913 for North Dakota.

Was read the first and second time and referred to the committee on Appropriations:

The appropriations committee introduced:

Senate Bill No. 138. A Bill for an Act Making an Appropriation of the Sum of \$250.00 for the Biennium, to Defray the Expenses of the State Canvassing Board.

Was read the first and second time and referred to the committee on Appropriations:

The Appropriations Committee introduced:

Senate Bill No. 139. A Bill for an Act to Provide \$300.00 for the Burial Expense of Honorably Discharged Sailors, Soldiers and Marines of the United States War of the Rebellion and Erection of Headstones Therefor, as Authorized by Sections 3181, 3182, 3183, and 3184 of the Compiled Laws of North Dakota for 1913.

Was read the first and second time and referred to the Committee on Appropriations.

The Appropriations Committee introduced:

Senate Bill No. 140. A Bill for an Act to appropriate \$1,500.00 for the Biennium out of Any Money in the State Treasury not otherwise appropriated, for the Purpose of Upkeeping of Ten State Parks.

Was read the first and second time and referred to the Committee on Appropriations.

The Appropriations Committee introduced:

Senate Bill No. 141. A Bill for an Act to appropriate \$1,000.00 for the Biennium, to the Humane Society for Office Supplies, Printing, Office Phone, and Traveling Expense.

Was read the first and second time and referred to the Committee on Appropriations.

The Appropriations Committee introduced:

Senate Bill No. 142. A Bill for an Act Making an Appropriation of the Sum of \$25,000.00 for the Biennium, which is known as a Miscellaneous Refund.

Was read the first and second time and referred to the Committee on Appropriations.

Mr. Garberg introduced:

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Section 814 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 81 of the Session Laws of 1921, Relating to Jurors.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Miklethun introduced:

Senate Bill No. 144. A Bill for an Act Relating to Deposits in Banks, Declaring Same to Be trust Funds, and Providing Penalties for Unlawful Removal of Same.

Was read the first and second time and referred to the Committee on Banks and Banking.

Mr. Garberg introduced:

Senate Bill No. 145. A Bill for an Act to Amend and Re-enact Section 7965 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Consolidation of Actions.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Etestad introduced:

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 2078, Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 223, Session Laws of 1919, and Chapter 122, Session Laws of 1921, Relating to the Exemption of Certain Property From Taxation.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

Mr. Ettstad introduced:

Senate Bill No. 147. A Bill for an Act to Amend and Re-enact Chapter 220 of the Laws of North Dakota for the Year 1919, Relating to the Classification of Property for Assessment.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

Mr. Martin introduced:

Senate Bill No. 148. A Bill for an Act to Limit State and Municipal Taxation for the Years 1923 and 1924.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

Mr. Magnuson introduced:

Senate Bill No. 149. A Bill for an Act to Prohibit Derogatory Statements in Regard to Insurance Companies.

Was read the first and second time and referred to the Committee on Insurance.

Mr. Thorson introduced:

Senate Bill No. 150. A Bill for an Act to Repeal Chapter 222 of the Session Laws of the State of North Dakota for the Year 1919, Being an Act Providing for a Tax on Shares of Stock and Bonds of Corporations Organized or Doing Business in this State.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

Mr. Rusch introduced:

Senate Bill No. 151. A Bill for an Act to Amend Section 6295 of the Compiled Laws Relating to Trusts and Trusteeships.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Bond introduced:

Senate Bill No. 152. A Bill for an Act Authorizing the Consolidation or Merger of Banking Associations Regulating the Procedure and Providing for Supervision Thereof, and Providing a Limitation of Actions.

Was read the first and second time and referred to the Committee on Banks and Banking.

Mr. Baker introduced:

Senate Bill No. 153. A Bill for an Act Relating to Double Appeals.

Was read the first and second time and referred to the Committee on Judiciary.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 23. A Bill for an Act Providing for Investigation of Violation of Laws, Arrest and Seizure, Starting Prosecutions, Regulations Governing Same and Penalty.

House Bill No. 43. A Bill for an Act to Amend and Re-enact Section 3835 of the Compiled Laws of the State of North Dakota for the Year 1919 Relating to Recall of City Officials Under City or Commission Form of Government.

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 2861, Compiled Laws of North Dakota for 1913, Relating to Penalty for Violating Dairy Laws.

SIGNING OF BILLS.

The secretary announced that the President was about to sign:

House Bill No. 38. A Bill for an Act Regulating Procedure and Prescribing Rules of Evidence in Actions Brought by Holders of Grain Storage Tickets, for the Recovery of the Possession or Value of Grain Stored in Public Warehouses, Which Grain Has Been Converted or Improperly Detained From the Owner.

House Bill No. 4. A Bill for an Act to Amend and Re-enact Section 4625 of Chapter 14 of the Compiled Laws

of North Dakota for 1913 Relating to the Conditional Sale Contracts Given by Railroad Corporations.

And the President signed the same in the presence of the Senate.

Senator Tofsrud asked the unanimous consent of the Senate to return to the Sixth Order of Business. There being no objections, the Senate took up the Sixth Order of Business.

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. 1. A Bill for an Act to Amend Section 5205 of the Compiled Laws of the State of North Dakota, Relating to the Term of Existence of Certain Corporations.

Have had the same under consideration and recommend that the same be amended as follows:

On line 6 of printed bill after the word "formed" insert the following: "Or heretofore formed and now doing business."

And when so amended recommend the same do pass.

O. T. TOFSRUD,
Chairman.

Senator Tofsrud moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Stevens asked the unanimous consent of the Senate to return to the Ninth Order of Business. There being no objections, the Senate took up the Ninth Order of Business.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

The Game and Fish Committee introduced:

Senate Bill No. 154. A Bill for an Act to Amend and Re-enact Chapter 121, Session Laws of 1917 Relating to the Issuance of Permits for Breeding or Domestication of Certain Fur Bearing Animals.

Was read the first and second time and referred to the Committee on Game and Fish.

The Game and Fish Committee introduced:

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Sections 3, 4, 6, 8, 34, 35 and 65, Chapter 161, Session Laws of 1915, and Section 27, Chapter 161, Session Laws of 1915, as Amended by Section 2, Chapter 134, Session Laws of 1919, and Section 36, Chapter 161, Session Laws of 1915 as Amended by Section 5, Chapter 134, Ses-

sion Laws of 1919, and Section 46, Chapter 161, Session Laws of 1915 as Amended by Chapter 134, Session Laws of 1919 and as Amended by Chapter 68, Session Laws of 1921 and Section 80 Chapter 161, Session Laws of 1915 as Amended by Chapter 135, Session Laws of 1919, Relating to Game and Fish.

Was read the first and second time and referred to the Committee on Game and Fish.

Senate Bill No. 49 was messaged to the House.

The courtesies of the floor were extended to Messrs. F. W. Cathro, of Bottineau; Jacob Meyer, of Goodrich; John Buchwietz, of Hurdsville; M. J. Rummele, and August Lippert, of Ashley.

Senator Stevens moved that the Senate do now adjourn.

Which motion prevailed.

W. E. PARSONS,
Secretary.

TWENTY-FIFTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 26, 1923.

The Senate convened at 2:00 o'clock P. M., January 26, 1923, the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. I. G. Monson.

The roll was called, all Senators being present with the exception of Senator Lynch.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the 24th day and recommend that the same be corrected as follows:

On page 12, line 19, strike out "farmed" and insert in lieu thereof "formed."

On page 12, line 20 strike out "farmed" and insert in lieu thereof "formed."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Senator Byrne presented a Resolution from the Williams County Taxpayers, which was referred to the Committee on Appropriations.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 17. A Bill for an Act to appropriate the Sum of Eight Thousand Two Hundred and Fifty Dollars

(\$8,250.00) for the Purpose of Purchasing and Installing One Complete Stoker Unit Under Modern Boiler at the North Dakota Agricultural College, and Purchasing and Installing Necessary Equipment and Technical Instruments to Measure the Efficiency of Such Stoker and Boiler.

Was delivered to the governor for his approval at the hour of 3 o'clock P. M. January 17, 1923.

CHRIST LEVANG,
Chairman.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 6. A Bill for an Act to Repeal Section 991 of the Compiled Laws of North Dakota, for the Year 1913, Requiring Ballots of Women to be Deposited in Separate Boxes.

Also,

Senate Bill No. 7. A Bill for an Act to Amend and Re-enact Section 948 of the Compiled Laws of North Dakota, for the Year 1913, Relating to the Qualifications of Electors.

Also,

Senate Bill No. 8. A Bill for an Act to Amend and Re-enact Section 968 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Ballot Boxes.

Were delivered to the governor for his approval at the hour of 3:30 o'clock P. M., January 19, 1923.

CHRIST LEVANG,
Chairman.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 36. A Bill for an Act to Amend and Re-enact Sections 5605, 5607 and 5611 of the Compiled Laws of the State of North Dakota for the Year 1913, Defining the Homestead Exemption.

Also,

Senate Bill No. 50. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 187 of the Session Laws of North Dakota for the Year 1919, Relating to the Qualifications of Official and Legal Newspapers and Providing for the Method of Selection of Official Newspapers.

Also,

Senate Bill No. 75. A Bill for an Act Legalizing and Validating Certain Acts of City Officials with Reference to Electric Lights or Distribution Systems.

Also,

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact the Third Subdivision of Section 3999; and Section 4001, of the Compiled Laws of North Dakota for the Year 1913 Relating to Firemen's Relief Association Fund.

Also,

Senate Bill No. 1. A Bill for an Act to Amend Section 5205 of the Compiled Laws of the State of North Dakota, Relating to the Term of Existence of Certain Corporations.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 4. A Bill for an Act Validating the Record of Mortgages and Assignments of Mortgages in the Office of the Register of Deeds of the Counties of the State between July 1, 1917, and January 1, 1923.

And find the same correctly enrolled.

CHRIST LEVANG,
Chairman.

Senator Levang 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. 30. A Bill for an Act to Amend and Re-enact Section 4989, Compiled Laws of 1913, Relating to Filing of Statements by Mining Corporations.

Have had the same under consideration and recommend that the same do pass.

W. R. BOND,
Chairman.

Senator 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. 51. A Bill for an Act Fixing Publication Fees for Printing Delinquent Tax Lists, School Treasurers' Reports, and County Commissioners' Proceedings.

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 the words "of the two."

In line 6 of Section 1 of the printed bill, the word "insertion" for the word "insertions."

And when so amended recommend the same do pass.

(Signed) OLE ETTESTAD,
Chairman.

Senator Ettestad 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. 66. A Bill for an Act to Amend and Re-enact Section 844 of the Compiled Laws of North Dakota for the Year 1913.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 61. A Bill for an Act amending Sections 728 and 729 of the Compiled Laws of North Dakota for the year 1913 relating to fees in the Supreme Court and their coverage into the State Treasury.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1 of the printed bill, after the words "Section 1", insert the word "AMENDMENT"; in line 2 of Section 1, strike out the words "be and the same"; and in line 1 of Section 2, after the words "Section 2," insert the word "AMENDMENT."

And when so amended recommend the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird moved that Senate Bill No. 61 be re-referred to the committee on Appropriations, which motion prevailed.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred:

House Bill No. 37. A Bill for an Act to Amend and Re-enact Section 6855 of the Compiled Laws of the State of North Dakota, for the Year 1913, Relating to the Procedure to Obtain a Thresher's Lien, and Fixing the Time Within Which the Same Must be Filed.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 41. A Bill for an Act to Amend and Re-enact Section 16 of Chapter 58 of the Session Laws for the Year 1917.

Have had the same under consideration and recommend that the same be amended as follows:

On line 8, after the word "preparing," insert the following: "For any school board." In line 10, strike out "any school building for any school board," and insert in lieu thereof "One or two room school buildings costing not to exceed \$5,000.00."

And when so amended recommend the same do pass.

ALFRED STEEL,
Chairman.

Senator Steel 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. 25. A Bill for an Act Relating to the Validation of Bonds Voted and Issued, or to be Issued, by Any Common, Special or Independent School District, in Cases Where the School District Issuing Such Bonds,

or Where by Such Vote Bonds Are Authorized to be Issued, Has Theretofore, by a Majority Vote, Increased the Limit of Indebtedness Five Per Cent on the Assessed Valuation of the Taxable Property in Such School District, Beyond the Five Per Cent Limit of Indebtedness Established by the Constitution, as Provided by Article 35 of the Amendments to the Constitution of the State of North Dakota, and Where the Indebtedness of Such School District, but Does Not Exceed Ten Per Cent on the Assessed Valuation of the Taxable Property of Such School District, and Declaring Such Bonds Legal and Valid.

Have had the same under consideration and recommend that the same be amended as follows:

On line 4 of the title after the word "has" strike out "Theretofore" and in lieu thereof insert the word "Heretofore."

On line 10 of the title after the word "District" strike out the comma and the word "but."

And when so amended recommend the same do pass.

ALFRED STEEL,
Chairman.

Senator Steel 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. 68. A Bill for an Act to Amend and Re-enact Section 1421 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 266 of the Session Laws for the Year 1915, Legalizing and Validating Certain indebtedness of School Districts in the Form of School Warrants and Negotiable Bonds Issued to Fund the Same.

Have had the same under consideration and recommend that the same do pass.

ALFRED STEEL,
Chairman.

Senator Steel moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
January 26, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 42. A Bill for an Act Prescribing Certain Requisites With Respect to Crop Mortgages Given for Other Than as Rental of Premises or to Secure the Purchase Price of Land, and Making All Crop Mortgages Not Executed in Compliance With Such Requirement Void and Not Subject to Being Filed of Record.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 4. A Bill for an Act Validating the Record of Mortgages and Assignments of Mortgages in the Office of the Register of Deeds of the Counties of the State Between July 1st, 1917, and January 1st, 1923.

And the President signed the same in the presence of the Senate.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Mr. Eastgate introduced:

Senate Bill No. 156. A Bill for an Act to Repeal Chapter 31 of the Special Session Laws of 1919 Relating to the Purchase of Dairy Cattle by Counties.

Was read the first and second time and referred to the committee on Live Stock.

The Committee on Appropriations introduced:

Senate Bill No. 157. A Bill for an Act Making an Appropriation of \$573,118.00 to Pay the General Maintenance, Improvements and Repairs, New Buildings, and Equipment of the Agricultural College, Fargo, for the Biennium.

Was read the first and second time and referred to the committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 158. A Bill for an Act Making an Appropriation of \$10,540.00 for the Purpose of Paying the General Expenses of Carrying Out the Provisions of Chapter 168 of the Session Laws of 1919, Relating to Mine Inspection.

Was read the first and second time and referred to the committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 159. A Bill for an Act Appropriating Money for the Use of War History Commission Between

the following Dates: June 30th, 1923, to July the 1st, 1925.

Was read the first and second time and referred to the committee on appropriations.

Mr. Ployhar introduced:

Senate Bill No. 160. A Bill for an Act to Amend and Re-enact Chapter 82, Session Laws of North Dakota for 1919, and to Empower Cities to Purchase or construct Plants, Including Gas Works for the Manufacture and Distribution of Light, Heat and Power for Municipal and Commercial Purposes, and to Assess Abutting Property in Accordance with the Benefits hereto by Reason of Such System of Distribution, and Providing for the Method of Such Assessment and the Collection Thereof.

Was read the first and second time and referred to the committee on Cities and Municipal Corporations.

Mr. Ployhar introduced:

Senate Bill No. 161. A Bill for an Act to Appropriate the Sum of Five Hundred Dollars (\$500.00) or so Much Thereof as may be Necessary for the Purpose of Paying the Per Diem and Mileage of Witnesses Incurred by the Special Investigating Committee of the Senate, in Considering the Audit of the State Bank and State Industries, During the Seventeenth Legislative Assembly.

Was read the first and second time and referred to the committee on Appropriations.

Mr. Rusch introduced:

Senate Bill No. 162. A Bill for an Act to Prevent Imposition or Fraud in the Sale or Disposition of Certain "Securities" Herein Defined by Requiring an Inspection Thereof: Providing for Such Inspection, Supervision and Regulation of the Business of any Person, Association, Partnership, or Corporation, Engaged or Intending to Engage, Whether as Principal or Agent, May be Necessary to Prevent Imposition or Fraud in the Sale or Disposition of Said Securities, and Repealing Chapter 91 of the Civil Code of the Compiled Laws of 1915.

Was read the first and second time and referred to the committee on Banks and Banking.

Mr. Kelsh introduced:

Senate Bill No. 163. A Bill for an Act Permitting the Increase of the Limitation of Indebtedness of Common, Special and Independent School Districts by an Additional Five Per Centum on the Assessed Value of the Taxable Property Therein, Beyond the Present Constitutional Limit of Five Per Centum, Providing a Method for Effecting Such Increase, and for Submitting the Question of Such Increase to the Electors of the School Districts at Annual or Special Elections, and Providing for Preserving a Record of Such Increase of the Limit of Indebtedness.

Was read the first and second time and referred to the committee on Education.

Mr. Kelsh introduced:

Senate Bill No. 164. A Bill for an Act to Amend and Re-enact Section 1303 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Limit of the Amount of Bonds of Independent School Districts.

Was read the first and second time and referred to the committee on Education.

Mr. Kelsh introduced:

Senate Bill No. 165. A Bill for an Act Amending and Re-enacting Section 1334 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 105, Session Laws of 1921, Relating to the Limit of Issue of Bonds of Common School Districts.

Was read the first and second time and referred to the committee on Education.

Mr. Kelsh introduced:

Senate Bill No. 166. A Bill for an Act to Amend and Re-enact Section 1147 of the Compiled Laws of 1913, as Amended by Chapter 135 of the Session Laws of 1915 and Chapter 197 of the Session Laws of 1919, Relating to the Organization of New School Districts.

Was read the first and second time and referred to the committee on Education.

Mr. Kelsh introduced:

Senate Bill No. 167. A Bill for an Act Amending and Re-enacting Section 1275 of the Compiled Laws of The State of North Dakota for the Year 1913, Relating to the Limit of Issue of Bonds of Special School Districts.

Was read the first and second time and referred to the committee on Education.

Mr. Kelsh introduced:

Senate Bill No. 168. A Bill for an Act to Provide for the Repair of the Whitestone Battlefield Monument Located in the Whitestone Battlefield Park, in Dickey County, North Dakota.

Was read the first and second time and referred to the committee on Appropriations.

Mr. Ward introduced:

Senate Bill No. 169. A Bill for an Act Relating to the Powers of Stockholders and Management of Co-operative Corporations and Associations.

Was read the first and second time and referred to the committee on Corporations Other than Municipal.

Mr. Kretschmar introduced:

Senate Bill No. 170. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred by the Flood Control Commission.

Was read the first and second time and referred to the committee on Appropriations.

Mr. Hamilton introduced:

Senate Bill No. 171. A Bill for an Act, Entitled an Act Creating a North Dakota Real Estate Brokers Board with Sufficient Powers to Administer the Act; Defining the Terms Used Therein; Requiring Real Estate Salesmen to be Licensed; Prescribing the Requirements of the Applications for and the Renewals of Licenses and the Fees Therefor; Enumerating the Powers of Licensees; Requiring the Names of Licensees and of Those Whose Licenses Have Been Cancelled to be Published; Prescribing the Procedure on Complaints, the Grounds Therefor, Expenses Therefor and in Case of a Review, how Paid; Establishing a Fund from Which to Meet all the Operating Expenses of the Board; Penalty for Violation of the Provisions of the Act; Appropriation from Which to Meet the Organization Expenses of the Board; All Provisions of Act to be in Effect until Specifically Declared to Be Void and Repealing all Conflicting Legislation.

Was read the first and second time and referred to the committee on Immigration.

THIRD READING OF SENATE BILLS
SENATE ROLL CALL

Senate Bill No. 1. A Bill for an Act to Amend Section 5205 of the Compiled Laws of the State of North Dakota, Relating to the Term of Existence of Certain Corporations.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays 0, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Rusch
Babcock	Hamilton	Murphy	Sperry
Baird	Ingerson	Nathan	Steel
Baker	Kaldor	Olson, Barnes	Storstad
Byrne	Kelsh	Olson, Eddy-	Thorson
Carey	Kretschmar	Foster	Tofsrud
Eastgate	Levang	Page	Van Camp
Ettestad	McCoy	Patten	Ward
Fleckten	McLachlin	Peck	Wenstrom
Garberg	Magnuson	Peterson	Whitman
Gardiner	Martin	Porter	Wog

Those absent and not voting were:

Messrs.	Messrs.	Messrs.
Benson	Lynch	Stevens
Bond	Ployhar	Whitmer

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 36. A Bill for an Act to Amend and Re-enact Sections 5605, 5607 and 5611 of the Compiled Laws of the State of North Dakota for the Year 1913, Defining the Homestead Exemption.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays 0, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Olson, Barnes	Thorson
Babeock	Kaldor	Olson, Eddy-	Tofsrud
Baird	Kelsh	Foster	Van Camp
Benson	Kretschmar	Page	Ward
Byrne	Levang	Patten	Wenstrom
Carey	McCoy	Peck	Whitmer
Eastgate	McLachlin	Peterson	Wog
Ettestad	Magnuson	Porter	
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	
Gross	Murphy	Steel	
Hamilton	Nathan	Storstad	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bond	Ployhar	Whitman
Lynch	Stevens	

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 50. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 187 of the Session Laws of North Dakota for the Year 1919, Relating to the Qualifications of Official and Legal Newspapers and Providing for the Method of Selection of Official Newspapers.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 48, nays 0, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Stevens
Babeock	Hamilton	Olson, Barnes	Storstad
Baird	Ingerson	Olson, Eddy-	Thorson
Baker	Kelsh	Foster	Tofsrud
Benson	Kretschmar	Page	Van Camp
Bond		Patten	Ward

Messrs.	Messrs.	Messrs.	Messrs.
Byrne	Levang	Peck	Wenstrom
Carey	McCoy	Peterson	Whitman
Eastgate	McLachlin	Ployhar	Whitmer
Ettestad	Magnuson	Porter	Wog
Fleckten	Martin	Rusch	
Garberg	Miklethun	Sperry	
Gardiner	Murphy	Steel	

Absent and not voting:

Messrs.
Lynch

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 75. A Bill for an Act Legalizing and Validating Certain Acts of City Officials with Reference to Electric Lights or Distribution Systems.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays 5, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Martin	Rusch
Babcock	Gardiner	Murphy	Sperry
Baird	Gross	Nathan	Steel
Baker	Hamilton	Olson, Barnes	Stevens
Benson	Kaldor	Olson, Eddy-	Storstad
Bond	Kelsh	Foster	Thorson
Byrne	Kretschmar	Page	Tofsrud
Carey	Levang	Peck	Van Camp
Eastgate	McCoy	Peterson	Ward
Ettestad	McLachlin	Ployhar	Wenstrom
Fleckten	Magnuson	Porter	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Ingerson	Patten	Wog
Miklethun	Whitmer	

Absent and not voting:

Messrs.
Lynch

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact the Third Subdivision of Section 3999; and Section 4001, of the Compiled Laws of North Dakota for the Year 1913 Relating to Firemen's Relief Association Fund.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays 5, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Murphy	Sperry
Babcock	Gross	Olson, Barnes	Steel
Baird	Ingerson	Olson, Eddy	Stevens
Baker	Kaldor	Foster	Storstad
Benson	Kelsh	Page	Thorson
Bond	Kretschmar	Patten	Tofsrud
Byrne	Levang	Peck	Van Camp
Carey	McCoy	Peterson	Ward
Eastgate	McLachlin	Ployhar	Wenstrom
Ettestad	Magnusson	Porter	Whitman
Flechten	Martin	Rusch	Whitmer

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Flechten	Miklethun	Wog
Hamilton	Nathan	

Absent and not voting:

Messrs.
Lynch

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 42. A Bill for an Act Prescribing Certain Requisites With Respect to Crop Mortgages Given for Other Than as Rental of Premises or to Secure the Purchase Price of Land, and Making all Crop Mortgages not Executed in Compliance With Such Requirement Void and Not Subject to Being Filed of Record.

Was read the first and second time and referred to the committee on Judiciary.

Senator Ployhar asked the unanimous consent of the Senate to return to the Sixth Order of Business. There being no objections, the Senate took up the Sixth Order of Business.

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. 64. A Bill for an Act Concerning Aeronautics and to make Uniform the Law with Reference Thereto.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Mr. Ployhar 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: A majority of your committee on State Affairs to whom was referred:

Senate Bill No. 35. A Bill for an Act Relative to the Admission of Persons Under Eighteen Years of Age to Public Dances and Requiring the posting of a Copy of the Law and Prescribing Penalty for its Violation.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,
Chairman.

P. J. MURPHY,
S. J. ATKINS,
R. J. GARDINER,
M. H. PORTER,
W. R. BOND,
J. E. EASTGATE,
D. H. HAMILTON,
R. INGERSON.

Mr. President: A minority of your committee on State Affairs to whom was referred:

Senate Bill No. 35. A Bill for an Act Relative to the Admission of Persons Under Eighteen Years of Age to Public Dances and Requiring the posting of a Copy of the Law and Prescribing Penalty for its Violation.

Have had the same under consideration and recommend that the same do pass.

JOHN L. MIKLETHUN,
JOHN NATHAN.

Senator Ployhar moved the adoption of the majority report.

Senator Miklethun moved that the minority report be substituted for the majority report.

Senator Kaldor moved that Senate Bill No. 35 be re-referred to the Committee on Temperance.

Which motion prevailed.

The committee on State Affairs made the following report:

Mr. President: A majority of your committee on State Affairs to whom was referred:

Senate Bill No. 14. A Bill for an Act to Prohibit the Wearing of Masks or Other Disguises in Public, and Designating the Penalty for Same.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN L. MIKLETHUN,
RALPH INGERSON,
GUST WOG,
JOHN NATHAN,
OTIS C. GROSS,
ROBERT BYRNE,
J. E. EASTGATE,
R. GARDINER,
D. H. HAMILTON,

The committee on State Affairs made the following report:

Mr. President: A Minority of your committee on State Affairs to whom was referred:

Senate Bill No. 14. A Bill for an Act to Prohibit the Wearing of Masks or Other Disguises in Public, and Designating the Penalty for Same.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

W. H. PORTER,
W. R. BOND,
NELS PETERSON,
P. J. MURPHY,
O. H. OLSON,
S. J. ATKINS.

Senator Ployhar moved that the minority report be adopted.

Senator Miklethun moved to amend the motion by substituting the word "majority" for that of "minority."

A roll call being demanded, the vote was on the motion of Senator Miklethun.

The roll was called and there were ayes 15, nays 32, absent and not voting 2.

Those voting aye were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gardiner	Levang	Patten
Benson	Gross	Miklethun	Peck
Byrne	Hamilton	Nathan	Wog
Eastgate	Ingerson	Olson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Tofsrud
Baird	Kretschmar	Ployhar	Van Camp
Baker	McCoy	Porter	Ward
Bond	McLachlin	Rusch	Wenstrom

Messrs.	Messrs.	Messrs.	Messrs.
Carey	Martin	Sperry	Whitman
Ettestad	Murphy	Steel	Whitmer
Fleckten	Olson, Eddy-	Stevens	
Garberg	Foster	Storstad	
Kaldor	Page	Thorson	

Absent and not voting:

Messrs.	Messrs.
Lynch	Magnuson

So the amendment was lost.

Senator Ingerson: I have no brief for the Ku Klux Klan, but from what I gathered as a member of that committee when they had this bill under consideration, it seemed to me that this organization attracted its members, not by an appeal to lofty principles of patriotism, but by an appeal to their superstitious and racial prejudices. I am not in favor of passage of this kind of restrictive legislation; it seems to me that it cannot accomplish the principles it is aimed at. It proposes to prevent commission of crime by masked persons. If people are ready to commit crime, such as is charged, it seems to me that it would not balk at the violation of this law also. Therefore I vote "Aye."

The question now being upon the motion of Senator Ployhar, to adopt the minority report, which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Messrs Baird and Baker introduced:

Senate Bill No. 172. A Bill for an Act Granting to and Imposing Upon the Board of Administration Certain Powers and Duties with Reference to the Welfare of Children and the Administration and Enforcement of Laws Relating Thereto.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 173. A Bill for an Act to Authorize the Appointment of County Child Welfare Boards and to Define Their Powers and Duties, and to Repeal Section 19, Chapter 177, Laws of 1919.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 174. A Bill for an Act Providing for Juvenile Courts, Defining Their Powers over Dependent, Neglected and Delinquent Children and Over Persons Contributing to Such Neglect, Dependency or delinquency, and for the Repeal of Sections 11402 to 11428, Inclusive, Compiled Laws for 1913, and Chapter 179, Laws of 1915, and Chapter 83, Laws of 1921.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 175. A Bill for an Act Providing for the Examination, Commitment, Care and Maintenance, Release and Discharge of Persons Alleged or Found to be Feeble-Minded.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 176. A Bill for an Act Providing for the Care and Treatment of Crippled Children.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 177. A Bill for an Act Amending and Repealing Chapter 153, Laws of 1909, the Same Being Sections 1404 to 1414 Inclusive, Compiled Laws for 1913, Regulating the employment of Child Labor and to Provide for the Enforcement Thereof, and to Prescribe Penalties for Violations of the Act.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 178. A Bill for an Act Relating to the Bringing of Children into the State, or Taking Children Therefrom, for Placement in Family Home; for the Licensing or Regulation of Persons and Corporations Engaged in that Work; and for the Repeal of Sections 5107 and 5108, Compiled Laws for 1913.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 179. A Bill for an Act Relating to the Placement of Children in Family Homes for Temporary or Permanent Care, and Providing for the Licensing and Regulation of Persons or Corporations Engaged in that Work, and for the Repeal of Chapter 183 of the Session Laws for 1915.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 180. A Bill for an Act Relating to the Powers of Certain Societies for the Care and Placement of Dependent Children, and to Amend and Re-enact Sections 5100 and 5101, Compiled Laws for 1913.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 181. A Bill for an Act Providing for the Licensing and Regulation of Homes and Institutions Caring for Children and for the Repeal of Chapter 183 of the Session Laws of 1915.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 9607, and Section 9608, Compiled Laws for 1913.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 183. A Bill for an Act to Regulate Certain Occupations of Children in Streets and Public Places.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs: Baird and Baker introduced:

ter 70, Laws of 1917.

Senate Bill No. 184. A Bill for an Act Defining and Regulating Maternity hospitals and for the Repeal of Chapter 183 of the Session Laws of 1915.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 185. A Bill for an Act to Amend and Re-enact Chapter 185 of the Session Laws of 1915, Relating to the Support of Needy Women who are the Mothers of and Who are Compelled to Support one or More Children Under Sixteen Years of Age.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 186. A Bill for an Act Relating to the Abandonment or Neglect of Wife or Child, and the Desertion and Non-support of Family, and for the Repeal of Sections 9589 and 9603 Inclusive. Compiled Laws of 1913.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 187. A Bill for an Act Relating to Children Born out of Wedlock and to Make Uniform the Law with Reference Thereto, and for the Repeal of Sections 19483 to 10500 Inclusive, Compiled Laws of 1913, and Chapter 70, Laws of 1917.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 188. A Bill for an Act Prohibiting the placing of Children, Either for Temporary or Permanent Care, in Almshouses, or in Institutions, Charitable, Penal or Reformatory, Where Delinquent Children are Kept.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 189. A Bill for an Act Concerning the Transfer of Rights in Children and for the Repeal of Chapter 77 of the Laws of 1919.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 190. A Bill for an Act Providing for the Exclusion of Spectators from the Trial of Minors.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 191. A Bill for an Act Amending and Re-enacting Section 4424, Compiled Laws of 1913, Relating to the Custody, Service and Earnings of Minor Children.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 192. A Bill for an Act Relating to Indecent Liberties.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Sections 4444 and 4446 of the Compiled Laws of North Dakota for 1913, Relating to the Adoption of Minor Children.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 194. A Bill for an Act to Amend and re-enact Sections 5109 and 5110 of the Compiled Laws for 1913.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Messrs Baird and Baker introduced:

Senate Bill No. 195. A Bill for an act Creating a Bureau of Child Research, Defining its Duties and Making Provision for its Maintenance.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Mr. Thorson introduced:

Senate Bill No. 196. A Bill for an Act to Provide an Appropriation for the Eradication of the Barberry.

Was read the first and second time and referred to the committee on Appropriations.

Mr. Van Camp introduced:

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Chapter 146 of the Session Laws of 1919 Relating to the Office of Commissioner of Immigration, Prescribing His Powers and Duties, and Making an Appropriation Therefor, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Was read the first and second time and referred to the committee on Appropriations.

Senate Bills Nos. 1, 36, 50, 75, 91, were messaged to the House.

The courtesies of the floor were extended to: Mrs. Wheelock, Miss Martin, of Bismarck; F. W. McRoberts, of Fargo; J. G. Gunderson of Aneta; Alex Macdonald of Glencoe; L. C. Vobayda of Lawton; M. F. Murphy of Grand Forks; F. C. Mullen of Grand Forks; E. R. Bradley of Grace City; J. L. Rindal of Fargo; Karl Halleberg of Barton; I. J. Moe of Valley City; P. M. Mallson, New Rockford.

Senator Bond moved that the Senate do now recess until 12:30 P. M., January 27, 1923.

Which motion prevailed.

W. E. PARSONS,
Secretary.

TWENTY-FIFTH DAY AFTER RECESS AND TWENTY-SIXTH DAY.

Senate Chamber,
Bismarck, North Dakota,
January 27, 1923.

The Senate re-assembled at 12:30 P. M., pursuant to recess taken, the President, Frank H. Hyland, presiding.

PETITIONS AND COMMUNICATIONS.

The Secretary read a communication from J. P. Reeve, Secretary of the Golden Valley Taxpayers Association, pertaining to the reduction of taxes, which was referred to the committee on Taxes and Tax Laws.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 4. A Bill for an Act Validating the Record of Mortgages and Assignments of Mortgages in the Office of the Register of Deeds of the Counties of the State Between July 1st, 1917, and January 1st, 1923.

Was delivered to the governor for his Approval at the hour of 3 o'clock P. M., January 26, 1923.

CHRIST LEVANG,
Chairman.

The committee of 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 Empower Cities and Villages to Levy and Collect a Tax for the Purposes of Furnishing Musical Concerts to the Public.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ROBERT BYRNE,
Chairman.

Senator Rusch 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. 32. A Bill for an Act to Amend and Re-enact Section 4016 of the Compiled Laws of 1913 Relating to Bonded Indebtedness of Cities, and Purposes for Which Incurred.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ROBERT BYRNE,
Chairman.

Senator Rusch moved that the report be adopted, which motion prevailed and the report was adopted.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Mr. Hamilton introduced:

Senate Bill No. 198. A Bill for an Act making an Appropriation for the Supervisor of Grades, Weights and Measures, for the Purpose of Carrying out, Maintaining General Supervision and Regulation of Grain Grading, Elevator Accounting and Inspection of Elevators, Warehouses and Flour Mills in Handling of all Agricultural Products.

Was read the first and second time and referred to the committee on Appropriations.

Senator Sperry moved that the Senate do now recess subject to the call of the chair. Which motion prevailed.

At 1:45 P. M., the President called the Senate to order.

Senator Babcock presented a communication from the Mothers' Club of Lisbon, relative to the North Dakota State Board of Health, which was referred to the Committee on Public Health.

The report from the Commissioner of the State Land Department was referred to the Committee on Banks and Banking.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Messrs. Baird and Baker Introduced:

Senate Bill No. 199. A Bill for an Act Making an Appropriation for the Use of the Board of Administration in Administering Child Welfare Laws.

Was read the first and second time and referred to the committee on Women's and Children's Welfare.

Mr. Martin introduced:

Senate Bill No. 200. A Bill for an Act Providing for the Recall of County Commissioners.

Was read the first and second time and referred to the committee on Judiciary.

Mr. Page introduced:

Senate Bill No. 201. A Bill for an Act to Amend and Re-enact Section 5608 of the Compiled Laws of the State of North Dakota for the Year 1913.

Was read the first and second time and referred to the committee on Judiciary.

Mr. McCoy Introduced:

Senate Bill No. 202. A Bill for an Act to Impose a Tax Upon the Sale of Cigarettes in the State of North Dakota; Providing for the Administration and Collection of the Same, and Repealing Sections 10184 and 10185 of the Compiled Laws of North Dakota for the Year 1913.

Was read the first and second time and referred to the committee on Taxes and Tax Laws.

Senator Olson of Eddy, moved that the Senate do now adjourn.

Which motion prevailed.

TWENTY-SIXTH DAY

The Senate convened at 2:00 o'clock P. M., pursuant to adjournment, the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. I. G. Monson.

The roll was called, all Senators being present with the exception of Senators Lynch, Thorson and Wog.

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

Mr. President: Your committee on revision and correction of the Journal have carefully examined the Journal of the 25th day and recommend that the same be corrected as follows:

On page 5, line 5, strike out "the report be adopted, which" and insert in lieu thereof "Senate Bill No. 61 be re-re-"

On page 8, line 2, strike out the last figure in line, ("3"), and insert in lieu thereof "5".

On page 8 line 4, correct spelling of "Appropriations."

On page 8, line 37, correct spelling of "Compiled."

On page 11, line 18, correct spelling of "Kelsh."

On page 11, line 52, correct spelling of "Kelsh."

On page 12, line 20, correct spelling of "Kelsh."

On page 13, line 11, correct spelling of "Kelsh."

On page 16, line 4, strike out "Fleckten" and insert in lieu thereof "Ettestad."

On page 16 line 7, insert "Garberg."

On page 16, line 27, correct spacing.

On page 19, line 32, correct spelling of "time."

On page 16 line 21, insert "at" after word "balk."

And when so corrected recommend that the same be approved.

J. H. McCoy,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 14. A Bill for an Act to Prohibit the Wearing of Masks or Other Disguises in Public, and Designating the Penalty for Same.

Also,

Senate Bill No. 25. A Bill for an Act Relating to the Validation of Bonds Voted and Issued, or to be Issued, by Any Common, Special or Independent School District, in Cases Where the School District Issuing Such Bonds, or Where by Such Vote Bonds Are Authorized to be Issued, Has Theretofore, by a Majority Vote, Increased the Limit of Indebtedness Five Per Cent on the Assessed Valuation of the Taxable Property in Such School District, Beyond the Five Per Cent Limit of Indebtedness Established by the Constitution, as Provided by Article 35 of the Amendments to the Constitution of the State of North Dakota, and Where the Indebtedness of Such School District, but Does Not Exceed Ten Per Cent on the Assessed Valuation of the Taxable Property of Such School District, and Declaring Such Bonds Legal and Valid.

Also,

Senate Bill No. 30. A Bill for an Act to Amend and Re-enact Section 4989, Compiled Laws of 1913, Relating to Filing of Statements by Mining Corporations.

Also,

Senate Bill No. 51. A Bill for an Act Fixing Publication Fees for Printing Delinquent Tax Lists, School Treasurers' Reports, and County Commissioners' Proceedings.

Also,

Senate Bill No. 64. A Bill for an Act Concerning Aeronautics and to make Uniform the Law with Reference Thereto.

Also,

Senate Bill No. 66. A Bill for an Act to Amend and Re-enact Section 844 of the Compiled Laws of North Dakota for the Year 1913.

Also,

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Section 1421 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 266 of the Session Laws for the Year 1915, Legalizing and Validating Certain indebtedness of School Districts in the Form of School Warrants and Negotiable Bonds Issued to Fund the Same.

Also,

Senate Bill No. 41. A Bill for an Act to Amend and Re-enact Section 16 of Chapter 58 of the Session Laws for the Year 1917.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang 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. 65. A Bill for an Act to Amend and Re-enact Section 838, Compiled Laws of 1913, relating to Records of Notaries Public.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Byrne moved that the rules be suspended, and that the vote by which Senate Bill 32 was indefinitely postponed be re-considered.

Which motion prevailed.

Senator Byrne moved that Senate Bill No. 32 be re-referred to the committee on Cities and Municipal Corporations.

Which motion prevailed.

Senator Benson moved that all absent Senators be excused. Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Mr. Kaldor introduced:

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Section 160 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 18 of the Special Session Laws of North Dakota for the Year 1919, Relating to the Appointment of Regular and Special Assistant Attorneys General, and Repealing Chapter 20 of the Special Session Laws of North Dakota for the Year 1919, and All Other Acts and Parts of Acts in Conflict Therewith.

Was read the first and second time and referred to the committee on Judiciary.

Mr. Kaldor introduced:

Senate Bill No. 204. A Bill for an Act to Amend and Re-enact Section 158 of the Compiled Laws of North Dakota for 1913, Relating to the Attorney General's Report.

Was read the first and second time and referred to the committee on Judiciary.

Mr. Kaldor introduced:

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact 7644 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 1 of the Session Laws for the year 1919, (Regular Session) and Chapter 129 of the Session Laws for the Year 1921, Relating to Change of Judges in Civil and Criminal Actions in the District Court, for Prejudice or Bias of Judge Thereof; Providing for the Calling of Another Judge of Another Judicial District, and the Payment of his Expenses, and the Discharge of Jurors Therein, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first and second time and referred to the committee on Judiciary.

Senator Ingerson moved to amend Senate Bill No. 14 by adding at the end of Section 1, the following:

"Provided, that nothing in this Act shall be construed to deprive persons in this State from the right to cover their faces for the purpose of protecting themselves from cold or inclement weather."

Which motion was lost.

SENATE ROLL CALL

Senate Bill No. 14. A Bill for an Act to Prohibit the Wearing of Masks or Other Disguises in Public, and Designating the Penalty for Same.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 40, nays 6, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Murphy	Steel
Babcock	Gardiner	Nathan	Stevens
Baird	Hamilton	Olson, Eddy-	Storstad
Baker	Kaldor	Foster	Tofsrud
Benson	Kelsh	Page	Van Camp
Bond	Kretschmar	Peck	Ward
Byrne	Levang	Peterson	Wenstrom
Carey	McCoy	Ployhar	Whitman
Eastgate	McLachlin	Porter	
Ettestad	Magnuson	Rusch	
Fleckten	Martin	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Gross	Miklethun	Patten
Ingerson	Olson, Barnes	Whitmer

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lynch	Thorson	Wog

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Miklethun: This bill reminds me of a bill that was introduced in a former session against the red flag. I thought at that time it was a very foolish measure, absolutely uncalled for; this bill is on a par with that insofar as the merits are concerned. It seems to me that this bill is to shoot at a ghost, and I am not superstitious, and shall therefor vote "No."

Olson of Barnes: I am not a Klansman—never expect to be, and do not believe in secret organizations, masked or unmasked, but this bill as I look at it, is not in demand in this state at the present time, and it is in fact as I see it, intended both to stir up a personal hatred among different political factions.

SENATE ROLL CALL.

Senate Bill No. 25. A Bill for an Act Relating to the Validation of Bonds Voted and Issued, or to be Issued, by Any Common, Special or Independent School District, in Cases Where the School District Issuing Such Bonds, or Where by Such Vote Bonds Are Authorized to be Issued, Has Heretofore, by a Majority Vote, Increased the Limit of Indebtedness Five Per Cent on the Assessed Valuation of the Taxable Property in Such School District, Beyond the Five Per Cent Limit of Indebtedness Established by the Constitution, as Provided by Article 35 of the Amendments to the Constitution of the State of

North Dakota, and Where the Indebtedness of Such School District Does Not Exceed Ten Per Cent on the Assessed Valuation of the Taxable Property of Such School District, and Declaring Such Bonds Legal and Valid.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Miklethun	Rusch
Babcock	Gross	Murphy	Sperry
Baird	Hamilton	Nathan	Steel
Baker	Ingerson	Olson, Barnes	Stevens
Benson	Kaldor	Olson, Eddy-	Storstad
Bond	Kelsh	Foster	Tofsrud
Byrne	Kretschmar	Page	Van Camp
Carey	Levang	Patten	Ward
Eastgate	McCoy	Peck	Wenstrom
Ettestad	McLachlin	Peterson	Whitman
Fleckten	Magnuson	Ployhar	Whitmer
Garberg	Martin	Porter	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lynch	Thorson	Wog

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL.

Senate Bill No. 30. A Bill for an Act to Amend and Re-enact Section 4989, Compiled Laws of 1913, Relating to Filing of Statements by Mining Corporations.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0, absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Miklethun	Rusch
Babcock	Gross	Murphy	Sperry
Baird	Hamilton	Nathan	Steel
Baker	Ingerson	Olson, Barnes	Stevens
Benson	Kaldor	Olson, Eddy-	Storstad
Bond	Kelsh	Foster	Tofsrud
Byrne	Kretschmar	Page	Van Camp
Carey	Levang	Patten	Ward
Eastgate	McCoy	Peck	Wenstrom
Ettestad	McLachlin	Peterson	Whitman
Fleckten	Magnuson	Ployhar	Whitmer
Garberg	Martin	Porter	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lynch	Thorson	Wog

So the bill passed and the title was agreed to.

SENATE ROLL CALL.

Senate Bill No. 41. A Bill for an Act to Amend and Re-enact Section 16 of Chapter 58 of the Session Laws for the Year 1917.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Miklethun	Sperry
Babeock	Gross	Murphy	Steel
Baird	Hamilton	Nathan	Stevens
Baker	Ingerson	Olson, Barnes	Storstad
Benson	Kaldor	Olson, Eddy-	Tofsrud
Bond	Kelsh	Foster	Van Camp
Byrne	Kretschmar	Page	Ward
Carey	Levang	Patten	Wenstrom
Ettestad	McCoy	Peck	Whitman
Eastgate	McLachlin	Peterson	Whitmer
Fleckten	Magnuson	Porter	
Garberg	Martin	Rusch	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lynch	Thorson	Wog

So the bill passed and the title was agreed to.

Senator Steel moved that the vote by which Senate Bill No. 41 was passed be re-considered.

Which motion prevailed.

Senator Steel moved to amend Senate Bill No. 41 by inserting in line 1 of the printed bill, after the figure "16" the words "of Chapter 58."

Which motion prevailed.

Senator Steel moved that Senate Bill No. 41 be put on the Calendar for third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL.

Senate Bill No. 41. A Bill for an Act to Amend and Re-enact Section 16 of Chapter 58 of the Session Laws for the Year 1917.

Was read the third time.

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Miklethun	Rusch
Babcock	Gross	Murphy	Sperry
Baird	Hamilton	Nathan	Steel
Baker	Ingerson	Olson, Barnes	Stevens
Benson	Kaldor	Olson, Eddy-	Storstad
Bond	Kelsh	Foster	Tofsrud
Byrne	Kretschmar	Page	Van Camp
Carey	Levang	Patten	Ward
Eastgate	McCoy	Peck	Wenstrom
Ettestad	McLachlin	Peterson	Whitman
Fleckten	Magnuson	Ployhar	Whitmer
Garberg	Martin	Porter	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lynch	Thorson	Wog

So the bill passed and the title was agreed to.

Senator Gross moved that Senate Bill No. 51 be laid over to the next legislative day.

Which motion prevailed.

SENATE ROLL CALL.

Senate Bill No. 64. A Bill for an Act Concerning Aeronautics and to make Uniform the Law with Reference Thereto.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays, 0; absent and voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Miklethun	Rusch
Babcock	Gross	Murphy	Sperry
Baird	Hamilton	Nathan	Steel
Baker	Ingerson	Olson, Barnes	Stevens
Benson	Kaldor	Olson, Eddy-	Storstad
Bond	Kelsh	Foster	Tofsrud
Byrne	Kretschmar	Page	Van Camp
Carey	Levang	Patten	Ward
Eastgate	McCoy	Peck	Wenstrom
Ettestad	McLachlin	Peterson	Whitman
Fleckten	Magnuson	Ployhar	Whitmer
Garberg	Martin	Porter	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lynch	Thorson	Wog

So the bill passed and the title was agreed to.

Senator Baird moved to Amend Senate Bill No. 66 by adding to the last paragraph the following:

"On and after July 1, 1923, the provisions of this section

prescribing the form of seal, shall also apply to Notaries now commissioned."

Which motion prevailed.

SENATE ROLL CALL.

Senate Bill No. 66. A Bill for an Act to Amend and Re-enact Section 844 of the Compiled Laws of North Dakota for the Year 1913.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Miklethun	Rusch
Babeock	Gross	Murphy	Sperry
Baird	Hamilton	Nathan	Steel
Baker	Ingerson	Olson, Barnes	Stevens
Benson	Kaldor	Olson, Eddy-	Storstad
Bond	Kelsh	Foster	Tofsrud
Byrne	Kretschmar	Page	Van Camp
Carey	Levang	Patten	Ward
Eastgate	McCoy	Peck	Wenstrom
Ettestad	McLachlin	Peterson	Whitman
Fleckten	Magnuson	Ployhar	Whitmer
Garberg	Martin	Porter	

Those absent and not voting were:

Messrs.	Messrs.	Messrs.
Lynch	Thorson	Wog

So the bill passed and the title was agreed to.

Senator Steel moved to amend Senate Bill No. 68 by inserting in line 1 of the printed bill the word "AMENDMENT" after Section 1.

Which motion prevailed.

Senator Eastgate moved that action on Senate Bill No. 68 be deferred for one day.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
January 27, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 8. A Bill for an Act to Empower all Cities having a Population in Excess of Twelve Thousand Five Hundred Inhabitants, by the Federal Census of 1920, or by any Subsequent Federal Census, to Provide for the Establishment of Districts or Zones within the Corporate Limits, and to Empower such Cities by Ordinance, to Regulate

Within Such Zones or Districts, the Use or Uses of Land, the Height, the Area, the Size and the Location of Buildings, the Required Open Spaces for the Light and Ventilation of Such Buildings and the Density of Population; to Provide for a Board of Appeals, and for the Carrying Out of Such Ordinances and to Provide a Penalty for the Violation Thereof.

House Bill No. 22. A Bill for an Act to Empower All Cities Having a Population in Excess of Twelve Thousand Five Hundred Inhabitants by the Federal Census of 1920, or by Any Subsequent Federal Census, to Provide for the Establishment, Government and Maintenance of the City Planning Commission in Such City; to Prescribe the Powers and Duties of Such Planning Commission and to Vest in Such Commission Jurisdiction over all New Subdivisions or Resubdivisions of Land Within the Corporate Limits of Such City.

House Bill No. 1. A Bill for an Act to Amend and Re-enact Section 6707 of the Compiled Laws of North Dakota for the Year 1913, Relative to Liens Upon Crops.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 8. A Bill for an Act to Empower all Cities having a Population in Excess of Twelve Thousand Five Hundred Inhabitants, by the Federal Census of 1920, or by any Subsequent Federal Census, to Provide for the Establishment of Districts or Zones within the Corporate Limits, and to Empower such Cities by Ordinance, to Regulate Within Such Zones or Districts, the Use or Uses of Land, the Height, the Area, the Size and the Location of Buildings, the Required Open Spaces for the Light and Ventilation of Such Buildings and the Density of Population; to Provide for a Board of Appeals, and for the Carrying Out of Such Ordinances and to Provide a Penalty for the Violation Thereof.

Was read the first and second time and referred to the committee on Cities and Municipal Corporations.

House Bill No. 22. A Bill for an Act to Empower All Cities Having a Population in Excess of Twelve Thousand Five Hundred Inhabitants by the Federal Census of 1920, or by Any Subsequent Federal Census, to Provide for the Establishment, Government and Maintenance of the City Planning Commission in Such City; to Prescribe the Powers and Duties of Such Planning Commission and to Vest in Such Commission Jurisdiction over all New Subdivisions or Resubdivisions of Land Within the Corporate Limits of Such City.

Was read the first and second time and referred to the committee on Cities and Municipal Corporations.

House Bill No. 1. A Bill for an Act to Amend and Re-enact Section 6707 of the Compiled Laws of North Dakota for the Year 1913, Relative to Liens Upon Crops.

Was read the first and second time and referred to the committee on Judiciary.

Senator Fleckten asked the unanimous consent of the Senate to return to the Eleventh Order of Business. There being no objections, the Senate took up the Eleventh Order of Business.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Mr. Fleckten introduced:

Senate Bill No. 206. A Bill for an Act Providing for a Verdict in Civil Cases by Five-Sixths of the Jury After Twelve Hours Deliberation.

Was read the first and second time and referred to the committee on Judiciary.

Mr. Bond introduced:

Senate Bill No. 207. A Bill for an Act Providing for the Examination and Certification of Dental Hygienists and Regulating the Practice of Dental Hygiene.

Was read the first and second time and referred to the committee on Public Health.

Mr. Thorson introduced:

Senate Bill No. 208. A Bill for an Act Relating to County Finances; Providing That all County Officials and All Officers in Charge of any Institution, Office or Undertaking Supported in Whole or in Part by the County Shall File an Itemized Statement of Amounts Necessary for Maintenance of Such Office or Institution; Providing That the County Commissioners Shall Annually Prepare a Budget Providing for Publication of Such Budget and of the Proposed Levy; Providing for a Public Hearing in Regard to the Proposed Expenditures and Levy; Fixing a Date for Levy; Providing That All Expenditures must Conform to the Budget as Adopted, and That all Unappropriated Balances in any Fund at the End of the Fiscal Year Shall Become a Part of the General Fund; Repealing Sections 3312, 3313, and 3314, of the Compiled Laws of 1913.

Was read the first and second time and referred to the committee on Taxes and Tax Laws.

Senator Carey asked the unanimous consent of the Senate to return to the Sixth Order of Business. There being no objections, the Senate took up the Sixth Order of Business.

The committee on Elections made the following report:

Mr. President: Your committee on Elections to whom was referred:

House Bill No. 46. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 52 of the Session Laws of 1921, Providing for the Salary and Other Compensation of Certain County Officers.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. CAREY,
Chairman.

Senator Carey moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Baird asked the unanimous consent of the Senate to return to the Eighth Order of Business. There being no objections, the Senate took up the Eighth Order of Business.

Senator Baird moved for an extension of Seven days time for further consideration of Senate Bill No. 57.

Which motion prevailed.

Louis Ramstead, Hettinger; Phillip Mittleiter, of Washburn; E. McLean of Sheyenne.

Senator Van Camp moved that the Senate do now adjourn.

Which motion prevailed.

W. E. PARSONS,
Secretary.

TWENTY-EIGHTH DAY

Senate Chamber,
Bismarck, N. D.
January 29, 1923.

The Senate convened at 2:00 o'clock P. M., January 29, 1923, the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. I. G. Monson.

The roll was called, all Senators being present with the exception of Senators Lynch, Baird, Micklethun and Wog.

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

Mr. President: Your committee on revision and correction of the Journal have carefully examined the Journal of the 25th day after recess and 26th day and recommend that the same be corrected as follows:

On page 4, line 13 substitute the name "McCoy" for "Levang."

On page 9, line 27 strike out the word "Messrs." and in line 28 strike out the name "Martin."

On page 10, line 47 strike out "voting in the negative" and substitute "absent and not voting."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

"STATE OF NORTH DAKOTA

OFFICE OF THE GOVERNOR

BISMARCK

R. A. NESTOS, Governor

January 26, 1923.

To the Senate of the State of North Dakota:

This is to notify you that I have this day approved

and filed with the Secretary of State Senate Bill No. 4, being a bill validating the record of mortgages and assignments.

Yours very truly,

R. A. NESTOS,
Governor.

The Secretary read the following telegram from President Obregon, of Mexico.

"Mexico, Late at Night,
January 25, 1923.

Frank H. Hyland,
Lieutenant Governor,
Bismarck, N. D.

With true satisfaction was my Executive Office informed of your courteous message yesterday, by which you kindly communicate to me the Resolution passed by your honorable Senate of high esteem. I send you in the name of the people and Government of Mexico my sincere thanks for this act of justice, which the said House performs by granting an equal place to my nation. I wish to tell you that such spontaneous and free acts shall surely be very efficacious to develop in the hearts of both nations once more an enduring solidarity and brotherhood which must be our sole desire for mutual benefit.

My thanks on the presentation of the contents of this message to the honorable assembly, as well as my personal regards of fellow feeling, to all and each of its members who, in this occasion of a vital matter, put the common interests of the people above the private interests which have been disturbing the good harmony between the two governments.

Affectionately,

PRESIDENT OBREGON.

The Secretary announced that he had received letters from the Secretary to the President, Private Secretary to the Vice President, F. H. Gillette, Speaker of the House of Representatives, Senator E. F. Ladd, Congressman O. B. Burtness, George M. Young, J. H. Sinclair, Calvin Crumbaker, Speaker of the House of Representatives of the State of Montana, acknowledging receipt of the Kretschmar Great Lakes-St. Lawrence Waterway Project Resolution.

The Secretary read a communication from the Secretary of the Senate of the State of Montana, regarding the Great-Lakes-St. Lawrence Waterway Project, Resolution adopted by the Montana State Senate.

Senator Patten presented a petition, signed by Sig Olson, Blaisdell, and 118 others, which was referred to the Committee on Taxes and Tax Laws.

Senator Kretschmar presented a petition, signed by J. G. Nagel, and 75 others, which was referred to the Committee on Taxes and Tax Laws.

REPORTS OF STANDING COMMITTEES

The Committee on Joint Rules made the following report:

Mr. President: Your committee on Joint Rules to whom was referred:

Senate Bill No. 31. A Bill for an Act to Amend and Re-enact Section 62, Compiled Laws of 1913, Relating to Legislative Journals.

Have had the same under consideration and recommend that the same do pass.

P. B. GARBERG,
Chairman.

Senator Garberg 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. 20. A Bill for an Act to Amend and Re-enact Sections 3, 5, 9, 12, 13, 15, 16, 17, 20, 26 and 27 of Chapter 160 of the Session Laws of North Dakota as Amended by Chapter 38 of the Special Session Laws of the Sixteenth Legislative Assembly of the State of North Dakota, as Amended and Re-enacted by Chapter 77 of the Session Laws of North Dakota for the Year 1921, Relating to State Hail Insurance.

Have had the same under consideration and recommend that the same be amended as follows:

On page 4 of the printed bill, in line 21 of Section 12, after the word "should," insert the words "if possible;" on page 6, in line 15 of Section 13, after the word "insured," insert the words "for seven dollars protection;" on page 11, line 9 in Section 20, strike out the word "1st" and insert in lieu thereof the word "15th;" on page 12, in line 18 of section 20, strike out the word "1st" and insert in lieu thereof the word "15th."

And when so amended recommend the same do pass.

P. J. MURPHY,
Chairman.

Senator Murphy moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossmen have examined the following bills:

Senate Bill No. 41. A bill to amend and re-enact Section 16 of Chapter 58 of the Session Laws for the year 1917.

Also

Senate Bill No. 66. A Bill for an Act to Amend and Re-enact Section 844 of the Compiled Laws of North Dakota for the Year 1913.

And find the same correctly re-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Atkins moved that the Committee on Mines and Minerals be given an extension of time for consideration of Senate Bill No. 12.

Which motion prevailed.

Senator Kelsh moved that all absent Senators be excused.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, N. D.
January 29, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 13. A bill for an Act to Amend and Re-enact Section 2185, Compiled Laws of North Dakota for the Year 1919, Relating to Real Estate Taxes Due and Delinquent, and Penalty and Interest Thereon.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Martin introduced:

Senate Bill No. 209. A bill for an Act to Amend and Re-enact Sections 6072 and 6073 of the Compiled Laws of the State of North Dakota for the Year 1913 as Amended by Chapter 176 of the Session Laws of North Dakota for the Year 1915, Relating to the Legal Rate of Interest and Usury.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Peterson introduced:

Senate Bill No. 210. A Bill for an Act Providing for the Acquiring by Condemnation of Roads so Located as to Interfere with the Working of Coal or Other Mines, and Providing the Compensation to be Made Therefor.

Was read the first and second time and referred to the Committee on Highways.

Mr. Kelsh introduced:

Senate Bill No. 211. A Bill for an Act to Amend and Re-enact Section 3451, Compiled Laws of North Dakota, Relating to County Bonds, rate of Interest and Note of Issue.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. McLachlin introduced:

Senate Bill No. 212. A Bill for an Act to Amend and Re-enact Section 3890 of the Compiled Laws of 1913, Relating to Publishing of Village Treasurer's Reports and Prescribing the Form Thereof.

Was read the first and second time and referred to the Committee on Cities and Municipal Corporations.

Mr. Steele introduced:

Senate Bill No. 213. A Bill for an Act Giving the North Dakota Game and Fish Commission Power to Make Rules and Regulations in Addition to Those Already Provided by Law, for the Protection of the Fish in the Lakes and Rivers of North Dakota.

Was read the first and second time and referred to the Committee on Game and Fish.

THIRD READING OF SENATE BILLS

Senator Gross moved that Senate Bill No. 51 be referred to the Committee on Public Printing.

A roll call was demanded.

SENATE ROLL CALL

Senate Bill No. 51. A Bill for an Act Fixing Publication Fees for Printing Delinquent Tax Lists, School Treasurers' Reports, and County Commissioners' Proceedings.

The question being on recommitting the bill to the Committee on Public Printing the roll was called and there were ayes 30, nays 15, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Nathan	Steel
Babeock	Gardiner	Olson, Eddy-	Stevens
Baker	Gross	Foster	Storstad
Benson	Hamilton	Page	Tofsrud
Bond	Kaldor	Patten	Ward
Byrne	Kretschmar	Peck	Wenstrom
Eastgate	Levang	Rusch	Whitman
Fleckten	Martin	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Carey	McCoy	Olson, Barnes	Thorson
Ettestad	McLachlin	Peterson	Van Camp
Ingerson	Magnuson	Ployhar	Whitmer
Kelsh	Murphy	Porter	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Lynch	Miklethun	Wog

So the bill was re-committed to the Committee on Public Printing.

SENATE ROLL CALL

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Section 1421 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 266 of the Session Laws for the Year 1915, Legalizing and Validating Certain indebtedness of School Districts in the Form of School Warrants and Negotiable Bonds Issued to Fund the Same.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Steel
Babcock	Hamilton	Olson, Barnes	Stevens
Baker	Ingerson	Olson, Eddy-	Storstad
Benson	Kaldor	Foster	Thorson
Bond	Kelsh	Page	Tofsrud
Byrne	Kretschmar	Patten	Van Camp
Carey	Levang	Peck	Ward
Eastgate	McCoy	Peterson	Wenstrom
Ettestad	McLachlin	Ployhar	Whitman
Fleckten	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	
Gardiner	Murphy	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Lynch	Miklethun	Wog

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 and Re-enact Section 2185, Compiled Laws of North Dakota for the Year 1919, Relating to Real Estate Taxes Due and Delinquent, and Penalty and Interest Thereon.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

Senator Baker moved that seven days additional time be granted for further consideration of Senate Bill No. 52.

Which motion prevailed.

The following bills were messaged to the House:

Senate Bills No. 14, 25, 30, 41, 64, 66 and 68.

The courtesies of the floor were extended to Messrs. L. P. Sanderson of Minot; W. B. Overson of Williston; O. Tuneberg of Kindred.

Senator Murphy moved that the Senate do now adjourn.

Which motion prevailed.

W. E. PARSONS,
Secretary.

TWENTY-NINTH DAY

Senate Chamber,
Bismarck, N. D.
January 30, 1923.

The Senate convened at 2:00 o'clock P. M., the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. L. R. Johnson.

The roll was called, all Senators being present with the exception of Senator Miklethun.

The committee on Revision and Correction of the Journal made the following report.

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the 28th day and recommend that the same be corrected as follows:

On page 2, line 15 strike out "by" and insert in lieu thereof "my."

On page 5, line 32 correct spelling of "committee."

On page 5, line 40 change "32" to "30," "14" to "15" and "3" to "4."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

The Secretary read the following card addressed to the Senate:

"Mrs. F. S. Talcott and family deeply appreciate your kind expression of sympathy."

Senator Wenstrom presented a communication concerning the Game Laws, signed by John Fredericks, of Harvey, N. D., and 13 others, which was referred to the Committee on Game and Fish.

Senator Bond presented eight petitions concerning the Game Laws, signed by about 300 petitioners, which were referred to the Committee on Game and Fish.

Senator Stevens presented the following wire:

"Devils Lake, January 30, 1923.

The Lake Region Fair Association asks and expects same treatment in matter of state aid accorded to the other fairs in the state.

D. J. RAPP,
Secretary."

Senator Olson, of Eddy and Foster, presented petitions protesting against several bills, which was referred to the Committee on Temperance.

Senator Eastgate presented a petition in regard to the printing of school treasurer's reports, which was referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 20. A Bill for an Act to Amend and Re-enact Sections 3, 5, 9, 12, 13, 15, 16, 17, 20, 26 and 27 of Chapter 160 of the Session Laws of North Dakota as Amended by Chapter 38 of the Special Session Laws of the Sixteenth Legislative Assembly of the State of North Dakota, as Amended and Re-enacted by Chapter 77 of the Session Laws of North Dakota for the Year 1921, Relating to State Hail Insurance.

Also

Senate Bill No. 31. A Bill for an Act to Amend and Re-enact Section 62, Compiled Laws of 1913, Relating to Legislative Journals.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang 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 Concurrent Resolution Memorializing the United States Congress to Prohibit the Further Issuance of Tax Exempt Securities as printed in the Senate Journal of the 19th day.

Have had the same under consideration and recommend that the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson 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. 110. A Bill for an Act Making an Appropriation to Defray the Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of North Dakota for the Year 1913.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 106. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors as Prescribed by Section 1038 of the Compiled Laws of 1913 for North Dakota.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

The Committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred:

Senate Bill No. 104. A Bill for an Act Making an Appropriation of the Sum of \$5,000.00 for the Biennium, to Pay the Expenses and Per Diem of Agents in the Arrest and Return of Fugitives from Justice as Prescribed by Section 11162 of the Compiled Laws of 1913 of North Dakota.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 102. A Bill for an Act Making an Appropriation to provide Funds to Pay the Necessary Expenses and Reasonable Compensation to Commissioners Appointed in Actions to Release Insane Patients Prescribed by Section 2552 of the Compiled Laws of 1913 for North Dakota.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 101. A Bill for an Act Making an Appropriation to Provide for the Payment of Expenses and Fees of Appraisers of Inheritances, Devises, Bequests, Legacies, and Gifts, as Provided for in Section 8991 of the Compiled Laws of 1913 for North Dakota.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 77. A Bill for an Act Making an Appropriation for Per Diem and Expenses of the State Budget Board as Prescribed by Chapter 61 of the Session Laws of North Dakota for 1915.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 109. A Bill for an Act to appropriate

§2,000.00 Out of any Monies in the State Treasury Not Otherwise Appropriated for the Purpose of Paying Premiums on State Official Bonds as Provided by Chapter 175 of the Session Laws of North Dakota for 1917.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 61. A Bill for an Act amending Sections 728 and 729 of the Compiled Laws of North Dakota for the year 1913 relating to fees in the Supreme Court and their coverage into the State Treasury.

Have had the same under consideration and recommend that the same be amended as follows:

In line one of the title of the printed bill, strike out the word "Sections" and insert the word "section;" strike out the word and figures "and 729."

In line two insert a semicolon after 1913 and strike out all after the word "Court" in line three.

In line 1 of the printed bill after the figure "1" insert "Amendment."

Strike out all of Sections 2 and 3.

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 58. A Bill for an Act to Provide for the Appointment of a State Electrical Inspector Under the Administration of the State Board of Electricians for the Better Enforcement of the Existing State Electrical Law; Defining His Duties and Powers and Making an Appropriation Therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 69. A Bill for an Act Making an Appropriation for the Improvement and Paving of the State Trolley Line.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 79. A Bill for an Act Making an Appropriation of \$47,000.00 for the Acquiring and Opening of a Mine, and the Building and Equipment of a Commercial Demonstration Unit of Briquetting Plant at Mouth of Said Mine.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 59. A Bill for an Act to Amend and Re-enact Section 4929 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 76 of the Session Laws for the Year 1921, Relating to the Fees to be Paid by Insurance Companies Doing Business in This State.

Have had the same under consideration and recommend that the same do pass.

P. J. MURPHY,
Chairman.

Senator Murphy 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. 72. A Bill for an Ace Requiring all Agents Acting for or on Behalf of any Insurance Company Doing Business in this State to be Licensed, Regulating the Methods, Practices and Transactions of such Agents in Conducting Such Insurance Business, and Providing Penalties for the Violation of any of the Provisions of this Act.

Have had the same under consideration and recommend that the same be amended as follows:

Wherever in the printed bill, or in the title thereof, the words "Insurance Company" occur, insert the words "Life or Accident" before the word "Insurance;" on page 3, Section 5, line 10, after the word "in" insert the words "the same or;" and at the end of the printed bill there shall be added the following section:

"Section 11. Provided nothing in this Act shall be construed as applying to fraternal benefit societies."

And when so amended recommend the same do pass.

P. J. MURPHY,
Chairman.

Senator Murphy 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:

The Jackson Resolution pertaining to the minimum price of wheat.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of paragraph 4, and insert the following paragraph after paragraph 5 of the printed Resolution: "Whereas, the Government of the U. S. received \$50,000,000.00 as profits from the operation of the U. S. Grain Corporation during the war, which really belongs to the producer.

In paragraph 8, after the word "distress" add the following: "and guarantee a minimum price of one dollar and fifty cents per bushel while this emergency lasts."

In paragraph 9, strike out the words "contained in the Esch-Cummins Law" and insert in lieu thereof the words "to the railroads," after the word "producer" add the words "by a guaranteed price." Strike out all of paragraph 10.

And when so amended recommend the same be adopted.

R. J. GARDINER,
Chairman.

Senator Ingerson moved that action be deferred for one day on the Committee Report of the Jackson Resolution, and that the Resolution, with the amendments be printed in the Journal.

Which motion prevailed.

CONCURRENT RESOLUTION

Introduced by Mr. Jackson, 21st District

As Amended by the Committee on Agriculture

Be it Resolved, by the House of Representatives of the Eighteenth Legislative Assembly of the State of North Dakota, the Senate Concurring Therein:

Whereas, Since the cessation of the war with Germany and the removal of the minimum wheat price guaranty of the Federal Government in effect during a part of the period of said war, the price of wheat to the wheat producer of the Northwest has depreciated to a point far below the cost of production; and

WHEREAS, the general level of price on articles which the wheat producer is obliged to buy and consume gives no promise of a proportionate reduction, but on the contrary appears to be increasing at this time; and

WHEREAS, These circumstances have caused an unprecedented condition of distress to the wheat producer of the Northwest, and to all legitimate enterprises more or less directly dependent upon his prosperity and solvency, which condition of distress is so acute as to threaten a great loss of population in the farming communities of the Northwest, accompanied by consequent insolvency, bankruptcy and other results so dire and serious as to directly and indirectly affect a large proportion of the population of the Nation; and

Whereas, the Federal Guaranty of a minimum price on wheat during a part of the war period was, in fact, a serious injustice to the wheat producer of the Northwest, resulting as it did in greatly reducing his price far below the level of the price which supply and demand conditions would have otherwise created, and which therefore operated as an actual and artificial reduction and limitation of his price and not as a subsidy;

Whereas the government received \$50,000,000.00 as profits from the operation of the U. S. Grain Corporation during the War, which really belongs to the producer;

Whereas, the Northwest wheat producer, alone among all the producers in the United States, suffered such arbitrary reduction in the price of his product during the war period from which the entire consuming public directly benefited, he being obliged during the said period to pay the highest market prices for all articles which he used

and consumed, there being no governmental limitation on the price of any such articles during said period; and

Whereas, His present condition resulting from the foregoing is such as to threaten a calamity;

Now, Therefore, Be it Resolved, By the House of Representatives of the Eighteenth Legislative Assembly of the State of North Dakota, The Senate Concurring therein, that we do hereby respectfully urge the Congress of the United States to take cognizance of the present situation in which the northwest wheat farmer is placed, and the circumstances which have resulted in his present condition of distress, and guarantee a minimum price of \$1.50 per bushel while the emergency exists,

Be it Further Resolved, That inasmuch as the policy of government aid has been recognized under similar circumstances as being proper and constitutional and was so recognized in the six months guaranty provision to the Railroads and is now being urged in connection with the so-called Ship Subsidy Bill, the Congress of the United States is hereby respectfully urged and earnestly petitioned to labor to the end that it may find a proper and constitutional means of bringing immediate relief to the Northwest wheat producer by a guaranteed price without establishing an unwise general precedent, and without increasing the present distress by artificially stimulating production, to the end that the present emergency may be relieved.

Be it Further Resolved, That the Secretary of State be directed to transmit a copy of this resolution to the President of the United States, the President of the United States Senate, the Speaker of the National House of Representatives, and to all members of both Houses of the National Congress from North Dakota immediately upon its passage and approval.

Mr. President: A majority of your committee on Agriculture to whom was referred the Ingerson Concurrent Resolution.

Have had the same under consideration and recommend that the same be amended as follows:

After paragraph 3, insert the following paragraph:

"Be it further resolved that we deem it of the utmost importance in order to prevent the utter destruction of the agricultural industry in North Dakota, that a minimum price of at least \$1.50 per bushel for wheat be fixed by Legislative enactment, or by a Board authorized to do so, and when so amended a majority of your Committee recommend the same be indefinitely postponed.

R. J. GARDINER, Chairman,
PETER McLACHLIN,
J. E. EASTGATE,
NILS PETERSON,
FRED VAN CAMP,
C. W. CAREY,

Mr. President: A minority of your committee on Agriculture to whom was referred the Ingerson Concurrent Resolution.

Have had the same under consideration and recommend that the same be amended as follows:

After paragraph 3, insert the following paragraph, "Be it further resolved, that we deem it of the utmost importance, in order to prevent the utter destruction of the Agricultural industry in North Dakota that a minimum price of at least \$1.50 per bushel for wheat be fixed by Legislative enactment or by a board authorized to do so," and when so amended recommend the same be adopted.

RALPH INGERTON,
OLE ETTESTAD,
F. F. BABCOCK,
GUST WOG,
D. H. HAMILTON.

Senator Gardiner moved the adoption of the majority report.

Senator Ingerson moved to amend by substituting the word "minority" for that of "majority."

Senator Kretschmar moved to defer action for one day, and that the Resolution, with the amendment, be printed in the Journal.

Which motion lost.

The question being on the motion of Senator Ingerson, a roll call was demanded.

The question being on the motion of Senator Ingerson, to substitute the word "minority" for that of "majority," the roll was called and there were ayes 22, nays 24; absent and not voting 1, passing 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Martin	Peck
Baker	Gross	Nathan	Ward
Benson	Hamilton	Olson, Barnes	Wenstrom
Byrne	Ingerson	Olson, Eddy-	Whitmer
Ettestad	Levang	Foster	Wog
Fleckten	Magnuson	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Page	Steel
Baird	Kelsh	Peterson	Stevens
Bond	Kretschmar	Ployhar	Storstad
Carey	Lynch	Porter	Thorson
Eastgate	McLachlin	Rusch	Tofsrud
Gardiner	Murphy	Sperry	Van Camp

Absent and not voting:

Messrs.	Messrs.	Messrs.
McCoy	Miklethun	Whitman

So the motion to amend was lost.

McCoy: I am going to pass on this question with both Resolutions. They will not amount to anything. I think either of the Resolutions will get about the same attention at Washington as those coming in this Chamber, so I pass on this.

Nathan: If the gentleman from Grand Forks is ashamed to ask congress for help for the farmers, I will say I am not ashamed to go on record to ask Congress for help.

The question being now on the motion of Senator Gardiner to adopt the majority report, the motion prevailed.

Senator Gardiner moved that all absent Senators be excused.

Which motion prevailed.

Senator Kretschmar moved for an extension of time on all appropriation bills that are due.

Which motion prevailed.

A CONCURRENT RESOLUTION

Introduced by Mr. Olson of Eddy and Foster

Be it Resolved by the Senate of the Eighteenth Legislative Assembly, the House of Representatives Concurring:

Whereas, the Federal Land Bank of this district has adopted and put into operation a rule in violation of the spirit of the Federal Land Bank, equivalent to blacklisting, that no loan be made to any person whatsoever in any zone or district wherein there has been a single defalcation in an interest payment to such bank, and

Whereas, Such zones or districts generally comprise an entire county or other large division of territory, and

Whereas, There is generally one delinquent farmer in such zone or district who has been unable to meet his interest in such county or territory as a result of the deflation brought about in 1920 by the Federal Reserve Bank, and

Whereas, the adoption and enforcement of the above mentioned rule practically suspends the operation of the Federal Land Bank in many zones and districts in this state, and

Whereas, It is authoritatively stated that a large per cent of the farmers within this state are unlawfully refused the benefits of the Federal Land Bank Act, now, therefore,

Be it Resolved, by the Senate of the Eighteenth Legislative Assembly of the State of North Dakota, the House of Representatives concurring, that the Congress of the United States be, and the same is hereby respectfully urged to pass suitable legislation correcting this evil and preventing similar abuses on behalf of those charged with the responsibility and management of said Federal Land Bank in the future, and

Be it Further Resolved, That the Secretary of State trans-

mit a copy of this Resolution to the President of the United States, the President of the Senate, the Speaker of the House of Representatives and to the Senators and Representatives of the United States from the State of North Dakota.

House of Representatives,
Bismarck, N. D.
January 30, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 69. A Bill for an Act to appropriate the Sum of Two Thousand Eight Hundred Eighty-Two and 3-100 Dollars (\$2,882.03) for the Purpose of Charging Off Losses Resulting to the State on Account of the Failure, in the Year 1909, of the First National Bank of Rugby, Rugby, North Dakota, and the Barton State Bank, Barton, North Dakota.

House Bill No. 79. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

House Bill No. 50. A Bill For an Act to Amend and Re-enact Sections 1, 2, 9 and 13 of Chapter 97, Session Laws, 1921, Relating to Legislation to Prohibit Intoxicating Liquors and Beverages and Property Intended for the Manufacture of Same; Prohibiting the Transportation of Liquor and Providing for the Forfeiture of Property Used for the Transportation of Same; to Provide for its Enforcement and Penalty.

House Bill No. 35. A Bill for an Act to Amend and Re-enact Section 3521 of the Compiled Laws of North Dakota for the Year 1913, Prescribing the Rate of Mileage Allowed the Sheriff.

House Bill No. 34. A Bill for an Act to Repeal Section 3522 of the Compiled Laws of North Dakota for the Year 1913, Providing for Livery Allowed Sheriffs.

House Bill No. 73. A Bill for an Act to Provide for the Election of Directors of Building and Loan Association for the Term of Three Years.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

FIRST AND SECOND READING OF SENATE BILLS.

Mr. Thorson introduced:

Senate Bill No. 214. A Bill for an Act Entitled an Act Providing for the Creation and Establishment of a State Board of Engineering Examiners, Granting Certain Pow-

ers to and Prescribing the Duties of Said Board; Providing for the Examination and Registration of Surveyors and Professional Engineers; Regulating the Practice of Engineering in the State of North Dakota, Providing Penalties for the Violation of This Act and Repealing all Acts or Parts of Acts in Conflict Therewith.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Ployhar introduced:

Senate Bill No. 215. A Bill for an Act to Regulate the Drawing of Warrants by Public Officials of the State of North Dakota, and all Sub-divisions Thereof.

Was read the first and second time and referred to the Committee on Appropriations.

Mr. Ployhar introduced:

Senate Bill No. 216. A Bill for an Act Regulating the Standard Provisions of Accident Insurance Policies Issued Within the State, and Providing a Penalty for Violation Thereof.

Was read the first and second time and referred to the Committee on Insurance.

Mr. Kretschmar introduced:

Senate Bill No. 217. A Bill for an Act to Repeal Chapter 115 of the Session Laws for the Year 1919 Relating to Flood Control Commission.

Was read the first and second time and referred to the Committee on Irrigation.

Mr. Porter introduced:

Senate Bill No. 218. A Bill for an Act Making it Unlawful to Practice, or Advertise the Practice of Medicine, Surgery, Dentistry, Law, Veterinary Surgery, Chiropractic or Osteopathy under any Company, Association or Trade Name; and Providing Penalty Therefor.

Was read the first and second time and referred to the Committee on Public Health.

Mr. Martin introduced:

Senate Bill No. 219. A Bill for an Act Providing for the Election at Large of Members of Boards of County Commissioners by the Electors of the Several Counties of the State of North Dakota, and Repeal All Acts and Parts of Acts That are Inconsistent with the Provisions of this Act.

Was read the first and second time and referred to the Committee on Elections.

Messrs. McLachlin and Rusch introduced:

Senate Bill No. 220. A Bill for an Act to Amend and Re-

enact Section 3716 of the Compiled Laws of 1913 Relating to Payment of Deficiency in Special Assessments.

Was read the first and second time and referred to the Committee on Cities and Municipal Corporations.

Mr. Kelsh introduced:

Senate Bill No. 221. A Bill for an Act to Provide for the Giving of Notices of Foreclosure of Real Estate by Advertisement to Owners and Holders of Mechanic's Liens Against Such Real Estate.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Kelsh introduced:

Senate Bill No. 222. A Bill for an Act to Amend and Re-enact Section 8095 of the Compiled Laws of North Dakota for the Year 1913, Relating to Notice of Foreclosures of Mortgages on Real Property by Advertisement.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Storstad introduced:

Senate Bill No. 223. A Bill for an Act to Amend and Re-enact Section 4361 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Who May Solemnize Marriages.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Levang introduced:

Senate Bill No. 224. A Bill for an Act Relating to the Place of Payment of all State Bonds of the State of North Dakota.

Was read the first and second time and referred to the Committee on Banks and Banking.

Mr. Storstad introduced:

Senate Bill No. 225. A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, 4, 6, 7, 9, 11 and 17 of the North Dakota Grain Grading Act Adopted at the General Election Held November 7th, 1922, Declaring the Purpose of the State of North Dakota to Supervise and Regulate the Marketing of Farm Products; Preventing Unjust Discrimination, Fraud and Extortion in the Marketing of Same; Establishing a System of Grading, Weighing and Measuring Farm Products; Defining the Scope and Manner of Such Supervision and the Powers and Duties of the Persons Charged with Same; Providing for Licensing Buyers, Solicitors, and Warehouses Handling Such Farm Products; and Making an Appropriation Therefor.

Was read the first and second time and referred to the Committee on Warehouses and Grain Grading.

Mr. Kaldor introduced:

Senate Bill No. 226. A Bill for an Act to Amend and Re-enact Section 3784 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 120 of the Session Laws of North Dakota for the Year 1919, Relating to Municipal Elections in Cities.

Was read the first and second time and referred to the Committee on Elections.

Mr. Rusch introduced:

Senate Bill No. 227. A Bill for an Act Fixing a Time When it Shall be the Duty of the Board of University and School Lands to Foreclose Mortgage Loans in Default, and Providing for the Collection of any Amount Not Paid on Foreclosure.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Magnuson introduced:

Senate Bill No. 228. A Bill for an Act to Repeal Section 6624 of the Compiled Laws for the Year 1913. Valued Insurance Policy Act.

Was read the first and second time and referred to the Committee on Insurance.

Mr. Ettestad introduced:

Senate Bill No. 229. A Bill for an Act to Amend and Re-enact Section 2189 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Publication of Delinquent Tax List, as Amended by Chapter 256 of the Session Laws of 1915.

Was read the first and second time and referred to the Committee on Public Printing.

Mr. Wog introduced:

Senate Bill No. 230. A Bill for an Act Providing for the Deposit of All County, Township, Municipal and School District Funds and All Other Public Funds in the Bank of North Dakota.

Was read the first and second time and referred to the Committee on Banks and Banking.

Mr. Ingerson introduced:

Senate Bill No. 231. A Bill for an Act Declaring the Purpose of Establishing Public Banking Districts to Engage in the Banking Business and Establishing a System of Banking Owned, Controlled and Operated by the Districts; Defining the Scope and Manner of Such Banks' Operation; Prescribing the Powers and Duties of the Persons Charged with Their Management, and Providing Penalties for the Violation of the Provisions Thereof.

Was read the first and second time and referred to the

Committee on Banks and Banking.

Mr. Stevens introduced:

Senate Bill No. 232. A Bill for an Act to Amend and Re-enact Section 9367 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Prescribing of an Oath.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Carey introduced:

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Chapter 117 of the Laws of North Dakota for the Year 1919, Relating to the Nomination and Election of all Elective County Officers, Judges of the Supreme and District Courts, State Superintendent of Public Instruction, and County Superintendent of Schools, without Requiring a Declaration as to Party Affiliation, and a Separate Ballot for County Officials and Extending the Law so as to Apply to all State Officials and Members of the Legislature; Changing Petition Requirement and Providing for Filling of Vacancies and for Designation of Principles Supported by Candidates for State and Legislative Office.

Was read the first and second time and referred to the Committee on Elections.

Senator Stevens moved that one thousand extra copies of Senate Bill No. 233 be printed.

Which motion prevailed.

THIRD READING OF SENATE BILLS

Senate Bill No. 31. A Bill for an Act to Amend and Re-enact Section 62, Compiled Laws of 1913, Relating to Legislative Journals.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 48, nays none, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Stevens
Babeock	Hamilton	Olson, Barnes	Storstad
Baird	Ingerson	Olson, Eddy-	Thorson
Baker	Kaldor	Foster	Tofsrud
Benson	Kelsh	Page	Van Camp
Bond	Kretschmar	Patten	Ward
Byrne	Levang	Peck	Wenstrom
Carey	Lynch	Peterson	Whitman
Eastgate	McCoy	Ployhar	Whitmer
Ettestad	McLachlin	Porter	Wog
Flecken	Magnuson	Rusch	
Garberg	Martin	Sperry	
Gardiner	Murphy	Steel	

Absent and not voting:

Messrs.
Miklethun

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Senator Kelsh moved to amend Senate Bill No. 20 by striking out in the printed bill on page 2 section 5 in lines 4 and 5 the following:

"Allowed or paid for damage to any crop after it is cut nor shall any indemnity be"

Which motion was lost.

Senator Kretschmar moved to amend by inserting on page 2, section 3, line 18 after "1920" the following:

"By vouchers issued by him and approved by the State Auditing Board."

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 20. A Bill for an Act to Amend and Re-enact Sections 3, 5, 9, 12, 13, 15, 16, 17, 20, 26 and 27 of Chapter 160 of the Session Laws of North Dakota as Amended by Chapter 38 of the Special Session Laws of the Sixteenth Legislative Assembly of the State of North Dakota, as Amended and Re-enacted by Chapter 77 of the Session Laws of North Dakota for the Year 1921, Relating to State Hail Insurance.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 42, nays 6, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Olson, Barnes	Stevens
Babeock	Hamilton	Olson, Eddy-	Storstad
Baird	Ingerson	Foster	Thorson
Baker	Kaldor	Patten	Tofsrud
Benson	Levang	Peck	Van Camp
Byrne	Lynch	Peterson	Ward
Eastgate	McCoy	Ployhar	Wenstrom
Eltestad	Magnuson	Porter	Whitman
Fleekten	Marthn	Rusch	Whitmer
Garberg	Murphy	Sperry	Wog
Gardiner	Nathan	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bond	Kelsh	McLachlin
Carey	Kretschmar	Page

Absent and not voting:

Messrs.
Miklethun

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 69. A Bill for an Act to Appropriate the Sum of Two Thousand Eight Hundred Eighty-Two and 3-100 Dollars (\$2,882.03) for the Purpose of Charging Off Losses Resulting to the State on Account of the Failure, in the Year 1909, of the First National Bank of Rugby, Rugby, North Dakota, and the Barton State Bank, Barton, North Dakota.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 79. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 50. A Bill for an Act to Amend and Re-enact Sections 1, 2, 9 and 13 of Chapter 97, Session Laws, 1921, Relating to Legislation to Prohibit Intoxicating Liquors and Beverages and Property Intended for the Manufacture of Same, Prohibiting the Transportation of Liquor and Providing for the Forfeiture of Property Used for the Transportation of Same; to Provide for its Enforcement and Penalty.

Was read the first and second time and referred to the Committee on Temperance.

House Bill No. 35. A Bill for an Act to Repeal Section 3522 of the Compiled Laws of North Dakota for the Year 1913, Providing for Livery Allowed Sheriffs.

Was read the first and second time and referred to the Committee on State Affairs.

House Bill No. 34. A Bill for an Act to Repeal Section 3522 of the Compiled Laws of North Dakota for the Year 1913, Providing for Livery Allowed Sheriffs.

Was read the first and second time and referred to the Committee on State Affairs.

House Bill No. 73. A Bill for an Act to Provide for the Election of Directors of Building and Loan Association for the Term of Three Years.

Was read the first and second time and referred to the Committee on State Affairs.

Senate Bill No. 31 was messaged to the House.

The courtesies of the floor were extended to Mrs. Browyne Knutson of Bottineau; Miss Larson of Stanley; Thos. H. Pugh, and R. V. Boulger of Dickinson; A. M. Kraabel of Fessenden; Faith Stevens, of Ellendale; Paul

Meisner of Tolna; G. A. Bietz, of Ashley; Ole Dalos, Henry Rochnloin of McClusky; David Fenck of Mercer; Mrs. Rugg of Bowman; W. P. Robbins of Bismarck, John Hogan, Alex. Bruce and Mrs. A. G. Divet of Fargo; H. N. Klev.

Senator Storstad moved that the Senate do now adjourn.

Which motion prevailed.

W. E. PARSONS,
Secretary.

THIRTIETH DAY

Senate Chamber,
Bismarck, N. D.
January 31, 1923.

The Senate convened at 2:00 o'clock P. M., the President Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. L. R. Johnson.

The roll was called, all Senators present.

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

Mr. President: Your committee on revision and correction of the Journal have carefully examined the Journal of the 29th day and recommend that the same be corrected as follows:

On page 3, line 19, strike out "made the following."

On page 3, line 31, strike out "made the following."

On page 3 line 46 strike out "made the following."

In page 4, line 15, strike out "made the following."

On page 4, line 30, strike out "made the following."

On page 4, line 44, strike out "made the following."

On page 8, strike out all of lines 2 and 3.

On page 9, line 6, correct spelling of "therefore."

On page 8, line 35, correct spelling of "whereas."

On page 16, lines 32 and 33 strike out "as amended."

On page 19 after line 50 add "Laws of 1913 for North Dakota."

On page 20 strike out all of line 2.

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS.

Senator Miklethun presented a communication from the Board of Directors of the Red River Valley Telephone Company which was referred to the Committee on Taxes and Tax Laws.

Senator Kelsh presented communications from the Oakes Gun Club, which was referred to the Committee on Game and Fish.

Senator Rusch presented a communication from the North Dakota Implement Dealers' Association, and moved that the same be printed in the Journal.

NORTH DAKOTA IMPLEMENT DEALERS' ASSOCIATION

Member of National Federation

Office of Secretary, Hope, N. D.

To Members of the Legislative Assembly:

At our annual convention, held in Fargo last week, several matters were acted upon that effect legislation, and we are therefore presenting them to you, as a member of our Legislative Assembly, for your best consideration.

Crop Mortgages—The convention went on record as opposed to any material change at this time in the crop mortgage laws. When Congress, the States, and all financial and business interests are striving to expand the farmer's credit facilities, it would seem a very unwise thing to thus restrict his right of contract. We venture the assertion that there are thousands of cases where creditors are granting another year's extension of time, through the hope of getting some payment from a crop mortgage on a piece of crop for 1923. Granting there may be abuse here and there, it appears to us that action may be taken (if House Bill is passed) that will injure 95 where it will benefit 5. If the present provision that requires a receipted copy be given mortgagor did not protect him against insertion of crop security without his knowledge, our organization would not oppose the bill for separate mortgage blank, for we stand for nothing that savors of unscrupulous practices.

Wide Sled Law—The association went on record as favoring the repeal of the present law. Minnesota has tried it out and already this session of their legislature has passed a repeal bill. There is no possible way that shipment of narrow sleds into the state can be prevented, and, we realize fully that it is almost an impossibility to enforce a law against the use of narrow sleds. As it now stands outsiders are selling them, the resident cannot sell anything but a 54 inch type. If the wide sled has superior merits, it will come into general use of its own accord, as did the wide tire wagon. In connection with this law (and the crop mortgage law) why is it necessary to tell the farmer that he cannot use his right of contract, cannot use a vehicle suited to his needs, cannot do this or that? Our observation is that he is competent to determine his own business needs.

Regarding Taxes—The convention favored legislation that would prevent the state and all subdivisions from levying taxes for 1923 in excess of 75 per cent of those of the last fiscal year. This may appear radical, but those supporting it felt that taxes must be reduced, and the only way to reduce taxes was to reduce taxes. That if left to the boards who spend the money to cut the levies of their own accord, little will be accomplished. If an individual has his salary reduced from \$100 to \$75 per month, he of necessity cuts his expenditures accordingly, but if we wait for the man to cut his own salary, we are liable to wait for some time. Connected with any such action, provisions should be incorporated that will prevent disrupting standards of schools, through temporary adjustment **owing** to passage of such an act. This merits consideration, as one (and possibly the only) way to make any appreciable reduction in taxes.

Transportation Matters—Realizing the tremendous handicap that the country and particularly our state, is up against in this regard, we urge that every possible means be employed to reduce charges, equalize discriminations, and in all ways try and help, up to the limit of the powers granted the state to take action. We believe that steps should be taken to make a thorough survey of the rates, classifications, rules, discriminations, etc., under which our state is laboring, to the end that we may present to the Interstate Commerce Commission a case that will secure relief.

For your most careful consideration of the subjects presented herein, we desire to express, in advance, the appreciation of our organization.

Very truly yours,

North Dakota Implement Dealers Association,
B. S. GROTH, President
R. A. LATHROP, Secretary.

Senator Benson presented a communication from the W. C. T. U. of Rolla, concerning the State Board of Health which was referred to the Committee on Public Health.

Senator Tofsrud presented a communication from the Women's Club of Rugby, which was referred to the Committee on Women's and Children's Welfare.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 20. A Bill for an Act to Amend and Re-enact Sections 3, 5, 9, 12, 13, 15, 16, 17, 20, 26 and 27 of Chapter 160 of the Session Laws of North Dakota as Amended by Chapter 38 of the Special Session Laws of the Sixteenth Legislative Assembly of the State of North Dakota, as Amended and Re-enacted by Chapter 77 of the Ses-

sion Laws of North Dakota for the Year 1921, Relating to State Hail Insurance.

And find the same correctly re-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 4929 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 76 of the Session Laws for the Year 1921, Relating to the Fees to be Paid by Insurance Companies Doing Business in This State.

Also

Senate Bill No. 61. A Bill for an Act amending Sections 728 and 729 of the Compiled Laws of North Dakota for the year 1913 relating to fees in the Supreme Court and their coverage into the State Treasury.

Also

Senate Bill No. 72. A Bill for an Act Requiring all Agents Acting for or on Behalf of any Insurance Company Doing Business in this State to be Licensed, Regulating the Methods, Practices and Transactions of such Agents in Conducting Such Insurance Business, and Providing Penalties for the Violation of any of the Provisions of This Act.

Also

Senate Bill No. 77. A Bill for an Act Making an Appropriation for Per Diem and Expenses of the State Budget Board as Prescribed by Chapter 61 of the Session Laws of North Dakota for 1915.

Also

Senate Bill No. 101. A Bill for an Act Making an Appropriation to Provide for the Payment of Expenses and Fees of Appraisers of Inheritances, Devises, Bequests, Legacies, and Gifts, as Provided for in Section 8991 of the Compiled Laws of 1913 for North Dakota.

Also

Senate Bill No. 102. A Bill for an Act Making an Appropriation to provide Funds to Pay the Necessary Expenses and Reasonable Compensation to Commissioners Appointed in Actions to Release Insane Patients Prescribed by Section 2552 of the Compiled Laws of 1913 for North Dakota.

Also

Senate Bill No. 104. A Bill for an Act Making an Appro-

priation of the Sum of \$5,000.00 for the Biennium, to Pay the Expenses and Per Diem of Agents in the Arrest and Return of Fugitives from Justice as Prescribed by Section 11162 of the Compiled Laws of 1913 of North Dakota.

Also

Senate Bill No. 106. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors as Prescribed by Section 1038 of the Compiled Laws of 1913 for North Dakota.

Also

Senate Bill No. 109. A Bill for an Act to appropriate \$2,000.00 Out of any Monies in the State Treasury Not Otherwise Appropriated for the Purpose of Paying Premiums on State Official Bonds as Provided by Chapter 175 of the Session Laws of North Dakota for 1917.

Also

Senate Bill No. 110. A Bill for an Act Making an Appropriation to Defray the Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of North Dakota for the Year 1913.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang 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. 168. A Bill for an Act to Provide for the Repair of the Whitestone Battlefield Monument Located in the Whitestone Battlefield Park, in Dickey County, North Dakota.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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 to Provide \$300.00 for the Burial Expense of Honorably Discharged Sailors, Soldiers and Marines of the United States War of the Rebellion and Erection of Headstones therefor, as Authorized by Sections 3181, 3182, 3183, and 3184 of the Compiled Laws of North Dakota for 1913.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 138. A Bill for an Act Making an Appropriation of the Sum of \$250.00 for the Biennium, to Defray the Expenses of the State Canvassing Board.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 135. A Bill for an Act Making an Appropriation to pay the Burial Expenses of Inmates of the Penitentiary and Reform School as Provided for Under Section 11302 of the Compiled Laws of 1913 for North Dakota.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 131. A Bill for an Act Making an Appropriation for the Reward and Apprehension of Criminals According to Chapter 200 of the Session Laws of 1917.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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 Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the Attorney General's Department.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 129. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Auditor's Office.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 128. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Survey of Coal Mines Fund.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 126. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Arrest and Return of Fugitives from Justice Fund.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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 to Provide for the Payment of an Existing Deficit in the Miscellaneous Refunds of the State.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 124. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit Incurred in the State Executive Department.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 123. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Treasurer's Office.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 121. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Actions to Release Insane Patients.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 99. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit by the District Judges.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 95. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit by Members of the State Canvassing Board.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 60. A Bill for an Act Appropriating Eight Hundred Fifty-three Dollars and Sixty-one Cents (\$853.61) to Take Care of Deficit in Biennial Appropriation of Department of Insurance.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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 to appropriate \$1,500.00 for the Biennium Out of Any Money in the State Treasury not otherwise Appropriated, for the Purpose of Upkeeping of Ten State Parks.

Have had the same under consideration and recommend that the same be amended as follows:

In title of Bill, after the word "parks" strike out period, add comma and the following words: "and the purchase of additional parks by the State Historical Society."

In Section 1, line 5, of the Printed Bill after the word "parks" strike out period, add comma and the following words: "and the purchase of additional parks by the State Historical Society."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 16. A Bill for an Act to Regulate the Practice of Chiropody in the State of North Dakota, to Provide for the Establishment of a State Board of Chiropody Examiners, to Define the Duties and Powers of Said Board, to Provide for Examining and Registering of Chiropodists in this State, and to Provide Penalties for the Violation of this Act.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 2, line 5, of the printed Bill, after the word "Anesthetic" insert the words "or narcotic."

And when so amended recommend the same do pass.

W. H. PORTER,
Chairman.

Senator Porter 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. 115. A Bill for an Act Entitled, an Act Relating to Sophophora Williamsii or Peyote (Pellote)

and *Agava Americana* (Commonly Known as Mescal); Prohibiting the Use of Possession Thereof, Traffic Therein, and Providing Penalties for the Violation of this Act.

Have had the same under consideration and recommend that the same do pass.

W. H. PORTER,
Chairman.

Senator Porter 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. 55. A Bill for an Act Authorizing the State Department of Health to Establish Full-time Co-operative County Health Units; and Making an Appropriation therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. H. PORTER,
Chairman.

Senator Porter 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. 56. A Bill for an Act Providing for the Acceptance of the Provisions of the Sheppard-Towner Act; Making an Appropriation to Meet the Allotments of the Sheppard-Towner Act; Authorizing State Department of Health to Accept Funds for Infant and Maternal Hygiene Work.

Have had the same under consideration and recommend that the bill be re-referred to the Committee on Appropriations for its consideration as to the appropriation requested; and when approved by said Committee recommend that the same do pass.

W. H. PORTER,
Chairman.

Senator Porter 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. 149. A Bill for an Act to Prohibit Derogatory Statements in Regard to Insurance Companies.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1 of the printed bill, in line 4, after the word "fraternal," insert the word "benefit;" and in line 7 of the same section, before the word "society," insert the word "benefit;"

And when so amended recommend the same do pass.

P. J. MURPHY,
Chairman.

Senator Murphy 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. 53. A Bill for an Act Authorizing the Commissioner of Insurance to Examine Fire Rating Bureaus; Forbidding Discriminatory Rates and Requiring Written Variation to be Filed; Requiring Fire Insurance Companies to Maintain or be Members of Rating Bureau; Providing that Risks be Inspected; Requiring Rating Agreements to be Submitted to Commissioner of Insurance; also Providing for Review by Commissioner of Insurance of Rates Fixed by Bureau, and Proceedings Under Appeal from Order of Commissioner; Penalty for Violation; Exempting County Mutual Companies, and Providing Appropriation for Administration Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. J. MURPHY,
Chairman.

Senator Murphy moved that the report be adopted, which motion was lost.

Senator Baker moved that Senate Bill No. 53 be placed on the Calendar in its regular order.

Which motion prevailed.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred:

Senate Bill No. 114. A Bill for an Act to Amend Sections 9658 and 9659 of the Compiled Laws of 1913 Relating to the Crime of Vagrancy.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2, Section 9659, line 4 of the printed bill, strike out the period, insert in lieu thereof, a comma, and add the following "or by being compelled to work upon the streets or public highways not to exceed twenty days."

And when so amended recommend the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 90. A Bill for an Act to Amend and Re-enact Section 9037 of the Compiled Laws of North Dakota for the Year 1913, Relating to Places of Trial.

Have had the same under consideration and recommend that the same be amended as follows:

On page 1, line 4, of the printed bill, after the words "Section 9037," insert the words "Place of Trial. One Change."

And when so amended recommend the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 33. A Bill for an Act to Repeal Chapter 171 of the Session Laws of 1919 Relating to the Granting of Injunctions in Certain Cases.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator L. R. Baird moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Warehouse and Grain Grading made the following report:

Mr. President: Your committee on Warehouse and Grain Grading to whom was referred:

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 89 of the Session Laws of 1921, Relating to the Furnishing by the Register of Deeds of Each County to Elevators Making Application and Paying the Fee Provided Therefore, of an Abstract of all Mortgages and Liens upon Grain Grown During Each Year, and filed in the Office of the Register of Deeds.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1 of the original bill strike out the figure "\$25.00" and insert in lieu thereof "\$10.00."

And when so amended recommend the same do pass.

A. G. STORSTAD,
Chairman.

Senator Storstad 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. 154. A Bill for an Act to Amend and Re-enact Chapter 121, Session Laws of 1917, Relating to the Issuance of Permits for Breeding or Domestication of Certain Fur Bearing Animals.

Have had the same under consideration and recommend that the same be amended as follows:

In line 23 of Section 1 of the printed bill insert a comma after the word "only" in line 24 strike out the word "and" at the beginning of the line.

Strike out all of lines 40, 41, 42, 43 and 44 inclusive.

And when so amended recommend the same do pass.

J. STEVENS,
Chairman.

Mr. Stevens 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. 152. A Bill for an Act Authorizing the Consolidation or Merger of Banking Associations, Regulating the Procedure and Providing for Supervision Thereof, and Providing a Limitation of Actions.

Have had the same under consideration and recommend that the same do pass.

W. R. BOND,
Chairman.

Senator 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. 37. A Bill for an Act to Repeal Section 1119 of the Compiled Laws of 1913 Relating to the Publica-

tion of the Proceedings of the State Education Association.

Have had the same under consideration and recommend that the same do pass.

ALFRED STEEL,
Chairman.

Senator Steel 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. 62. A Bill for an Act to Amend and Re-enact Section 1136 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 208 of the Session Laws of 1917, and as Amended and Re-enacted by Chapter 104 of the Session Laws of 1919, and as Amended and Re-enacted by Chapter 53 of the Session Laws of 1921, Relating to the Office of County Superintendent of Schools.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ALFRED STEEL,
Chairman.

Senator Steel 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. 71. A Bill for an Act to Amend and Re-enact Chapter 107 of the Session Laws of North Dakota for the Year 1921, Relating to High Schools and Tuition Fees.

Have had the same under consideration and recommend that the same be amended as follows:

In line 8 of Section 2, after the word "resides," add the following: Provided, however, that such tuition shall not be paid to any such school outside the state, if there is within the state a Standardized Graded School or Standardized High School nearer to the said district and more accessible thereto than any such school outside the state.

And when so amended recommend the same do pass.

ALFRED STEEL,
Chairman.

Senator Steel moved that the report be adopted, which which motion prevailed and the report was adopted.

Mr. President: A majority of your committee on Live Stock to whom was referred:

Senate Bill No. 156. A Bill for an Act to Repeal Chapter 31 of the Special Session Laws of 1919 Relating to the

Purchase of Dairy Cattle by Counties.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. A. WARD,
F. F. BABCOCK,
GUST WOG,
CHAS. M. WHITMER,
D. H. HAMILTON,
JOHN NATHAN,
R. W. PATTEN.

Mr. President: A minority of your committee on Live Stock to whom was referred:

Senate Bill No. 156. A Bill for an Act to Repeal Chapter 31 of the Special Session Laws of 1919 Relating to the Purchase of Dairy Cattle by Counties.

Have had the same under consideration and recommend that the same do pass.

J. E. EASTGATE, Chairman.
PETER McLACHLIN,
T. J. KELSH,
C. W. CAREY,

Senator Ward moved that the majority report be adopted.

Senator Eastgate moved to amend by substituting the word "minority" for that of "majority."

Senator Stevens moved that the divided report on the consideration of Senate Bill No. 156 be laid on the table until such time as the printed bill is in.

Which motion prevailed.

House of Representatives,
Bismarck, N. D.
January 31, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 49. A Bill for an Act to Amend and Re-enact Section 1782 of the Compiled Laws of North Dakota for the Year 1913, relating to the Comamndant of the Soldier's Home.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, N. D.
January 31, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 76. A Bill for an Act Appropriating Ten Thousand (\$10,000.00) Dollars to the Bovine Tuberculosis Fund for carrying out the provisions of Article 17—Revised Code 1913 and Amendments thereto, Relating to the Reimbursement of Owners of Tuberculus Cattle.

House Bill No. 90. A Bill for an Act Providing When the Publicity Pamphlet Shall be Printed, and What Matter Shall be Excluded Therefrom, and Repealing All Acts or Parts of Acts in Conflict Therewith.

House Bill No. 93. A Bill for an Act to Appropriate One Thousand Dollars to Provide Funds for the Payment of the Per Diem and Necessary Expenses of the Members of the State Board of Pardons, together with Postage, Telegrams, Telephone Tolls, Printing, and Other Necessary Expenses Incurred by Such Board as Provided for in Section 11108 of the Compiled Laws of 1913 for North Dakota.

FIRST AND SECOND READING OF SENATE BILLS

Mr. Martin introduced:

Senate Bill No. 234. A Bill for an Act to Limit the Payment of the Salaries of Deputies, Clerks and Employees and Providing for the Recovery of State Funds so Paid in Violation of this Act.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Eastgate introduced:

Senate Bill No. 235. A Bill for an Act to Amend and Re-enact Section 2263 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted in Chapter 1 of the Session Laws for the Year 1917, Relating to the Levy of a Tax by County Commissioners to be Used in Carrying on Cooperative Agricultural Extension Work as Defined by this Act and Providing for Referendum by Ballot, Audit of Funds and Disposition of Accumulated Funds.

Was read the first and second time and referred to the Committee on Agriculture.

Mr. Ward introduced:

Senate Bill No. 236. A Bill for an Act Authorizing the Cancellation, Conversion and Exchange of Bonds Issued Under and by Virtue of Chapter 128, Session Laws of 1919.

Was read the first and second time and referred to the Committee on Banks and Banking.

Mr. Wog introduced:

Senate Bill No. 237. A Bill for an Act to Amend and Re-enact Section 10994, Compiled Laws of North Dakota for 1913, Relative to Appeal in Criminal Cases.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Hamilton introduced:

Senate Bill No. 238. A Bill for an Act to Repeal the Initiated Measure Enacted by the People of the State of North Dakota in the General Election on November 2, 1920, Relating to Real Estate Mortgage Loans by the Bank of North Dakota to Actual Farmers Who are Residents of this State.

Was read the first and second time and referred to the Committee on Banks and Banking.

Mr. Magnuson introduced:

Senate Bill No. 239. A Bill for an Act to Amend and Re-enact Section 13 of Chapter 159, Session Laws of 1919, Relating to State Fire and Tornado Insurance and Limiting the Amount of Risk to Be Carried.

Was read the first and second time and referred to the Committee on Insurance.

Mr. Page introduced:

Senate Bill No. 240. A Bill for an Act Relating to Redemption from Mortgage foreclosure or Execution Sales and Providing for a Redemptioner Making a Credit on His Claim Against the Debtor as a Part of the Redemption.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Levang introduced:

Senate Bill No. 241. A Bill for an Act to Amend and Re-enact Section 7036 of the Compiled Laws of North Dakota for 1913, Relating to Protesting Negotiable Instruments.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Steel introduced:

Senate Bill No. 242. A Bill for an Act Amending and Re-enacting Section 1342 of the Compiled Laws of 1913 as Amended by Chapter 141 of the Session Laws of 1915 and by Chapter 206 of the Session Laws of 1917 and Section 1345 of the Compiled Laws of 1913, Relating to Compulsory School Attendance and Providing for the Enforcement Thereof.

Was read the first and second time and referred to the Committee on Education.

SENATE ROLL CALL

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 4929 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 76 of the Session Laws for the Year 1921, Relating to the Fees to Be Paid by Insurance Companies Doing Business 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 ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Nathan	Storstad
Baird	Kaldor	Olson, Barnes	Thorson
Baker	Kelsh	Olson, Eddy-	Tofsrud
Benson	Kretschmar	Foster	Van Camp
Bond	Levang	Page	Ward
Byrne	Lynch	Patten	Wenstrom
Carey	McCoy	Peck	Whitman
Eastgate	McLachlin	Peterson	Whitmer
Ettestad	Magnuson	Ployhar	Wog
Fleckten	Martin	Sperry	
Gardiner	Miklethun	Steel	
Gross	Murphy	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Porter	Rusch
Garberg			

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 61. A Bill for an Act amending Sections 728 and 729 of the Compiled Laws of North Dakota for the year 1913 relating to fees in the Supreme Court and their coverage into the State Treasury.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays 3, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Miklethun	Sperry
Babcock	Gross	Murphy	Steel
Baird	Hamilton	Olson, Barnes	Stevens
Baker	Ingerson	Olson, Eddy-	Storstad
Benson	Kaldor	Foster	Thorson
Bond	Kelsh	Page	Tofsrud
Byrne	Kretschmar	Patten	Van Camp
Carey	Levang	Peck	Ward
Eastgate	Lynch	Peterson	Whitman
Ettestad	McCoy	Ployhar	Whitmer
Fleckten	McLachlin	Porter	Wog
Garberg	Magnuson	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Martin	Nathan	Wenstrom

So the bill passed and the time was agreed to.

Senator Steel moved to amend Senate Bill No. 72 by striking out the words "in red ink" in lines 12 and 13 of section 6 of the printed bill.

Which motion was lost.

SENATE ROLL CALL

Senate Bill No. 72. A Bill for an Act Requiring all Agents Acting for or on Behalf of any Insurance Company Doing Business in this State to be Licensed, Regulating the Methods, Practices and Transactions of such Agents in Conducting Such Insurance Business, and Providing Penalties for the Violation of any 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 ayes 48, nays 1, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Page	Van Camp
Byrne	Levang	Patten	Ward
Carey	Lynch	Peck	Wenstrom
Eastgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	
Gross	Murphy	Steel	

Those voting in the negative were:

Messrs.
Atkins

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 77. A Bill for an Act Making an Appropriation for Per Diem and Expenses of the State Budget Board as Prescribed by Chapter 61 of the Session Laws of North Dakota for 1915.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 49, nays none, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Page	Van Camp
Byrne	Levang	Patten	Ward
Carey	Lynch	Peck	Wenstrom
Eastgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 101. A Bill for an Act Making an Appropriation to Provide for the Payment of Expenses and Fees of Appraisers of Inheritance, Devises, Bequests, Legacies, and Gifts, as Provided for in Section 8991 of the Compiled Laws of 1913 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 ayes 47, nays 1, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Sperry
Babcock	Hamilton	Murphy	Steel
Baird	Ingerson	Olson, Barnes	Stevens
Benson	Kaldor	Olson, Eddy-	Storstad
Bond	Kelsh	Foster	Thorson
Byrne	Kretschmar	Page	Tofsrud
Carey	Levang	Patten	Van Camp
Eastgate	Lynch	Peck	Ward
Ettestad	McCoy	Peterson	Wenstrom
Fleckten	McLachlin	Ployhar	Whitman
Garberg	Magnuson	Porter	Whitmer
Gardiner	Martin	Rusch	Wog

Those voting in the negative were:

Messrs.
Nathan

Absent and not voting:

Messrs.
Baker

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 102. A Bill for an Act Making an Appropriation to provide Funds to Pay the Necessary Expenses and Reasonable Compensation to Commissioners Appointed in Actions to Release Insane Patients Prescribed by Section 2552 of the Compiled Laws of 1913 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 ayes 47, nays none, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Sperry
Babcock	Hamilton	Nathan	Steel
Baird	Kaldor	Olson, Barnes	Stevens
Benson	Kelsh	Olson, Eddy-	Storstad
Bond	Kretschmar	Foster	Thorson
Byrne	Levang	Page	Tofsrud
Carey	Lynch	Patten	Van Camp
Eastgate	McCoy	Peck	Ward
Ettestad	McLachlin	Peterson	Wenstrom
Fleckten	Magnuson	Ployhar	Whitman
Garberg	Martin	Porter	Whitmer
Gardiner	Miklethun	Rusch	Wog

Absent and not voting:

Messrs.	Messrs.
Baker	Ingerson

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 104. A Bill for an Act Making an Appropriation of the Sum of \$5,000.00 for the Biennium, to Pay the Expenses and Per Diem of Agents in the Arrest and Return of Fugitives from Justice as Prescribed by Section 11162 of the Compiled Laws of 1913 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 ayes 47, nays none, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Sperry
Babcock	Hamilton	Nathan	Steel
Baird	Kaldor	Olson, Barnes	Stevens
Benson	Kelsh	Olson, Eddy-	Ettestad
Bond	Kretschmar	Foster	Thorson
Byrne	Levang	Page	Tofsrud
Carey	Lynch	Patten	Van Camp
Eastgate	McCoy	Peck	Ward
Ettestad	McLachlin	Peterson	Wenstrom
Fleckten	Magnuson	Ployhar	Whitman
Garberg	Martin	Porter	Whitmer
Gardiner	Miklethun	Rusch	Wog

Absent and not voting:

Messrs.	Messrs.
Baker	Ingerson

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 106. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors as Prescribed by Section 1038 of the Compiled Laws of 1913 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 ayes 48, nays 1, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Stevens
Babcock	Ingerson	Olson, Barnes	Storstad
Baird	Kaldor	Olson, Eddy-	Thorson
Baker	Kelsh	Foster	Tofsrud
Benson	Kretschmar	Page	Van Camp
Bond	Levang	Patten	Ward
Byrne	Lynch	Peck	Wenstrom
Carey	McCoy	Peterson	Whitman
Eastgate	McLachlin	Ployhar	Whitmer

Messrs.	Messrs.	Messrs.	Messrs.
Ettestad	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	
Gross	Murphy	Steel	

Those voting in the negative were:

Messrs.
Fleckten

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 109. A Bill for an Act to Appropriate \$2,000.00 Out of any Monies in the State Treasury Not Otherwise Appropriated for the Purpose of Paying Premiums on State Official Bonds as Provided by Chapter 175 of the Session Laws of North Dakota for 1917.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 49, nays none, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Page	Van Camp
Byrne	Levang	Patten	Ward
Carey	Lynch	Peck	Wenstrom
Eastgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 110. A Bill for an Act Making an Appropriation to Defray the Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of North Dakota for the Year 1913.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays 4, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Stevens
Babcock	Hamilton	Olson, Barnes	Storstad
Baird	Ingerson	Olson, Eddy-	Thorson
Baker	Kaldor	Foster	Tofsrud
Benson	Kelsh	Page	Van Camp
Bond	Kretschmar	Peck	Ward
Byrne	Levang	Peterson	Wenstrom
Carey	Lynch	Ployhar	Whitman
Eastgate	McCoy	Porter	Whitmer

Messrs.	Messrs.	Messrs.	Messrs.
Ettestad	McLachlin	Rusch	Wog
Garberg	Magnuson	Sperry	
Gardiner	Miklethun	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Martin	Nathan	Patten

So the bill passed and the title was agreed to.

Baker: I wish to explain my vote. I believe the bill is a good bill but it seems that there should be something to protect the Democrats from having their whole fund stolen as it was before, but since there are so few Democrats left I will let it go. I vote aye.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 76. A Bill for an Act Appropriating Ten Thousand (\$10,000.00) Dollars to the Bovine Tuberculosis Fund for Carrying out the Provisions of Article 17—Revised Code of 1913 and Amendments thereto, Relating to the Reimbursement of Owners of Tuberculous Cattle.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 90. A Bill for an Act Providing When the Publicity Pamphlet Shall be Printed, and What Matter Shall be Excluded Therefrom, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Was read the first and second time and referred to the Committee on State Affairs.

House Bill No. 93. A Bill for an Act to Appropriate One Thousand Dollars to Provide Funds for the Payment of the Per Diem and Necessary Expenses of the Members of the State Board of Pardons, together with Postage, Telegrams, Telephone Tolls, Printing, and Other Necessary Expenses Incurred by Such Board as Provided for in Section 11108 of the Compiled Laws of 1913 for North Dakota.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 101. A Bill for an Act Making an Appropriation of Eleven Hundred and Forty Dollars (\$1140.00) to Pay the Expenses of a State Board of Veterinary Medical Examiners as authorized Under Section 2711 to 2720, inclusive, of the Compiled Laws of 1913 for North Dakota.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 103. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 108. A Bill for an Act Making an Appropriation to Provide for Compensation and Expenses of the Board of Trustees of the State Live Stock Sanitary Board.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 113. A Bill for an Act Appropriating Funds to Indemnify Owners of Animals Infected with Bovine Tuberculosis.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 49. A Bill for an Act to Amend and Re-enact Section 1188 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Organization of Schools by Petition.

Was read the first and second time and referred to the Committee on Education.

House Bill No. 60. A Bill for an Act Prohibiting any Person from Driving or Operating a Motor Truck of More than Five Tons Carrying Capacity Upon any Public Highway, Street or Avenue in the State.

Was read the first and second time and referred to the Committee on Cities and Municipal Corporations.

MESSAGE FROM HOUSE

House of Representatives,
Bismarck, N. D.
January 31, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 101. A Bill for an Act Making an Appropriation of Eleven Hundred and Forty Dollars (\$1140.00) to Pay the Expenses of a State Board of Veterinary Medical Examiners as authorized Under Section 2711 to 2720, inclusive, of the Compiled Laws of 1913 for North Dakota.

House Bill No. 103. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

House Bill No. 108. A Bill for an Act Making an Appropriation to Provide for Compensation and Expenses of the Board of Trustees of the State Live Stock Sanitary Board.

House Bill No. 113. A Bill for an Act Appropriating Funds to Indemnify Owners of Animals Infected with Bovine Tuberculosis.

House Bill No. 49. A Bill for an Act to Amend and Re-enact Section 1188 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Organization of Schools by Petition.

House Bill No. 60. A Bill for an Act Prohibiting any Person from Driving or Operating a Motor Truck of More than Five Tons Carrying Capacity Upon any Public Highway, Street or Avenue in the State.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

The Senate returned to the Sixth Order of Business.

Senator Gardiner moved to adopt the Committee report on the Jackson Resolution, as printed in the Journal of January 30, 1923.

Senator Ployhar moved for a call of the Senate.

A call of the Senate was taken.

Senator Ingerson moved to amend the Jackson Resolution by striking out on page 9 of the printed Journal of January 30, the remainder of the paragraph after the word "price" in line 24.

Which motion prevailed.

The question now being on the motion to adopt the report as amended the motion prevailed.

Senator Baird asked for unanimous consent to return to the Eighth Order of Business. There being no objections, the Senate took up the Eighth Order of Business.

Senator Baird moved for an extension of time on Senate Bill No. 38.

Which motion prevailed.

Senator Peterson moved for an extension of time on Senate Bills No. 44, 45, 46.

Which motion prevailed.

The courtesies of the floor were extended to Messrs. Jacob Nathan of Coal Harbor; H. M. Stroud, of Wembleton; A. M. Waller of Minot; W. H. Barnett of Fargo; Dalton McDonald, of Towner; Gerald P. Nye of Cooperstown; Geo. E. Duis, J. D. Wilde, and J. W. Wilkerson of Grand Forks; Fred Shiermeister of Hazelton; J. P. Williams of Fargo; T. E. Beals, Leo McKeever, Henry Hogue and Pat Daly of Dickinson; Ludwig Krein and Jacob Felchle of Goodrich; and Mary E. Stannard of Bowbells; Bertha Tweed of Crosby; Agnes Jones of Hettinger.

Senate Bills Nos. 20, 59, 61, 72, 77, 101, 102, 104, 106, 109,, 110 were messaged to the House.

Senator Peterson moved that the Senate do now recess until 1:30 P. M. February 1, 1923.

Which motion prevailed.

W. E. PARSONS,
Secretary.

THIRTIETH DAY AFTER RECESS, AND THIRTY-FIRST
DAY.

Senate Chamber,
Bismarck, N. D.
February 1, 1923.

The Senate re-assembled at 1:30 o'clock P. M., pursuant to recess taken, the president, Frank H. Hyland, presiding.

FIRST AND SECOND READING OF SENATE BILLS

Mr. Eastgate introduced:

Senate Bill No. 243. A Bill for an Act to Safeguard the Business of Beekeeping Against Contagious and Infectious Diseases; Defining Apiaries; Providing for State Inspection Under the Direction and Control of the Commissioner of Agriculture and Labor; Prohibiting the Sale, Barter, Offer of Sale or Barter, Moving, Transportation, Shipping or Offering for Shipping or Transportation, of any Bees, Brood, Comb or Beekeeping Appliances That are Infected; Providing for the Proper Certification of Shipments into the State, and the Reporting of Such Shipments by the Purchaser or Importer; Fixing Penalties for Violation.

Was read the first and second time and referred to the Committee on Agriculture.

Mr. Van Camp introduced:

Senate Bill No. 244. A Bill for an Act to Amend and Re-enact Section 4799 of the Compiled Laws of the State of North Dakota for 1913, Relating to Free Passes, Franks and Special Privileges Prohibited and Exceptions.

Was read the first and second time and referred to the Committee on Immigration.

Mr. Kaldor introduced:

Senate Bill No. 245. A Bill for an Act Relating to the Assessment of Telephone Property, Providing for a Tax on Gross Earnings of Telephone Companies in Lieu of the General Property Tax on the Property of Such Companies Used Exclusively in Connection with the Operation of their Telephone Business, and in Lieu of the Tax Upon the Shares of Stock of Such Companies; Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

Mr. Ettestad introduced:

Senate Bill No. 246. A Bill for an Act to Amend and Re-enact Section 1218 of the Compiled Laws of North Dakota, Relating to Report and Annual Statement of School Districts, as Amended by Chapter 50 of the Special Session Laws of 1918.

Was read the first and second time and referred to the Committee on Agriculture.

Mr. Eastgate introduced:

Senate Bill No. 247. A Bill for an Act to Repeal Chapter 173 of the Session Laws of the State of North Dakota for the Year 1919, Being an Act Requiring the Label of the International Typographical Union to Be Placed Upon all Public Printing of the State of North Dakota and Providing Penalties for the Violation Thereof.

Was read the first and second time and referred to the Committee on Public Printing.

Senator Kelsh moved that the Senate do now adjourn.

Which motion prevailed.

THIRTY-FIRST DAY

The Senate convened at 2:00 o'clock P. M., the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. L. R. Johnson.

Roll was called, all Senators being present.

Mr. President: Your committee on revision and correction of the Journal have carefully examined the Journal of the 30th day and recommend that the same be corrected as follows:

On page 3, line 28, correct spelling of "Commerce."

On page 10, last line, correct spelling of "Lophophora."

On page 19, line 20, correct spelling of "voting."

On page 21, line 29, correct spelling of "voting."

On page 22, line 2, and line 30, correcting spelling of "voting."

On pages 25, 27, and 29, correct date of Journal.

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

The Secretary read a communication from J. H. Johnson, Pierre, South Dakota, enclosing a Concurrent Resolution adopted by the South Dakota Legislature, which Resolution was referred to the Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Section 1782 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Commandant of the Soldier's Home.

And find the same correctly enrolled.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 16. A Bill for an Act to Regulate the Practice of Chiropody in the State of North Dakota, to Provide for the Establishment of a State Board of Chiropody Examiners, to Define the Duties and Powers of Said Board, to Provide for Examining and Registering of Chiropodists in this State, and to Provide Penalties for the Violation of this Act.

Also

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 89 of the Session Laws of 1921, Relating to the Furnishing by the Register of Deeds of Each County to Elevators Making Application and Paying the Fee Provided Therefore, of an Abstract of all Mortgages and Liens upon Grain Grown During Each Year, and filed in the Office of the Register of Deeds.

Also

Senate Bill No. 37. A Bill for an Act to Repeal Section 1119 of the Compiled Laws of 1913 Relating to the Publication of the Proceedings of the State Education Association.

Also

Senate Bill No. 53. A Bill for an Act Authorizing the Commissioner of Insurance to Examine Fire Rating Bureaus; Forbidding Discriminatory Rates and Requiring Written Variation to be Filed; Requiring Fire Insuranc

Companies to Maintain or be Members of Rating Bureau; Providing that Risks be Inspected; Requiring Rating Agreements to be Submitted to Commissioner of Insurance; also Providing for Review by Commissioner of Insurance of Rates Fixed by Bureau, and Proceedings Under Appeal from Order of Commissioner; Penalty for Violation; Exempting County Mutual Companies, and Providing Appropriation for Administration Thereof.

Also

Senate Bill No. 60. A Bill for an Act Appropriating Eight Hundred Fifty-three Dollars and Sixty-one Cents (\$853.61) to Take Care of Deficit in Biennial Appropriation of Department of Insurance.

Also

Senate Bill No. 71. A Bill for an Act to Amend and Re-enact Chapter 107 of the Session Laws of North Dakota for the Year 1921, Relating to High Schools and Tuition Fees.

Also

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 9037 of the Compiled Laws of North Dakota for the Year 1913, Relating to Places of Trial.

Also

Senate Bill No. 95. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit by Members of the State Canvassing Board.

Also

Senate Bill No. 99. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit by the District Judges.

Also

Senate Bill No. 114. A Bill for an Act to Amend Sections 9658 and 9659 of the Compiled Laws of 1913 Relating to the Crime of Vagrancy.

Also

Senate Bill No. 115. A Bill for an Act Entitled, an Act Relating to *Lophophora Williamsii* or Peyote (Pellote) and *Agava Americana* (Commonly Known as Mescal); Prohibiting the Use of Possession Thereof, Traffic Therein, and Providing Penalties for the Violation of this Act.

Also

Senate Bill No. 121. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Actions to Release Insane Patients.

Also

Senate Bill No. 123. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Treasurer's Office.

Also

Senate Bill No. 124. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit Incurred in the State Executive Department.

Also

Senate Bill No. 125. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Miscellaneous Refunds of the State.

Also

Senate Bill No. 126. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Arrest and Return of Fugitives from Justice Fund.

Also

Senate Bill No. 128. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Survey of Coal Mines Fund.

Also

Senate Bill No. 129. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Auditor's Office.

Also

Senate Bill No. 130. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the Attorney General's Department.

Also

Senate Bill No. 131. A Bill for an Act Making an Appropriation for the Reward and Apprehension of Criminals According to Chapter 200 of the Session Laws of 1917.

Also

Senate Bill No. 135. A Bill for an Act Making an Appropriation to Pay the Burial Expenses of Inmates of the Penitentiary and Reform School as Provided for Under Section 11302 of the Compiled Laws of 1913 for North Dakota.

Also

Senate Bill No. 138. A Bill for an Act Making an Appropriation of the Sum of \$250.00 for the Biennium, to Defray the Expenses of the State Canvassing Board.

Also

Senate Bill No. 139. A Bill for an Act to Provide \$300.00 for the Burial Expense of Honorably Discharged Sailors, Soldiers and Marines of the United States War of the Rebellion and Erection of Headstones Therefor, as Authorized by Sections 3181, 3182, 3183, and 3184 of the Compiled Laws of North Dakota for 1913.

Also

Senate Bill No. 140. A Bill for an Act to appropriate \$1,500.00 for the Biennium Out of Any Money in the State Treasury not otherwise Appropriated, for the Purpose of Upkeeping of Ten State Parks.

Also

Senate Bill No. 149. A Bill for an Act to Prohibit Derogatory Statements in Regard to Insurance Companies.

Also

Senate Bill No. 152. A Bill for an Act Authorizing the Consolidation or Merger of Banking Associations, Regulating the Procedure and Providing for Supervision Thereof, and Providing a Limitation of Actions.

Also

Senate Bill No. 154. A Bill for an Act to Amend and Re-enact Chapter 121, Session Laws of 1917, Relating to the Issuance of Permits for Breeding or Domestication of Certain Fur Bearing Animals.

Also

Senate Bill No. 168. A Bill for an Act to Provide for the Repair of the Whitestone Battlefield Monument Located in the Whitestone Battlefield Park, in Dickey County, North Dakota.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang 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. 51. A Bill for an Act Fixing Publication Fees for Printing Delinquent Tax Lists, School Treasurer's Reports, and County Commissioners' Proceedings.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything in the printed bill after the words "A Bill" and insert the following:

For an Act to Amend and Re-enact Section 3540 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 93, Session Laws of 1921, Relating to the Fees Paid to Newspapers for the Publication of Legal Notices.

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

Section 1. AMENDMENT. That Section 3540 of the Compiled Laws of 1913 is hereby amended and re-enacted to read as follows:

Section 3540. PAY REQUIRED. The fees to be paid to newspapers for the publication of all notices and publications that are now required or hereafter may be required by law to be published by county officers; all summons, citations, notices, orders and other processes in actions or proceedings in the supreme, district, county or justice courts of the state, which are or hereafter may be required by law to be published; all publications of **every nature** that are now or hereafter may be required to be published by state officers, elective or appointive; all notices of foreclosure of real estate or chattel mortgages or other liens on real estate or personal property foreclosed by advertisement; all notices required to be published by the cities, villages, townships, school districts and other political subdivisions of the state and the officers thereof; and all legal notices of whatsoever kind or character required by law to be published shall be as follows: Nine cents per counted lines of nonpareil type for the first insertion and six cents per counted line of nonpareil type for each subsequent insertion, or seven cents per counted line of brevier type for the first insertion and five cents per counted line for each subsequent insertion. All tabulated matter, leader work, or work containing one column of figures shall be figured at one and one-half times the rate for straight matter on first publication, and all tabulated matter with two or more columns of figures shall be computed at double the rate for straight matter on first publication. A line shall be construed to mean twelve and one-half or thirteen ems pica in length.

Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 3. EMERGENCY. This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

OLE ETTESTAD,
Chairman.

Senator Ettestad 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. 43. A Bill for an Act to Amend and Re-enact Section 3835 of the Compiled Laws of the State of North Dakota for the Year 1919, Relating to Recall of City Officials Under City or Commission Form of Government

Have had the same under consideration and recommend that the same be amended as follows:

In the title thereof, in the printed and the engrossed bill, strike out the figures "1919" and insert in lieu thereof the figures "1913" and insert after such figures, the words "as Amended and Re-enacted by Chapter 81 of the Session Laws of 1919"; after the words "City Officials," insert the words "in cities"; and after the words "under City", insert the word "Council".

And when so amended recommend the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 55. A Bill for an Act to Amend and Re-enact Section 2861, Compiled Laws of North Dakota for 1913, Relating to Penalty for Violating Dairy Laws.

Have had the same under consideration and recommend that the same be amended as follows:

In paragraph one, insert the words "Section 1. Amendment"; and after the words "SECTION 2861," insert the words "Violation Constitutes Misdemeanor. Penalty".

And when so amended recommend the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 42. A Bill for an Act Prescribing Certain Requisites With Respect to Crop Mortgages Given for Other Than as Rental of Premises or to Secure the Purchase Price of Land, and Making all Crop Mortgages not Executed in Compliance With Such Requirement Void and Not Subject to Being Filed of Record.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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 re-referred:

Senate Bill No. 38. A Bill for an Act to Prescribe a Form of Procedure for the Administration of Express trusts, as Are Defined by Chapter 71 of the Civil Code.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 151. A Bill for an Act to Amend Section 6295 of the Compiled Laws Relating to Trusts and Trusteeships.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 201. A Bill for an Act to Amend and Re-enact Section 5608 of the Compiled Laws of the State of North Dakota for the Year 1913.

Have had the same under consideration and recommend that the same be amended as follows:

After the words "Sec. 5608" insert the words "How Conveyed";

And when so amended recommend the same do pass.

L. R. BAIRD,

Senator Baird moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Election made the following report:

Mr. President: Your committee on Election to whom was referred:

House Bill No. 47. A Bill for an Act to Amend and Re-enact Section 3854 of the Compiled Laws of North Dakota of 1913, Providing for the Election and Terms of Office of Village Officials.

Have had the same under consideration and recommend that the same do pass.

C. W. CAREY,
Chairman.

Senator Carey moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Election made the following report:

Mr. President: Your committee on Election to whom was referred:

Senate Bill No. 48. A Bill for an Act to Provide Uniform Salaries for Certain County Officers, to Provide for the Payment of the Same, for the Employment and Payment of Deputies and Clerk Hire in Such Offices, the Collection and Deposit of Official Fees, and the Repeal of Certain Laws.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. CAREY,
Chairman.

Senator Carey moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President A majority of your committee on Election to whom was referred:

Senate Bill No. 11. A Bill for an Act to Amend and Re-enact Sections 869 and 983 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 119, Session Laws of 1919, Relating to the Opening and Closing of Polls in Primary and General Elections.

Have had the some under consideration and recommend that the same do pass.

C. W. CAREY,
Chairman.

Mr. President: A minority of your committee on Elections to whom was referred:

Senate Bill No. 11. A Bill for an Act to Amend and Re-enact Sections 869 and 983 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 119, Session Laws of 1919, Relating to the Opening and Closing of Polls in Primary and General Elections.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN MIKLETHUN,

Senator Carey moved to adopt the majority report.

Senator Miklethun moved to amend by substituting the word "minority" for that of "majority."

Which motion was lost.

The question being on the motion of Senator Carey, the motion prevailed.

The committee on Public Health made the following report:

Mr. President: Your committee on Public Health to whom was referred:

Senate Bill No. 54. A Bill for an Act to Provide for a State Department of Health; a Public Health Advisory Council; Working Divisions and Employees; Office Space; Making an Appropriation Therefor; Repealing Sections 397, 398, 401, and 403, Compiled Laws of 1913, Declaring Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2, of Section 7 of the printed Bill, after the word "housing" insert the words "and maintaining."

And when so amended recommend the same be re-referred to the Committee on Appropriations for its consideration as to the appropriation requested, and if approved by said Committee, recommend that the same do pass.

W. H. PORTER,
Chairman.

Senator Porter moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Election made the following report:

Mr. President: Your committee on Elections to whom was referred:

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 1104 of the Compiled Laws of the State of North Dakota for the year 1913, Relating to What Cities and Villages Shall Register Before Any General Election or Annual City Election.

Have had the same under consideration and recommend that the same be amended as follows:

Section 1104 in line five after the word "ARTICLE" strike out balance of the Section and insert in lieu thereof "All cities and villages containing fifteen hundred or more inhabitants, according to either the last State or Federal census, shall be subject to the provisions of this article."

And when so amended recommend the same do pass.

C. W. CAREY,
Chairman.

Senator Carey moved that the report be adopted, which motion prevailed and the report was adopted.

SENATE RESOLUTION

Introduced by J. E. Eastgate

WHEREAS, the Senate is without sufficient information

and knowledge as to the true condition of the office of State Engineer and Secretary to the State Highway Commission of the State of North Dakota and the business and conduct of such office and Department; and

WHEREAS, adequate authentic information in respect to such subject matter is not immediately available to the Senate from Public Reports or other Sources ;and

WHEREAS, it is highly necessary and desirable that the Senate be promptly and fully advised in the premises, in order that pending legislation in respect thereto, may be properly considered by this body;

THEREFORE, BE IT RESOLVED, That the President of the Senate appoint a special Senate Committee, to consist of three members of this body, to examine and investigate such office and department and the conduct thereof, and make a full report to this body as soon as possible. To that end, such committee shall have full power and authority to subpoena witnesses and require their testimony under oath, if the committee so decides, and may require the giving of any information that will aid in their work, by any official or employee of said office or Department, and shall have the power to require any and all books, files and other records of said office or Department, to be produced before it for examination in respect to the subject of such investigation, and shall have authority to procure the aid and assistance as the Committee may deem necessary and advisable.

Senator Eastgate moved the adoption of the resolution.

Which motion prevailed, and the President appointed as such committee Senators Eastgate, Byrne and Lynch.

CONCURRENT RESOLUTION

Introduced by Mr. Gardiner

WHEREAS, both the Popular and the Authenticated editions of the 1919 Session Laws, have been exhausted; and

WHEREAS, there is a great demand for this publication of session laws, by the people of our own state, as well as people of neighboring states, because of their peculiar importance.

THEREFORE, BE IT RESOLVED, by the Senate and House of Representatives of the Eighteenth Legislative Assembly, that the Secretary of State, be authorized to republish the 1919 Session Laws in Popular Edition form, to the number of five hundred copies, and that these books shall be sold to the public at as near the cost of production, as will recompense the State for the publication cost, and be it further resolved, that the cost of re-publishing these laws, shall be paid out of the Legislative Expense Fund.

Which was referred to the Committee on Public Printing.

Senator Bond moved that the rules be suspended and that the majority of the Banks and Banking committee be

granted permission to introduce a bill carrying an appropriation.

Which motion prevailed, and Senator Bond sent Senate Bill No. 250 to the desk.

MESSAGE FROM THE HOUSE

House Chamber,
Bismarck, North Dakota,
February 1, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 75. A Bill for an Act Legalizing and Validating Certain Acts of City Officials with Reference to Electric Light or Distribution Systems.

Senate Bill No. 66. A Bill for an Act to Amend and Re-enact Section 844 of the Compiled Laws of North Dakota for the Year 1913.

Senate Bill No. 33. A Bill for an Act to Amend and Re-enact Sections 5605, 5607 and 5611 of the Compiled Laws of the State of North Dakota for the Year 1913, Defining the Homestead Exemption.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Bismarck, North Dakota,
February 1, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 2104 of the Compiled Laws of the State of North Dakota for 1913 Relating to Range Stock and Where Listed for the Purpose of Taxation.

House Bill No. 102. A Bill for an Act to Appropriate Ten Thousand Dollars (\$10,000.00) to Aid in the Educational Work being carried on by the North Dakota Anti-Tuberculosis Association, and the Prevention of the Spread of Tuberculosis More Definitely Prescribed in Chapter 7 of the Session Laws of North Dakota.

House Bill No. 71. A Bill for an Act to Amend and Re-enact Section 6815 of the Compiled Laws of North Dakota for 1913 Relating to the Filing of Intention to File Mechanics' Lien.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

The Senate returned to the Sixth Order of Business.

REPORTS OF STANDING COMMITTEES

The committee on Taxes and Tax Laws presented a divided report on Senate Bill No. 21.

Senator Thorson moved that the rules be suspended and that the amendments be printed in the Journal.

Which motion prevailed.

Senator Stevens moved that further consideration of the Committee Report on Senate Bill No. 21 be postponed subject to the call of the President.

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. 89. A Bill for an Act Relating to What Shall be Carried as "Consolidated Tax Account," and Repealing Section 2274, Compiled Laws of 1913 as Amended by Chapter 253, Session Laws of 1915.

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.

P. O. THORSON,
Chairman.

Senator Thorson 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. 150. A Bill for an Act to Repeal Chapter 222 of the Session Laws of the State of North Dakota for the Year 1919, Being an Act Providing for a Tax on Shares of Stock and Bonds of Corporations Organized or Doing Business in this State.

Have had the some under consideration and recommend that the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

SIGNING OF BILLS.

The Secretary announced that the President was about to sign:

Senate Bill No. 49. A Bill for an Act to Amend and Re-enact Section 1782 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Commandant of the Soldiers' Home.

And the President signed the same in the presence of the Senate.

FIRST AND SECOND READING OF SENATE BILLS

Mr. Martin introduced:

Senate Bill No. 248. A Bill for an Act to Amend and Re-enact Sections 7753, Sections 7754 and 7758 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 223 of the Laws of North Dakota for the Year 1915 and as Amended by Chapter 109 of the Laws of North Dakota for the Year 1917; Section 7762 of the Compiled Laws of North Dakota for the Year 1913, Relating to Redemption from Sales of Real Estate Under Execution and Foreclosure and the Rate of Interest to be Charged Thereon.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Sperry introduced:

Senate Bill No. 249. A Bill for an Act to Repeal Chapter 168, Session Laws of North Dakota for 1919, Being an Act to Regulate the Operation of all Coal Mines in the State of North Dakota; to Provide for Their Inspection; to Create the Office of Coal Mining Inspector; to Fix His Qualifications, Duties, Powers and Compensation; to Provide for His Appointment; to Create a Board of Examiners; to Fix its Powers and Compensation; to Provide the Method of Appointment Thereto; to Provide for the Registry, Examination and Issuing of Certificates to Certain Employees of Coal Mines and to Provide for an Appropriation Therefor.

Was read the first and second time and referred to the Committee on Mines and Minerals.

A majority of Banking Committee introduced:

Senate Bill No. 250. A Bill for an Act to Amend and Re-enact Chapter 126 of the Laws of 1917, as Amended by Chapter 110 of the Laws of 1919 and as Further Amended by Chapter 21 of the Laws of 1921.

Was read the first and second time and referred to the Committee on Banks and Banking.

Senator Ward moved to amend Senate Bill No. 16 by striking out all after the words "A Bill" and insert in lieu thereof "It shall be made compulsory that every person

residing in North Dakota shall take a foot bath at least twice a week."

Which motion was lost.

SENATE ROLL CALL

Senate Bill No. 16. A Bill for an Act to Regulate the Practice of Chiropody in the State of North Dakota, to Provide for the Establishment of a State Board of Chiropody Examiners, to Define the Duties and Powers of Said Board, to Provide for Examining and Registering of Chiropodists in this State, and to Provide Penalties 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 ayes 11, nays 38, absent and not voting none.

Those voting aye were:

Messrs.	Messrs.	Messrs.	Messrs.
Gross	McCoy	Thorson	Whitmer
Hamilton	Peck	Van Camp	Wog
Lynch	Pioyhar	Whitman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Fieckten	Martin	Porter
Babeock	Carberg	Mikethun	Rusch
Baird	Gardiner	Murphy	Sperry
Baker	Ingerson	Nathan	Steel
Benson	Kaldor	Olson, Barnes	Stevens
Eond	Kelah	Olson, Eddy-	Storstad
Byrne	Kretschmar	Foster	Tofstad
Carey	Levang	Page	Ward
Eastgate	McLachlin	Patten	Wenstrom
Ettestad	Magnuson	Peterson	

So the bill failed to pass.

Senator McLachlin moved to amend Senate Bill No. 34 by substituting \$15.00 for \$10.00 in line 6 of section 1 Application of the engrossed bill.

Which motion was lost.

SENATE ROLL CALL

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 89 of the Session Laws of 1921, Relating to the Furnishing by the Register of Deeds of Each County to Elevators Making Application and Paying the Fee Provided Therefore, of an Abstract of all Mortgages and Liens upon Grain Grown Each Year, and filed in the Office of the Register of Deeds.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 49, nays none, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Tofsrud
Benson	Kelsh	Foster	Van Camp
Bond	Kretschmar	Page	Ward
Byrne	Levang	Patten	Wenstrom
Carey	Lynch	Peck	Whitman
Eastgate	McCoy	Peterson	Whitmer
Ettestad	McLachlin	Ployhar	Wog
Fleckten	Magnuson	Porter	
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	

So the bill passed and the title was agreed to.

Roll call on the emergency clause was demanded.

The question being on the emergency clause of Senate Bill No. 34, the roll was called and there were ayes 42, nays 7, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Miklethun	Sperry
Babcock	Gross	Murphy	Steel
Baird	Ingerson	Nathan	Stevens
Baker	Kaldor	Olson, Barnes	Storstad
Bond	Kelsh	Olson, Eddy-	Thorson
Byrne	Kretschmar	Foster	Tofsrud
Carey	Levang	Steel	Van Camp
Eastgate	Lynch	Peterson	Ward
Ettestad	McCoy	Ployhar	Wenstrom
Fleckten	McLachlin	Porter	Whitman
Garberg	Magnuson	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Martin	Peck	Wog
Hamilton	Patten	Whitmer	

So the emergency clause carried.

SENATE ROLL CALL

Senate Bill No. 53. A Bill for an Act Authorizing the Commissioner of Insurance to Examine Fire Rating Bureaus; Forbidding Discriminatory Rates and Requiring Written Variation to be Filed; Requiring Fire Insurance Companies to Maintain or be Members of Rating Bureau; Providing that Risks be Inspected; Requiring Rating Agreements to be Submitted to Commissioner of Insurance; also Providing for Review by Commissioner of Insurance of Rates Fixed by Bureau, and Proceedings Under Appeal from Order of Commissioner; Penalty for Violation; Exempting County Mutual Companies, and Providing Appropriation for Administration Thereof.

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 26, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Martin	Patten
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Ettestad	Levang	Olson, Eddy-	Whitmer
Fleckten	Magnuson	Foster	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

So the bill was lost.

Senator Murphy moved that the vote by which Senate Bill No. 53 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 37. A Bill for an Act to Repeal Section 1119 of the Compiled Laws of 1913 Relating to the Publication of the Proceedings of the State Education Association.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 36, nays 12, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Stevens
Babcock	Ingerson	Olson, Eddy-	Storstad
Baird	Kaldor	Foster	Thorson
Bond	Kelsh	Page	Tofsrud
Byrne	Kretschmar	Peterson	Van Camp
Carey	Lynch	Ployhar	Whitman
Eastgate	McCoy	Porter	Wog
Ettestad	McLachlin	Rusch	
Garberg	Magnuson	Sperry	
Gardiner	Martin	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Nathan	Peck
Benson	Levang	Olson, Barnes	Ward
Fleckten	Miklethun	Patten	Wenstrom

Absent and not voting:

Messrs.
Whitmer

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 60. A Bill for an Act Appropriating

Eight Hundred Fifty-three Dollars and Sixty-one Cents (\$853.61) to Take Care of Deficit in Biennial Appropriation of Department of Insurance.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 47, nays none, not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Rusch
Babcock	Hamilton	Murphy	Sperry
Baker	Ingerson	Nathan	Steel
Benson	Ka'dor	Olson, Barnes	Stevens
Bond	Kelsh	Olson, Eddy-	Storstad
Byrne	Kretschmar	Foster	Tofsrud
Carey	Levang	Page	Van Camp
Eastgate	Lynch	Patten	Ward
Ettestad	McCoy	Peck	Wenstrom
Fleckten	McLachlin	Peterson	Whitman
Garberg	Magnuson	Ployhar	Whitmer
Gardiner	Martin	Porter	Wog

Absent and not voting:

Messrs.	Messrs.
Baird	Thorson

So the bill passed and the title was agreed to.

No separate roll having been demanded on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Senator Rusch moved that the rule concerning smoking be suspended and that the members be allowed to smoke for one hour.

Which motion prevailed.

Senator Miklethun moved to amend Senate Bill No. 71 by striking out the words "one and" in section 2 line 12, and also striking off letter "s" from "dollars"; in line 17 strike out the first two words and strike off the letter "s" from the word "dollars."

Which motion was lost.

SENATE ROLL CALL

Senate Bill No. 71. A Bill for an Act to Amend and Re-enact Chapter 107 of the Session Laws of North Dakota for the Year 1921, Relating to High Schools and Tuition Fees.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays 2, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Miklethun	Rusch
Babcock	Gross	Murphy	Sperry
Baird	Hamilton	Nathan	Steel
Baker	Ingerson	Olson, Barnes	Storstad
Benson	Kaldor	Olson, Eddy-	Thorson
Bond	Kelsh	Foster	Tofsrud
Byrne	Levang	Page	Van Camp
Carey	Lynch	Patten	Ward
Eastgate	McCoy	Peck	Wenstrom
Ettestad	McLachlin	Peterson	Whitman
Fleckten	Magnuson	Ployhar	Wog
Garberg	Martin	Porter	

Those voting in the negative were:

Messrs.	Messrs.
Stevens	Whitmer

Absent and not voting:

Messrs.
Kretschmar

So the bill passed and the title was agreed to.

Senator Stevens: Fully believing that no school district can afford to educate children at that price, I vote "No."

SENATE ROLL CALL

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 9037 of the Compiled Laws of North Dakota for the Year 1913, Relating to Places of Trial.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 49, nays none, absent and not voting none.

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Page	Van Camp
Byrne	Levang	Patten	Ward
Carey	Lynch	Peck	Wenstrom
Eastgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 95. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit by Members of the State Canvassing Board.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 48, nays none, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Stevens
Babeock	Ingerson	Olson, Barnes	Storstad
Baird	Kaldor	Olson, Eddy-	Thorson
Baker	Kelsh	Foster	Tofsrud
Benson	Kretschmar	Steel	Van Camp
Fond	Levang	Patten	Ward
Byrne	Lynch	Peck	Wenstrom
Carey	McCoy	Peterson	Whitman
Eastgate	McLachlin	Ployhar	Whitmer
Ettestad	Magnuson	Porter	Wog
Fleekten	Martin	Rusch	
Garberg	Miklethun	Sperry	
Gardiner	Murphy	Steel	

Absent and not voting:

Messrs.
Hamilton

So the bill passed and the title was agreed to.

No separate roll having been demanded on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 99. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit by the District Judges.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 49, naws none, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babeock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Fond	Kretschmar	Steel	Van Camp
Byrne	Levang	Patten	Ward
Carey	Lynch	Peck	Wenstrom
Eastgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Whitmer
Fleekten	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	

So the bill passed and the title was agreed to.

No separate roll having been demanded on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 114. A Bill for an Act to Amend Sections 9658 and 9659 of the Compiled Laws of 1913 Relating to the Crime of Vagrancy.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays 3, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Stevens
Babcock	Gross	Nathan	Storstad
Baird	Hamilton	Olson, Barnes	Thorson
Baker	Ingerson	Olson, Eddy-	Tofsrud
Benson	Kaldor	Foster	Van Camp
Bond	Kelsh	Page	Ward
Byrne	Levang	Peterson	Wenstrom
Carey	Lynch	Ployhar	Whitman
Eastgate	McCoy	Porter	Whitmer
Ettestad	McLachlin	Rusch	Wog
Fleckten	Magnuson	Sperry	
Garberg	Miklethun	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Martin	Patten	Peck

Absent and not voting:

Messrs.
Kretschmar

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 115. A Bill for an Act Entitled, an Act Relating to Lophophora Williamsii or Peyote (Pellote) and Agava Americana (Commonly Known as Mescal); Prohibiting the Use of Possession Thereof, Traffic Therein, and Providing Penalties 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 ayes 47, nays 1, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Sperry
Babcock	Gross	Nathan	Steel
Baird	Hamilton	Olson, Barnes	Stevens
Baker	Ingerson	Olson, Eddy-	Storstad
Benson	Kaldor	Foster	Thorson
Bond	Kelsh	Page	Tofsrud
Byrne	Levang	Patten	Van Camp
Carey	Lynch	Peck	Ward
Eastgate	McCoy	Peterson	Wenstrom
Ettestad	McLachlin	Ployhar	Whitman
Fleckten	Magnuson	Porter	Whitmer
Garberg	Miklethun	Rusch	Wog

Those voting in the negative were:

Messrs.
Martin

Absent and not voting:

Messrs.
Kretschmar

So the bill passed and the title was agreed to.

No separate roll having been demanded on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Mr. Nathan 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 ROLL CALL

Senate Bill No. 121. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Actions to Release Insane Patients.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 47, nays none, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Sperry
Babcock	Ingerson	Nathan	Steel
Baird	Kaldor	Olson, Barnes	Stevens
Baker	Kelsh	Olson, Eddy-	Storstad
Benson	Kretschmar	Poster	Thorson
Bond	Levang	Page	Tofsrud
Carey	Lynch	Patten	Van Camp
Eastgate	McCoy	Peck	Ward
Ettestad	McLachlin	Peterson	Wenstrom
Fleckten	Magnuson	Ployhar	Whitman
Garberg	Martin	Porter	Whitmer
Gardner	Miklethun	Rusch	Wog

Absent and not voting:

Messrs.	Messrs.
Byrne	Gross

So the bill passed and the title was agreed to.

No separate roll having been demanded on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 123. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Treasurer's Office.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 47, nays none, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Sperry
Babcock	Ingerson	Nathan	Steel
Baird	Kaldor	Olson, Barnes	Stevens
Baker	Kelsh	Olson, Eddy-	Storstad
Benson	Kretschmar	Foster	Thorson
Bond	Levang	Page	Tofsrud
Carey	Lynch	Patten	Van Camp
Eastgate	McCoy	Peck	Ward
Ettestad	McLachlin	Peterson	Wenstrom
Fleckten	Magnuson	Ployhar	Whitman
Garberg	Martin	Porter	Whitmer
Gardiner	Miklethun	Rusch	Wog

Absent and not voting:

Messrs.	Messrs.
Byrne	Gross

So the bill passed and the title was agreed to.

No separate roll having been demanded on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 124. A Bill for an Act Making an Appro-

was read the third time.
prium to Provide for the Payment of a Deficit Incurred in the State Executive Department.

The question being on the final passage of the bill, the roll was called and there were ayes 41, nays 4, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Eddy-	Storstad
Babcock	Kelsh	Foster	Thorson
Baird	Kretschmar	Page	Tofsrud
Baker	Levang	Peck	Van Camp
Bond	Lynch	Peterson	Ward
Carey	McCoy	Ployhar	Wenstrom
Eastgate	McLachlin	Porter	Whitman
Ettestad	Magnuson	Rusch	Whitmer
Garberg	Miklethun	Sperry	Wog
Gardiner	Murphy	Steel	
Hamilton	Olson, Barnes	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Fleckten	Nathan	Patten

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Byrne	Gross	Ingerson	Martin

So the bill passed and the title was agreed to.

No separate roll having been demanded on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 126. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Arrest and Return of Fugitives from Justice Fund.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 36, nays 8, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Barnes	Stevens
Babeock	Kelsh	Olson, Eddy-	Storstad
Baird	Kretschmar	Foster	Thorson
Baker	Levang	Page	Tofsrud
Bond	Lynch	Peterson	Van Camp
Carey	McCoy	Ployhar	Wenstrom
Eastgate	McLachlin	Porter	Whitman
Ettestad	Magnuson	Rusch	
Garberg	Miklethun	Sperry	
Gardiner	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Hamilton	Patten	Whitmer
Fleckten	Nathan	Peck	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Byrne	Ingerson	Martin	Ward
Gross			

So the bill passed and the title was agreed to.

No separate roll having been demanded on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 128. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Survey of Coal Mines Fund.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays none, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Sperry
Babeock	Hamilton	Nathan	Steel
Baird	Kaldor	Olson-Barnes	Stevens
Baker	Kelsh	Olson, Eddy-	Storstad
Benson	Kretschmar	Foster	Thorson
Bond	Levang	Page	Tofsrud
Byrne	Lynch	Patten	Van Camp
Carey	McCoy	Peck	Wenstrom
Eastgate	McLachlin	Peterson	Whitman
Ettestad	Magnuson	Ployhar	Whitmer
Fleckten	Martin	Porter	Wog
Garberg	Miklethun	Rusch	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Gross	Ingerson	Ward

So the bill passed and the title was agreed to.

No separate roll having been demanded on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 129. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Auditor's Office.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays none, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Sperry
Babcock	Hamilton	Nathan	Steel
Baird	Kaldor	Olson-Barnes	Stevens
Baker	Kelsh	Olson, Eddy-	Storstad
Benson	Kretschmar	Foster	Thorsen
Bond	Levang	Page	Tofsrud
Byrne	Lynch	Patten	Van Camp
Carey	McCoy	Peck	Wenstrom
Eastgate	McLachlin	Peterson	Whitman
Eitestad	Magnuson	Ployhar	Whitmer
Flechten	Martin	Porter	Wog
Garberg	Miklethun	Rusch	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Gross	Ingerson	Ward

So the bill passed and the title was agreed to.

No separate roll having been demanded on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

The Committee on Taxes and Tax Laws made the following report:

Mr. President: A majority of your Committee on Taxes and Tax Laws, to whom was referred:

Senate Bill No. 21. A Bill for an Act to Amend and Re-enact Chapter 224, Laws of North Dakota for the Year 1919, as Amended by Chapter 60, Special Session Laws of 1919; an Act for the Purpose of Raising Revenue to Defray the General Expenses of the State Government by Providing for a Tax on the Incomes of Individuals, Fiduciaries, Corporations, Joint Stock Companies or Associations and Insurance Companies in the State of North Dakota; Graduating Incomes for the Purpose of Taxation; Providing for Exemptions and Deductions in Certain

Cases; Describing a method of Levying and Collecting Said Tax; Prescribing Penalties for Nonconformance with the Provisions of this Act, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

That in line 3, in the title, there be inserted after "1919" the words, "as amended by Chapter 123 of the Laws of 1921."

That in line 9 of the title, the word "describing" be stricken out and the word "prescribing" be inserted.

That Section 1, line 3, be amended by inserting after "the year 1919" the words "as amended by Chapter 123 of the Laws of 1921."

That there be added to the end of Section 3, line 3, the following provision: "Provided that any individual may pay the tax due under this act in four quarterly installments on March fifteenth, June fifteenth, September fifteenth, and December fifteenth of the year in which it is assessed."

That in Section 7, line 29, the word "not" be stricken out and the word "net" be substituted.

That in Section 7, line 106, after the word "proportion" the words "based upon a proportion of the mileage within the state to the entire mileage over which such business is done" be stricken out.

That in Section 14, line 6, all after the words "income year" and down to line 10 be stricken out.

That in Section 14, line 10, after the word "received" the words "before death" be inserted.

That in Section 18, line 26, the word "state" be stricken out and the word "estate" be substituted.

That in Section 21, line 15, after the word "defective" there be added "or incapacitated."

That in Section 23, line 8, after the word "prescribe" there be inserted the words "unless of such character that it is exempt from taxation under the terms of this act."

That in Section 24, line 8, before the word "before" the word "or" be inserted.

That in Section 24, line 19, after the word "computed" the following clause be inserted: "Provided, that the payments may be made in quarterly installments, and if paid in installments the first installment shall be paid at the time fixed by law for filing the return; the second installment shall be paid on the fifteenth day of the third month; the third installment, on the fifteenth day of the sixth month; and the fourth installment on the fifteenth day of

the ninth month after the time fixed by law for filing the return."

That Section 27, line 14, be amended as follows: After the word "purposes" insert "no part of the net income or which inures to the benefit of any private stockholder or individual."

That in Section 27, line 42, the number "11" be stricken out and "12" be inserted.

That in Section 27, line 45, there be added the following subdivision: "(13) Insurance companies doing business in the state and paying a tax upon the gross amount of premiums received in the state."

That at the end of Section 29, the period be changed to a semi-colon and there be inserted the following words: "except that, in the case of life insurance companies there shall not be included in gross income such portion of any actual premium received from any individual policyholder as is paid back or credited to or treated as an abatement of premium of such policyholder within the taxable year."

That in Section 31, after line 44, there be added the following subdivision: "(10) In the case of insurance companies, in addition to the above: (a) The net additions required by law to be made within the taxable year to reserve funds; and (b) the sums other than dividends paid within the taxable year on policy and annuity contracts."

That in Section 32, line 5, after the word "act" the following clause be inserted: "Provided, that any foreign loan and investment company engaged in business in the state, and whose income in the state consists solely of income exempt from taxation under this act, need not file an annual report unless specially requested to do so by the tax commissioner, but may file in lieu thereof an affidavit claiming exemption under this act."

That in Section 35, line 4, after the word "him" the following clause be inserted: "Provided, that the payments may be made in quarterly installments and if paid in installments the first installment shall be paid at the time fixed by law for the filing of the return; the second installment shall be paid on the fifteenth day of the third month; the third installment on the fifteenth day of the sixth month; and the fourth installment on the fifteenth day of the ninth month after the time fixed by law for filing the return."

That in Section 35, line 9, after the word "taxpayers" there be inserted the words "and assess the tax."

That in Section 35, line 11, the word "ten" be stricken out and the word "thirty" substituted therefor.

That in Section 35, line 14, the word "fifteen" be stricken out and the words "forty-five" be substituted.

That in Section 35, line 20, the word "ten" be stricken out and the word "fifteen" be substituted.

That in Section 37, line 21, there be inserted after the word "act" the following: "and refuses to file such return within thirty days after he has been notified by the tax commissioner to do so."

That in Section 37, line 22, after the word "commissioner" there be stricken out the words "or any taxable residents of the state."

That in Section 37, line 23, the word "requesting" be stricken out and the word "requiring" be inserted.

That in Section 37, line 41, the word "by" be stricken out where it first occurs.

That in Section 37, line 41, the word "people" be stricken out and the word "state" be substituted.

That in Section 37, line 51, the word "people" be stricken out and the word "state" be substituted.

That in Section 44, line 23, after the word "shall" the words "in addition" be inserted.

That in Section 46, line 8, after the word "fund" insert the clause: "for the purpose of defraying the general expenses of the state government."

That Section 47 be stricken out in its entirety, and in lieu thereof the following be inserted:

"Section 47. If for any income year beginning after December 31, 1922, it appears upon the production of evidence satisfactory to the tax commissioner that any taxpayer has sustained a net loss, the amount thereof shall be deducted from the net income of the taxpayer for the next succeeding income year, and if such net loss is in excess of the net income for such succeeding year, the amount of such excess shall be allowed as a deduction in computing the net income for the next succeeding income year, provided the net loss is sustained in connection with business operations the net income of which is taxable under this act; the deduction in all cases to be made under regulations prescribed by the tax commissioner."

And when so amended, recommend that the same do pass.

P. O. THORSON,
Chairman.

A. G. STORSTAD,
FRED VAN CAMP,
H. J. RUSCH,
E. B. PAGE,
W. S. WHITMAN.

Mr. President: A minority of your Committee on Taxes and Tax Laws, to whom was referred:

Senate Bill No. 21. A Bill for an Act to Amend and Re-

enact Chapter 224, Laws of North Dakota for the Year 1919, as Amended by Chapter 60, Special Session Laws of 1919; an Act for the Purpose of Raising Revenue to Defray the General Expenses of the State Government by Providing for a Tax on the Incomes of Individuals, Fiduciaries, Corporations, Joint Stock Companies or Associations and Insurance Companies in the State of North Dakota; Graduating Incomes for the Purpose of Taxation; Providing for Exemptions and Deductions in Certain Cases; Describing a method of Levying and Collecting Said Tax; Prescribing Penalties for Nonconformance with the Provisions of this Act, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

The same amendments as in the majority report and also the following:

Strike out all of lines 16 and 17 of Section 12 on page 11 of the printed bill and insert in lieu thereof the following:

"On all net incomes in excess of \$10,000 above exemptions and not in excess of \$15,000, a tax of 6 per cent.

"On all net income in excess of \$15,000 above exemptions and not in excess of \$20,000, a tax of 7 per cent.

"On all net income in excess of \$20,000 above exemptions a tax of 8 per cent."

Strike out all of Section 44, line 1 to line 39, inclusive, and insert in lieu thereof:

"Section 44. Public Record. Duty of Officials. It shall be lawful for the Tax Commissioner and for all members of the Tax Commissioner's office, such as deputies, agents, clerks and other officials and employees, to freely divulge and give to the public any attempted violation or infringement of this act and any such official or employee may and it is his duty to give publicity to and identify any party or parties who attempt to escape the taxes provided for herein by misrepresentation or false statements, or who make false returns to the Tax Commissioner, and it shall be the duty of the Tax Commissioner and the members and employees of the Tax Commissioner's office to furnish upon written request to any person any information acquired or contained in tax returns made by any party or parties to the Tax Commissioner's office within one year prior to such request."

And when so amended recommend same do pass.

B. F. BAKER,
OLE ETTESTAD,
JAMES A. WENSTROM,
A. A. PECK,
JOHN W. BENSON.

Senator Thorson moved to adopt the majority report.

Senator Baker moved to amend by substituting the word "minority" for the word "majority."

Which motion was lost.

The question being upon the motion of Senator Thorson the motion prevailed.

Senator Miklethun moved that additional time be given for further consideration of Senate Bill No. 135.

Which motion prevailed.

Senator Baird moved that additional time be given for the further consideration of House Bill No. 23, and Senate Bills Nos. 120, 143, 145, 153.

Which motion prevailed.

Senator Bond moved that Senate Bill No. 207 be recalled from the Committee on Public Health.

Which motion prevailed.

The courtesies of the floor were extended to: All County Superintendents of the State; Miss Evingson, W. J. Hoover, Dean Joseph Kennedy, W. J. Wilkerson, Dr. O. G. Libby, Miss Johnson, Hon. Geo. E. Duis of Grand Forks, Edgar LaRue of Devils Lake, L. Rubin of Ashley, Dr. J. L. Coulter, Prof. Guthrie, and H. L. Loom of Fargo; Mr. Halverson; Leonard Hetland, Arnegard; Charlotte A. Jones; John E. Williams of Washburn; Jacob Nathan of Underwood; Ole Stefferud, A. E. Thompson, Judge Miller of Washburn.

Senator Ployhar moved that the Senate do now recess until 1:00 o'clock P. M. February 2, 1923.

Which motion prevailed.

W. E. PARSONS,
Secretary.

THIRTY-FIRST DAY AFTER RECESS, AND THIRTY-
SECOND DAY.

Senate Chamber,
Bismarck, North Dakota,
February 2, 1923.

The Senate re-assembled at 1:00 o'clock P. M., pursuant to recess taken, the President, Frank H. Hyland, presiding.

Senator Bond asked the unanimous consent of the Senate to withdraw Senate Bill No. 207, which consent was granted.

FIRST AND SECOND READING OF SENATE BILLS.

The Game and Fish Committee introduced:

Senate Bill No. 251. A Bill for an Act Establishing a Closed Season on Frogs.

Was read the first and second time and referred to the committee on Game and Fish.

Mr. Baird introduced:

Senate Bill No. 252. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 63 of the Session Laws for the Year 1915, Relating to Capital Punishment.

Was read the first and second time and referred to the committee on State Affairs.

Mr. Van Camp introduced:

Senate Bill No. 253. A Bill for an Act to Repeal Chapter 122 of the Session Laws of 1921.

Was read the first and second time and referred to the committee on Taxes and Tax Laws.

Messrs. Storstad and Gardiner introduced:

Senate Bill No. 254. A Bill for an Act to Amend and Re-enact Chapter 223 of the Laws of 1919 and Repealing Certain Provisions of Law in Conflict Therewith.

Was read the first and second time and referred to the committee on Taxes and Tax Laws.

Messrs. Storstad and Gardiner introduced:

Senate Bill No. 255. A Bill for an Act to Amend and Re-enact Chapter 220 of the Laws of North Dakota for the Year 1919.

Was read the first and second time and referred to the committee on Taxes and Tax Laws.

Mr. McLachlin introduced:

Senate Bill No. 256. A Bill for an Act to Control the Possession, Sale, and Use of Pistols and Revolvers, to Provide Penalties, and for other Purposes.

Was read the first and second time and referred to the committee on State Affairs.

Mr. Gross Introduced:

Senate Bill No. 257. A Bill for an Act to Limit County Road and Bridge Tax Levies; Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first and second time and referred to the committee on Highways.

REPORTS OF STANDING COMMITTEES

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. 169. A Bill for an Act Relating to the Powers of Stockholders and Management of Co-operative Corporations and Associations.

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 words "who shall be present."

And when so amended recommend the same do pass.

W. D. LYNCH,
Chairman.

Senator Lynch 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. 213. A Bill for an Act Giving the North Dakota Game and Fish Commissioner Power to Make Rules and Regulations in Addition to Those Already Provided by **Law, for the Protection of the Fish in the Lakes and Rivers of North Dakota.**

Have had the same under consideration and recommend that the same do pass.

J. E. STEVENS,
Chairman.

Senator Stevens 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. 220. A Bill for an Act to Amend and Re-enact Section 3716 of the Compiled Laws of 1913 Relating to Payment of Deficiency in Special Assessments.

Have had the same under consideration and recommend that the same do pass.

ROBERT BYRNE,
Chairman.

Senator Byrne 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:

Senate Bill No. 160. A Bill for an Act to Amend and Re-enact Chapter 82, Session Laws of North Dakota for 1919, and to Empower Cities to Purchase or construct Plants, Including Gas Works for the Manufacture and Distribution of Light, Heat and Power for Municipal and Commercial Purposes, and to Assess Abutting Property in Accordance with the Benefits hereto by Reason of Such System of Distribution, and Providing for the Method of Such Assessment and the Collection Thereof.

Have had the same under consideration and recommend that the same do pass.

ROBERT BYRNE,
Chairman.

Senator Byrne 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. 32. A Bill for an Act to Amend and Re-enact Section 4016 of the Compiled Laws of 1913 Relating to Bonded Indebtedness of Cities, and Purposes for which Incurred.

Have had the same under consideration and recommend that the same do pass.

ROBERT BYRNE,
Chairman.

Senator Byrne moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Senator Gardiner presented a communication from the Lakota Parent Teachers' Association, which was referred to the Committee on Women's and Children's Welfare.

The Secretary read a communication from U. S. Senator McCumber, acknowledging receipt of the Kretschmar Concurrent Resolution concerning the Great Lakes Waterway Project.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 2104 of the Compiled Laws of the State of North Dakota for 1913 Relating to Range Stock and Where Listed for the Purpose of Taxation.

Was read the first and second time and referred to the committee on Taxes and Tax Laws.

House Bill No. 102. A Bill for an Act to Appropriate Ten Thousand Dollars (\$10,000.00) to Aid in the Educational Work Being Carried on by the North Dakota Anti-Tuberculosis Association, and the Prevention of the Spread of Tuberculosis More Definitely Prescribed in Chapter 7 of the Session Laws of North Dakota for 1915 for the Salary and Traveling Expenses.

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 71. A Bill for an Act to Amend and Re-enact Section 6315 of the Compiled Laws of North Dakota for 1913 Relating to the Filing of a Notice of Intention to File Mechanics' Lien.

Was read the first and second time and referred to the committee on Judiciary.

Senator Gross moved that the Senate do now adjourn. Which motion prevailed.

THIRTY-SECOND DAY

The Senate convened at 2:00 o'clock P. M., the President Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. L. R. Johnson.

Roll was called, all Senators being present, with the exception of Senator Eastgate.

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

Mr. President: Your committee on revision and correction of the Journal have carefully examined the Journal of the 30th day after recess and 31st day and recommend that the same be corrected as follows:

On page 6 strike out lines 21, 22, 23, 24 and 25, and insert in lieu thereof:

Senate Bill No. 168. A Bill for an Act to Provide for

the Repair of the Whitestone Battlefield Monument Located in the Whitestone Battlefield Park, in Dickey County, North Dakota."

On page 24, line 25, correct the spelling of the word "State."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 36. A Bill for an Act to Amend and Re-enact Sections 5605, 5607 and 5611 of the Compiled Laws of the State of North Dakota for the Year 1913, Defining the Homestead Exemption.

Also,

Senate Bill No. 66. A Bill for an Act to Amend and Re-enact Section 844 of the Compiled Laws of North Dakota for the Year 1913.

Also,

Senate Bill No. 75. A Bill for an Act Legalizing and Validating Certain Acts of City Officials with Reference to Electric Light or Distribution Systems.

And find the same correctly enrolled.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 51. A Bill for an Act Fixing Publication Fees for Printing Delinquent Tax Lists, School Treasurers' Reports and County Commissioners' Proceedings.

And find the same correctly re-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 1104 of the Compiled Laws of the State of North Dakota for the year 1913, Relating to What Cities and Villages Shall Register Before Any General Election or Annual City Election.

Also,

Senate Bill No. 89. A Bill for an Act Relating to What Shall be Carried as "Consolidated Tax Account," and Repealing Section 2274, Compiled Laws of 1913 as Amended by Chapter 253, Session Laws of 1915.

Also,

Senate Bill No. 150. A Bill for an Act to Repeal Chapter 222 of the Session Laws of the State of North Dakota for the Year 1919, Being an Act Providing for a Tax on Shares of Stock and Bonds of Corporations Organized or Doing Business in this State.

Also,

Senate Bill No. 151. A Bill for an Act to Amend Section 6295 of the Compiled Laws Relating to Trusts and Trusteeships.

Also,

Senate Bill No. 201. A Bill for an Act to Amend and Re-enact Section 5608 of the Compiled Laws of the State of North Dakota for the Year 1913.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President:

Your committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 49. A Bill for an Act to Amend and Re-enact Section 1782 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Commandant of the Soldier's Home.

Was delivered to the governor for his approval at the hour of 4:15 o'clock P. M., February 1, 1923.

CHRIST LEVANG,
Chairman.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred:

Senate Bill No. 204. A Bill for an Act to Amend and Re-enact Section 158 of the Compiled Laws of North Dakota for 1913, Relating to the Attorney General's Report.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 120. A Bill for an Act to Amend and Re-enact Sections 780 and 781 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 30 of the Special Session Laws of North Dakota for the Year 1919, as Amended by Chapter 54 of the Session Laws of 1921, Relating to Compensation of Court Stenographers and Providing for the Payment of Expenses.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 212. A Bill for an Act to Amend and Re-enact Section 3890 of the Compiled Laws of 1913, Relating to Publishing of Village Treasurer's Reports and Prescribing the Form Thereof.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2, line 14 of the engrossed bill strike out the word "trustees" and strike out all of lines 15, 16, 17, 18 and 19.

And when so amended recommend the same do pass.

ROBERT BYRNE,
Chairman.

Senator Byrne 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. 28. A Bill for an Act to Empower Cities, Villages, and Towns to Purchase, Sell, Construct, Rent, Lease, Extend, Connect, or Erect, High Tension Electric Transmission Lines and Electrical Equipment, Within and Without the Corporate Limits, and Necessary Secondary Transmission Lines and Distribution Systems Within the Corporate Limits, for the Purpose of Securing Light, Power and Electrical Energy for Municipal and Commercial use; and to Assess the Property Within the Corporate Limits, and to Provide for the Method of Such Assessment and the Collection Thereof, and to Provide for the Issuance of Bonds.

Have had the same under consideration and recommend that the same be amended as follows:

After the word "cost," in line 15 on page 2 of the printed bill, add "and in general terms describe the property which in the opinion of the engineer is liable to be specially assessed for such proposed improvement."

Strike out the word "and" at the beginning of line 21 on page 2 of the printed bill and insert after the word "therefor" the following: "and describe the property liable to be specially assessed as hereinbefore provided."

In line 23, on page 2 of the printed bill, strike out the words "the owners of" and after "a majority of the" add "resident owners of."

In line 27 on page 2 of the printed bill, strike out the words "majority of such owners" and add the following "proposed work or improvement shall be abandoned, but if less than a majority of the resident property owners liable to be specially assessed therefor as hereinbefore provided, so protest, the council, commission or board shall at."

In line 28, on page 3 of the printed bill, strike out the words "shall be deemed to have consented thereto. At".

In line 29, on page 3, of the printed bill, strike out the words "the" after "special meeting of" and add in lieu thereof the word "such".

In line 31, on page 3 of the printed bill, strike out the words "the council, commission or board shall hear and".

And when so amended recommend the same do pass.

ROBERT BYRNE,
Chairman.

Senator Byrne moved that the report be adopted, which motion prevailed and the report was adopted.

MOTIONS AND RESOLUTIONS

Senator Sperry moved that all absent Senators be excused.

Which motion prevailed.

Senator Storstad moved that the committee on Warehouses and Grain Grading be given an extension of seven days additional time for the further consideration of Senate Bills 2 and 47.

Which motion prevailed.

Senator Baker moved that when the Senate recess it recess at 4:00 o'clock P. M. to re-assemble at 1:00 P. M. February 3, 1923.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,
February 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 64. A Bill for an Act Concerning Aeronautics and to Make Uniform the Law with Reference Thereto.

Which the House has amended as follows:

By placing a comma after the word "feet" in line 4 of Section 9.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 1, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 14. A Bill for an Act to Prohibit the Wearing of Masks or Other Disguises in Public, and Designating the Penalty for Same.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 1, 1923.

Mr. President: I have the honor to transmit a concurrent resolution relating to securing Fort Lincoln for training school purposes.

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

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Wenstrom moved that the Senate concur with the House amendment on Senate Bill No. 64.

Which motion prevailed.

Senator Baird moved that Senate Bill No. 64 go on the Calendar in its regular order.

Which motion prevailed.

Senator Wenstrom moved that the Senate do now return to the Eighth Order of Business. There being no objection, the Senate took up the Eight Order of Business.

Senator Wenstrom moved that the Senate concur in the Miller Concurrent Resolution.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS.

Mr. Garberg introduced:

Senate Bill No. 258. A Bill for an Act Providing for the Appointment of Representatives on Behalf of the State of North Dakota to Negotiate a Compact and Agreement Between the States of North Dakota, South Dakota and Montana, and Between said States and the United States of America, Respecting the Use and Distribution of the Waters of the Missouri River and the Rights of said States and the United States Thereto.

Was read the first and second time and referred to the committee on Judiciary.

Messrs Baird and Kaldor introduced:

Senate Bill No. 259. A Bill for an Act Relating to the Power of the Supreme Court in Civil Causes on Appeal, and the Extent of Review when Such Causes are Reversed by the Supreme Court and Remanded for a New Trial.

Was read the first and second time and referred to the committee on Judiciary.

Mr. Baker introduced:

Senate Bill No. 260. A Bill for an Act Providing for the Conduct of the Business of Warehousing and Providing Penalties for its Violation.

Was read the first and second time and referred to the committee on Warehouses and Grain Grading.

Mr. Storstad introduced:

Senate Bill No. 261. A Bill for an Act Re-establishing the North Dakota Mill and Elevator Association, Defining its Powers and Duties, and Providing for the Control, Management and Operation of State Owned Grain Warehouses, Elevators and Flour Mills and the Conduct of all Business Relating Thereto, Especially as Relates to the State Owned Mill and Elevator at Grand Forks and Providing for the Appointment of a Board of Managers Thereof and Repealing Chapter 152 Laws of North Dakota 1919, Entitled "An Act Declaring the Purpose of the State of North Dakota to Engage in the Business of Manufacturing and Marketing of Farm Products, and for Establishing a Warehouse, Elevator and Flour Mill System Under the Name of North Dakota Mill and Elevator Association Operated by the State, and Defining the Scope and Manner of its Operation, and the Powers and Duties of the Persons Charged with its Management; and Making an Appropriation Therefor."

Was read the first and second time and referred to the committee on Warehouses and Grain Grading.

SIGNING OF BILLS

The Secretary announced that the President was about to sign.

Senate Bill No. 75. A Bill for an Act Legalizing and Validating Certain Acts of City Officials with Reference to Electric Light or Distribution Systems.

Senate Bill No. 66. A Bill for an Act to Amend and Re-enact Section 844 of the Compiled Laws of North Dakota for the Year 1913.

Senate Bill No. 36. A Bill for an Act to Amend and Re-enact Sections 5605, 5607 and 5611 of the Compiled Laws of the State of North Dakota for the Year 1913, Defining the Homestead Exemption.

And the President signed the same in the presence of the Senate.

Senator Baker moved that the rules be suspended, that Senate Bill No. 64 be considered re-engrossed, and put on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 130. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the Attorney General's Department.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays 0, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Sperry
Babeock	Ingerson	Nathan	Steel
Baird	Kaldor	Olson, Barnes	Stevens
Baker	Kelsh	Olson, Eddy-	Storstad
Benson	Kretschmar	Foster	Thorson
Byrne	Levang	Patten	Tofsrud
Carey	Lynch	Peck	Van Camp
Ettestad	McCoy	Peterson	Wenstrom
Fleckten	Magnuson	Ployhar	Whitman
Garberg	Martin	Porter	Whitmer
Gardiner	Miklethun	Rusch	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Bond	Hamilton	Page	Ward
Eastgate	McLachlin		

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 131. A Bill for an Act Making an Appropriation for the Reward and Apprehension of Criminals according to Chapter 200 of the Session Laws of 1917.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays 0, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Steel
Babeock	Ingerson	Olson, Barnes	Stevens
Baird	Kaldor	Olson, Eddy-	Storstad
Baker	Kelsh	Foster	Thorson
Benson	Kretschmar	Page	Tofsrud
Byrne	Levang	Patten	Van Camp
Carey	Lynch	Peck	Wenstrom
Ettestad	McCoy	Peterson	Whitman
Fleckten	Magnuson	Ployhar	Whitmer
Garberg	Martin	Porter	Wog
Gardiner	Miklethun	Rusch	
Gross	Murphy	Sperry	

Absent and not voting

Messrs.	Messrs.	Messrs.	Messrs.
Bond	Eastgate	McLachlin	Ward

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 135. A Bill for an Act Making an Appropriation to pay the Burial Expenses of Inmates of the Penitentiary and Reform School as Provided for Under Section 11302 of the Compiled Laws of 1913 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 ayes 45, nays 0, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Steel
Babcock	Ingerson	Olson, Barnes	Stevens
Baird	Kaldor	Olson, Eddy-	Storstad
Baker	Kelsh	Foster	Thorsen
Benson	Kretschmar	Page	Tofsrud
Byrne	Levang	Patten	Van Camp
Carey	Lynch	Peck	Wenstrom
Ettestad	McCoy	Peterson	Whitman
Flechten	Magnuson	Ployhar	Whitmer
Garberg	Martin	Porter	Wog
Gardiner	Mikieithun	Rusch	
Gross	Murphy	Sperry	

Absent and not voting

Messrs.	Messrs.	Messrs.	Messrs.
Bond	Eastgate	McLachlin	Ward

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 138. A Bill for an Act Making an Appropriation of the Sum of \$250.00 for the Biennium, to Defray the Expenses of the State Canvassing Board.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays 0, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Steel
Babcock	Ingerson	Olson, Barnes	Stevens
Baird	Kaldor	Olson, Eddy-	Storstad
Baker	Kelsh	Foster	Thorsen
Benson	Kretschmar	Page	Tofsrud
Byrne	Levang	Patten	Van Camp
Carey	Lynch	Peck	Wenstrom
Ettestad	McCoy	Peterson	Whitman
Flechten	Magnuson	Ployhar	Whitmer
Garberg	Martin	Porter	Wog
Gardiner	Mikieithun	Rusch	
Gross	Murphy	Sperry	

Absent and not voting

Messrs.	Messrs.	Messrs.	Messrs.
Bond	Eastgate	McLachlin	Ward

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 125. A bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Miscellaneous Refunds 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 ayes 41, nays 5, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Eddy-	Stevens
Babcock	Kelsh	Foster	Storstad
Baird	Kretschmar	Page	Thorson
Baker	Levang	Patten	Tofsrud
Benson	Lynch	Peck	Van Camp
Byrne	McCoy	Peterson	Ward
Carey	McLachlin	Ployhar	Wenstrom
Ettestad	Magnuson	Porter	Whitman
Gardiner	Mikieithun	Rusch	Whitmer
Gross	Murphy	Sperry	
Ingerson	Olson, Barnes	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Martin	Nathan	Wog
Hamilton			

Absent and not voting

Messrs.	Messrs.	Messrs.
Bond	Eastgate	Garberg

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 139. A Bill for an Act to Provide \$300.00 for the Burial Expense of Honorably Discharged Sailors, Soldiers and Marines of the United States War of the Rebellion and Erection of Headstones Therefor, as Authorized by Sections 3181, 3182, 3183 and 3184 of the Compiled Laws of North Dakota for 1913.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 48, nays 0, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Stevens
Babcock	Ingerson	Olson, Barnes	Storstad
Baird	Kaldor	Olson, Eddy-	Thorson
Baker	Kelsh	Foster	Tofsrud
Benson	Kretschmar	Page	Van Camp
Bond	Levang	Patten	Ward
Byrne	Lynch	Peck	Wenstrom
Carey	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Mikieithun	Sperry	
Gross	Murphy	Steel	

Absent and not voting

Messrs.
Eastgate

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 140. A Bill for an Act to Appropriate \$1,500.00 for the Biennium Out of any Money in the State Treasury not otherwise appropriated, for the Purpose of Upkeeping of Ten State Parks.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 47, nays 1, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Sperry
Babcock	Hamilton	Nathan	Steel
Baird	Ingerson	Olson, Barnes	Stevens
Baker	Kaldor	Olson, Eddy-	Storstad
Benson	Kelsh	Foster	Thorson
Bond	Kretschmar	Page	Tofsrud
Byrne	Levang	Peck	Van Camp
Carey	Lynch	Peterson	Ward
Ettestad	McCoy	Ployhar	Wenstrom
Fleckten	McLachlin	Porter	Whitman
Garberg	Magnuson	Rusch	Whitmer
Gardiner	Mikieuh		Wog

Those voting in the negative were:

Messrs.

Martin

Absent and not voting:

Messrs.

Eastgate

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 149. A Bill for an Act to Prohibit Derogatory Statements in Regard to Insurance Companies.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 41, nays 7, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Steel
Babcock	Ingerson	Olson, Barnes	Stevens
Baird	Kaldor	Olson, Eddy-	Storstad
Baker	Kelsh	Foster	Thorson
Bond	Kretschmar	Page	Tofsrud
Byrne	Levang	Peck	Van Camp
Carey	Lynch	Peterson	Ward
Ettestad	McCoy	Ployhar	Whitman
Fleckten	McLachlin	Porter	Whitmer
Garberg	Magnuson	Rusch	
Gardiner	Murphy	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Martin	Patten	Wog
Gross	Miklethun	Wenstrom	

Absent and not voting

Messrs.
Eastgate

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 154. A Bill for an Act to Amend and Re-enact Chapter 121, Session Laws of 1917 Relating to the Issuance of Permits for Breeding or Domestication of Certain Fur Bearing Animals.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays 0, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Stevens
Babcock	Ingerson	Nathan	Storstad
Baird	Kaldor	Olson, Barnes	Tofsrud
Baker	Kelsh	Olson, Eddy-	Van Camp
Benson	Kretschmar	Foster	Ward
Bond	Levang	Page	Wenstrom
Byrne	Lynch	Patten	Whitman
Carey	McCoy	Peck	Whitmer
Ettestad	McLachlin	Peterson	Wog
Flechten	Magnuson	Ployhar	
Gardiner	Martin	Porter	
Gross	Miklethun	Sperry	

Absent and not voting

Messrs.	Messrs.	Messrs.	Messrs.
Eastgate	Rusch	Thorson	
Garberg	Steel		

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 168. A Bill for an Act to Provide for the Repair of the Whitestone Battlefield Monument Located in the Whitestone Battlefield Park, in Dickey 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 ayes 46, nays 0, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Sperry
Babcock	Hamilton	Murphy	Steel
Baird	Ingerson	Nathan	Stevens
Baker	Kaldor	Olson, Barnes	Storstad

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Kelsh	Olson, Eddy-	Thorson
Bond	Kretschmar	Foster	Tofsrud
Byrne	Levang	Page	Ward
Carey	Lynch	Patten	Wenstrom
Ettestad	McCoy	Peck	Whitman
Fleckten	McLachlin	Peterson	Whitner
Garberg	Magnuson	Ployhar	Wog
Gardiner	Martin	Porter	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lastgate	Rusch	Van Camp

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Senator Martin moved that Senate Bill No. 152 be placed at the foot of the Calendar.

Which motion prevailed.

Senator Ettestad moved to amend Senate Bill No. 51 by inserting after the word "mean" in the last sentence of Section 3540, the words "twelve and one-half or".

Which motion prevailed.

Senator Baker moved to amend Senate Bill No. 51 by adding to Section 3540 the following: "And all such legal notices shall be set in single column wherever possible."

Which motion prevailed.

Senator Porter moved that the rules be suspended and that Senate Bill No. 51 be considered re-engrossed, and that it be put on for third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Roll Call

Senate Bill No. 51. A Bill for an Act Fixing Publication Fees for Printing Delinquent Tax Lists, School Treasurers' Reports, and County Commissioners' Proceedings.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 47, nays 1, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Sperry
Babcock	Ingerson	Nathan	Steel
Baird	Porter	Olson, Barnes	Stevens
Baker	Kelsh	Olson, Eddy-	Storstad
Benson	Kretschmar	Foster	Thorson
Bond	Levang	Page	Tofsrud
Byrne	Lynch	Patten	Van Camp
Carey	McLachlin	Peck	Ward
Ettestad	Magnuson	Peterson	Wenstrom
Fleckten	McCoy	Ployhar	Whitman
Garberg	Martin	Porter	Whitner
Gardiner	Miklethun	Rusch	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Gross			

Absent and not voting

Messrs.
Eastgate

MESSAGE FROM THE GOVERNOR

The Secretary read the following communication:

STATE OF NORTH DAKOTA
OFFICE OF THE GOVERNOR
BISMARCK

R. A. NESTOS, Governor

February 1, 1923.

To the Senate of the State of North Dakota:

This is to notify you that I have this day approved and filed with the Secretary of State, Senate Bill No. 49, being an Act to amend and re-enact Section 1782 of the Compiled Laws of North Dakota for the year 1913, Relating to the Commandant of the Soldiers' Home.

Yours very truly,

R. A. NESTOS,
Governor.

THIRD READING OF SENATE BILLS

Senator Baird moved to amend Senate Bill No. 151 by inserting in Section 1, after the word "laws" the following: "of North Dakota for 1913."

Which motion prevailed.

Senator Baker moved that the rules be suspended and that Senate Bill No. 151 be considered re-engrossed, and that the same be put on for third reading and final passage. Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 151. A Bill for an Act to Amend Section 6295 of the Compiled Laws Relating to Trusts and Trusteeships.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 47, nays 0, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Rusch
Babcock	Hamilton	Murphy	Sperry
Baird	Ingerson	Nathan	Steel
Baker	Kaldor	Oison, Barnes	Stevens

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Kelsh	Olson, Eddy	Storstad
Bond	Kretschmar	Foster	Thorson
Byrne	Levang	Page	Tofsrud
Carey	Lynch	Patten	Ward
Ettestad	McCoy	Peck	Wenstrom
Fleckten	McLachlin	Peterson	Whitman
Garberg	Magnuson	Ployhar	Whitmer
Gardiner	Martin	Porter	Wog

Absent and not voting:

Messrs.	Messrs.
Eastgate	Van Camp

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 201. A Bill for an Act to Amend and Re-enact Section 5608 of the Compiled Laws of the State of North Dakota for the Year 1913.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 48, nays 0, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Stevens
Babeock	Ingerson	Olson, Barnes	Storstad
Baird	Kaldor	Olson, Eddy	Thorson
Baker	Kelsh	Foster	Tofsrud
Benson	Kretschmar	Page	Van Camp
Bond	Levang	Patten	Ward
Byrne	Lynch	Peck	Wenstrom
Carey	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	
Gross	Murphy	Steel	

Absent and not voting:

Messrs.
Eastgate

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 11. A Bill for an Act to Amend and Re-enact Sections 869 and 983 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 119, Session Laws of 1919, Relating to the Opening and Closing of Polls in Primary and General Elections.

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 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Ployhar	Thorson
Baird	Lynch	Porter	Tofsrud
Bond	McCoy	Rusch	Van Camp
Carey	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	
Kelsh	Peterson	Storstad	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Martin	Patten
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Eitestad	Levang	Olson, Eddy	Whitmer
Fleckten	Magnuson	Foster	Wog

Absent and not voting:

Messrs.

Eastgate

So the bill passed and the title was agreed to.

Senator Carey moved that the vote by which Senate Bill No. 11 passed, be reconsidered and the motion to reconsider be laid on the table.

A roll call was demanded on the motion made by Senator Carey to re-consider.

The question being on the motion to reconsider, the roll was called and there were ayes 25, nays 23, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Ployhar	Thorson
Baird	Lynch	Porter	Tofsrud
Bond	McCoy	Rusch	Van Camp
Carey	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	
Kelsh	Peterson	Storstad	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Martin	Patten
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Eitestad	Levang	Olson, Eddy	Whitmer
Fleckten	Magnuson	Foster	Wog

Absent and not voting:

Messrs.

Eastgate

So the motion to reconsider prevailed.

The courtesies of the floor were extended to Supt. W. C. Stebbins, Ex-examiner Nick Nelson, G. H. Olmstead, of Grand Forks; President S. T. May, Supt. P. S. Berg, Judge Thos. H. Pugh, W. F. Burnett, J. P. Cain, and Supt. H. O.

Pippin, of Dickinson; Judge Jno C. Lowe, of Minot; Norbert O'Leary of Williston; Supt. Nelson Sauvain, and Edgar Larue of Devile Lake.

Senator Baker moved that we do now recess until 1:00 o'clock P. M. February 3, 1923.

Which motion prevailed.

W. E. PARSONS,
Secretary.

THIRTY-SECOND DAY AFTER RECESS, AND THIRTY-
THIRD DAY

Senate Chamber,
Bismarck, N. D.
February 3, 1923.

The Senate re-assembled at 1:00 o'clock P. M., pursuant to recess taken, the President, Frank H. Hyland, presiding.

The Committee on Temperance made the following report:

Mr. Chairman: Your committee on Temperance to whom was referred:

Senate Bill No. 35. A Bill for an Act Relative to the Admission of Persons Under Eighteen Years of Age to Public Dances and Requiring the posting of a Copy of the Law and Prescribing Penalty for its Violation.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 3 strike out the word "ten" and in lieu thereof insert the word "twenty-five."

And when so amended recommend the same do pass.

J. L. MIKLETHUN,
Chairman.

Senator Miklethun 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. 69. A Bill for an Act to appropriate the sum of \$2,882.03 for the purpose of Charging of Losses Resulting to the State on Account of the Failure, in the Year 1909, of the First National Bank of Rugby, Rugby, North Dakota and the Barton State Bank, Barton, North Dakota.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 134. A Bill for an Act Making an Appropriation for a Bounty for Wolves and Coyotes, as provided for by Chapter 242 of the Session Laws of 1919 for North Dakota.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 94. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance Fund of the State Normal School at Dickinson.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 103. A Bill for an Act Making an Appropriation of \$30,950.00 for the purpose of carrying out the Provisions of Chapter 115 of the Session Laws of 1921 Relating to Vocational Education and Vocational Rehabilitation.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 196. A Bill for an Act to Provide an Appropriation for the Eradication of the Barberry Bushes.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 79. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Departments of the State.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 142. A Bill for an Act Making an Appropriation of the Sum of \$25,000.00 for the Biennium, which is known as a Miscellaneous Refund.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 136. A Bill for an Act to Provide a State Contingency Fund to be Placed at the Disposal of the State Emergency Commission to be Used as Provided by Chapter 26 and 152 of the Session Laws of North Dakota for 1915; and Making an Appropriation of \$50,000.00 which Shall be Known as the State Contingency Fund.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out in the Title of the Bill figure "\$50,000.00" and and insert in lieu thereof the figures "\$40,000.00."

In Section 1, line 3, of the Printed Bill strike out figures "\$50,000.00," and insert in lieu thereof the figures "\$40,000.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 137. A Bill for an Act Making an Appropriation of \$2,000.00 for the Biennium to Defray the Expenses of Disbarment Proceedings, as Prescribed by Section 808 to 812 of the Compiled Laws of 1913 for North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out in the Title of the Bill figures "\$2,000.00," and insert in lieu thereof the figures "\$500.00."

In Section 1, line 3 of the Printed Bill after the word "of" strike out the figures "\$2,000.00," and insert in lieu thereof "\$500.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 133. A Bill for an Act Making an Appropriation for the General Expense of the State Live Stock Sanitary Board.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1 of the Printed Bill in line 3 strike out figures "32,350.00" and insert in lieu thereof figures "31,750.00."

Strike out all of line 10.

In line 12 strike out figures "36,000.00" and insert in lieu thereof figures, "3,000.00."

On Page 2 of Printed Bill, line 28, strike out figures,

“32,350.00” and insert in lieu thereof figures “\$31,750.00.”
And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 35. A Bill for an Act, to Amend and Re-enact Section 3521 of the Compiled Laws of North Dakota for the year 1913, Prescribing the Rate of Mileage Allowed the Sheriff.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of Section 3521 of the Bill, after the word “allowed” strike out the word “fifteen” and insert in lieu thereof the word “twenty.”

And when so amended recommend the same do pass.

P. J. MURPHY,
Acting Chairman.

Senator Murphy 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. 90. A Bill for an Act Providing When the Publicity Pamphlet Shall Be Printed, and What Matter Shall be Excluded Therefrom, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same do pass.

P. J. MURPHY,
Acting Chairman.

Senator Murphy 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. 73. A Bill for an Act to Provide for the Election of Directors of Building and Loan Association for the Term of Three Years.

Have had the same under consideration and recommend that the same do pass.

P. J. MURPHY,
Acting Chairman.

Senator Murphy 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. 34. A Bill for an Act to Repeal Section 3522 of the Compiled Laws of North Dakota for 1913, Providing for Livery Allowed Sheriffs.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the Title of the Bill, strike out the word "the."

And when so amended recommend the same do pass.

P. J. MURPHY,
Acting Chairman.

Senator Murphy 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:

House Bill No. 44. A Bill for an Act to Amend and Re-enact Section 147 of the Compiled Laws of North Dakota for the Year 1913 and Repealing Section 147a of the Compiled Laws of North Dakota for the Year 1913; Providing for Publicity of State Finances.

Have had the same under consideration and recommend that the same do pass.

W. R. BOND,
Chairman.

Senator Bond 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 3, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 146. A Bill for an Act to Amend and Re-

enact Section 2212 of the Compiled Laws of North Dakota for 1913 as Amended and Re-enacted in Chapter 252 of the Session Laws of North Dakota for 1915, Relating to the Duty of the County Auditor and the Requirements of the Transfer of Real Property as to Taxes, Deeds and Other Instruments of Conveyance.

House Bill No. 65. A Bill for an Act to Amend and Re-enact Article 19 of Chapter 5 of the Political Code of the State of North Dakota Being Sections 524 to 539 Both Inclusive of the Compiled Laws of North Dakota for the Year 1913, Relative to the Practice of Optometry, Creating a State Board of Examiners in Optometry, Providing for the Registration of Optometrists, Defining and Regulating Violation of the Terms of Said Act.

House Bill No. 40. A Bill for an Act to Cancel Uncollected Personal Property Taxes Assessed for 1915 and Prior Years.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, N. D.
February 3, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 41. A Bill for an Act to Amend and Re-enact Section 16 of Chapter 58 of the Session Laws for the Year 1917.

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact the Third Subdivision of Section 3999; and Section 4001, of the Compiled Laws of North Dakota for the Year 1913 Relating to Firemen's Relief Association Fund.

Which the House has passed unchanged.

Very Respectfully,

W. F. CUSHING,
Chief Clerk.

SENATE ROLL CALL

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 1104 of the Compiled Laws of the State of North Dakota for the year 1913, Relating to What Cities and Villages Shall Register Before Any General Election or Annual City Election.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 48, nays none, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Stevens
Babeock	Ingerson	Olson, Barnes	Storstad
Baird	Kaldor	Olson, Eddy-	Thorson
Baker	Kelsh	Foster	Tofsrud
Benson	Kretschmar	Page	Van Camp
Bond	Levang	Patten	Ward
Byrne	Lynch	Peck	Wenstrom
Carey	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Whitmer
Fleekten	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	
Gross	Murphy	Steel	

Absent and not voting:

Messrs.
Eastgate

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 89. A Bill for an Act Relating to What Shall be Carried as "Consolidated Tax Account," and Repealing Section 2274, Compiled Laws of 1913 as Amended by Chapter 253, Session Laws of 1915.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 48, nays none, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Stevens
Babeock	Ingerson	Olson, Barnes	Storstad
Baird	Kaldor	Olson, Eddy-	Thorson
Baker	Kelsh	Foster	Tofsrud
Benson	Kretschmar	Page	Van Camp
Bond	Levang	Patten	Ward
Byrne	Lynch	Peck	Wenstrom
Carey	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Whitmer
Fleekten	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	
Gross	Murphy	Steel	

Absent and not voting:

Messrs.
Eastgate

So the bill passed and the title was agreed to.

Senator Baker moved that further action of Senate Bills 150 be deferred until action be taken on Senate Bill No. 21.

Which motion prevailed.

Senator Bond moved that the Senate do now return to the Eighth Order of Business. There being no objections, the Senate took up the Eighth Order of Business.

Senator Bond moved to suspend the rules, and asked unanimous consent to introduce a bill carrying an appropriation.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS

Mr. Kretschmar introduced:

Senate Bill No. 262. A Bill for an Act Limiting the Exemptions to Stockholders of Banks on Claims Against Them for Liability as Stockholders.

Was read the first and second time and referred to the Committee on Banks and Banking.

Mr. Kelsh introduced:

Senate Bill No. 263. A Bill for an Act Relating to the White Stone Hills Battlefield Grounds in Dickey County, and Vesting the Care, Custody, Control and Maintenance of the same in the State Historical Society of North Dakota, as Trustee for the State.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Kretschmar introduced:

Senate Bill No. 264. A Bill for an Act to Amend and Re-enact Section 5149 of the Compiled Laws of North Dakota for 1913, Relating to the Organization of Banking Associations.

Was read the first and second time and referred to the Committee on Banks and Banking.

Mr. Kretschmar introduced:

Senate Bill No. 265. A Bill for an Act to Amend and Re-enact Section 2360a of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Section 2360a of Chapter 4 of the Session Laws for the Year 1919.

Was read the first and second time and referred to the Committee on Military Affairs.

Mr. Kretschmar introduced:

Senate Bill No. 266. A Bill For an Act Providing for the Assessment of Shares of Stock in Banking Associations Organized Under the Laws of this State.

Was read the first and second time and referred to the Committee on Banks and Banking.

A Majority of the Committee on Banks and Banking introduced:

Senate Bill No. 267. A Bill for an Act Declaring an Emergency to Exist Affecting the Public Welfare of the State With Respect to the Administration of Insolvent Banks; Providing for the Liquidation Thereof; Vesting the Supreme Court With Jurisdiction of Such Liquidation Proceedings, and Requesting it to Assume Original Jurisdiction in Furtherance of the Public Interest; Creating the Position of Supreme Court Commissioner, Fixing His Compensation, and Defining His Powers and Authority,

and Providing for the Appointment of Receivers of Insolvent Banks, and Making an Appropriation to Meet the Expenses Incident to Carrying Out the Purpose of the Act.

Was read the first and second time and referred to the Committee on Banks and Banking.

Mr. Tofsrud introduced:

Senate Bill No. 268. A Bill for an Act to Amend and Re-enact Chapter 7660, of the Compiled Laws of the State of North Dakota, for the Year 1913, as Amended by Chapter 7660, of the Compiled Laws of the State of North Dakota, for the Year 1913, as Amended by Chapter 131, of the Session Laws of 1921, Relating to Causes for a New Trial in Civil Actions.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Tofsrud introduced:

Senate Bill No. 269. A Bill for an Act Relating to the Power of the Supreme Court in Civil Cases on Appeal and the Extent of Review Where Such Cases are Reversed by the Supreme Court and Remanded for a New Trial.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Thorson introduced:

Senate Bill No. 270. A Joint Resolution for an Amendment to the Constitution of the State of North Dakota, Providing a Term of Office of Four Years for all Elective State Officers.

Was read the first and second time and referred to the Committee on Elections.

Senator Kelsh moved that the Senate do now adjourn. Which motion prevailed.

THIRTY-THIRD DAY

The senate convened at 2:00 o'clock P. M., the President Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. L. R. Johnson.

Roll was called, all Senators being present with the exception of Senator Eastgate.

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

Mr. President: Your committee on revision and correction of the Journal have carefully examined the Journal of the 31st day after recess and 32nd day and recommend that the same be corrected as follows:

On page 15 in Senate Roll Call on S. B. No. 140, strike out "Eastgate" and insert "Kretschmar" as voting in the affirmative; strike out "Kretschmar" and insert "Martin" as voting in the negative, and strike out "Martin" and in-

sert "Eastgate" as being absent and not voting.

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Senator Ingerson presented a communication from the American Legion Auxiliary of Portal, N. D., which was referred to the Committee on Public Health.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 14. A Bill for an Act to Prohibit the Wearing of Masks or Other Disguises in Public, and Designating the Penalty for Same.

And find the same correctly enrolled.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 21. A Bill for an Act to Amend and Re-enact Chapter 224, Laws of North Dakota for the Year 1919, as Amended by Chapter 60, Special Session Laws of 1919; an Act for the Purpose of Raising Revenue to Defray the General Expenses of the State Government by Providing for a Tax on the Incomes of Individuals, Fiduciaries, Corporations, Joint Stock Companies or Associations and Insurance Companies in the State of North Dakota; Graduating Incomes for the Purpose of Taxation; Providing for Exemptions and Deductions in Certain Cases; Describing a method of Levying and Collecting Said Tax; Prescribing Penalties for Nonconformance with the Provisions of this Act, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also

Senate Bill No. 28. A Bill for an Act to Empower Cities, Villages, and Towns to Purchase, Sell, Construct, Rent, Lease, Extend, Connect, or Erect, High Tension Electric Transmission Lines and Electrical Equipment, Within and Without the Corporate Limits, and Necessary Secondary Transmission Lines and Distribution Systems Within the

Corporate Limits, for the Purpose of Securing Light, Power and Electrical Energy for Municipal and Commercial use; and to Assess the Property Within the Corporate Limits, and to Provide for the Method of Such Assessment and the Collection Thereof, and to Provide for the Issuance of Bonds.

Also

Senate Bill No. 32. A Bill for an Act to Amend and Re-enact Section 4016 of the Compiled Laws of 1913 Relating Bonded Indebtedness of Cities, and Purposes for Which Incurred.

Also

Senate Bill No. 160. A Bill for an Act to Amend and Re-enact Chapter 82, Session Laws of North Dakota for 1919, and to Empower Cities to Purchase or construct Plants, Including Gas Works for the Manufacture and Distribution of Light, Heat and Power for Municipal and Commercial Purposes, and to Assess Abutting Property in Accordance with the Benefits Thereto by Reason of Such System of Distribution, and Providing for the Method of Such Assessment and the Collection Thereof.

Also

Senate Bill No. 169. A Bill for an Act Relating to the Powers of Stockholders and Management of Co-operative Corporations and Associations.

Also

Senate Bill No. 204. A Bill for an Act to Amend and Re-enact Section 158 of the Compiled Laws of North Dakota for 1913, Relating to the Attorney General's Report.

Also

Senate Bill No. 212. A Bill for an Act to Amend and Re-enact Section 3890 of the Compiled Laws of 1913, Relating to Publishing of Village Treasurer's Reports and Prescribing the Form Thereof.

Also

Senate Bill No. 213. A Bill for an Act Giving the North Dakota Game and Fish Commissioner Power to Make Rules and Regulations in Addition to Those Already Provided by Law, for the Protection of the Fish in the Lakes and Rivers of North Dakota.

Also

Senate Bill No. 220. A Bill for an Act to Amend and Re-enact Section 3716 of the Compiled Laws of 1913 Relating to Payment of Deficiency in Special Assessments.

And find the same correctly enrolled.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 51. A Bill for an Act Fixing Publication Fees for Printing Delinquent Tax Lists, School Treasurers' Reports, and County Commissioners' Proceedings.

Also

Senate Bill No. 151. A Bill for an Act to Amend Section 6295 of the Compiled Laws Relating to Trusts and Trusteeships.

And find the same correctly re-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang 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. 96. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance of the State School for the Blind at Bathgate.

Have had the same under consideration and recommend that the same be amended as follows:

By inserting the following Section:

"Section 2. The appropriation referred to in Section 1 of this Act shall be in the nature of a loan to the Maintenance Fund of the State School for the Blind at Bathgate, North Dakota, as there is sufficient money from interest and income due the Maintenance Fund of the State School for the Blind at Bathgate, North Dakota uncollected to reimburse the general fund of the State of North Dakota for such appropriation. Therefore, interest and income due and uncollected at the time of the approval of this Act, or as much thereof as is sufficient to reimburse the general fund of the State of North Dakota, shall, when collected be paid into the general fund of the State of North Dakota by the issuance of transfer warrants by the State Auditor to the State Treasurer, and such transfer warrants credited to the general fund of the State of North Dakota."

Strike out figure 2 in line 1 of Section 2 of the printed Bill, after the word "Section" and insert in lieu thereof the figure "3."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 100. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Maintenance Fund of the School of Science at Wahpeton, N. Dak.

Have had the same under consideration and recommend that the same be amended as follows:

By inserting the following section:

"Section 2. The appropriation referred to in Section 1 of this Act shall be in the nature of a loan to the Maintenance Fund of the School of Science at Wahpeton, North Dakota, as there is sufficient money from interest and income due the Maintenance Fund of the School of Science at Wahpeton, North Dakota, uncollected to reimburse the general fund of the State of North Dakota for such appropriation. Therefore, interest and income or as much thereof as is sufficient to reimburse the general fund of the State of North Dakota for such appropriation. Therefore, interest and income due and uncollected at the time of the approval of this Act, or as much thereof as is sufficient to reimburse the general fund of the State of North Dakota, shall, when collected, be paid into the general fund of the State of North Dakota by the issuance of transfer warrants by the State Auditor to the State Treasurer, and such transfer warrants credited to the general fund of the State of North Dakota."

Strike out figure 2 in line 1 of Section 2 of the printed Bill after the word "Section" and insert in lieu thereof the figure "3."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 27. A Bill for an Act to Amend and Re-enact Sections 3, 6, 7, 8, 11 and 54 of Chapter 161 of

the Session Laws for the Year 1915, and to Amend and Re-enact Section 27 of Chapter 161 of the Session Laws for the Year 1915 as Amended and Re-enacted by Section 2 of Chapter 134 of the Session Laws for the Year 1919, and to Amend and Re-enact Section 28 of Chapter 161 of the Session Laws for the Year 1915 as Amended and Re-enacted by Section 3 of Chapter 134 of the Session Laws for the Year 1919, and as Amended and Re-enacted by Section 1 of Chapter 71 of the Session Laws for the Year 1921, and to Amend and Re-enact Section 34 of Chapter 161 of the Session Laws for the Year 1915 as Amended and Re-enacted by Section 9 of Chapter 134 of the Session Laws for the Year 1919, and as Amended and Re-enacted by Section 1 of Chapter 69 of the Session Laws for the Year 1921, and to Repeal Section 10298 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 162 of the Session Laws for the Year 1915, and as Amended by Section 9 of Chapter 134 of the Session Laws for the Year 1919, and Chapter 69 of the Session Laws for the Year 1921, Relating to Game and Fish.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. STEVENS,
Chairman.

Senator Stevens moved that the report be adopted, which motion prevailed and the report was adopted.

SIGNING OF BILLS

The secretary announced that the President was about to sign:

Senate Bill No. 14. A Bill for an Act to Prohibit the Wearing of Masks or Other Disguises in Public, and Designating the Penalty for Same.

And the President signed the same in the presence of the Senate.

Senator Gardiner moved that all absent Senators be excused.

Which motion prevailed.

Senator Steel moved for an extension of time for further consideration of Senate Bills No. 163-167, inclusive.

Which motion prevailed.

THIRD READING OF SENATE BILLS.

Senator Thorson moved that action on Senate Bills No. 21 and 150 be deferred for one day.

Which motion prevailed.

Senator Ward moved that action on Senate Bill No. 152 be deferred for one day.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 169. A Bill for an Act Relating to the Powers of Stockholders and Management of Co-Operative Corporations and Associations.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 47, nays 1, absent and not voting 1.

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Sperry
Babcock	Ingerson	Nathan	Steel
Baird	Kaldor	Olson, Barnes	Stevens
Baker	Kelsh	Olson, Eddy-	Storstad
Benson	Kretschmar	Foster	Thorson
Bond	Levang	Page	Tofsrud
Byrne	Lynch	Patten	Van Camp
Carey	McCoy	Peck	Ward
Ettestad	McLachlin	Peterson	Wenstrom
Heckten	Magnuson	Ployhar	Whitman
Garberg	Martin	Porter	Whitmer
Gross	Miklethun	Rusch	Wog

Those voting in the negative were:

Messrs.
Gardiner

Absent and not voting

Messrs.
Eastgate

So the bill passed and the title was agreed to.

Senator Kretschmar moved that action of **Senate Bill** No. 213 be deferred for one day.

Which motion prevailed.

Senator Thorson moved that action on Senate Bill No. 220, be deferred for one day.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 160. A Bill for an Act to Amend and Re-enact Chapter 82, Session Laws of North Dakota for 1919, and to Empower Cities to Purchase or construct Plants, Including Gas Works for the Manufacture and Distribution of Light, Heat and Power for Municipal and Commercial Purposes, and to Assess Abutting Property in Accordance with the Benefits Thereof by Reason of Such System of Distribution, and Providing for the Method of Such Assessment and the Collection Thereof.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays none, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Steel
Babcock	Hamilton	Olson, Barnes	Stevens
Baird	Kaldor	Olson, Eddy-	Storstad
Baker	Keish	Foster	Thorson
Benson	Levang	Page	Tofsrud
Bond	Lynch	Patten	Van Camp
Byrne	McCoy	Peck	Ward
Carey	McLachlin	Peterson	Wenstrom
Ettestad	Magnuson	Ployhar	Whitman
Fleckten	Martin	Porter	Whitmer
Garberg	Miklethun	Rusch	Wog
Gardiner	Murphy	Sperry	

Absent and not voting

Messrs.	Messrs.	Messrs.
Eastgate	Ingerson	Kretschmar

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 32. A Bill for an Act to Amend and Re-enact Section 4016 of the Compiled Laws of 1913 Relating Bonded Indebtedness of Cities, and Purposes for Which Incurred.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays 1, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Olson, Barnes	Stevens
Baird	Kaldor	Olson, Eddy-	Storstad
Baker	Keish	Foster	Thorson
Benson	Kretschmar	Page	Tofsrud
Bond	Levang	Patten	Van Camp
Byrne	Lynch	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Ettestad	McLachlin	Ployhar	Whitman
Fleckten	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

Those voting in the negative were:

Messrs.
Nathan

Absent and not voting

Messrs.	Messrs.
Eastgate	Ingerson

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 204. A Bill for an Act to Amend and Re-enact Section 158 of the Compiled Laws of North Dakota for 1913, Relating to the Attorney General's Report.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 47, nays none, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Sperry
Babcock	Hamilton	Nathan	Steel
Baird	Kaldor	Olson, Barnes	Stevens
Baker	Kelsh	Olson, Eddy-	Storstad
Benson	Kretschmar	Foster	Thorsen
Bond	Levang	Page	Tofsrud
Byrne	Lynch	Patten	Van Camp
Carey	McCoy	Peck	Ward
Ettestad	McLachlin	Peterson	Wenstrom
Fleekten	Magnuson	Ployhar	Whitman
Garberg	Martin	Porter	Whitmer
Gardiner	Miklethun	Rusch	Wog

Absent and not voting

Messrs.	Messrs.
Eastgate	Ingerson

So the bill passed and the title was agreed to.

Senator Benson moved that action on Senate Bill No. 212 be deferred for one day.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 28. A Bill for an Act to Empower Cities, Villages, and Towns to Purchase, Sell, Construct, Rent, Lease, Extend, Connect, or Erect, High Tension Electric Transmission Lines and Electrical Equipment, Within and Without the Corporate Limits, and Necessary Secondary Transmission Lines and Distribution Systems Within the Corporate Limits, for the Purpose of Securing Light, Power and Electrical Energy for Municipal and Commercial use; and to Assess the Property Within the Corporate Limits, and to Provide for the Method of Such Assessment and the Collection Thereof, and to Provide for the Issuance of Bonds.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays 3, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Martin	Porter
Babcock	Gross	Miklethun	Rusch
Baird	Hamilton	Murphy	Steel
Baker	Ingerson	Nathan	Storstad
Benson	Kaldor	Olson, Barnes	Thorsen
Bond	Kelsh	Olson, Eddy-	Tofsrud
Byrne	Kretschmar	Foster	Van Camp
Carey	Lynch	Patten	Ward
Ettestad	McCoy	Peck	Wenstrom
Fleekten	McLachlin	Peterson	Whitman
Garberg	Magnuson	Ployhar	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Page	Stevens	Whitmer

Absent and not voting

Messrs.	Messrs.	Messrs.
Eastgate	Levang	Sperry

So the bill passed and the title was agreed to.

Senator Baker: I expect to vote "aye" and will vote "aye" on this but I wish to put in my protest. Now I am not a Socialist and never have been; this is one of the worst measures that is before this body, but it gives cities such enormous powers that I am going to put away my better judgment; but I do so under protest.

Senator Gross: I am disposed to explain my vote; the cities already have a right to do quite a number of things among which they have the right to tax themselves to support public libraries and to levy a tax for the support of public libraries as a part of their educational institutions. I see we have just authorized cities to build Auditoriums, Armories, Gymnasiums, Public Baths or other places of amusement and levy a tax to support themselves. I want to ask the Senators if the people they represent, the residents of the counties in this state ask for the power to be given to them to vote for themselves a tax to supplement their educational institutions by a library system. I expect to ask a similar privilege from the cities for the children of the country. I am willing to support this measure for the citizens of the city and I vote "aye."

Senator Stevens: I feel compelled to explain my vote; I am very sorry when great minds cannot move in the same channel. I have studied this bill and given it considerable thought but inasmuch as I can not agree with the gentlemen who have already explained their votes, I vote "no."

SENATE ROLL CALL

Senate Bill No. 64. A Bill for an Act Concerning Aeronautics and to make Uniform the Law with Reference Thereto.

Was read.

The question being on the final passage of the bill as amended by the House the roll was called and there were ayes 48, nays none, absent and not voting 1.

So the bill passed and the title was agreed to.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Stevens
Babcock	Ingerson	Olson, Barnes	Storstad
Baird	Kaldor	Olson, Eddy-	Thorson
Baker	Kelsh	Foster	Tofsrud
Benson	Kretschmar	Page	Van Camp
Bond	Levang	Patten	Ward
Byrne	Lynch	Peck	Wenstrom
Carey	McCoy	Peterson	Whitman
Ettestad	McLachlin	Floyhar	Whitmer

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	
Gross	Murphy	Steel	

Absent and not voting

Messrs.

Eastgate

So the bill passed and the title was agreed to.

The following bills were messaged to the House:

Senate Bill No. 201. A Bill for an Act to Amend and Re-enact Section 5608 of the Compiled Laws of the State of North Dakota for the Year 1913.

Senate Bill No. 11. A Bill for an Act to Amend and Re-enact Sections 869 and 983 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 119, Session Laws of 1919, Relating to the Opening and Closing of Polls in Primary and General Elections.

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 1104 of the Compiled Laws of the State of North Dakota for the year 1913, Relating to What Cities and Villages Shall Register Before Any General Election or Annual City Election.

Senate Bill No. 89. A Bill for an Act Relating to What Shall be Carried as "Consolidated Tax Account," and Repealing Section 2274, Compiled Laws of 1913 as Amended by Chapter 253, Session Laws of 1915.

Senate Bill No. 51. A Bill for an Act Fixing Publication Fees for Printing Delinquent Tax Lists, School Treasurers Reports, and County Commissioners' Proceedings.

Senate Bill No. 151. A Bill for an Act to Amend Section 6295 of the Compiled Laws Relating to Trusts and Trusteeships.

Senate Bill No. 169. A Bill for an Act Relating to the Powers of Stockholders and Management of Co-operative Corporations and Associations.

Senate Bill No. 160. A Bill for an Act to Amend and Re-enact Chapter 82, Session Laws of North Dakota for 1919, and to Empower Cities to Purchase or construct Plants, Including Gas Works for the Manufacture and Distribution of Light, Heat and Power for Municipal and Commercial Purposes, and to Assess Abutting Property in Accordance with the Benefits Thereto by Reason of Such System of Distribution, and Providing for the Method of Such Assessment and the Collection Thereof.

Senate Bill No. 32. A Bill for an Act to Amend and Re-enact Section 4016 of the Compiled Laws of 1913 Relating Bonded Indebtedness of Cities, and Purposes for Which Incurred.

Senate Bill No. 204. A Bill for an Act to Amend and Re-enact Section 158 of the Compiled Laws of North Dakota for 1913, Relating to the Attorney General's Report.

Senate Bill No. 28. A Bill for an Act to Empower Cities, Villages, and Towns to Purchase, Sell, Construct, Rent, Lease, Extend, Connect, or Erect, High Tension Electric Transmission Lines and Electrical Equipment, Within and Without the Corporate Limits, and Necessary Secondary Transmission Lines and Distribution Systems Within the Corporate Limits, for the Purpose of Securing Light, Power and Electrical Energy for Municipal and Commercial use; and to Assess the Property Within the Corporate Limits, and to Provide for the Method of Such Assessment and the Collection Thereof, and to Provide for the Issuance of Bonds.

THIRD READING OF HOUSE BILLS
SENATE ROLL CALL

House Bill No. 43. A Bill for an Act to Amend and Re-enact Section 3835 of the Compiled Laws of the State of North Dakota for the Year 1919, Relating to Recall of City Officials Under City or Commission Form of Government.

Was read the third time.

The question being on the final passage of the bill as amended by Committee the roll was called and there were ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Barnes	Stevens
Babcock	Kelsh	Olson, Eddy-	Storstad
Baird	Kretschmar	Foster	Thorson
Benson	Levang	Page	Tofsrud
Bond	Lynch	Patten	Van Camp
Carey	McCoy	Peck	Ward
Ettestad	McLachlin	Peterson	Westrom
Garberg	Magnuson	Ployhar	Whitman
Gardiner	Martin	Porter	Wog
Gross	Miklethun	Rusch	
Hamilton	Murphy	Sperry	
Ingerson	Nathan	Steer	

Absent and not voting

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Eastgate	Fleckten	Whitmer
Byrne			

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 2861, Compiled Laws of North Dakota for 1913, Relating to Penalty for Violating Dairy Laws.

Was read the third time.

The question being on the final passage of the bill, as amended by Committee, the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Nathan	Steer	Ingerson

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Kaldor	Olson, Barnes	Stevens
Baird	Kelsh	Olson, Eddy-	Storstad
Benson	Kretschmar	Foster	Thorson
Bond	Levang	Page	Tofsrud
Carey	Lynch	Patten	Van Camp
Ettestad	McCoy	Peck	Ward
Fleckten	McLachlin	Peterson	Wenstrom
Garberg	Magnuson	Ployhar	Whitman
Gardiner	Martin	Porter	Wog
Gross	Miklethun	Rusch	
Hamilton	Murphy	Sperry	

Absent and not voting

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Byrne	Eastgate	Whitmer

So the bill passed and the title was agreed to.

Senator McCoy moved to amend House Bill No. 42 by adding the following:

“Section 2. EMERGENCY. This Act is hereby declared to be an emergency and shall be in full force and effect after April 1, 1923.”

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 42. A Bill for an Act Prescribing Certain Requisites With Respect to Crop Mortgages Given for Other Than as Rental of Premises or to Secure the Purchase Price of Same and Making All Crop Mortgages not Executed in Compliance With Such Requirement Void and Not Subject to Being Filed of Record.

Was read the third time.

The question being on the final passage of the bill, as amended on third reading, the roll was called and there were ayes 42, nays 5, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Olson, Barnes	Stevens
Babcock	Kaldor	Olson, Eddy-	Storstad
Baird	Kretschmar	Foster	Thorson
Baker	Lynch	Page	Tofsrud
Benson	McCoy	Patten	Van Camp
Bond	McLachlin	Peck	Ward
Byrne	Magnuson	Ployhar	Wenstrom
Carey	Martin	Porter	Whitman
Garberg	Miklethun	Rusch	Whitmer
Gardiner	Murphy	Sperry	Wog
Gross	Nathan	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Ettestad	Hamilton	Kelsh	Peterson
Fleckten			

Absent and not voting

Messrs.	Messrs.
Eastgate	Levang

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

So the bill passed and the title was agreed to.

Mr. Whitmer moved that the vote by which House Bill No. 42 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 47. A Bill for an Act to Amend and Re-enact Section 3854 of the Compiled Laws of North Dakota of 1913, Providing for the Election and Terms of Office of Village Officials.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 48, nays none, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Stevens
Babeock	Ingerson	Olson, Barnes	Storstad
Baird	Kaldor	Olson, Eddy-	Thorson
Baker	Ke'ish	Foster	Tofsrud
Benson	Kretschmar	Page	Van Camp
Bond	Levang	Patten	Ward
Byrne	Lynch	Peck	Wenstrom
Carey	McCoy	Peterson	Whitman
Ettestad	McLachlin	Plovhar	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	
Gross	Murphy	Steer	

Absent and not voting

Messrs.
Eastgate

So the bill passed and the title was agreed to.

Senator Ward moved that Senate Bill No. 169 be recalled from the House.

Which motion prevailed.

Senator Gross moved that the rules be suspended and that the motion by which House Bill No. 42 was passed be reconsidered.

Which motion was lost.

Senator Ward moved that the vote by which Senate Bill No. 169 was passed be reconsidered.

Which motion prevailed.

Senator Ward moved to amend Senate Bill No. 169 by adding the following:

"Section 3. Emergency: This Act is hereby declared

to be an emergency measure and shall be in full force and effect from and after its passage and approval."

Which motion prevailed.

Senator Ward moved that the rules be suspended and that Senate Bill No. 169 be considered re-engrossed and that it be placed on final passage.

Which motion prevailed.

The question being on the final passage of Senate Bill No. 169, as amended, the roll was called and there were ayes 43, nays 4, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Levang	Foster	Tofsrud
Bond	Lynch	Page	Van Camp
Byrne	McCoy	Patten	Ward
Carey	McLachlin	Peck	Wenstrom
Ettestad	Magnuson	Porter	Whitman
Fleckten	Martin	Rusch	Whitmer
Garberg	Miklethun	Sperry	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Gardiner	Kelsh	Kretschmar	Peterson

Absent and not voting:

Messrs.	Messrs.
Eastgate	Ployhar

So the bill passed and the title was agreed to.

No separate roll call having been demanded on, the emergency clause, the bill was declared passed with the emergency clause attached thereto.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, N. D.
February 3, 1923.

Mr. President: I have the honor to return the following concurrent resolution by Senator Steel memorializing the United States congress to prohibit the further issuance of tax exempt securities.

Which the House adopted unchanged.

Very Respectfully,

W. F. CUSHING,
Chief Clerk.

SENATE COMMITTEE ON ENROLLMENT AND EN-GROSSMENT

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 36. A Bill for an Act to Amend and Re-enact Sections 5605, 5607 and 5611 of the Compiled Laws

of the State of North Dakota for the Year 1913, Defining, the Homestead Exemption.

Also,

Senate Bill No. 66. A Bill for an Act to Amend and Re-enact Section 844 of the Compiled Laws of North Dakota for the Year 1913.

Also,

Senate Bill No. 75. A Bill for an Act Legalizing and Validating Certain Acts of City Officials with Reference to Electric Lights or Distribution Systems.

Were delivered to the governor for his approval at the hour of 3:30 o'clock P. M. February 3, 1923.

CHRIST LEVANG,
Chairman.

Senator Storstad moved that when the Senate recess, it recess until 1:00 o'clock P. M. February 5, 1923.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS

Mr. Baird introduced:

Senate Bill No. 271. A Bill for an Act to Provide for Differentials on Lignite Coal Between Shipping Points in North Dakota.

Was read the first and second time and referred to the Committee on Mines and Minerals.

Mr. McCoy introduced:

Senate Bill No. 272. A Bill for an Act Relating to the Method of Levying Tax for the Care of Patients at the Hospital for the Insane, Institution for the Feeble Minded and the State Tuberculosis Sanatorium; Providing the Method of Settlement Between County and State; Providing a Penalty for Failure to Pay; Providing a Method of Settling Disputed Claims and Repealing Sections 2572 and 2573, Compiled Laws of 1913 and all Acts or Parts of Acts in Conflict Therewith.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Martin introduced:

Senate Bill No. 273. A Bill for an Act to Provide for the Creation of Grain Storage Districts, the Building or Purchasing of Elevators and the Storage and Handling of Cereals by Such Districts.

Was read the first and second time and referred to the Committee on Warehouses and Grain Grading.

Mr. Martin introduced:

Senate Bill No. 274. A Bill for an Act to Amend and Re-enact Section 11291 of the Compiled Laws of North

Dakota, 1913, Relating to Parole From the State Training School.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Lynch introduced:

Senate Bill No. 275. A Bill for an Act to Repeal Chapter 24 of the Special Session Laws of North Dakota for the Year 1919, Providing for the Issuance of Bonds of the State of North Dakota in a Sum Not Exceeding Two Million Dollars to be Known as "Bonds of North Dakota, Home Building Series."

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Byrne introduced:

Senate Bill No. 276. A Bill for an Act to Provide a Penalty for Neglect to Try and Dispose of Civil Jury Actions Upon the District Court Calendar.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Lynch introduced:

Senate Bill No. 277. A Bill for an Act Transferring to the Industrial Commission the Custody, Control and Management of the Property and Assets of the Home Building Association of North Dakota, for the Purpose of Liquidating and Winding up the Business and Affairs of said Home Building Association of North Dakota, Defining the Powers and Authority of the Industrial Commission With Reference Thereto, Defining the Rights and Liabilities of Applicants for Homes and Purchasers, and Repealing Chapter 150 of the Session Laws of North Dakota for the Year 1919, and Chapter 39 of the Special Session Laws of North Dakota for the Year 1919.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Garberg introduced:

Senate Bill No. 278. A Bill for an Act to Amend and Re-enact Section 3718 of the Compiled Laws of North Dakota for the Year 1913, Relating to Extension of Water Main Assessments.

Was read the first and second time and referred to the Committee on Cities and Municipal Corporations.

Mr. Van Camp introduced:

Senate Bill No. 279. A Bill for an Act Making the Trespassing or Estraying of Any Bull Not of Pure Bred Breeding Upon the Property of Another or Upon a Public Highway Unlawful. Authorizing the Castration of Such Bull, and Providing the Penalty for the Violation of Said Act.

Was read the first and second time and referred to the Committee on Live Stock.

Mr. Lynch introduced:

Senate Bill No. 280. A Bill for an Act to Amend and Re-enact Section 7643 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 133, of the Session Laws of 1921, Relating to Directed Verdicts.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Whitmer introduced:

Senate Bill No. 281. A Bill for an Act Relating to the Payment of Certificates of Deposit.

Was read the first and second time and referred to the Committee on Banks and Banking.

Mr. Whitmer introduced:

Senate Bill No. 282. A Bill for an Act Relating to the Payment of Checks Drawn on Banks.

Was read the first and second time and referred to the Committee on Banks and Banking.

Mr. Hamilton introduced:

Senate Bill No. 283. A Bill for an Act to Amend and Re-enact Sections 9868, 9869, 9870, 9871, 9872, 9873, 9874, 9875 and 9876 of the Compiled Laws of North Dakota for the Year 1913, Relating to Burglary, House Breaking and Unlawful Entering.

Was read the first and second time and referred to the Committee on State Affairs.

Messrs. Baird, Garberg and Kaldor introduced:

Senate Bill No. 284. A Bill For an Act to Amend and Re-enact Sections 782, 783, 784, 787, 799, 808, 809, 810, 811 and 812 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 69 of the Session Laws for the Year 1919, Relating to the Creation of a State Bar Board, Its Members, Their Term of Office, Qualifications, Compensation and Duties and Providing for the Admission of Attorneys to Practice and the Issuance of License to Practice.

Was read the first and second time and referred to the Committee on Judiciary.

Messrs. Baird, Garberg and Kaldor introduced:

Senate Bill No. 285. A Bill for an Act to Amend and Re-enact Section 790 of the Compiled Laws of North Dakota for the Year 1913, Relating to Qualifications of Applicants for Admission to the Bar of the State of North Dakota.

Was read the first and second time and referred to the Committee on Judiciary.

Messrs. Baird, Garberg and Kaldor introduced:

Senate Bill No. 286. A Bill for an Act to Amend and Re-enact Chapter 25 of the Session Laws of the State of North Dakota for the Year 1921, Being an Act to Create, Define and Establish the Bar Association of the State of North Dakota, and Providing for the Publication of its Proceedings and Filing Copies Thereof With the State Bar Board and State Libraries, and as Otherwise Provided and Making an Appropriation for the Expenses Connected Therewith.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Levang introduced:

Senate Bill No. 287. A Bill for an Act to Amend and Re-enact Chapter 157 of the Laws of North Dakota for the Year 1917, Relating to the Penalty for Larceny of Automobiles and Motorcycles.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Baird introduced:

Senate Bill No. 288. A Bill for an Act Providing for a Tax Upon Reserves of Coal and Minerals, Providing for the Obtaining of Tax Titles to Such Reserves When Taxes Thereon Remain Unpaid and Repealing Section 2119, Section 2120 and Section 2121, Compiled Laws of 1913, and All Acts and Parts of Acts in Conflict With This Act.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

Mr. Byrne introduced:

Senate Bill No. 289. A Bill for an Act Providing That the County Commissioners Shall Have Power to Abate Certain Assessments Levied by Boards of Irrigation Districts Upon Application of the District Board Approved by the Director of the Reclamation Service.

Was read the first and second time and referred to the Committee on Irrigation.

FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 146. A Bill for an Act to Amend and Re-enact Section 2212 of the Compiled Laws of North Dakota for 1913 as Amended and Re-enacted in Chapter 252 of the Session Laws of North Dakota for 1915, Relating to the Duty of the County Auditor and the Requirements of the Transfer of Real Property as to Taxes, Deeds and Other Instruments of Conveyance.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 65. A Bill for an Act to Amend and Re-enact Article 19 of Chapter 5 of the Political Code of the State of North Dakota Being Sections 524 to 539 Both Inclusive of the Compiled Laws of North Dakota for the Year 1913, Relating to the Practice of Optometry, Creating

a State Board of Examiners in Optometry, Providing for the Registering of Optometrists, Defining and Regulating Violation of the Terms of Said Act.

Was read the first and second time and referred to the Committee on Public Health.

House Bill No. 40. A Bill for an Act to Cancel Uncollected Personal Property Taxes Assessed for 1915 and Prior Years.

Whereas, there are a large number of uncollectible personal property taxes on the tax books of the various counties of the state for the year 1915 and prior years which the Boards of County Commissioners have neglected to cancel as provided by law.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

The courtesies of the floor were extended to the Misses Gladys Plath of Davenport; Mary Watt, Caroline Watt of Leonard; Mabel Rasmussen of Hunter; Caroline Evingson, of Fargo; Mrs. Mathilde Johnson of Cooperstown; Hon. C. W. Davis, of La Moure; O. S. Gunderson, of Valley City; Judge McNulty of Center.

Senator Porter moved that the Senate do now recess.
Which motion prevailed.

W. E. PARSONS,
Secretary.

THIRTY-THIRD DAY AFTER RECESS, AND THIRTY-
FIFTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 5, 1923.

The Senate re-assembled at 1:00 P. M. February 5, 1923, pursuant to recess taken, the President, Frank H. Hyland, presiding.

INTRODUCTION, FIRST AND SECOND READING OF
SENATE BILLS

Mr. Martin introduced:

Senate Bill No. 290. A Bill for an Act to Provide for the Expenses of Prosecution and Trial of Actions Wherein the Issues Affect the Entire People of the State and not Alone the County Wherein such Actions are Tried.

Was read the first and second time and referred to the committee on Judiciary.

Mr. Martin introduced:

Senate Bill No. 291. A Bill for an Act to Amend and Re-enact Section 3483, Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 13 of the Special Session Laws of 1918, Relating to the Re-payment of the Cost of Seed Grain Obtained by any Person from any County in the State.

Was read the first and second time and referred to the committee on State Affairs.

Mr. Van Camp introduced:

Senate Bill No. 292. A Bill for an Act to Amend and Re-enact Section 2141 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Chapter 35, Special Session Laws of 1919; Providing for the Substitution of the State Auditor and State Tax Commissioner as Members of the State Board of Equalization Instead of the Commissioner of Insurance and Attorney General; Providing that the Tax Commissioner Shall be Secretary Thereof Instead of the Commissioner of Insurance and Prescribing the Powers and Duties of the State Board of

Equalization in Regard to the Equalization and Assessment of Property.

Was read the first and second time and referred to the committee on State Affairs.

Mr. Gardiner introduced:

Senate Bill No. 293. A Bill for an Act Requiring that Public Investigations, Examinations and Audits for the State of North Dakota and its Industrial and Political Sub-divisions be Made by Accountants who Are Actual Citizens and Residents of North Dakota.

Was read the first and second time and referred to the committee on Ways and Means.

Mr. Fleckten introduced:

Senate Bill No. 294. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 129 of the Session Laws of North Dakota for the Year 1921, Relating to Affidavits of Prejudice.

Was read the first and second time and referred to the committee on Judiciary.

Mr. Kretschmar introduced:

Senate Bill No. 295. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 211 of the Session Laws of North Dakota for 1919, Relating to Supreme Court Reporter and State Law Librarian.

Was read the first and second time and referred to the committee on State Affairs.

Mr. McCoy introduced:

Senate Bill No. 296. A Bill for an Act Designating What Insurance Companies May Write Insurance in the State of North Dakota.

Was read the first and second time and referred to the committee on Insurance.

Mr. McCoy introduced:

Senate Bill No. 297. A Bill for an Act Limiting the Writing and Placing of All Hail Insurance on Growing Crops in the State of North Dakota, with the State of North Dakota and North Dakota Insurance Companies.

Was read the first and second time and referred to the committee on Insurance.

Mr. Storstad introduced:

Senate Bill No. 298. A Bill for an Act to Amend and Re-enact Sections 1360, 1361 and 1369 of the Compiled Laws of 1913 Relating to the Requirements for Teachers' Certificates.

Was read the first and second time and referred to the committee on Education.

Mr. Storstad introduced:

Senate Bill No. 299. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 62 of the Laws of North Dakota Enacted at the Special Session of 1919, and Declaring that an Emergency Exists, and that This Act Shall Become Effective Immediately Upon Its Passage and Approval.

Was read the first and second time and referred to the committee on Taxes and Tax Laws.

Mr. Storstad introduced:

Senate Bill No. 300. A Bill for an Act to Amend and Re-enact Section 2110 of the Compiled Laws of 1913 as Amended by Chapter 221 of the Session Laws of 1919 and Chapter 119 of the Session Laws of 1921 Relating to the Taxation of Corporate Excess.

Was read the first and second time and referred to the committee on Corporations Other Than Municipal.

Mr. Storstad introduced:

Senate Bill No. 301. A Bill for an Act to Amend and Re-enact Chapter 61 of the Session Laws of 1917 Relating to the Assessment of the Capital Stock of Banks, Loan and Trust Companies and of Moneyed Capital Entering Into Competition Therewith.

Was read the first and second time and referred to the committee on Taxes and Tax Laws.

Mr. Storstad introduced:

Senate Bill No. 302. A Bill for an Act to Impose a Gross Earnings Tax on Certain Freight Line and Car Equipment Companies Owning and Operating or Leasing and Operating Over Railroad Lines Within This State for the Purpose of Raising Revenue to Defray the General Expenses of State Government; Repealing Sections 2 to 11 Inclusive, of Chapter 59, Special Session Laws of 1919 and All Other Acts and Parts of Acts in Conflict Herewith.

Was read the first and second time and referred to the committee on Taxes and Tax Laws.

Messrs. Magnuson and Kaldor introduced:

Senate Bill No. 303. A Bill for a Concurrent Resolution.

Was read the first and second time and referred to the committee on Federal Relations.

Mr. Rutsch introduced:

Senate Bill No. 304. A Bill for an Act to Permit Mutual Insurance Companies to Classify Their Business by Trades, Occupations or Professions, and to Pay Dividends to Policyholders Based Upon Each Trade, Occupation or

Profession's Proportion of Losses Received to the Premiums Paid by Them; and Providing the Method of Determining Such Dividends.

Was read the first and second time and referred to the committee on Insurance.

Mr. Storstad introduced:

Senate Bill No. 305. A Bill for an Act to Repeal Chapter 205 of the Session Laws of the State of North Dakota for the Year 1919, as Amended by Chapter 116 of the Session Laws of the State of North Dakota for the Year 1921.

Was read the first and second time and referred to the committee on State Affairs.

Mr. Eastgate introduced:

Senate Bill No. 306. A Bill for a Concurrent Resolution by the Eighteenth Legislative Assembly of the State of North Dakota.

Was read the first and second time and referred to the committee on Railroads.

Mr. Atkins introduced:

Senate Bill No. 307. A Bill for an Act to Define Criminal Syndicalism and Sabotage, Prescribe Certain Acts and Methods in Connection Therewith and in Pursuance Thereof, and Provide Penalties and Punishment Therefor.

Was read the first and second time and referred to the committee on Judiciary.

Mr. Carey introduced:

Senate Bill No. 308. A Bill for an Act Authorizing the County Commissioners to Satisfy Judgments Against Sureties on Bail Bonds.

Was read the first and second time and referred to the committee on Judiciary.

Mr. Carey introduced:

Senate Bill No. 309. A Bill for an Act to Amend and Re-enact Section 962 of the Compiled Laws of North Dakota for 1913, Relating to the Position of Names of Candidates on Ballots.

Was read the first and second time and referred to the committee on Elections.

Mr. Thorson introduced:

Senate Bill No. 310. A Bill for an Act Relating to School Finances; Providing that Each School Board or Board of Education of Any School District Shall Annually Prepare a Budget of Proposed Expenditures; Providing for Publication of Such Budget and of the Proposed Levy; Providing for a Public Hearing in Regard to the Proposed Ex-

penditures and Levy; Fixing a Date for Levy; Providing that All Expenditures Must Conform to the Budget as Adopted, and that All Unappropriated Balances in Any Fund at the End of the Fiscal Year Shall Become a Part of the General Fund; Repealing All Acts and Parts of Acts Inconsistent With the Provisions of This Act.

Was read the first and second time and referred to the committee on Elections.

Mr. Whitmer introduced:

Senate Bill No. 311. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 242, Session Laws of North Dakota for the Year 1919, Relating to State Bounty on Wolves and Coyotes.

Was read the first and second time and referred to the committee on State Affairs.

Mr. Carey introduced:

Senate Bill No. 312. A Bill for an Act to Amend and Re-enact Section 853 of the Compiled Laws of North Dakota for 1913, Relating to the Filing of Petitions for Nomination.

Was read the first and second time and referred to the committee on Elections.

Mr. Carey introduced:

Senate Bill No. 313. A Bill for an Act to Amend and Re-enact Section 963 of the Compiled Laws of North Dakota for 1913, Relating to the Arrangements of Names on the Ballots and Preparation and Distribution of Ballots.

Was read the first and second time and referred to the committee on Elections.

Mr. Ingerson introduced:

Senate Bill No. 314. A Bill for an Act to Define the Duties of the State Fire Marshal in the Investigation of Fire and Tornado Losses.

Was read the first and second time and referred to the committee on Insurance.

Mr. Whitman introduced:

Senate Bill No. 315. A Bill for an Act Defining Carnivals; Prohibiting Itinerant Carnivals and Declaring the Same a Public Nuisance and Providing Penalties for the Participation Therein.

Was read the first and second time and referred to the committee on State Affairs.

Mr. Baird introduced:

Senate Bill No. 316. A Bill for an Act to Amend and Re-enact Section 7625 of the Compiled Laws of North

Dakota for 1913, Relating to a Trial Jury in Civil Cases.

Was read the first and second time and referred to the committee on Judiciary.

Mr. Carey introduced:

Senate Bill No. 317. A Bill for an Act to Amend and Re-enact Section 1003 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 6 of the Special Session Laws of 1918, Relating to the Printing of Absent Voter Ballots.

Was read the first and second time and referred to the committee on Elections.

Senate Bill No. 318. A Bill for an Act to Amend and Re-enact Section 974 of the Compiled Laws of North Dakota for 1913, Relating to the Certification of Nominations.

Was read the first and second time and referred to the committee on Elections.

Mr. Carey introduced:

Senate Bill No. 319. A Bill for an Act to Amend and Re-enact Section 973 of the Compiled Laws of North Dakota for 1913, Relating to the Filing of Certificates of Nomination.

Was read the first and second time and referred to the committee on Elections.

Mr. Carey introduced:

Senate Bill No. 320. A Bill for an Act to Amend and Re-enact Sections 1 and 4 of Chapter 17 of the Session Laws of North Dakota for the Year 1921, Relating to the Control of Artesian Wells.

Was read the first and second time and referred to the committee on State Affairs.

Mr. Baird introduced:

Senate Bill No. 321. A Bill for an Act Providing that Discharged Soldiers Shall Receive Credit for Their Military Service in the Particular Profession, Vocation or Trade in Which They Were Engaged at the Time of Their Entrance into the Military Service of the United States.

Was read the first and second time and referred to the committee on Military Affairs.

Mr. Ingerson introduced:

Senate Bill No. 322. A Bill for an Act to Provide for the Construction of Chimneys, Flues and Fireplaces where Such Chimneys, Flues and Fireplaces Are Constructed Within the Corporate Limits of Any Village, Town or City in the State of North Dakota and Providing for In-

spection Thereof and a Penalty for Non-compliance.

Was read the first and second time and referred to the committee on Cities and Municipal Corporations.

Mr. Martin introduced:

Senate Bill No. 323. A Bill for an Act to Provide for the Placing of Safety Signals at Dangerous or Difficult Crossings over Railroad Tracks.

Was read the first and second time and referred to the committee on Railroads.

Mr. Porter introduced:

Senate Bill No. 324. A Bill for an Act Prescribing Additional Duties of the Board of Administration Relating to the Admission of Students to the State Institutions Under Their Control.

Was read the first and second time and referred to the committee on State Affairs.

THIRTY-FIFTH DAY

The Senate convened at 2:00 o'clock P. M., the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. L. R. Johnson.

Roll was called, all Senators being present.

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

Mr. President: Your committee on revision and correction of the journal have carefully examined the Journal of the 32nd day after recess and 33rd day and recommend that the same be corrected as follows:

On page 2, line 39, strike out "and vocational education."

On page 6, line 26, correct spelling of "committee."

On page 13, line 44, correct spelling of "State."

On page 14, lines 24 and 25, strike out "uncollected to reimburse the general fund of the state of North Dakota."

On page 24, line 47, strike out "enrollment and."

On page 27, line 16, correct spelling of "relating."

On page 31, line 4, correct spelling of "maintenance."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 14. A Bill for an Act to Prohibit the Wearing of Masks or Other Public Disguises in Public and Designating the Penalty for Same.

Was delivered to the Governor for his approval at the hour of 12:30 o'clock P. M. February 5, 1923.

CHRIST LEVANG,
Chairman.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bill:

Senate Bill No. 169. A Bill for an Act Relating to the Powers of Stockholders and Management of Co-operative Corporations and Associations.

And find the same correctly re-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 35. A Bill for an Act Relative to the Admission of Persons Under Eighteen Years of Age to Public Dances and Requiring the posting of a Copy of the Law and Prescribing Penalty for its Violation.

Also,

Senate Bill No. 94. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance Fund of the State Normal School at Dickinson.

Also,

Senate Bill No. 96. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance of the State School for the Blind at Bathgate.

Also,

Senate Bill 100. A Bill For an Act Making an Appropriation to Provide for the Payment of an Existing Deficit

in the Maintenance Fund of the School of Science at Wahpeton, N. Dak.

Also,

Senate Bill No. 103. A Bill for an Act Making an Appropriation of \$30,950.00 for the purpose of carrying out the Provisions of Chapter 115 of the Session Laws of 1921 Relating to Vocational Education and Vocational Rehabilitation.

Also,

Senate Bill No. 133. A Bill for an Act Making an Appropriation for the General Expense of the State Live Stock Sanitary Board.

Also,

Senate Bill No. 134. A Bill for an Act Making an Appropriation for a Bounty for Wolves and Coyotes, as Provided for by Chapter 242 of the Session Laws of 1919 for North Dakota.

Also,

Senate Bill No. 136. A Bill for an Act to Provide a State Contingency Fund to be Placed at the Disposal of the State Emergency Commission to be Used as Provided by Chapter 26 and 152 of the Session Laws of North Dakota for 1915; and Making an Appropriation of \$40,000.00 which Shall be Known as the State Contingency Fund.

Also,

Senate Bill No. 137. A Bill for an Act Making an Appropriation of \$500.00 for the Biennium to Defray the Expenses of Disbarment Proceedings, as Prescribed by Section 808 to 812 of the Compiled Laws of 1913 for North Dakota.

Also,

Senate Bill No. 142. A Bill for an Act Making an Appropriation of the Sum of \$25,000.00 for the Biennium, which is known as a Miscellaneous Refund.

Also,

Senate Bill No. 196. A Bill for an Act to Provide an Appropriation for the Eradication of the Barberry Bushes.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and En-grossment have examined the following bills:

Senate Bill No. 41. A Bill for an Act to Amend and Re-enact Section 16 of Chapter 58 of the Session Laws for the Year 1917.

Also,

Senate Bill No. 64. A Bill for an Act Concerning Aero-nautics and to Make Uniform the Law with Reference Thereto.

Also,

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact the Third Subdivision of Section 3999; and Section 4001, of the Compiled Laws of North Dakota for the Year 1913 Relating to Firemen's Relief Association Fund.

And find the same correctly enrolled.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Banks and Banking made the follow-ing report:

Mr. President: Your committee on Banks and Bank-ing, to whom was referred:

Senate Bill No. 118. A Bill for an Act Providing for the Issuing of Bonds of the Depositors' Guaranty Fund Com-mission in the Sum of \$10,000,000.00 to be Known as Bank-ers' Guaranty Bonds; Describing the Terms and Stating the Purpose Thereof; Making Provision for the Payment Thereof; and Making Provision for the Carrying Into Ef-fect of the Provisions of this Act.

Have had the same under consideration and recommend that the same be re-referred to the Judiciary committee.

W. R. BOND,
Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Banks and Banking made the follow-ing report:

Mr. President: Your committee on Banks and Banking, to whom was referred:

Senate Bill No. 74. A Bill for an Act to Amend Sections 6072 and 6073 of the Revised Codes of North Dakota for 1913 as Amended by Chapter 176 of the Session Laws of 1915 prescribing lawful rates of interest for any legal in-debtedness, defining usury.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3, Section 6072, after the word "exceed" strike out the word "eight" and in lieu thereof insert the word "nine."

And when so amended recommend the same do pass.

W. R. BOND,
Chairman.

Senator 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. 112. A Bill for an Act Making an Appropriation of \$22,230.00 for the Purpose of Paying Salary, Clerk Hire and General Expense of the State Historical Society.

Have had the same under consideration and recommend that the same be amended as follows:

In title of Bill strike out the figures "22,230.00," and insert in lieu thereof the figures, "20,630.00."

In line 7 of the printed bill, strike out the figures, "6,000.00," and insert in lieu thereof the figures "5,000.00."

In line 8 strike out the figures "3,600.00," and insert in lieu thereof the figures "3,000.00."

In line 8b strike out the figures "9,600.00," and insert in lieu thereof the figures "8,000.00." On page 2, line 45, strike out the figures "22,230.00," and insert in lieu thereof the figures "20,630.00."

And when so amended recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 127. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Maintenance Fund of the Hospital for the Insane at Jamestown.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 85. A Bill for an Act Making an Appropriation for the General Expenses of the Department of Motor Vehicle Registration.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 4 of the printed bill, strike out the figures "93,250.00" and insert in lieu thereof the figures, "87,650.00." In line 9, after the word "clerk hire" insert the figures "20,000.00."

Strike out lines 10, 11, 12, 13, 14, 15, and 16.

In line 29, page 2, strike out the figures "93,250.00" and insert in lieu thereof the figures "87,650."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: A minority of your committee on Banks and Banking, to whom was referred:

Senate Bill No. 144. A Bill for an Act Relating to Deposits in Banks, Declaring Same to Be Trust Funds, and Providing Penalties for Unlawful Removal of Same.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. R. BOND,
Chairman.

E. B. PAGE,
O. T. TOFSRUD,
PETER McLACHLIN,
H. J. RUSCH,
W. H. PORTER,
P. T. KRESCHMAR.

Mr. President: A majority of your committee on Banks and Banking, to whom was referred:

Senate Bill No. 144. A Bill for an Act Relating to Deposits in Banks, Declaring Same to Be Trust Funds, and Providing Penalties for Unlawful Removal of Same.

Have had the same under consideration and recommend that the same do pass.

JOHN L. MIKLETHUN,
R. W. PATTEN,
ROBERT BYRNE,
RALPH INGERSON,
CHRIST LEVANG,
B. F. BAKER,
P. B. GARBERG,
S. J. ATKINS.

Senator Bond moved that the minority report be adopted.

Which motion was lost.

Senator Whitman moved that Senate Bill No. 144 be re-referred to the Committee on Judiciary.

Which motion was lost.

Senator Baker moved that the majority report be adopted.

Senator Whitman again moved that Senate Bill No. 144 be re-referred to the committee on Judiciary.

Which motion was lost.

A roll call was demanded on the motion to adopt the majority report.

SENATE ROLL CALL

The question being on the adoption of the majority report of the committee on Banks and Banking on Senate Bill No. 144, the roll was called and there were ayes 25, nays 23, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Miklethun	Ward
Babeock	Gross	Nathan	Wenstrom
Baker	Hamilton	Olson, Barnes	Whitman
Benson	Ingerson	Olson, Eddy-	Whitmer
Byrne	Levang	Foster	Wog
Ettestad	Magnuson	Patten	
Fleekten	Martin	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Bond	Kretschmar	Peterson	Stevens
Carey	Lynch	Ployhar	Storstad
Eastgate	McCoy	Porter	Thorson
Gardiner	McLachlin	Rusch	Tofsrud
Kaldor	Murphy	Sperry	Van Camp
Kelsh	Page	Steel	

Absent and not voting:

Messrs.

Baird

So the majority report of the committee was adopted.

The committee on Highways made the following report:

Mr. President: Your committee on Highways to whom was referred:

Senate Bill No. 210. A Bill for an Act Providing for the Acquiring by Condemnation of Roads so Located as to Interfere with the Working of Coal or Other Mines, and Providing for Compensation to be Made Therefor.

Have had the same under consideration and recommend that the same do pass.

NELS PETERSON,
Chairman.

Senator Peterson 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. 200. A Bill for an Act Providing for the Recall of County Commissioners.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRID,
Chairman.

Senator Baird 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. 71. A Bill for an Act to Amend and Re-enact Section 6815 of the Compiled Laws of North Dakota for 1913 Relating to the Filing of a Notice of Intention to File Mechanic's Lien.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRID,
Chairman.

Senator Baird 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. 208. A Bill for an Act Relating to County Finances; Providing That all County Officials and All Officers in Charge of any Institution, Office or Undertaking Supported in Whole or in Part by the County Shall File an Itemized Statement of Amounts Necessary for Maintenance of Such Office or Institution; Providing That the County Commissioners Shall Annually Prepare a Budget Providing for Publication of Such Budget and of the Proposed Levy; Providing for a Public Hearing in Regard to the Proposed Expenditures and Levy; Fixing a Date for Levy; Providing That All Expenditures must Conform to the Budget as Adopted, and That all Unappropriated Balances in any Fund at the End of the Fiscal Year Shall Become a Part of the General Fund; Repealing Sections 3312, 3313, and 3314, of the Compiled Laws of 1913.

Have had the same under consideration and recommend that the same be amended as follows:

In line 15 of sub-division 3 of Section 2 of the printed bill, after the word "law" insert the word "for."

In line 1 of Section 10, after the word "each" insert the word "fiscal."

And when so amended recommend the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson 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. 226. A Bill for an Act to Amend and Re-enact Section 3784 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 120 of the Session Laws of North Dakota for the Year 1919, Relating to Municipal Elections in Cities.

Have had the same under consideration and recommend that the same do pass.

C. W. CAREY,
Chairman.

Senator Carey 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. 167. A Bill for an Act to Amend and Re-enacting Section 1275 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Limit of Issue of Bonds of Special School Districts.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1 of Section 10 of the bill, after the figure "1" insert the word "Amendment."

And when so amended recommend the same do pass.

ALFRED STEEL,
Chairman.

Senator Steel 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. 165. A Bill for an Act Amending and Re-enacting Section 1334 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 105, Session Laws of 1921, Relating to the Limit of Issue of Bonds of Common School Districts.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, after figure "1" insert the word "Amendment," and in line 9 of Section 1334 after "ing" strike out the word "five" and insert in lieu thereof the word "seven."

And when so amended recommend the same do pass.

ALFRED STEEL,
Chairman.

Senator Steel 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. 164. A Bill for an Act to Amend and Re-enact Section 1303 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Limit of the Amount of Bonds of Independent School Districts.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1 of Section 1 of the Bill, after the figure "1" insert the word "AMENDMENT."

And when so amended recommend the same do pass.

ALFRED STEEL,
Chairman.

Senator Steel 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. 163. A Bill for an Act Permitting the Increase of the Limitation of Indebtedness of Common Special and Independent School Districts by an Additional Five Per Centum on the Assessed Value of the Taxable Property Therein, Beyond the Present Constitutional Limit of Five Per Centum, Providing a Method for Effecting Such Increase, and for Submitting the Question of Such Increase to the Electors of the School Districts at Annual or Special Elections, and Providing for Preserving a Record of Such Increase of the Limit of Indebtedness.

Have had the same under consideration and recommend that the same do pass.

ALFRED STEEL,
Chairman.

Senator Steel moved that the report be adopted, which motion prevailed and the report was adopted.

MOTIONS AND RESOLUTIONS

Senator Rusch moved that action on Senate Bill No. 233 be deferred for one day which motion prevailed.

Senator Patten introduced the following:

RESOLUTION

Be it Resolved by the Senate, the House Concurring: **That**

Whereas, it is impracticable for the Interstate Commerce Commission to attempt to supervise the distribution of cars as between individual shippers throughout the United States; and

Whereas, there should be some governmental authority within reasonable reach to which appeal can be made to require equitable distribution of cars without regard to whether the same are to be used for shipments interstate or intrastate;

Therefore, be it resolved, That we respectfully urge upon Congress the amendment of the Interstate Commerce Act in such way that the regulatory authorities of the States may make reasonable orders and regulations not in conflict with federal law, or with lawful orders of the Interstate Commerce Commission, requiring cars within the respective borders of such states to be equitably distributed to shippers desiring the same, without regard to whether they are desired for use in shipments that are interstate or intrastate.

We urge upon Congress the repeal of Section 15a of the Interstate Commerce Act as amended by the Esch-Cummins Act and the making of such other amendments

thereto as shall clearly limit and define the power as exists between the Interstate Commerce Commission and State Commission that there may be no misunderstanding that the State Commissions definitely have the same authority over rates as existed before the enactment of the Transportation Act.

Resolved, That a copy of this resolution be mailed to each United States Senator and each member of Congress from North Dakota.

Which was referred to the Committee on Railroads.

Senator Whitmer introduced the following:

CONCURRENT RESOLUTION

Whereas, the State of North Dakota has a number of State Parks and there are other places where such parks might properly be located, and

Whereas, the Legislative Assembly from time to time has been called upon to make, and has made, appropriations for such State Parks,

Now, Therefore, Be it Resolved by the Senate of the State of North Dakota, the House of Representatives concurring, that the Directors of the State Historical Society be, and they are hereby required to submit to the next legislative assembly of this state, a report and survey of the existing state parks, with any suggestions or recommendations they may have for maintenance and improvement thereof, and a like report and survey of any proposed additional state parks.

Which was referred to the Committee on State Affairs.

MESSAGE FROM THE GOVERNOR

"STATE OF NORTH DAKOTA
OFFICE OF THE GOVERNOR
BISMARCK

R. A. NESTOS, Governor

February 5, 1923.

To the Senate of the State of North Dakota:

This is to notify you that I have this day approved and filed with the Secretary of State, Senate Bill No. 14, being an Act to prohibit the wearing of masks or other disguises in public, and designating the penalty for same.

Also Senate Bill No. 66, being an Act to amend and reenact Section 844 of the Compiled Laws of North Dakota, for the year 1913.

Also Senate Bill No. 36, being an act to Amend and reenact Sections 5605, 5607, and 5611 of the Compiled Laws of the State of North Dakota for the year 1913, defining the Homestead Exemption.

Also Senate Bill No. 75, legalizing and validating cer-

tain acts of city officials with reference to electric light or distribution systems.

Yours very truly,

R. A. NESTOS,
Governor."

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck,, N. D.
February 5, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 98. A Bill for an Act to Appropriate Twelve Thousand Five Hundred Forty-Eight and 48-100 Dollars (\$12,548.48) According to Chapter 327 of the Session Laws for the Year 1919 of the State of North Dakota for the Purpose of Stamping out Venereal Diseases.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, N. D.
Feburay 5, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 13. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 236, Session Laws of 1915, Relating to the qualifications of Graduated Registered Nurses. Which the House has indefinitely postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, N. D.
Feburay 5, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 25. A Bill for an Act Relating to the Validation of Bonds Voted and Issued, or to be Issued, by any Common, Special or Independent School District, in Cases Where the School District Issuing Such Bonds, or Where by Such Vote Bonds Are Authorized to be Issued, Has Theretofore, by a Majority Vote, Increased the Limit of Indebtedness Five Per Cent on the Assessed Valuation of the Taxable Property in Such School Dis-

trict, Beyond the Five Per Cent Limit of Indebtedness Established by the Constitution, as Provided by Article 35 of the Amendments to the Constitution of the State of North Dakota, and Where the Indebtedness of Such School District, but Does Not Exceed Ten Per Cent on the Assessed Valuation of the Taxable Property of Such School District, and Declaring Such Bonds Legal and Valid.

Which the House has amended as follows:

In line 12 of printed bill, after the word "and" strike out the word "thereafter," and insert in lieu thereof the words "at such election or at an election thereafter held for that purpose."

And after the word "an" in line 14 of printed bill insert the word "authorized," and by striking out the word "but" in line 16 and inserting the word "then."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, N. D.
Feburay 5, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Section 1421 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 266 of the Session Laws for the Year 1915, Legalizing and Validating Certain Indebtedness of School Districts in the Form of School Warrants and Negotiable Bonds Issued to Fund the Same.

Which the House has amended as follows:

In line 1 of printed bill, after figure 1 following the word "section," insert the word "amendment."

In the 8th line from the bottom of the first page of the original bill strike out the word "or" after the word "purchase," and insert the word "of."

And adding after the word "building" in line 5 of printed bill the following:

"or any other legitimate corporate purpose."

And adding after the word "percent" in line 12 of the printed bill the words "or less," and striking out the letter "e" in the word "thereone" in line 24 of printed bill.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, N. D.
February 5, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 50. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 187 of the Session Laws of North Dakota for the Year 1919, Relating to the Qualifications of Official and Legal Newspapers and Providing for the Method of Selection of Official Newspapers.

Which the House has amended as follows:

In line 45, page 3, strike out the word "as" and insert in lieu thereof the word "at."

In line 45, page 3, insert a "comma" following the word "elections."

In line 46, page 3, strike out the word "and" and insert in lieu thereof the word "or."

In line 47, page 3, insert a "comma" following the word "chosen."

Strike out the word "upon" in line 23 of printed bill, also all the words on line 24 except at the bottom, also strike out all of lines 28, 29, 30, 31, 32, 33, 34 and 35, except the word "ballots" on line 28.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact the Third Subdivision of Section 3999; and Section 4001, of the Compiled Laws of North Dakota for the Year 1913 Relating to Firemen's Relief Association Fund.

Senate Bill No. 64. A Bill for an Act Concerning Aeronautics and to Make Uniform the Law With Reference Thereto.

Senate Bill No. 41. A Bill for an Act to Amend and Re-enact Section 16 of Chapter 58 of the Session Laws for the Year 1917.

House Bill No. 47. A Bill for an Act to Amend and Re-enact Section 3854 of the Compiled Laws of North Dakota of 1913, Providing for the Election and Terms of Office of Township Officials.

And the President signed the same in the presence of the Senate.

Senator Sperry moved that the rules be suspended and that permission be granted to introduce a bill carrying an appropriation.

Which motion prevailed.

Senator Ployhar moved that Senate Bill No. 50 be re-referred to the Committee on Public Printing.

Which motion prevailed.

Senator Miklethun moved that Senate Bill No. 68 be re-referred to the Committee on Education.

Which motion prevailed.

Senator Ingerson moved that Senate Bill No. 25 be re-referred to the Committee on Education.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS.

Mr. Baird introduced:

Senate Bill No. 325. A Bill for an Act to Amend and Re-enact Sections 551, 552 and 557 of the Compiled Laws of North Dakota for 1913, Governing the Practice of Certified Public Accountants in the State, and Providing a Penalty for Violation of the Laws Governing Accountancy.

Was read the first and second time and referred to the the Committee on Ways and Means.

Mr. Byrne Introduced:

Senate Bill No. 326. A Bill for an Act to Amend Sections 3711 of the Compiled Laws of the State of North Dakota for the Year 1913, and to Provide for Special Assessment Funds, the Issuance and Payment of Warrants.

Was read the first and second time and referred to the Committee on Cities and Municipal Corporations.

Mr. Van Camp introduced:

Senate Bill No. 327. A Bill for an Act to Amend and Re-enact Article 13 of Chapter 200 of the Session Laws of the Year 1915, Relating to Publication in Official Newspapers of Adulterated Food Products.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Byrne introduced:

Senate Bill No. 328. A Bill for an Act Empowering Cities to Raise a Fund for the Payment of Special Assessment Warrants and Interest for Any Improvement Authorized by Law in Any Case Where Special Assessments Levied for Such Improvement Maturing in Any One Year Shall Have Become Due and a Portion of Said Assessments Remains Unpaid and There Are No Funds Legally Applicable to the Payment of Such Improvement Warrants and Interest.

Was read the first and second time and referred to the Committee on Cities and Municipal Corporations.

Mr. Rusch introduced:

Senate Bill No. 329. A Bill for an Act to Amend and Re-enact Section 33 of Chapter 225 of the Session Laws of 1919 Relating to Rehearings of the Determination of Inheritance Taxes, and Providing that No Report Need Be Made to the Tax Commissioner in Case of Insolvent Estates.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

Mr. Garberg introduced:

Senate Bill No. 330. A Bill for an Act to Authorize County Commissioners to Lay Out and Construct or Contract for the Construction of Highways on State Lines.

Was read the first and second time and referred to the Committee on Highways.

Mr. Ingerson introduced:

Senate Bill No. 331. A Bill for an Act Relating to the Management and Government of Counties by the Chairmen of the Boards of Township Supervisors, the Presidents of Village Councils, the Mayors of Cities, and the Members of City Commissions, and Prescribing Their Duties and Powers.

Was read the first and second time and referred to the Committee on Elections.

Mr. Ingerson introduced:

Senate Bill No. 332. A Bill for an Act to Repeal Sections 685, 686, 687, 688, 689, 690, 691, 692, 693, 694 and 695 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 199 of the Session Laws of 1915, Chapter 176 of the Session Laws of 1917, and Chapter 184 of the Session Laws of 1919, Relating to the Removal of Officials by the Governor.

Was read the first and second time and referred to the Committee on Elections.

Mr. Martin introduced:

Senate Bill No. 333. A Bill for an Act to Repeal Sections 10092 to 10176, both Inclusive, Together with all Acts Amendatory Thereto.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Ward introduced:

Senate Bill No. 334. A Bill for an Act to Amend and Re-enact Section 7418 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Change of Place of Trial and Judgment by Default.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Lynch introduced:

Senate Bill No. 335. A Bill for an Act to Create the Office of State Food Commissioner and Chemist; Providing for His Appointment, Term of Office, Removal and Salary; Defining His Powers and Duties; Defining the Powers and Duties of the State Board of Administration Relating Thereto; Creating a State Regulatory Fund and Providing for Payments Therefrom and Repealing Acts and Parts of Acts in Conflict with this Act and Especially Repealing Sections Two and Five of Chapter Two Hundred of the Session Laws of 1915.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Kaldor introduced:

Senate Bill No. 336. A Concurrent Resolution for an Amendment to Section 182, Article 12 of the Constitution of the State of North Dakota, as Amended by Article 31 of the Amendments Thereof, Relating to Issuing or Guaranteeing of Bonds by the State and Providing that Such Bonds in Excess of Two Million Dollars Shall be Secured by First Mortgage on Certain Classes of Property; and Providing for the Submission of this Amendment to the Voters of the State for Rejection or Approval as Provided Section 292, as Amended, of the Constitution of the State of North Dakota.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Whitmer introduced:

Senate Bill No. 337. A Bill for an Act Providing for a Bounty for the Destruction of Magpies and Crows.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Sperry introduced:

Senate Bill No. 338. A Bill for an Act Appropriating Money to Reimburse the Common School Fund of the State of North Dakota for Losses Resulting From a Misappropriation of Such Fund Occurring Previous to January 1, 1917.

Was read the first and second time and referred to the Committee on Appropriations.

Messrs. Thorson and Ployhar introduced:

Senate Bill No. 339. A Joint Resolution for an Amendment to the Constitution of the State of North Dakota, Providing for the Issue of Bonds for the Erection of Dormitories for the State's Educational Institutions.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Ployhar introduced:

Senate Bill No. 340. A Bill for an Act to Amend and Re-enact Section 1365 of the Compiled Laws of 1913 Relating to the Accrediting of Diplomas as Teachers' Certificates.

Was read the first and second time and referred to the Committee on Education.

Mr. Thorson introduced:

Senate Bill No. 341. A Bill for an Act to Impose a Tax Upon Gasoline, Stored, Shipped, Distributed or Held for Sale Within this State, for the Purpose of Raising Revenue for Defraying the Expenses of the State Government; Providing for the Administration of the Same; Repealing Chapter 227 of the Session Laws of 1919 as Amended by Chapter 64 of the Special Session Laws of 1919.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

Mr. Rusch introduced:

Senate Bill No. 342. A Bill for an Act to Amend and Re-enact Subdivision 2 of Section 1 and Section 13a of Chapter 231 of the Session Laws of 1917 as Amended by Chapter 225 of the Session Laws of 1919, and to Amend Section 2 of Chapter 125 of the Session Laws of 1921, Relating to Inheritance Taxes Upon Estates of Deceased Non-Residents.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Thorson introduced:

Senate Bill No. 343. A Joint Resolution to Amend and Re-enact Section 150 of the Constitution, Relating to the Election of an Educational Commission for Each County, with Power to Appoint a County Superintendent of Schools, and to Perform Such Other Duties as May be Prescribed by Law.

Was read the first and second time and referred to the Committee on Education.

Senator Baker moved that Senate Bill No. 144 be made a special order of business on the regular calendar for February 8, 1923.

Which motion prevailed.

Senator Fleckten moved that Senate Bill No. 74 be made a special order of business on the regular calendar for February 8, 1923.

Which motion prevailed.

The courtesies of the floor were extended to Messrs. C. H. Simpson of McVillie; Robert Norheim of Alexander; A. O. Arnegard of Arnegard; J. P. Christenson of Watford

City; Judge J. E. Eide, J. D. Wilde of Grand Forks; G. A. Troyer of Rugby; Wm. G. Gwarvy of Hankinson.

Senator Hamilton moved that the Senate do now recess until 11:00 o'clock A. M. February 6, 1923.

Which motion prevailed.

W. E. PARSONS,
Secretary.

THIRTY-FIFTH DAY AFTER RECESS AND THIRTY-SIXTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 6, 1923

The Senate re-assembled at 11:00 A. M. February 6, 1923, the President, Frank H. Hyland, presiding.

Senator Atkins moved that the rules be suspended, and that permission be granted for the introduction of a bill carrying an appropriation.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS

Mr. Garberg introduced:

Senate Bill No. 344. A Bill for an Act to Amend and Re-enact Section 3294 of the Compiled Laws of the State of North Dakota for 1913, Relating to the Erection, Repair and Maintenance of Buildings.

Was read the first and second time and referred to the committee on Counties and County Boundaries.

Mr. Van Camp introduced:

Senate Bill No. 345. A Bill for an Act to Amend and Re-enact Sections 2154, 2156, and 2157 of the Compiled Laws of North Dakota for the Year 1913, Relating to Making of Tax Lists and Tax Bills by the County Auditor, and to Delivery of Tax Lists to the County Treasurer, and the Collection of Taxes Therein Extended by the County Treasurer.

Was read the first and second time and referred to the committee on Taxes and Tax Laws.

Messrs. Fleckten and Miklethun introduced:

Senate Bill No. 346. A Bill for an Act Prohibiting the Creation of Deficits by State Officials, State Boards and Heads of State Institutions, and Prescribing a Penalty for the violation of this Act.

Was read the first and second time and referred to the committee on Appropriations.

Mr. Wog introduced:

Senate Bill No. 347. A Concurrent Resolution to Amend and Re-enact Section 173 of Article 10 of the Constitution of the State of North Dakota Providing for the Election of County Officials.

Was read the first and second time and referred to the committee on State Affairs.

Mr. Rusch introduced:

Senate Bill No. 348. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 152 of the Session Laws for the Year 1919 as Amended by Chapter 142 of the 1921 Session Laws Defining Certain Words and Phrases Contained in Said Chapter, and Particularly "Employment" and "Employer."

Was read the first and second time and referred to the committee on State Affairs.

Mr. C. J. Olson introduced:

Senate Bill No. 349. A Bill for an Act to Amend and Re-enact Section 917 of the Compiled Laws of North Dakota for the Year 1913, Relating to Party Registration and Providing Penalties for Violation of this Act.

Was read the first and second time and referred to the committee on Elections.

Mr. Page introduced:

Senate Bill No. 350. A Bill for an Act Amending and Re-enacting Section 1333 and Section 1337 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Issuance of Bonds by Common School Districts, and Declaring an Emergency.

Was read the first and second time and referred to the committee on Education.

Mr. Patten introduced:

Senate Bill No. 351. A Bill for an Act Relating to Fees for the Recording of Deeds or Mortgages Given to or Assigned by the Bank of North Dakota.

Was read the first and second time and referred to the committee on Judiciary.

Mr. Benson introduced:

Senate Bill No. 352. A Bill for an Act to Amend and Re-enact Section 9235 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Sabbath Breaking.

Was read the first and second time and referred to the committee on State Affairs.

Mr. Martin introduced:

Senate Bill No. 353. A Bill for an Act to Provide for the Cancelling, Penalty and Interest on Unpaid Taxes; the Issuing of Bonds and Debentures against the Unpaid Taxes Due to Counties, and for the Sale of Same for the Benefit of the Taxpayers.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

Mr. Atkins introduced:

Senate Bill No. 354. A Bill for an Act to Amend and Re-enact Section 284 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 203 of the Session Laws of 1917, Relating to the Board of University and School Lands.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Atkins introduced:

Senate Bill No. 355. A Bill for an Act to Amend and Re-enact Section 375 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 227 of the Session Laws of 1915, as Amended by Chapter 21 of the Special Session Laws of 1919, Relating to the State Auditing Board, its Duties and the Membership Thereof.

Was read the first and second time and referred to the Committee on State Affairs.

Messrs. Byrne and Garberg introduced:

Senate Bill No. 356. A Bill for an Act Providing for the Creation of a High School Fund, Regulating the Distribution of Same Among the High Schools or Standardized Graded Schools Maintaining a High School Department; Amending and Re-enacting Section 1224 of the Compiled Laws of the State of North Dakota for the Year 1913 as Amended by Chapter 216 of the Session Laws of 1919, and Chapter 66 of the Special Session Laws of 1919; and Repealing Chapter 107 of the Session Laws of 1921; and all Acts or Parts of Acts in Conflict Herewith.

Was read the first and second time and referred to the Committee on Education.

Mr. Atkins introduced:

Senate Bill No. 357. A Bill for an Act Providing for the Creation of a Commission for the Purpose of Making a Study of the Lignite Industry and Reporting to the Next Regular Session of the Legislature its Findings with Respect to methods of developing such Industry, and Providing an Appropriation for the Purpose of Defraying Necessary Expenses.

Was read the first and second time and referred to the Committee on Appropriations.

Mr. Stevens introduced:

Senate Bill No. 358. A Bill for an Act to Provide for the Nomination and Election of Candidates for the Offices of Presidential Electors, United States Senator, and Member of Congress; for Election of Delegates to National Party Conventions, National Committeemen and for the Apportionment and Term of Office and the Nomination and Election of Party Precinct Committeemen; for Forms of Ballots and Requirements of New Parties with Reference thereto: And to Repeal Sections 857, 859, 863, 889, 901a, 910, 912, 917, 918, 919 and 971a of the Compiled Laws of North Dakota for the Year 1913, and All Other Acts or Parts of Acts that Are in Conflict with the Provisions Hereof.

Was read the first and second time and referred to the **Committee on Elections.**

Mr. Stevens introduced:

Senate Bill No. 359. A Bill for an Act to Amend and Re-enact Section 890 of the Compiled Laws of North Dakota for 1913, Relating to Selection, Organization, Time and Place of Meeting of County and State Committees of Political Parties.

Was read the first and second time and referred to the Committee on Elections.

Mr. Whitmer introduced:

Senate Bill No. 360. A Bill for an Act Providing for the forfeiture of the State of real property upon which taxes are Delinquent; fixing the period of such Delinquency, the Notice to be Given and the Method of Service; and for Proceedings for a Sale and Disposition of Such Property.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

Mr. Porter introduced:

Senate Bill No. 361. A Bill for an Act Providing for the Transfer and Removal of Female Inmates of the State Training School to the School of Forestry, and Their Maintenance Thereat, in Certain Cases.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Rusch introduced:

Senate Bill No. 362. A Bill for an Act to Amend and Re-enact Section 6815 of the Compiled Laws of 1913 and to Amend and Re-enact Section 6822 of the Compiled Laws of 1913 and to Repeal Section 6816 of the Compiled Laws of 1913.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Whitman introduced:

Senate Bill No. 363. A Bill for an Act to Amend and Re-

enact Chapter 170 of the Session Laws of North Dakota for the Year 1919, Being an Act Regulating and Fixing the Hours of Labor for Females, and Providing Penalties for the Violation Thereof.

Was read the first and second time and referred to the Committee on State Affairs.

A majority of Banks and Banking Committee introduced:

Senate Bill No. 364. A Joint Resolution Proposing an Amendment to the Constitution of the State of North Dakota.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Bond introduced:

Senate Bill No. 365. Bill for an Act Providing for the Discontinuance of the Depositors Guaranty Fund and Limiting the Time Up to Which Deposits Are Guaranteed by Said Fund and the Laws Relating Thereto.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Miklethun introduced:

Senate Bill No. 366. A Bill for an Act Relating to Intra-state Freight Rates in North Dakota, Fixing the Maximum Rates and Charges for Transportation of Freight Intra-state, Providing Penalties and Punishment for the Violation Thereof, and Defining the Duties and Powers of the Board of Railroad Commissioners.

Was read the first and second time and referred to the Committee on Railroads.

Mr. Miklethun introduced:

Senate Bill No. 367. A Bill for an Act to Amend and Re-enact Sections 1441, 1442, 1445 and 1446 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 212 of the Session Laws of 1917, and Chapter 52 of the Special Session Laws of 1919, Relating to State Aid for Rural Schools as Represented by the One-room Graded and Graded Consolidated Schools.

Was read the first and second time and referred to the Committee on Education.

Mr. Martin introduced:

Senate Bill No. 368. A Bill for an Act Regulating the Civil Rights of Citizens of This State in Regard to the Payment of Debts and Procedure Relating Thereto.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Hamilton introduced:

Senate Bill No. 369. A Bill for an Act to Eliminate Rail-

road Grade Crossings and Other Dangerous Places on State and County Highways.

Was read the first and second time and referred to the Committee on Highways.

Mr. Baird introduced:

Senate Bill No. 370. A Bill for an Act to Amend and Re-enact Section 5626 of the Compiled Laws of North Dakota for 1913.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Lynch introduced:

Senate Bill No. 371. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Articles of Food and Drugs; for the Prevention of Adulteration and Misbranding Thereof; Requiring Labeling Thereof; Providing for Sales by Weight, Measure or Numerical Count; Providing for Fixing of Standards of Purity and Quality and Fitness for Consumption; Prescribing the Duties of the State Board of Administration and Providing for the Appointment of a State Food Commissioner and Chemist and Prescribing His Duties and Powers; Providing for the Enforcement of the Provisions of the Act; Defining Certain Offenses in Connection Therewith; Providing Penalties for Violations Thereof and Repealing Certain Acts Relating Thereto.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Lynch introduced:

Senate Bill No. 372. A Bill for an Act Providing for the Inspection of Hotels and Restaurants; Prescribing Sanitary Requirements Therefor; Providing for Licensing, Payment and Disposition of License Fees; Providing for the Revocation of Licenses; Defining the Duties of the State Food Commissioner and Chemist with Regard to the Act; Providing for Penalties for Violation Thereof and Repealing Existing Laws Relating Thereto.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Lynch introduced:

Senate Bill No. 373. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Beverages; to Prevent Adulteration and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; to Define the Duties of the State Food Commissioner and Chemist; to Provide for the Enforcement of the Provisions of the Act and to Provide Penalties for Violations Thereof and to Repeal Existing Laws Relating Thereto.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Lynch introduced:

Senate Bill No. 374. A Bill for an Act to Establish a Uniform Egg Law Regulating the Handling of Eggs within This State; Preventing the Sale and Traffic in Eggs Unfit for Human Food; Requiring Labeling and Candling; Providing for Licenses for Dealers in Eggs and for the Collection and Disposition of License Fees; Providing for Rules and Regulations and the Enforcement of the Act and Providing Penalties for Violations Thereof and Repealing Acts Relating Thereto.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Van Camp introduced:

Senate Bill No. 375. A Bill for an Act Validating Taxes Assessed Against Bank Stock in the Years 1919, 1920, 1921 and 1922, Authorizing Boards of County Commissioners and the Tax Commissioners to Compromise Such Taxes Upon Bank Stock for 1919, 1920, and 1921, as Have Not Been Paid, and Confirming and Ratifying Such Settlements as Have Been Made.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

Mr. Van Camp introduced:

Senate Bill No. 376. A Bill for an Act Providing for a Poll Tax List Separate from Other Tax Lists, and Providing that Such List May Be So Designed as to Serve for More than One Year, Providing a Date Upon Which Poll Taxes Shall Become Delinquent and for Their Collection by the Sheriff, and Providing that It Shall Be the Duty of the Employer to Withhold Such Poll Taxes from Salaries and Wages, and Repealing All Acts and Parts of Acts in Conflict with This Act.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

Mr. Page introduced:

Senate Bill No. 377. A Bill for an Act Correlating Duties Which Devolve upon County Auditors in Connection with the Preparation of Assessment Books, the Correction of Assessment Rolls, the Entering of Changes in Assessment Made by Boards of Equalization Under Existing Statutes, with the Work of a Similar Nature Now Performed by Assessors; Empowering the County Auditor to Appoint All Deputy Assessors Within the County in Lieu of the Present Local Assessors, and for that Purpose Denoting the County Auditor as Ex Officio County Assessor; Defining the Duties of the County Auditor in Connection with the Work of Deputy Assessors; Abolishing the Offices of Township, Village, City, and District Assessors and the Office of Tax Supervisor; Repealing Chapter 69 of the Special Session Laws of 1919, and Repealing All Acts and Parts of Acts in Conflict with This Act.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

Mr. Baird introduced:

Senate Bill No. 378. A Bill for an Act to Amend and Re-enact Section 7741 of the Compiled Laws of 1913 as Amended and Re-enacted by Chapter 156 of the Session Laws of 1915 Relating to Partnership Exemptions.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

Mr. Lynch introduced:

Senate Bill No. 379. A Bill for an Act to Regulate the Sale of Petroleum Products; to Provide for the Inspection of Kerosene and Gasoline; to Provide Specifications Therefor; to Prevent Adulteration and Misbranding Thereof; to Provide for Inspection Fees, Collection and Disposition of Same; to Define the Duties of the State Food Commissioner and Chemist; to Provide for the Inspection of Lubricating and Power Oils; to Provide for the Enforcement of the Act; to Provide Penalties for the Violation Thereof and to Repeal Existing Acts Relating Thereto.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Atkins introduced:

Senate Bill No. 380. A Bill for an Act to Provide for the Management, Operation, Control and Government of the North Dakota Mill and Elevator Association, and to Repeal All Acts in Conflict Therewith.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Rusch introduced:

Senate Bill No. 381. A Bill for an Act Providing for Assistant States Attorneys in Counties with a Population Exceeding Thirty-five Thousand.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Whitman introduced:

Senate Bill No. 382. A Bill for an Act to Amend and Re-enact Section 5888 Requiring Certain Contracts to be in Writing.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Bond introduced:

Senate Bill No. 383. A Bill for an Act Validating Taxes Levied by Certain Cities in the Year 1921 Which Were in Excess of the Limitation Imposed by Chapter 122 of the Session Laws of 1921.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

Mr. Whitman introduced:

Senate Bill No. 384. A Bill for an Act Repealing Chapter 192 of the Session Laws of 1919, and Re-enacting Each and Every Act that by the Terms Thereof Is Repealed, and Reinvesting Each City and Municipality with Power to Regulate and Control All Public Utilities and Their Rates and Charges for Service.

Was read the first and second time and referred to the Committee on Cities and Municipal Corporations.

Mr. Whitman introduced:

Senate Bill No. 385. A Bill for an Act to Provide for Assistance by Taxation and Assessment of Benefits to Domestic Railroad Corporations Having Their Entire Line of Railway as Surveyed Within the State of North Dakota.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

THIRTY-SIXTH DAY

The Senate convened at 2:00 o'clock P. M., the President, Frank H. Hyland, presiding.

Prayer by Rev. H. C. Postlethwaite.

Roll was called. All senators being present with the exception of Senators Ingerson, Olson of Barnes and Magnuson.

PETITIONS AND COMMUNICATIONS

Senator Bond presented petitions concerning the Game Laws of the State of North Dakota, which were referred to the Committee on Game and Fish.

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 after recess and 35th day and find the same to be correct.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 74. A Bill for an Act to Amend Sections 6072 and 6073 of the Revised Codes of North Dakota for 1913 as Amended by Chapter 176 of the Session Laws of 1915 prescribing lawful rates of interest for any legal indebtedness, defining usury.

Also,

Senate Bill No. 85. A Bill for an Act Making an Appropriation for the General Expenses of the Department of Motor Vehicle Registration.

Also,

Senate Bill No. 112. A Bill for an Act Making an Appropriation of \$20,630.00 for the Purpose of Paying Salary, Clerk Hire and General Expense of the State Historical Society.

Also,

Senate Bill No. 144. A Bill for an Act Relating to Deposits in Banks, Declaring Same to Be trust Funds, and Providing Penalties for Unlawful Removal of Same.

Also,

Senate Bill No. 163. A Bill for an Act Permitting the Increase of the Limitation of Indebtedness of Common, Special and Independent School Districts by an Additional Five Per Centum on the Assessed Value of the Taxable Property Therein, Beyond the Present Constitutional Limit of Five Per Centum, Providing a Method for Effecting Such Increase, and for Submitting the Question of Such Increase to the Electors of the School Districts at Annual or Special Elections, and Providing for Preserving a Record of Such Increase of the Limit of Indebtedness.

Also,

Senate Bill No. 164. A Bill for an Act to Amend and Re-enact Section 1303 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Limit of the Amount of Bonds of Independent School Districts.

Also,

Senate Bill No. 165. A Bill for an Act Amending and Re-enacting Section 1334 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 105, Session Laws of 1921, Relating to the Limit of Issue of Bonds of Common School Districts.

Also,

Senate Bill No. 167. A Bill for an Act Amending and Re-enacting Section 1275 of the Compiled Laws of The State of North Dakota for the Year 1913, Relating to the Limit of Issue of Bonds of Special School Districts.

Also,

Senate Bill No. 200. A Bill for an Act Providing for the Recall of County Commissioners.

Also,

Senate Bill No. 208. A Bill for an Act Relating to County Finances; Providing That all County Officials and All Officers in Charge of any Institution, Office or Undertak-

ing Supported in Whole or in Part by the County Shall File an Itemized Statement of Amounts Necessary for Maintenance of Such Office or Institution; Providing That the County Commissioners Shall Annually Prepare a Budget Providing for Publication of Such Budget and of the Proposed Levy; Providing for a Public Hearing in Regard to the Proposed Expenditures and Levy; Fixing a Date for Levy; Providing That All Expenditures must Conform to the Budget as Adopted, and That all Unappropriated Balances in any Fund at the End of the Fiscal Year Shall Become a Part of the General Fund; Repealing Sections 3312, 3313, and 3314, of the Compiled Laws of 1913.

Also,

Senate Bill No. 210. A Bill for an Act Providing for the Acquiring by Condemnation of Roads so Located as to Interfere with the Working of Coal or Other Mines, and Providing the Compensation to be Made Therefor.

Also,

Senate Bill No. 226. A Bill for an Act to Amend and Re-enact Section 3784 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 126 of the Session Laws of North Dakota for the Year 1919, Relating to Municipal Elections in Cities.

And find the same correctly engrossed.

CHRIS LEVANG,
Chairman.

Senator Levang 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 119. A Bill for an Act to Amend and Re-enact Section 341 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Manner Common School Lands and Other Public Lands Shall be Leased.

Have had the same under consideration and recommend that the same be amended as follows:

In line 5 on page 1 of the printed Bill, after the word "third" strike out the word "Tuesday" and insert in lieu thereof the word "Thursday."

And when so amended recommend the same do pass.

W. R. BOND,
Chairman.

Senator Bond 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. 251. A Bill for an Act Establishing a closed Season on Frogs.

Have had the same under consideration and recommend that the same do pass.

J. E. STEVENS,
Chairman.

Senator Stevens 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. 155. A Bill for an Act to Amend and Re-enact Sections 3, 4, 6, 8, 34, 35 and 65, Chapter 161, Session Laws of 1915, and Section 27, Chapter 161, Session Laws of 1915, as Amended by Section 2, Chapter 134, Session Laws of 1919, and Section 36, Chapter 161, Session Laws of 1915 as Amended by Section 5, Chapter 134, Session Laws of 1919, and Section 46, Chapter 161, Session Laws of 1915 as Amended by Chapter 134, Session Laws of 1919 and as Amended by Chapter 68, Session Laws of 1921 and Section 80 Chapter 161, Session Laws of 1915 as Amended by Chapter 135, Session Laws of 1919, Relating to Game and Fish.

Have had the same under consideration and recommend that the same be amended as follows:

In line 7 of the printed bill, strike out the word "therefore" and insert in lieu thereof the word "thereafter."

In line 16 of the printed bill, on page 14, after the words "at one time" insert "It is further provided that it shall be unlawful to shoot, kill or trap in any manner the Sandhill, Little Brown, or Whooping Crane, Swans, the Sage Hen or (Sage Grouse).

And when so amended recommend the same do pass.

J. E. STEVENS,
Chairman.

Senator Stevens 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. 49. A Bill for an Act to Amend and Re-enact Section 1188 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Organization of Schools by Petition.

Have had the same under consideration and recommend that the same do pass.

ALFRED STEEL,
Chairman.

Senator Steel 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. 166. A Bill for an Act to Amend and Re-enact Section 1147 of the Compiled Laws of 1913, as Amended by Chapter 135 of the Session Laws of 1915 and Chapter 197 of the Session Laws of 1919, Relating to the Organization of New School Districts.

Have had the same under consideration and recommend that the same be amended as follows:

In line 10 of Section 1 of the printed Bill, after the word "least" strike out the words "two-thirds" and insert in lieu thereof the words "a majority."

And when so amended recommend the same do pass.

ALFRED STEEL,
Chairman.

Senator Steel moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Warehouses and Grain Grading made the following report:

Mr. President: Your committee on Warehouses and Grain Grading to whom was referred:

Senate Bill No. 47. A Bill for an Act to Establish a System for the Storing of Grain on Farms; Protecting Same by Insurance; Issuing Farm Warehouse receipts for same; Placing Same Under the Control and Supervision of the Supervisor of Grades, Weights and Measures; Defining His Powers and Duties; Making the Owner the Warehouseman of Same and Charging Him With Certain Duties; and Providing Penalties for the Violation of any Part of this Act.

Have had the same under consideration and recommend that the same be returned to the Senate without recommendation.

A. G. STORSTAD,
Chairman.

Senator Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Storstad moved that Senate Bill No. 47 be made a special order of business for February 9th, 1923.

Which motion prevailed.

The committee on Warehouses and Grain Grading made the following report

Mr. President: Your committee on Warehouses and Grain Grading to whom was referred:

Senate Bill No. 2. A Bill for an Act to Provide for the Storing of Grain in Store Rooms or Granaries on Farms, the Loaning of Money on the Same and the Manner of Collecting Said Loans.

Have had the same under consideration and recommend that the same be returned to the Senate without recommendation.

A. G. STORSTAD,
Chairman.

Senator Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Storstad moved that Senate Bill No. 2 be made a special order of business for Friday, February 9, 1923.

Which motion prevailed.

The committee on Education made the following report:

Mr. President: Your committee on Education to whom was referred:

Senate Bill No. 25. A Bill for an Act Relating to the Validation of Bonds Voted and Issued, or to be Issued, by any Common, Special or Independent School District, in Cases Where the School District Issuing Such Bonds, or where by Such Vote Bonds are Authorized to be Issued, has Theretofore, by a Majority Vote, Increased the Limit of Indebtedness Five per cent on the Assessed Valuation of the Taxable Property in such School District, Beyond the Five per cent Limit of Indebtedness Established by the Constitution, as Provided by Article 35 of the Amendments to the Constitution of the State of North Dakota, and Where the Indebtedness of Such School District, Does Not Exceed Ten per cent on the Assessed Valuation of the Taxable Property of such School District, and Declaring Such Bonds Legal and Valid.

Have had the same under consideration and recommend that the Senate concur in the House Amendments to same.

ALFRED STEEL,
Chairman.

Senator Steel moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Women's and Children's Welfare made the following report:

Mr. President: Your committee on Women's and Children's Welfare to whom was referred

Senate Bill No. 172. A Bill for an Act Granting to and

Imposing Upon the Board of Administration Certain Powers and Duties with Reference to the Welfare of Children and the Administration and Enforcement of Laws Relating Thereto.

Have had the same under consideration and recommend that the same be amended as follows:

On page two, Section one, Line 27, of the printed bill, after the word "with," insert the words, "county commissioners or"; and on line 29 after the word "courts," insert the words, "or county commissioners"

And when so amended recommend the same do pass.

B. F. BAKER,
Chairman.

Senator Baker moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Women's and Children's Welfare made the following report:

Mr. President: Your committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 176. A Bill for an Act Providing for the Care and Treatment of Crippled Children.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the Bill after the word "of," insert the word "Indigent." And after the word "crippled," insert the words "or Deformed."

On page one, Section one, line two, of the printed bill, after the word "is," strike out the words "physically handicapped or."

And when so amended recommend the same do pass.

B. F. BAKER,
Chairman.

Senator Baker moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Women's and Children's Welfare made the following report:

Mr. President Your committee on Women's and Children's welfare to whom was referred:

Senate Bill No. 173. A Bill for an Act to Authorize the Appointment of County Child Welfare Boards and to Define their Powers and Duties, and to Repeal Section 19, Chapter 177, Laws of 1919.

Have had the same under consideration and recommend that the same be amended as follows:

On page 1, Section 1, line 10, of the printed bill, strike out the word "all" and insert in lieu thereof the word

"both." On page 2, Section 3, in line 3, after the word "positions" insert the words "relating to Child Welfare." On page 3, Section 5, in line 5, after the word "commissioners" strike out remainder of the section, and insert in lieu thereof the following, "A notice that such resolution is before the Board of County Commissioners for consideration, shall be published once in the official newspaper of the county, at least ten days before such resolution is acted upon."

And when so amended recommend the same do pass.

B. F. BAKER,
Chairman.

Senator Baker moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Women's and Children's Welfare made the following report:

Mr. President: Your committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 178. A Bill for an Act Relating to the Bringing of Children into the State, or Taking Children Therefrom, for Placement in Family Home; for the Licensing or Regulation of Persons and Corporations Engaged in that Work; and for the Repeal of Sections 5107 and 5108, Compiled Laws for 1913.

Have had the same under consideration and recommend that the same do pass.

B. F. BAKER,
Chairman.

Senator Baker moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Women's and Children's Welfare made the following report:

Mr. President: Your committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 9607, and Section 9608, Compiled Laws for 1913.

Have had the same under consideration and recommend that the same do pass.

B. F. BAKER,
Chairman.

Senator Baker 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. 235. A Bill for an Act to Amend and Re-

enact Section 2263 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted in Chapter 1 of the Session Laws for the Year 1917, Relating to the Levy of a Tax by County Commissioners to be Used in Carrying on Cooperative Agricultural Extension Work as Defined by this Act and Providing for Referendum by Ballot, Audit of Funds and Disposition of Accumulated Funds.

Have had the same under consideration and recommend that the same be amended as follows:

In line 128, of page 6, of the printed bill, after the word "county" strike out the word "deed" and insert in lieu thereof the words: "commissioners' deed."

And when so amended recommend the same do pass.

R. J. GARDINER,
Chairman.

Senator Gardiner 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. 243. A Bill for an Act to Safeguard the Business of Beekeeping Against Contagious and Infectious Diseases; Defining Apiaries; Providing for State Inspection Under the Direction and Control of the Commissioner of Agriculture and Labor; Prohibiting the Sale, Barter, Offer of Sale or Barter, Moving, Transportation, Shipping or Offering for Shipping or Transportation, of any Bees, Brood, Comb or Beekeeping Appliances That are Infected; Providing for the Proper Certification of Shipments into the State, and the Reporting of Such Shipments by the Purchaser or Importer; Fixing Penalties for Violation.

Have had the same under consideration and recommend that the same do pass.

R. J. GARDINER,
Chairman.

Senator Gardiner 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. 216. A Bill for an Act Regulating the Standard Provisions of Accident Insurance Policies Issued Within the State, and Providing a Penalty for Violation Thereof.

Have had the same under consideration and recommend that the same do pass.

P. J. MURPHY,
Chairman.

Senator Murphy 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. 228. A Bill for an Act to Repeal Section 6624 of the Compiled Laws for the Year 1913. Valued Insurance Policy Act.

Have had the same under consideration and recommend that the same do pass.

P. J. MURPHY,
Chairman.

Senator Murphy 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. 50. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 187 of the Session Laws of North Dakota for the Year 1919, Relating to the Qualifications of Official and Legal Newspapers and Providing for the Method of Selection of Official Newspapers.

Have had the same under consideration and recommend that the Senate concur in the House amendments.

OLE ETTESTAD,
Chairman.

Senator Ettestad 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:

A Concurrent Resolution Relating to Discrimination by the Federal Land Bank.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of paragraph 1 of the Resolution, after the word "Bank" strike out the words "equivalent to black-listing."

In line 3 of paragraph 3, after the word "territory" insert a comma and strike out the balance of the line and all of line 4 except the word "and."

And when so amended recommend the same be adopted.

W. L. BOND,
Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 64. A Bill for an Act Concerning Aeronautics and to Make Uniform the Law with Reference Thereto.

Also,

Senate Bill No. 41. A Bill for an Act to Amend and Re-enact Section 16 of Chapter 58 of the Session Laws for the Year 1917.

Also,

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact the Third Subdivision of Section 3999; and Section 4001, of the Compiled Laws of North Dakota for the Year 1913 Relating to Firemen's Relief Association Fund.

Were delivered to the Governor for his approval at the hour of 3:30 o'clock P. M., February 5, 1923.

CHRIST LEVANG,
Chairman.

Senator Ettestad introduced the following Concurrent Resolution:

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

WHEREAS, It has been the custom of the parties who engross and enroll bills to re-engross and re-enroll such bills whenever there is the slightest amendment, such as the placing of a comma or the correction of spelling in a word; and

WHEREAS, The cost for such re-engrossing and re-enrolling is the same as the original engrossing and enrolling; and

WHEREAS, In most cases such slight corrections can easily be made without re-engrossing and re-enrolling such bills; therefore

BE IT RESOLVED, That the respective committees on engrossing of bills of the Senate and the House be re-

quested by the Senate, the House of Representatives concurring therein, to meet and make arrangements so that in the future bills where there is a slight error may be corrected without re-engrossing and re-enrolling the entire bill.

Which was referred to the Committee on Joint Rules.

Senator Thorson introduced the following Concurrent Resolution:

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

WHEREAS, Frequent elections with their attendant campaigns, tend to unsettle the public mind and disturb the business of the nation; as well as to create a condition of uncertainty with regard to the law and governmental policy; and

WHEREAS, Under existing laws a campaign for the election of the entire new membership of the House of Representatives is begun but a scant year after the inauguration of a new president, giving the party electing him little or no opportunity to carry his policies into effect before the succeeding election, and requiring the new administration to go before the people on issues not yet clarified and meeting charges based on expected results of policies, instead of the actual results of such policies, all of which tend to confuse the electorate; and

WHEREAS, Nearly one-half of the states in the Union have already adopted four-year terms for state officials and sentiment throughout the nation is growing more and more in favor of longer terms in office and fewer elections; and

WHEREAS, The holding of a primary and general election in every precinct in the United States in even numbered years, other than presidential election years, requires an expenditure of more than six million dollars of public funds; and

WHEREAS, It is not possible to avoid the detrimental effects and heavy expense incident to the holding of biennial elections as long as the Constitution of the United States requires the election of Congressmen every two years; therefore,

BE IT RESOLVED, That the Congress of the United States be respectfully requested to submit to the several states for their ratification an amendment to the Constitution of the United States, changing the term of office of members of the House of Representatives to four years, their term of office to coincide with the term of office of the President of the United States, and changing the term of office of United States Senators to eight years, one-half of the Senators to be elected at each Presidential election.

BE IT FURTHER RESOLVED, That the Secretary of State be directed to transmit certified copies of this Con-

current Resolution to the President of the United States Senate, to the Speaker of the National House of Representatives, and to each of the Senators and Members of the House of Representatives from North Dakota in the National Congress.

Which was referred to the Committee on Federal Relations.

Senator Ployhar introduced the following Concurrent Resolution:

WHEREAS, The service rendered to the United States by our American homes is the supreme source of our country's strength and inspiration; and

WHEREAS, We honor ourselves, our homes, state and nation when we do anything to give emphasis to the home as the fountainhead of the state; and

WHEREAS, The American mother has done, and is doing, so much for the home, the moral and industrial uplift and religion, hence so much for good government, patriotism, humanity and religion; therefore,

BE IT RESOLVED, That the Governor of this state is hereby authorized and requested to issue annually a proclamation calling upon our state officials to display the United States flag on all state and school buildings, and the people of the state to display the flag at their homes, lodges, churches, places of business and other suitable places, on the second Sunday in May, known as Mother's Day, founded by Anna Jarvis of Philadelphia, Pa., as a public expression of love and reverence for the homes of our state, especially for their mothers and other patriotic women therein, and that the Governor urge the celebration of Mother's Day in said proclamation in such a way as will deepen home ties, and inspire better homes and closer union between the commonwealth, its homes, and their sons and daughters.

BE IIT FURTHER ENACTED, That this Act shall take effect from and after its adoption,

Which was referred to the Committee on State Affairs.

MESSAGE FROM THE GOVERNOR

February 5, 1923.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 64. A Bill for an Act Concerning Aeronautics and to Make Uniform the Law with Reference Thereto.

Also,

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact the Third Sub-division of Section 3999, and Sec-

tion 4001 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Firemen's Relief Association Fund.

Also,

Senate Bill No. 41. A Bill for an Act to Amend and Re-enact Section 16 of Chapter 58 of the Session Laws for the Year 1917.

Yours very truly,

R. A. NESTOS,
Governor.

A majority of the Committee on Elections made the following report:

Mr. President: A majority of your Committee on Elections, to whom was referred:

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Chapter 117 of the Laws of North Dakota for the Year 1919, Relating to the Nomination and Election of all Elective County Officers, Judges of the Supreme and District Courts, State Superintendent of Public Instruction, and County Superintendent of Schools, without requiring a Declaration as to Party Affiliation, and a Separate Ballot for County Officials and Extending the Law so as to Apply to all State Officials and Members of the Legislature; Changing Petition Requirement and Providing for Filling of Vacancies and for Designation of Principles Supported by Candidates for State and Legislative Office.

Have had the same under consideration and recommend that the same be amended as follows:

In the title after the word "Legislation" insert "and County Official Newspaper."

Section 1, line 3, strike out the comma after the word "is."

Page 11, line 5, after the word "parts" insert "of acts."
' And when so amended recommend the same do pass.

C. W. CAREY,
Chairman.

J. E. STEVENS,
A. G. STORSTAD,
L. R. BAIRD,
THEO. KALDOR,
S. J. ATKINS,
ALFRED STEEL.

A minority of the Committee on Elections made the following report.

Mr. President: A minority of your Committee on Elections, to whom was referred:

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Chapter 117 of the Laws of North Dakota for the Year 1919, Relating to the Nomination and Election of all Elective County Officers, Judges of the Supreme and District Courts, State Superintendent of Public Instruction, and County Superintendent of Schools, without requiring a Declaration as to Party Affiliation, and a Separate Ballot for County Officials and Extending the Law so as to Apply to all State Officials and Members of the Legislature; Changing Petition Requirement and Providing for Filling of Vacancies and for Designation of Principles Supported by Candidates for State and Legislative Office.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN W. BENSON,
JOHN L. MIKLETHUN.

Senator Carey moved to adopt the report of the majority of the Committee on Elections.

Senator Benson moved to amend by substituting the word 'minority' for that of "majority."

A roll call was demanded on the adoption of the minority report.

SENATE ROLL CALL

The question being on the adoption of the report of the minority of the Committee on Elections, the roll was called and there were ayes 19, nays 27, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Flechten	Miklethun	Ward
Baker	Garberg	Nathan	Wenstrom
Benson	Gross	Olson, Barnes	Whitmer
Byrne	Hamilton	Patten	Wog
Ettestad	Levang	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Page	Stevens
Baird	Kretschmar	Peterson	Storstad
Bond	Lynch	Ployhar	Thorsen
Carey	McCoy	Porter	Tofsrud
Eastgate	McLachlin	Rusch	Van Camp
Gardiner	Martin	Sperry	Whitman
Kalder	Murphy	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Foster
	Olson, Eddy	

So the motion to adopt the report of the minority of the Committee on Elections was lost.

Senator Benson moved that further consideration on the adoption of the committee report be laid over until February 9, 1923, at 4:00 o'clock P. M.

Which motion was lost.

The question being on Senator Carey's motion to adopt the majority report of the Committee on Elections, the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, N. D.
February 5, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Chapter 107 of the Session Laws of North Dakota for the Year 1913, Relating to Places of Trial.

Senate Bill No. 114. A Bill for an Act to Amend Sections 9658 and 9659 of the Compiled Laws of 1913 Relating to the Crime of Vagrancy.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, N. D.
February 5, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 147. A Bill for an Act Providing for the Filing of Bills of Sale and Other Transfers of Personal Property and Prescribing the Effect of Such Filing.

House Bill No. 145. A Bill for an Act to Provide for the Closing and Liquidation of the Business Heretofore Conducted by the State of North Dakota in the Operation of a State Experimental Creamery; Providing for the Transfer of all Funds to the General Fund of the State Repealing Chapter 149 of the Session Laws for the Year 1919.

House Bill No. 95. A Bill for an Act Making an Appropriation for the Florence Crittenton Home at Fargo, North Dakota.

House Bill No. 159. A Bill for an Act to Provide for the Retention of Certain Part of the Salary of Teachers in the Public Schools of North Dakota.

House Bill No. 142. A Bill for an Act Providing for the Proper Protection of Guests in Hotels, Restaurants and Rooming Houses.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Steel moved that the rules be suspended and

that Senate Bill No. 25 be placed at the head of the calendar for third reading and final passage.

Which motion prevailed.

Senator Levang moved that all absent Senators be excused.

Which motion prevailed.

Senator Ettestad moved for an extension of time for further consideration of Senate Bills Nos. 229 and 247.

Which motion prevailed.

Senator Porter moved for an extension of time for further consideration of Senate Bill No. 218.

Which motion prevailed.

Senator Thorson moved for an extension of time for further consideration of Senate Bill No. 202.

Which motion prevailed.

Senator McLachlin moved for an extension of time for further consideration of Senate Bill No. 217.

Which motion prevailed.

Senator Kretschmar moved for an extension of time for further consideration of all appropriation bills.

Which motion prevailed.

Senator Baird moved for an extension of time for further consideration of House Bill No. 1, Senate Bills Nos. 57., 203, 205, 206, 209, 211.

Which motion prevailed.

Senator Baker moved for an extension of time for further consideration of Senate Bill No. 52.

Which motion prevailed.

Senator Hamilton moved that action on Senate Bill No. 210 be deferred until February 8, 1923.

Which motion prevailed.

Senator Steel moved that the rules be suspended and that Senate Bill No. 25 be considered re-engrossed and that the third reading be dispensed with.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 25. A Bill for an Act Relating to the Validation of Bonds Voted and Issued or to be Issued, by any Common, Special or Independent School District, in Cases Where by such Vote Bonds are Authorized to be Issued, has Heretofore, by a Majority Vote, Increased the Limit of Indebtedness Five Per Cent on the Assessed Valuation of the Taxable Property in Such School District, Beyond the Five Per Cent Limit of Indebtedness Established by the Constitution, as Provided by Article 35 of the Amendments to the Constitution of the State of North Dakota, and where the Indebtedness of Such School Dis-

strict Does Not Exceed Ten Per Cent on the Assessed Valuation of the Taxable Property of Such School District, and Declaring Such Bonds Legal and Valid.

The question being on the final passage of the bill, as amended by the House the roll was called and there were ayes 44, nays 2, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Steel
Babcock	Gross	Nathan	Stevens
Baird	Hamilton	Olson, Barnes	Storstad
Baker	Kaldor	Page	Thorson
Bond	Kelsch	Patten	Tofsrud
Byrne	Kretschmar	Peck	Van Camp
Carey	Levang	Præerson	Ward
Eastgate	Lynch	Poyhar	Wenstrom
Ettestad	McCoy	Porter	Whitman
Fleckten	McLachlin	Rusch	Whitmer
Garberg	Miklethun	Sperry	Wog

Those voting in the negative were:

Messrs.	Messrs.
Benson	Martin

Those absent and not voting were:

Messrs.	Messrs.	Messrs.
Ingerson	Magnusen	Olson, Eddy-Foster

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Senator Baker moved to amend Senate Bill No. 21 as follows:

Strike out all of lines 16 and 17 of Section 12 on page 11 of the printed bill and insert in lieu thereof the following:

“On all net incomes in excess of \$10,000 above exemptions and not in excess of \$15,000, a tax of 6 per cent.

“On all net incomes in excess of \$15,000 above exemptions and not in excess of \$20,000 a tax of 7 per cent.

“On all net income in excess of \$20,000 above exemptions a tax of 8 per cent.”

A roll call was demanded.

The question being on the amendment of Senator Baker the roll was called and there were ayes 20, nays 26, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Fleckten	Martin	Page
Baker	Garberg	Miklethun	Ward
Benson	Gross	Nathan	Wenstrom
Byrne	Hamilton	Olson, Barnes	Whitmer
Ettestad	Levang	Patten	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsch	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Olson, Eddy-Foster

So the amendment was lost.

Senator Baker again moved to amend as follows:

Strike out all of Section 44, line 1 to 39, inclusive, and insert in lieu thereof:

Section 44. Public Record. Duty of Officials. it shall be lawful for the Tax Commissioner and for all members of the Tax Commissioner's office, such as deputies, agents, clerks and other officials and employees, to freely divulge and give to the public any attempted violation or infringement of this act and any such official or employee may and it is his duty to give publicity to and identify any party or parties who attempt to escape the taxes provided for herein by misrepresentation or false statements, or who make false returns to the Tax Commissioner, and it shall be the duty of the Tax Commissioner and the members and employees of the Tax Commissioner's office to furnish upon written request to any person any information acquired or contained in tax returns made by any party or parties to the Tax Commissioner's office within one year prior to such request.

A roll call was demanded.

The question being on the amendment of Senator Baker, the roll was called and there were ayes 20, nays 26, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babeock	Fleckten	Martin	Peck
Baker	Garberg	Miklethun	Ward
Benson	Gross	Nathan	Wenstrom
Byrne	Hamilton	Olson, Barnes	Whitmer
Ettestad	Levang	Patten	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsch	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Olson, Eddy- Foster

So the amendment was lost.

SENATE ROLL CALL

Senate Bill No. 21. A Bill for an Act to Amend and Re-enact Chapter 224, Laws of North Dakota for the Year 1919, as Amended by Chapter 60, Special Session Laws of 1919; an Act for the Purpose of Raising Revenue to Defray the General Expenses of the State Government by Providing for a Tax on the Incomes of Individuals, Fiduciaries, Corporations, Joint Stock Companies or Associations and Insurance Companies in the State of North Dakota; **Graduating** Incomes for the Purpose of Taxation; **Providing** for Exemptions and Deductions in Certain Cases; Describing a Method of Levying and Collecting Said Tax; Prescribing Penalties for Nonconformance with the Provisions of this Act, and Repealing All Acts and Parts of Acts in Conflict Herewith.

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 16, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Nathan	Stevens
Babcock	Kaldor	Page	Storstad
Baird	Kelsch	Peterson	Thorson
Bond	Kretschmar	Ployhar	Tofsrud
Carey	Lynch	Porter	Van Camp
Fastgate	McCoy	Rusch	Whitman
Ettestad	McLachlin	Sperry	
Garberg	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Ward
Benson	Hamilton	Olson, Barnes	Wenstrom
Byrne	Levang	Patten	Whitmer
Fleckten	Martin	Peck	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Olson, Eddy- Foster

So the bill passed and the title was agreed to.

Senator Storstad moved that the vote by which Senate Bill No. 21 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Baker: I wish to explain my vote by saying that I do not consider this Income Tax Law is any great improvement over the one that is now on our statute books if it leaves out this provision by which we can get

equitable and fair taxation by abolishing this secret clause; therefore I wish to be registered as voting "No."

SENATE ROLL CALL

Senate Bill No. 150. A Bill for an Act to Repeal Chapter 222 of the Session Laws of the State of North Dakota for the Year 1919, Being an Act Providing for a Tax on Shares of Stock and Bonds of Corporations Organized or Doing Business 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 ayes 28, nays 18, absent and not voting 3.

Those voting aye were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Murphy	Steer
Babcock	Kelsh	Page	Stevens
Baird	Kretschmar	Peterson	Storstad
Bond	Lynch	Ployhar	Thorson
Carey	McCoy	Porter	Tofsrud
Eastgate	McLachlin	Rusch	Van Camp
Gardiner	Martin	Sperry	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Garberg	Nathan	Ward
Benson	Gross	Olson, Barnes	Wenstrom
Byrne	Hamilton	Patten	Whitmer
Ettestad	Levang	Peck	Wog
Fleckten	Miklethun		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Olson, Eddy-Foster

So the bill passed and the title was agreed to.

SENATE ROLL CALL

The question being on the passage of the Emergency Clause of Senate Bill 150, the roll was called and there were ayes 28, nays 18, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Steel
Bond	Kaldor	Page	Stevens
Byrne	Kelsh	Peterson	Storstad
Carey	Kretschmar	Ployhar	Thorson
Eastgate	Lynch	Porter	Tofsrud
Ettestad	McCoy	Rusch	Van Camp
Garberg	McLachlin	Sperry	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Nathan	Wenstrom
Baird	Hamilton	Olson, Barnes	Whitmer
Baker	Levang	Patten	Wog
Benson	Martin	Peck	
Fleckten	Miklethun	Ward	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Olson, Eddy- Foster

So the Emergency Clause was lost.

Senator Ward moved that Senate Bill No. 152 be placed at the foot of the Calendar.

Which motion was lost.

SENATE ROLL CALL

Senate Bill No. 152. A Bill for an Act Authorizing the Consolidation or Merger of Banking Associations Regulating the Procedure and Providing for Supervision Thereof, and Providing a Limitation of Actions.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 27, nays 18, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Page	Stevens
Babcock	Kelsh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Garberg	Miklethun	Wenstrom
Benson	Gross	Nathan	Whitmer
Byrne	Hamilton	Olson, Barnes	Wog
Eitestad	Levang	Patten	
Fieckten	Martin	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Olson, Eddy- Foster	Ward

So the bill passed and the title was agreed to.

Senator Bond moved that the vote by which Senate Bill No. 152 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The President declared the Emergency Clause lost on Senate Bill 152.

SENATE ROLL CALL

Senate Bill No. 213. A Bill for an Act Giving the North Dakota Game and Fish Commissioner Power to Make Rules and Regulations in Addition to Those Already Provided by Law, for the Protection of the Fish in the Lakes and Rivers 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 ayes 38, nays 9, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Martin	Sperry
Babcock	Gross	Miklethun	Steel
Baird	Hamilton	Murphy	Stevens
Baker	Kaldor	Olson, Barnes	Storstad
Bond	Kelsh	Page	Thorson
Byrne	Kretschmar	Peck	Tofsrud
Carey	Levang	Peterson	Van Camp
Eastgate	Lynch	Porter	Whitman
Ettestad	McCoy	Rusch	
Garberg	McLachlin		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Nathan	Wenstrom	Wog
Fleckten	Patten	Whitmer	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Olson, Eddy- Foster	Ward

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 220. A Bill for an Act to Amend and Re-enact Section 3716 of the Compiled Laws of 1913 Relating to Payment of Deficiency in Special Assessments.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 31, nays 15, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Steel
Babcock	Gross	Olson, Barnes	Stevens
Baird	Kaldor	Page	Storstad
Bond	Kelsh	Peterson	Thorson
Byrne	Kretschmar	Ployhar	Tofsrud
Carey	Lynch	Porter	Van Camp
Eastgate	McLachlin	Rusch	Whitman
Garberg	Martin	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Nathan	Wenstrom
Benson	Levang	Patten	Whitmer
Ettestad	McCoy	Peck	Wog
Fleckten	Miklethun	Ward	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Olson, Eddy- Foster

So the bill passed and the title was agreed to.

Senator Stevens moved that a committee of three Senators be appointed to take up the matter of printed Senate Bills.

Which motion prevailed, and Senators Stevens, Baker and Ettestad were appointed by the President

Senator Baker moved that further consideration of Senate Bill No. 212 be deferred for one day.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 35. A Bill for an Act Relative to the Admission of Persons Under Eighteen Years of Age to Public Dances and Requiring the posting of a Copy of the Law and Prescribing Penalty for its Violation.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 40, nays 6, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Sperry
Babcock	Gross	Nathan	Steel
Baird	Kaldor	Olson, Barnes	Stevens
Baker	Kelsh	Page	Storstad
Benson	Kretschmar	Patten	Thorson
Bond	Levang	Peck	Tofsrud
Byrne	Lynch	Peterson	Van Camp
Carey	McCoy	Ployhar	Ward
Eastgate	McLachlin	Porter	Wenstrom
Garberg	Miklethun	Rusch	Whitmer

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Ettestad	Hamilton	Whitman	Wog
Fleckten	Martin		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Olson, Eddy- Foster

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 134. A Bill for an Act Making an Appropriation for a Bounty for Wolves and Coyotes, as Provided for by Chapter 242 of the Session Laws of 1919 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 ayes 46, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Stevens
Babeock	Gross	Nathan	Storstad
Baird	Hamilton	Olson, Barnes	Thorson
Baker	Kaldor	Page	Tofsrud
Benson	Kelsh	Patten	Van Camp
Bond	Kretschmar	Peck	Ward
Byrne	Levang	Peterson	Wenstrom
Carey	Lynch	Ployhar	Whitman
Eastgate	McCoy	Porter	Whitmer
Ettestad	McLachlin	Rusch	Wog
Fleckten	Martin	Sperry	
Garberg	Miklethun	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Olson, Eddy-Foster

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 94. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance Fund of the State Normal School at Dickinson.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Storstad
Babeock	Hamilton	Olson, Barnes	Thorson
Baird	Kaldor	Page	Tofsrud
Baker	Kelsh	Patten	Van Camp
Benson	Kretschmar	Peck	Ward
Bond	Levang	Peterson	Wenstrom
Byrne	Lynch	Ployhar	Whitman
Carey	McCoy	Porter	Whitmer
Eastgate	McLachlin	Rusch	Wog
Ettestad	Martin	Sperry	
Garberg	Miklethun	Steel	
Gardiner	Murphy	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Ingerson	Magnuson	Olson, Eddy-Foster

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 103. A Bill for an Act Making an Appro-

priation of \$30,950.00 for the purpose of carrying out the Provisions of Chapter 115 of the Session Laws of 1921 Relating to Vocational Education and Vocational Rehabilitation.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 42, nays 3, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Miklethun	Stevens
Babcock	Gross	Murphy	Storstad
Baird	Hamilton	Nathan	Thorson
Baker	Kaldor	Olson, Barnes	Tofsrud
Benson	Kelsh	Page	Van Camp
Bond	Kretschmar	Peterson	Ward
Byrne	Levang	Ployhar	Wenstrom
Carey	Lynch	Porter	Whitman
Eastgate	McCoy	Rusch	Whitmer
Ettestad	McLachlin	Sperry	
Garberg	Martin	Steel	

Those voting in the negative were:

Patten	Peck	Wog
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Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Ingerson	Magnuson	Olson, Eddy-Foster

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 196. A Bill for an Act to Provide an Appropriation for the Eradication of the Barberry Bushes.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 33, nays 13, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Murphy	Storstad
Baird	Gardiner	Page	Thorson
Baker	Kaldor	Peterson	Tofsrud
Benson	Kelsh	Ployhar	Van Camp
Bond	Kretschmar	Porter	Ward
Byrne	Lynch	Rusch	Whitman
Carey	McCoy	Sperry	
Eastgate	Martin	Steel	
Ettestad		Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Levang	Olson, Barnes	Whitmer
Fleckten	McLachlin	Patten	Wog
Gross	Miklethun	Peck	
Hamilton	Nathan	Wenstrom	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Olson, Eddy-Foster

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 142. A Bill for an Act Making an Appropriation of the Sum of \$25,000.00 for the Biennium, which is known as a Miscellaneous Refund.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays 1, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Storstad
Babcock	Gross	Nathan	Thorson
Baird	Hamilton	Olson, Barnes	Tofsrud
Baker	Kaldor	Page	Van Camp
Benson	Kelsh	Patten	Ward
Bond	Kretschmar	Peterson	Wenstrom
Byrne	Levang	Ployhar	Whitman
Carey	Lynch	Porter	Whitmer
Eastgate	McCoy	Rusch	Wog
Ettestad	McLachlin	Sperry	
Fleckten	Martin	Steel	
Garberg	Miklethun	Stevens	

Those voting in the negative were:

Peck

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Olson, Eddy-Foster

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 136. A Bill for an Act to Provide a State Contingency Fund to be Placed at the Disposal of the State Emergency Commission to be Used as Provided by Chapter 26 and 152 of the Session Laws of North Dakota for 1915; and Making an Appropriation of \$50,000.00 which Shall be Known as the State Contingency Fund.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays none, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Miklethun	Steel
Babcock	Gardiner	Murphy	Stevens
Baird	Gross	Nathan	Storstad
Baker	Kaldor	Olson, Barnes	Thorson
Benson	Kelsh	Page	Tofsrud
Bond	Kretschmar	Patten	Van Camp

Messrs.	Messrs.	Messrs.	Messrs.
Byrne	Levang	Peck	Ward
Carey	Lynch	Peterson	Wenstrom
Ettestad	McCoy	Porter	Whitman
Eastgate	McLachlin	Ployhar	Whitmer
Fleckten	Martin	Sperry	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Hamilton	Magnuson	Olson, Eddy-	Rusch
Ingerson		Foster	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 137. A Bill for an Act Making an Appropriation of \$2,000.00 for the Biennium to Defray the Expenses of Disbarment Proceedings, as Prescribed by Section 808 to 812 of the Compiled Laws of 1913 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 ayes 45, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Storstad
Babcock	Gross	Nathan	Thorson
Baird	Hamilton	Olson, Barnes	Tofsrud
Baker	Kaldor	Page	Van Camp
Benson	Kelsh	Patten	Ward
Bond	Kretschmar	Peck	Wenstrom
Byrne	Levang	Peterson	Whitman
Carey	Lynch	Ployhar	Whitmer
Eastgate	McCoy	Porter	Wog
Ettestad	McLachlin	Sperry	
Fleckten	Martin	Steel	
Garberg	Miklethun	Stevens	

Absent and not voting:

Ingerson	Magnuson	Olson, Eddy-	Rusch
		Foster	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 133. A Bill for an Act Making an Appropriation for the General Expense of the State Live Stock Sanitary Board.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 37, nays 7, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Martin	Sperry
Babcock	Gross	Miklethun	Steel
Baird	Hamilton	Murphy	Stevens
Baker	Kaldor	Olson, Barnes	Storstad
Benson	Kelsh	Page	Thorson

Messrs.	Messrs.	Messrs.	Messrs.
Bond	Kretschmar	Patten	Tofsrud
Carey	Levang	Peck	Van Camp
Eastgate	Lynch	Peterson	Ward
Ettestad	McCoy	Porter	Wenstrom
Garberg	McLachlin	Rusch	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Page	Peck	Wog
Nathan	Patten	Whitmer	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Byrne	Magnuson	Olson, Eddy-	Ployhar
Ingerson		Foster	

So the bill passed and the title was agreed to.

Senator Stevens moved that the rules be suspended and that smoking be permitted.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 96. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance of the State School for the Blind at Bathgate.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays none, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Stevens
Babcock	Gross	Nathan	Storstad
Baird	Kaldor	Olson, Barnes	Thorson
Baker	Kelsh	Page	Tofsrud
Benson	Kretschmar	Patten	Van Camp
Bond	Levang	Peck	Ward
Carey	Lynch	Peterson	Wenstrom
Eastgate	McCoy	Ployhar	Whitman
Ettestad	McLachlin	Porter	Whitmer
Fleckten	Martin	Rusch	Wog
Garberg	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Hamilton	Magnuson	Steel	Byrne
Ingerson	Olson, Eddy-		
	Foster		

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill 100. A Bill For an Act Making an Appropriation to Provide for the Payment of an Existing Deficit

in the Maintenance Fund of the School of Science at Wahpeton, N. Dak.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 37, nays 3, absent and not voting 9.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Tofsrud
Babcock	Gross	Nathan	Thorson
Baird	Kaldor	Olson, Barnes	Van Camp
Baker	Kelsh	Peck	Ward
Benson	Kretschmar	Peterson	Wenstrom
Bond	Levang	Ployhar	Whitman
Carey	Lynch	Porter	Wog
Eastgate	McCoy	Rusch	
Ettestad	McLachlin	Sperry	
Garberg	Miklethun	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fleckten	Page	Patten

Absent and not voting:

Byrne	Ingerson	Martin	Steel
Hamilton	Magnuson	Olson, Eddy-Foster	Storstad
			Whitmer

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 112. A Bill for an Act Making an Appropriation of \$22,230.00 for the Purpose of Paying Salary, Clerkhire and General Expense of the State Historical Society.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 39, nays 3, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Murphy	Sperry
Babcock	Gardiner	Nathan	Stevens
Baird	Gross	Olson, Barnes	Storstad
Baker	Kaldor	Page	Thorson
Benson	Kelsh	Patten	Tofsrud
Bond	Kretschmar	Peck	Van Camp
Byrne	Levang	Peterson	Ward
Carey	Lynch	Ployhar	Wenstrom
Eastgate	McCoy	Porter	Whitman
Ettestad	McLachlin	Rusch	Wog
Fleckten	Miklethun		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Page	Patten	Peck

Absent and not voting:

Hamilton	Magnuson	Olson, Eddy-	Steel
Ingerson	Martin	Foster	Whitmer

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 85. A Bill for an Act Making an Appropriation for the General Expenses of the Department of Motor Vehicle Registration.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Martin	Rusch
Babcock	Gardiner	Miklethun	Sperry
Baird	Gross	Murphy	Steel
Baker	Hamilton	Nathan	Stevens
Benson	Kaldor	Olson, Barnes	Storstad
Bond	Kelsh	Page	Thorson
Byrne	Kretschmar	Patten	Tofsrud
Carey	Levang	Peck	Van Camp
Eastgate	Lynch	Peterson	Ward
Ettestad	McCoy	Ployhar	Wenstrom
Fleckten	McLachlin	Porter	Whitman
			Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Olson, Eddy Foster	Whitmer

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 200. A Bill for an Act Providing for the Recall 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 ayes 44, nays 1, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Martin	Rusch
Babcock	Gardiner	Miklethun	Sperry
Baird	Gross	Murphy	Steel
Baker	Hamilton	Nathan	Stevens
Benson	Kaldor	Olson, Barnes	Storstad
Bond	Kelsh	Page	Thorson
Byrne	Kretschmar	Patten	Tofsrud
Carey	Levang	Peck	Wenstrom
Eastgate	Lynch	Peterson	Whitman
Ettestad	McCoy	Ployhar	Whitmer
Fleckten	McLachlin	Porter	Wog

Those voting in the negative were:

Messrs.
Van Camp

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Olson, Eddy- Foster	Ward

So the bill passed and the title was agreed to.

Senator Nathan: I am glad to have the County Commissioners have the same privilege I had last year; I vote "Aye."

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 6, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 132. A Bill for an Act Entitled, An Act to Appropriate Money for the Use of the Board of Railroad Commissioners Between the Following Dates, January 1st, 1923 and June 30th, 1923, and Specifying the Purpose for Which the Appropriation Is Made.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Chapter 95 of the Session Laws of North Dakota for 1921, Being an Act to Amend and Re-enact Section 2 of Chapter 63, Session Laws of North Dakota for 1915, Prescribing and Limiting Punishment of the Crime of Murder in the First Degree and Limiting the Time, Manner and Condition Whereby Such Person May Be Pardoned.

House Bill No. 143. A Bill for an Act Providing for the Filing of Manuscripts of Judgments of the United States Courts and Notices of Taxes Due the United States, with Certain County Officers.

House Bill No. 157. A Bill for an Act to Amend and Re-enact Section 1154 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Opening and Closing of Polls in School Elections.

House Bill No. 61. A Bill for an Act to Repeal Sections 3471, 3472, 3473, 3474, 3475, 3477, 3478, 3479, 3480, 3483, 3484, 3485 and 3487, Compiled Laws, 1913 as Amended by Chapter 13 of the Special Session Laws, 1918, and as Amended by Chapter 177, Session Laws for 1919, and as Amended by Chapter 54 of the Special Laws 1919, Relating to the Issuance of Bonds and Warrants to Procure Seed Grain and Feed for Needy Inhabitants.

House Bill No. 63. A Bill for an Act to Provide for the Collection of Notes, Contracts and Indebtedness for Seed and Feed Furnished by Counties.

House Bill No. 161. A Bill for an Act to Amend Section 1398 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Free Text Books in Public Schools.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

The following bills were messaged to the House: Senate Bills Nos. 21, 152, 213, 220, 35, 134, 94, 103, 196, 142, and 169.

The courtesies of the floor were extended to Messrs. R. J. J. Montgomery of Tappen; R. N. Youngquist of Fullerton; Geo. Berzel of Dickinson; Dr. J. G. Lamont of Dunseith; Hon. Geo. A. Bangs of Grand Forks; Sidney Olson of Fargo; Jno. Lundon, Hans Miller, L. J. Palda, Jr., of Minot; R. C. Morton, and F. E. Tucker of Carrington; J. A. Sunden of Plaza; Jno. N. Osgaard of Yucca.

Senator Ployhar moved that the Senate do now adjourn.

Which motion prevailed and the Senate adjourned.

W. E. PARSONS,
Secretary.

THIRTY-SEVENTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 7, 1923.

The Senate convened at 2:00 o'clock P. M., the President, Frank H. Hyland, presiding.

Prayer by Rev. H. C. Postlethwaite.

Roll was called, all Senators being present with the exception of Senators Ingerson, Micklethun, Olson of Eddy and Foster, and Magnuson.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-fifth Day After Recess and Thirty-sixth Day and recommend that the same be corrected as follows:

On page 5, line 31, correct spelling of "Senate."

On page 11, line 25, strike out "enrolled."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

The Secretary read a communication from the National Association of Railway and Utilities Commissions, which was referred to the Committee on Railways.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 338. A Bill for an Act Appropriating Money to Reimburse the Common School Fund of the State of North Dakota for Losses Resulting from a Mis-

appropriation of Such Fund Occurring Previous to January 1, 1917.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 97. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Maintenance Fund of the Institute for the Feeble Minded.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 63. A Bill for an Act to Amend Section 318 of the Compiled Laws of North Dakota for the year 1913, Relating to Cancellations of School Land Contracts.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. R. BOND,
Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

The Joint Senate and House Committee on the Investigation of the State Training School at Mandan made the following report:

Mr. President: Your Special Committee, with a like Committee from the House, appointed to investigate the conditions at the State Training School at Mandan, beg leave to make the following report:

Upon investigating the above school, we found the following conditions:

Found 137 boys and 43 girls.

44 boys from 7 to 14 years of age.

87 boys from 14 to 21 years of age.

Found the Girls' Home badly crowded and in a very unsafe condition because of lack of fire escapes and building badly in need of repairs.

Home for the larger boys overcrowded; also badly in need of repairs to put it in a sanitary condition.

Home for smaller boys in fair condition, but overcrowded.

Building where boiler was formerly located could be remodeled and would make a good building for manual training.

Barns in first class condition, but horses were very poor.

Poultry house in a dilapidated condition and in need of immediate attention.

New boiler room in good condition; also Superintendent's home.

General sanitary conditions very poor on account of inadequate sewerage system.

Found 752 acres of land belonging to the Institution, 170 of which are under cultivation. This amount is entirely insufficient for the number of inmates who are able to do farm work.

Recommendations

We would recommend that the girls and dependents be moved to some other established State Institution, said institution to be the one deemed most feasible under present conditions.

If the above action is taken, we would recommend that there be no appropriation made for new buildings at the present location at this time.

In view of the fact that such a small part of the land owned by the institution is capable of cultivation, we would recommend that more tillable land should be secured at once and that appropriation be provided therefor.

We would recommend that the girls in this institution receive instruction along the line of Domestic Science, especially work in plain sewing, and that the boys be given courses in Manual Training, etc.

Respectfully submitted,

For the Senate:

JAMES A. WENSTROM,
T. J. KELSH,
OLE ETTESTAD,
J. H. McCOY.

Senator Wenstrom moved that the report of the Committee be adopted and that the Committee be discharged.

Which motion prevailed.

MOTIONS AND RESOLUTIONS

Senator Storstad moved for an extension of time for further consideration on Senate Bill No. 225.

Which motion prevailed.

Senator Bond moved for an extension of time for further consideration on Senate Bills Nos. 162, 224, 231, 236, 238, 250 and 117.

Which motion prevailed.

There being no objections, the Senate returned to the Sixth Order of Business.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 57. A Bill for an Act to Amend and Re-enact Section 8122 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 180 of the Laws of 1915, Chapter 151 of the Laws of 1917 and Chapter 65 of the Laws of 1921, Relating to Foreclosure of land contracts.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 143. A Bill for an Act to Amend and Re-enact Section 814 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 81 of the Session Laws of 1921, Relating to Jurors.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 145. A Bill for an Act to Amend and Re-enact Section 7965 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Consolidation of Actions.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 203. A Bill for an Act to Amend and Re-enact Section 160 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 18 of the Special Session Laws of North Dakota for the Year 1919, Relating to the Appointment of Regular and Special Assistant Attorneys General, and Repealing Chapter 20 of the Special Session Laws of North Dakota for the Year 1919, and All Other Acts and Parts of Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2, Section 160, of the engrossed bill, strike out the words "one of whom shall be designated as First Assistant Attorney General," and also strike out the commas which immediately precede and follow such words.

In line 4 of the engrossed bill, immediately after the sentence from which above words are so stricken out, insert the following: "One of such Assistant Attorneys General shall be designated as First Assistant Attorney General."

And when so amended recommend the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 206. A Bill for an Act Providing for a

Verdict in Civil Cases by Five-Sixths of the Jury After Twelve Hours Deliberation.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 211. A Bill for an Act to Amend and Re-enact Section 3451, Compiled Laws of North Dakota, Relating to County Bonds, Rate of Interest and Mode of Issue.

Have had the same under consideration and recommend that the same be amended as follows:

On page 1 of the engrossed bill, Section 3451, line 4, after the words "payable to," insert the words "order or."

And when so amended recommend the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 221. A Bill for an Act to Provide for the Giving of Notices of Foreclosure of Real Estate by Advertisement to Owners and Holders of Mechanic's Liens Against Such Real Estate.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 222. A Bill for an Act to Amend and Re-enact Section 8095 of the Compiled Laws of North Dakota

for the Year 1913, Relating to Notice of Foreclosures of Mortgages on Real Property by Advertisement.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 237. A Bill for an Act to Amend and Re-enact Section 10994, Compiled Laws of North Dakota for 1913, Relative to Appeal in Criminal Cases.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 25. A Bill for an Act Relating to the Validation of Bonds Voted and Issued, or to be Issued, by Any Common, Special or Independent School District, in Cases Where the School District Issuing Such Bonds, or Where by Such Vote Bonds Are Authorized to be Issued, Has Heretofore, by a Majority Vote, Increased the Limit of Indebtedness Five Per Cent on the Assessed Valuation of the Taxable Property in Such School District, Beyond the Five Per Cent Limit of Indebtedness Established by the Constitution, as Provided by Article 35 of the Amendments to the Constitution of the State of North Dakota, and Where the Indebtedness of Such School District Does Not Exceed Ten Per Cent on the Assessed Valuation of the Taxable Property of Such School District, and Declaring Such Bonds Legal and Valid.

Also,

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 9037 of the Compiled Laws of North Dakota for the Year 1913, Relating to Places of Trial.

Also,

Senate Bill No. 114. A Bill for an Act to Amend Sections 9658 and 9659 of the Compiled Laws of 1913 Relating to the Crime of Vagrancy.

Were delivered to the Governor for his approval at the hour of 2:10 o'clock P. M., February 7, 1923.

CHRIST LEVANG,
Chairman.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 25. A Bill for an Act Relating to the Validation of Bonds Voted and Issued, or to be Issued, by Any Common, Special or Independent School District, in Cases Where the School District Issuing Such Bonds, or Where by Such Vote Bonds Are Authorized to be Issued, Has Theretofore, by a Majority Vote, Increased the Limit of Indebtedness Five Per Cent on the Assessed Valuation of the Taxable Property in Such School District, Beyond the Five Per Cent Limit of Indebtedness Established by the Constitution, as Provided by Article 35 of the Amendments to the Constitution of the State of North Dakota, and Where the Indebtedness of Such School District, but Does Not Exceed Ten Per Cent on the Assessed Valuation of the Taxable Property of Such School District, and Declaring Such Bonds Legal and Valid.

Also,

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 9037 of the Compiled Laws of North Dakota for the Year 1913, Relating to Places of Trial.

Also,

Senate Bill No. 114. A Bill for an Act to Amend Sections 9658 and 9659 of the Compiled Laws of 1913 Relating to the Crime of Vagrancy.

And find the same correctly enrolled.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment have examined the Concurrent Resolution introduced by Mr. Olson of Eddy and Foster and find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment have examined the following bill:

Senate Bill No. 50. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 187 of the Session Laws of North Dakota for the Year 1919, Relating to the Qualifications of Official and Legal Newspapers and Providing for the Method of Selection of Official Newspapers.

And find the same correctly re-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No 119. A Bill for an Act to Amend and Re-enact Section 341 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Manner Common School Lands and Other Public Lands Shall be Leased.

Also,

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Sections 3, 4, 6, 8, 34, 35 and 65, Chapter 161, Session Laws of 1915, and Section 27, Chapter 161, Session Laws of 1919, as Amended by Section 2, Chapter 134, Session Laws of 1919, and Section 36, Chapter 161, Session Laws of 1915 as Amended by Section 5, Chapter 134, Session Laws of 1919, and Section 46, Chapter 161, Session Laws of 1915, as Amended by Chapter 134, Session Laws 1921 and Section 80, Chapter 161, Session Laws of 1915 as Amended by Chapter 135, Session Laws of 1919, Relating to Game and Fish.

Also,

Senate Bill No. 166. A Bill for an Act to Amend and Re-enact Section 1147 of the Compiled Laws of 1913, as Amended by Chapter 135 of the Session Laws of 1915 and Chapter 197 of the Session Laws of 1919, Relating to the Organization of New School Districts.

Also,

Senate Bill No. 172. A Bill for an Act Granting to and Imposing Upon the Board of Administration Certain Powers and Duties with Reference to the Welfare of Children and the Administration and Enforcement of Laws Relating Thereto.

Also,

Senate Bill No. 173. A Bill for an Act to Authorize the Appointment of County Child Welfare Boards and to Define Their Powers and Duties, and to Repeal Section 19, Chapter 177, Laws of 1919.

Also,

Senate Bill No. 176. A Bill for an Act Providing for the Care and Treatment of Indigent, Crippled or Deformed Children.

Also,

Senate Bill No. 178. A Bill for an Act Relating to the Bringing of Children into the State, or Taking Children Therefrom, for Placement in Family Home; for the Licensing or Regulation of Persons and Corporations Engaged in that Work; and for the Repeal of Sections 5107 and 5108, Compiled Laws for 1913.

Also,

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 9607, and Section 9608, Compiled Laws for 1913.

Also,

Senate Bill No. 216. A Bill for an Act Regulating the Standard Provisions of Accident Insurance Policies Issued Within the State, and Providing a Penalty for Violation Thereof.

Also,

Senate Bill No. 228. A Bill for an Act to Repeal Section 6624 of the Compiled Laws for the Year 1913. Valued Insurance Policy Act.

Also,

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Chapter 117 of the Laws of North Dakota for the Year 1919, Relating to the Nomination and Election of all Elective County Officers, Judges of the Supreme and District Courts, State Superintendent of Public Instruction, and County Superintendent of Schools, without Requiring a Declaration as to Party Affiliation, and a Separate Ballot for County Officials and Extending the Law so as to Apply to All State Officials and Members of the Legislature and County Official Newspapers; Changing Petition Requirement and Providing for Filling of Vacancies and for Designation of Principles Supported by Candidates for State and Legislative Office.

Also,

Senate Bill No. 235. A Bill for an Act to Amend and Re-enact Section 2263 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted in Chapter 1 of the Session Laws for the Year 1917, Relating to the Levy of a Tax by County Commissioners to be Used in Carrying on Cooperative Agricultural Extension Work as

Defined by this Act and Providing for Referendum by Ballot, Audit of Funds and Disposition of Accumulated Funds.

Also,

Senate Bill No. 243. A Bill for an Act to Safeguard the Business of Beekeeping Against Contagious and Infectious Diseases; Defining Apiaries; Providing for State Inspection Under the Direction and Control of the Commissioner of Agriculture and Labor; Prohibiting the Sale, Barter, Offer of Sale or Barter, Moving, Transportation, Shipping or Offering for Shipping or Transportation, of any Bees, Brood, Comb or Beekeeping Appliances That are Infected; Providing for the Proper Certification of Shipments into the State, and the Reporting of Such Shipments by the Purchaser or Importer; Fixing Penalties for Violation.

Senate Bill No. 251. A Bill for an Act Establishing a Closed Season on Frogs.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

SENATE ROLL CALL

Senate Bill No. 208. A Bill for an Act Relating to County Finances; Providing That all County Officials and All Officers in Charge of any Institution, Office or Undertaking Supported in Whole or in Part by the County Shall File an Itemized Statement of Amounts Necessary for Maintenance of Such Office or Institution; Providing That the County Commissioners Shall Annually Prepare a Budget Providing for Publication of Such Budget and of the Proposed Levy; Providing for a Public Hearing in Regard to the Proposed Expenditures and Levy; Fixing a Date for Levy; Providing That All Expenditures must Conform to the Budget as Adopted, and That all Unappropriated Balances in any Fund at the End of the Fiscal Year Shall Become a Part of the General Fund; Repealing Sections 3312, 3313, and 3314, of the Compiled Laws of 1913.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Nathan	Storstad
Babcock	Gross	Olson, Barnes	Thorson
Baird	Hamilton	Page	Tofsrud
Baker	Kaldor	Patten	Van Camp
Benson	Ke'sh	Peck	Ward
Bond	Kretschmar	Peterson	Wenstrom
Byrne	McCoy	Ployhar	Whitman
Carey	Lynch	Porter	Whitmer
Eastgate	McCoy	Rusch	Wog
Ettestad	McLachlin	Sperry	
Fleckten	Martin	Steel	
Garberg	Murphy	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Miklethun	Olson, Eddy Foster

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 226. A Bill for an Act to Amend and Re-enact Section 3784 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 120 of the Session Laws of North Dakota for the Year 1919, Relating to Municipal Elections in Cities.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 33, nays 12, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Stevens
Babcock	Gross	Olson, Barnes	Storstad
Baird	Kaldor	Page	Thorson
Bond	Kelsh	Peterson	Tofsrud
Byrne	Kretschmar	Ployhar	Van Camp
Carey	Lynch	Porter	Whitman
Eastgate	McCoy	Rusch	
Ettestad	McLachlin	Sperry	
Garberg	Martin	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Patten	Wenstrom
Benson	McCoy	Peck	Whitmer
Fleckten	Nathan	Ward	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Miklethun	Olson, Eddy Foster

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 167. A Bill for an Act to Amend and Re-enacting Section 1275 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Limit of Issue of Bonds of 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 ayes 36, nays 9, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Storstad
Baird	Gross	Olson, Barnes	Thorson
Baker	Kaldor	Page	Tofsrud
Benson	Kelsh	Patten	Van Camp
Bond	McCoy	Peterson	Ward
Byrne	Lynch	Ployhar	Wenstrom
Carey	McCoy	Porter	Whitman
Fleckten	McLachlin	Steel	Whitmer
Garberg	Martin	Stevens	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Nathan	Rusch
Eastgate	Kretschmar	Peck	Sperry
Ettestad			

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Miklethun	Olson, Eddy Foster

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 2861, Compiled Laws of North Dakota for 1913, Relating to Penalty for Violating Dairy Laws.

House Bill No. 42. A Bill for an Act Prescribing Certain Requisites with Respect to Crop Mortgages Given for Other Than as Rental of Premises or to Secure the Purchase Price of Land, and Making All Crop Mortgages Not Executed in Compliance with Such Requirements Void and Not Subject to Being Filed of Record.

House Bill No. 43. A Bill for an Act to Amend and Re-enact Section 3835 of the Compiled Laws of the State of North Dakota for the Year 1919 Relating to Recall of City Officials Under City or Commission Form of Government.

Senate Bill No. 114. A Bill for an Act to Amend Sections 9658 and 9659 of the Compiled Laws of 1913 Relating to the Crime of Vagrancy.

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 9037 of the Compiled Laws of North Dakota for the Year 1913, Relating to Places of Trial.

Senate Bill No. 25. A Bill for an Act Relating to the Validation of Bonds Voted and Issued or to be Issued, by Any Common, Special or Independent School District, in Cases Where the School District Issuing Such Bonds, or Where by Such Vote Bonds Are Authorized to be Issued.

Has Heretofore, by a Majority Vote, Increased the Limit of Indebtedness Five Per Cent on the Assessed Valuation of the Taxable Property in Such School District, Beyond the Five Per Cent Limit of Indebtedness Established by the Constitution, as Provided by Article 35 of the Amendments to the Constitution, of the State of North Dakota, and Where the Indebtedness of Such School District Does **Not** Exceed Ten Per Cent on the Assessed Valuation of the Taxable Property of Such School District, and Declaring Such Bonds Legal and Valid.

And the President signed the same in the presence of the Senate.

SENATE ROLL CALL

Senate Bill No. 165. A Bill for an Act Amending and Re-enacting Section 1334 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 105, Session Laws of 1921, Relating to the Limit of Issue of Bonds of Common School Districts.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 36, nays 9, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Martin	Stevens
Babcock	Gardiner	Murphy	Storstad
Baird	Gross	Olson, Barnes	Thorson
Baker	Kaldor	Page	Tofsrud
Benson	Kelsh	Patten	Van Camp
Bond	Levang	Peterson	Ward
Byrne	Lynch	Ployhar	Wenstrom
Cares	McCoy	Porter	Whitman
Fleckten	McLachlin	Steei	Whitmer

Those voting in the negative were:

Eastgate	Kretschmar	Peck	Sperry
Ektestad	Nathan	Rusch	Wog
Hamilton			

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Miklethun	Olson, Eddy Foster

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 164. A Bill for an Act to Amend and Re-enact Section 1303 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Limit of the Amount of Bonds of Independent School Districts.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 36, nays 9, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Martin	Stevens
Babcock	Gardiner	Murphy	Storstad
Baird	Gross	Olson, Barnes	Thorson
Baker	Kaldor	Page	Tofsrud
Benson	Kelsh	Patten	Van Camp
Bond	Levang	Peterson	Ward
Byrne	Lynch	Ployhar	Wenstrom
Carey	McCoy	Porter	Whitman
Fleckten	McLachlin	Steel	Whitmer

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Eastgate	Kretschmar	Peck	Sperry
Ettestad	Nathan	Rusch	Wog
Hamilton			

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Miklethun	Olson, Eddy Poster

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Senator McLachlin moved to amend Senate Bill No. 163 by striking out in line 4 of Section 1, of the printed bill, the words "one-third" and insert in lieu thereof the words "one-half."

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 163. A Bill for an Act Permitting the Increase of the Limitation of Indebtedness of Common Special and Independent School Districts by an Additional Five Per Centum on the Assessed Value of the Taxable Property Therein, Beyond the Present Constitutional Limit of Five Per Centum, Providing a Method for Effecting Such Increase, and for Submitting the Question of Such Increase to the Electors of the School Districts at Annual or Special Elections, and Providing for Preserving a Record of Such Increase of the Limit of Indebtedness.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 33, nays 11, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Olson, Barnes	Thorson

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Gross	Page	Tofsrud
Baker	Kaldor	Patten	Van Camp
Benson	Kelsh	Peterson	Ward
Bond	Levang	Ployhar	Wenstrom
Byrne	Lynch	Porter	Whitman
Carey	McLachlin	Steel	
Fleckten	Martin	Stevens	
Garberg	Murphy	Storstad	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Nathan	Sperry
Eastgate	Kretschmar	Peck	Wog
Ettestad	McCoy	Rusch	

Those absent and not voting were:

Messrs.	Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Miklethun	Olson, Eddy
			Foster

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Senator Benson moved that action on Senate Bill No. 233 be deferred until Friday, February 9, 1923, at 4:00 o'clock P. M.

Which motion was lost.

A roll call was demanded.

The question being on deferring action on Senate Bill No. 233 until Friday at 4 o'clock P. M., the roll was called and there were ayes 20, nays 25, absent and not voting 4

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Fleckten	Martin	Peck
Baker	Garberg	Nathan	Ward
Benson	Gross	Olson, Barnes	Wenstrom
Byrne	Hamilton	Page	Whitmer
Ettestad	Levang	Patten	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Ployhar	Thorson
Baird	Kretschmar	Porter	Tofsrud
Bond	Lynch	Rusch	Van Camp
Carey	McCoy	Sperry	Whitman
Eastgate	McLachlin	Steel	
Gardiner	Murphy	Stevens	
Kaldor	Peterson	Storstad	

Those absent and not voting were:

Messrs.	Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Miklethun	Olson, Eddy
			Foster

So the motion was lost.

Senator Benson moved that the Senate do now recess until Thursday at 1:00 o'clock P. M.

Which motion was lost.

A roll call was demanded; but seven Senators sustained the motion for roll call, so the motion was lost.

SENATE ROLL CALL

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Chapter 117 of the Laws of North Dakota for the Year 1919, Relating to the Nomination and Election of all Elective County Officers, Judges of the Supreme and District Courts, State Superintendent of Public Instruction, and County Superintendent of Schools, without Requiring a Declaration as to Party Affiliation, and a Separate Ballot for County Officials and Extending the Law so as to Apply to all State Officials and Members of the Legislature; Changing Petition Requirement and Providing for Filling of Vacancies and for Designation of Principles Supported by Candidates for State and Legislative Office.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 26, nays 19, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Page	Storstad
Baird	Kretschmar	Peterson	Thorson
Bond	Lynch	Poyhar	Tofsrud
Carey	McCoy	Porter	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Martin	Steel	
Kaldor	Murphy	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Fleckten	Nathan	Ward
Baker	Garberg	Olson, Barnes	Wenstrom
Benson	Gross	Patten	Whitmer
Byrne	Hamilton	Peck	Wog
Ettestad	Levang	Rusch	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Miklethun	Olson, Eddy Poster

So the bill passed and the title was agreed to.

Senator Baker: I wish to explain my vote. I am going to vote "No" on this proposition because the avowed purpose of this bill, I am told by one of the members of the opposition party, known as the I. V. A., was to perpetuate themselves in office; to disfranchise the people of North Dakota of free expression of their right to the ballot; it is only put up for that purpose, and specifically plans for that thing. Believing that the will of the people of this state will not stand for it, I wish to be registered as voting "No."

Senator Benson asked that the roll call on final passage

of Senate Bill No. 233 be verified, which request was complied with.

Senator Carey moved that the vote by which Senate Bill No. 233 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

A roll call on Senator Carey's motion to reconsider was demanded.

The question being on the motion to reconsider, the roll was called and there were ayes 26, nays 19, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	
Atkins	Ke'sh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Martin	Steel	
Kaldor	Murphy	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Fleckten	Nathan	Ward
Baker	Garberg	Olson, Barnes	Wenstrom
Benson	Gross	Page	Whitmer
Byrne	Hamilton	Patten	Wog
Ettestad	Levang	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Miklethun	Olson, Eddy Foster

So the motion to reconsider prevailed.

SENATE ROLL CALL

Senate Bill No. 251. A Bill for an Act Establishing a Closed Season on Frogs.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 37, nays 4, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Patten	Thorson
Babcock	Kaldor	Peck	Tofsrud
Baird	Ke'sh	Peterson	Van Camp
Baker	Kretschmar	Ployhar	Ward
Bond	Levang	Porter	Wenstrom
Byrne	Lynch	Rusch	Whitman
Carey	McLachlin	Sperry	Wog
Eastgate	Murphy	Steel	
Ettestad	Olson, Barnes	Stevens	
Garberg	Page	Storstad	

Those voting in the negative were:

Messrs. Benson	Messrs. Fleckten	Messrs. Gross	Messrs. Nathan
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Absent and not voting:

Hamilton Ingerson	McCoy Magnuson	Martin Miklethun	Olson, Eddy Foster Whitmer
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So the bill passed and the title was agreed to.

Senator Stevens moved that the vote by which Senate Bill No. 251 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Rusch moved to amend Senate Bill No. 119 as follows:

On page 1, line 4, of the printed bill, strike out the word "sheriff" and insert the words "auditor or someone designated by him and approved by the county commissioners."

On page 2, line 30, strike out the word "auditor" and insert the word "treasurer."

On page 2, line 34, strike out the word "sheriff" and insert the word "auditor."

Which motion prevailed.

Senator Bond moved to further amend the printed bill by inserting on page 2, line 33, after the figures "307" the following: "of the Compiled Laws for 1913."

Which motion prevailed.

Senator Fleckten moved to amend Senate Bill No. 119 by striking out on page 2, line 33, of the printed bill all after the word "sales."

Which motion was lost.

SENATE ROLL CALL

Senate Bill No 119. A Bill for an Act to Amend and Re-enact Section 341 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Manner Common School Lands and Other Public Lands Shall be Leased.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 37, nays 6, absent and not voting 6.

Those voting in the affirmative were:

Messrs. Atkins Babcock Baird Baker Benson	Messrs. Garberg Gardiner Gross Hamilton Kaldor	Messrs. McLachlin Murphy Olson, Barnes Page Patten	Messrs. Steel Storstad Thorson Tofsrud Van Camp
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Messrs.	Messrs.	Messrs.	Messrs.
Bond	Kelsh	Peterson	Whitman
Byrne	Kretschmar	Ployhar	Wog
Carey	Levang	Porter	
Eastgate	Lynch	Rusch	
Ettestad	McCoy	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Peck	Wenstrom	Whitmer
Nathan	Ward		

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Ingerson	Martin	Olson, Eddy	Stevens
Magnuson	Miklethun	Foster	

So the bill passed and the title was agreed to.

Senator Whitmer: I have a little advantage, being the last one to vote. I am going to vote "No" as I believe this is going to lead to inefficiency. I vote "No."

SENATE ROLL CALL

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Sections 3, 4, 6, 8, 34, 35 and 65, Chapter 161, Session Laws of 1915, and Section 27, Chapter 161, Session Laws of 1919, as Amended by Section 2, Chapter 134, Session Laws of 1919, and Section 36, Chapter 161, Session Laws of 1915 as Amended by Section 5, Chapter 134, Session Laws of 1919, and Section 46, Chapter 161, Session Laws of 1915, as Amended by Chapter 134, Session Laws of 1921 and Section 80, Chapter 161, Session Laws of 1915 as Amended by Chapter 135, Session Laws of 1919, Relating to Game and Fish.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 37, nays 8, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Page	Tofsrud
Babcock	Hamilton	Peck	Van Camp
Baird	Kaldor	Ployhar	Ward
Bond	Ke'sh	Porter	Wenstrom
Byrne	Levang	Rusch	Whitman
Carey	Lynch	Sperry	Whitmer
Eastgate	McCoy	Steel	Wog
Ettestad	McLachlin	Stevens	
Garberg	Martin	Storstad	
Gardiner	Murphy	Thorson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Fleckten	Nathan	Patten
Benson	Kretschmar	Olson, Barnes	Peterson

Those absent and not voting were:

Messrs.	Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Miklethun	Olson, Eddy
			Foster

So the bill passed and the title was agreed to.

Senator Kelsh moved to return to the Eighth Order of Business. There being no objections, the Senate took up the Eighth Order of Business.

Senator Kelsh moved that Senate Bill No. 25 be recalled from the Governor.

Which motion prevailed.

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. 8. A Bill for an Act to Empower All Cities Having a Population in Excess of Five Thousand Inhabitants, by the Federal Census of 1920, or by Any Subsequent Federal Census, to Provide for the Establishment of Districts or Zones Within the Corporate Limits, and to Empower Such Cities by Ordinances, to Regulate Within Such Zones or Districts, the Use or Uses of Land, the Height, the Area, the Size and the Location of Buildings, the Required Open Spaces for the Light and Ventilation of Such Buildings and the Density of Population; to Provide for a Board of Appeals, and for the Carrying Out of Such Ordinances and to Provide 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 bill strike out the words "Twelve Thousand Five Hundred" and insert in lieu thereof the words "Six Thousand."

In line 4, in Section 1 of the engrossed bill strike out the words "Twelve Thousand Five Hundred" and insert in lieu thereof the words "Six Thousand."

And when so amended recommend the same do pass.

ROBERT BYRNE,
Chairman.

Senator Byrne 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. 22. A Bill for an Act to Empower All Cities having a Population in Excess of Twelve Thousand Five Hundred Inhabitants by the Federal Census of 1920, or by Any Subsequent Federal Census, to Provide for the Establishment, Government and Maintenance of the City Planning Commission in Such City; to Prescribe the Powers and Duties of Such Planning Commission and to Vest in Such Commission Jurisdiction over all New Subdivisions or Resubdivisions of Land Within the Corporate Limits of Such City.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ROBERT BYRNE,
Chairman.

Senator Byrne moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Women's and Children's Welfare made the following report:

Mr. President: Your committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 174. A Bill for an Act Providing for Juvenile Courts, Defining Their Powers over Dependent, Neglected and Delinquent Children and Over Persons Contributing to Such Neglect, Dependency or delinquency, and for the Repeal of Sections 11402 to 11428, Inclusive, Compiled Laws for 1913, and Chapter 179, Laws of 1915, and Chapter 83, Laws of 1921.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 25, of the Engrossed Bill, strike out all of line 7. In Section 27, line 11 of the Engrossed Bill, strike out the word "ten," and insert the word "five," in lieu thereof.

And when so amended recommend the same do pass.

B. F. BAKER,
Chairman.

Senator Baker moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: A majority of your committee on Judiciary to whom was referred:

House Bill No. 23. A Bill for an Act Providing for Investigation of Violation of Laws, Arrest and Seizure, Starting Prosecutions, Regulations Governing Same and Penalty.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
ALFRED STEEL,
O. T. TOFSRUD,
J. H. McCOY,
JAMES A. WENSTROM,
OLE ETTESTAD,
A. G. STORSTAD,
W. S. WHITMAN,
THEO. KALDOR.

Mr. President: A minority of your committee on Judiciary to whom was referred:

House Bill No. 23. A Bill for an Act Providing for Investigation of Violation of Laws, Arrest and Seizure,

Starting Prosecutions, Regulations Governing Same and Penalty.

Have had the same under consideration and recommend that the same do pass.

P. B. GARBERG,
C. J. OLSON,
J. E. FLECKTEN,
E. B. PAGE,
W. D. LYNCH,
C. A. WARD,
CHRIST LEVANG,
B. F. BAKER.

Senator Baird moved that the majority report be adopted.

Senator Baker moved to amend by substituting the word "minority" for that of "majority."

Which motion was lost.

The question now being on the motion of Senator Baird to adopt the majority report, the motion prevailed.

Mr. President: A majority of your committee on Judiciary to whom was referred:

House Bill No. 1. A Bill for an Act to Amend and Re-enact Section 6707 of the Compiled Laws of North Dakota for the Year 1913, Relative to Liens Upon Crops.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. A. BAIRD, Chairman,
O. T. TOFSRUD,
J. H. McCOY,
OLE ETTESTAD,
W. D. LYNCH,
E. B. PAGE,
A. G. STORSTAD,
W. S. WHITMAN,
ALFRED STEEL,
THEO. KALDOR.

Mr. President: A minority of your committee on Judiciary to whom was referred:

House Bill No. 1. A Bill for an Act to Amend and Re-enact Section 6707 of the Compiled Laws of North Dakota, for the Year 1913, Relative to Liens upon Crops.

Have had the same under consideration and recommend that the same do pass.

B. F. BAKER,
J. E. FLECKTEN,
E. J. OLSON,
JAMES A. WENSTROM,
CHRIST LEVANG.

Senator Baird moved that the majority report be adopted.

Senator Baker moved to amend by substituting the word "minority" for that of "majority."

A roll call being demanded:

The question being on the motion to amend by substituting the word "minority for majority the roll was called and there were ayes 17, nays 28, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Nathan	Whitmer
Baker	Gross	Olson, Barnes	Wog
Benson	Hamilton	Patten	
Byrne	Levang	Peck	
Fleckten	Martin	Wenstrom	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Page	Stevens
Baird	Kelsh	Peterson	Storstad
Bond	Kretschmar	Ployhar	Thorson
Carey	Lynch	Porter	Tofsrud
Eastgate	McCoy	Rusch	Van Camp
Ettestad	McLachlin	Sperry	Ward
Gardiner	Murphy	Steel	Whitman

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Ingerson	Magnuson	Miklethun	Olson, Eddy Foster

So the motion to amend was lost.

Nathan: I am more interested in this bill than any other, from what I know of conditions all through the state it is necessary to relieve some of the farmers debts on crop mortgages, and I think that this is the bill that tries to give the farmer one-third so that they can't touch it with a mortgage. I vote "No."

Ward: I believe it will not be any advantage but will make an endless amount of trouble. I vote "No."

The question now being on the motion of Senator Baird to adopt the majority report, the motion prevailed.

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. 39. A Bill for an Act to Amend and Re-enact Section 287 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 241 of the Session Laws of 1915, and as Amended by Chapter 204 of the Session Laws of 1917, and as Amended by Chapter 198 of the Session Laws of 1919, and as Amended by Chapter 108 of the Session Laws of 1921, Relating to Investment of University and School Land Funds.

Have had the same under consideration and recommend

that the same be amended as follows:

After the Enactment Clause strike out everything and substitute the following:

Section 1. Section 287 of the Compiled Laws of North Dakota for the Year 1913 as amended by Chapter 241 of the Session Laws of 1915, and as amended by Chapter 204 of the Session Laws of 1917, and as amended by Chapter 198 of the Session Laws of 1919, and as amended by Chapter 108 of the Session Laws of 1921 is hereby amended and re-enacted to read as follows:

Section 287. BOARD INVESTS FUNDS. COMPENSATION OF BOARD. CONDITIONS OF LOANS. Said Board shall have power, and it is made its duty from time to time to invest any money belonging to the permanent funds of the Common Schools, University, School of Mines, Training School, Agricultural College and the School for the Deaf and Dumb, Normal Schools and other permanent funds derived from the sale of public lands or from any other source in bonds of school corporations or of counties or of townships, or of municipalities within the state, bonds issued for construction of drains under the authority of law within the state, bonds of the United States, bonds of the State of North Dakota, or in first mortgages on farm lands in this State, not exceeding in amount one-half of the actual value to be determined by the Board of Appraisal of School Lands; provided, that at least one-third of the whole amount of the several permanent funds aforesaid as computed by the Commissioner of University and School Lands at the end of each fiscal year, shall be invested in first mortgages on cultivated farm lands in this State, if there is a sufficient demand for investment in such loans; provided further, that for said services as such Board of Appraisal the County Auditor and County Superintendent of Schools shall receive only the necessary traveling expenses, but that the Chairman of the Board of County Commissioners shall be entitled to the same mileage and per diem as when serving on the Board of County Commissioners. The First mortgages on farm lands in this state shall be made only in the manner following, to-wit:

1. The first mortgage on farm land and each of them, shall run for a period of time not to exceed twelve years, and the funds so invested shall bear interest at the rate of five per cent per annum, payable annually to the County Treasurer of the County in which such lands are located. The borrower shall have his option of paying ten per cent or any multiple thereof of the principal at any time after the expiration of one year, and the interest when paid shall be converted into and become a part of the interest and income fund.

2. First mortgage loans shall only be made upon cultivated land within the State and to persons who are actual residents thereof, and in no case on lands on which the appraised value of less than ten dollars per acre, and in sums not more than five thousand dollars to any person, firm or corporation.

3. Any or all of said mortgages may be satisfied at any time after the expiration of one year, on payment of the whole amount due thereon. All proceedings in regard to investments in first mortgages as provided in this Chapter shall conform to and be governed by the Laws of the State of North Dakota in such case made and provided. Said Board of University and School Lands shall not purchase or approve the purchase of any bonds or mortgages except at a legal session thereof, nor unless every member of the Board is notified by the Secretary of said Board in time to be present at such meeting, and notified also that the question of purchasing or acting on a proposition for the purchase of certain bonds or mortgages is to be considered at the meeting, nor unless a majority of all the members vote in favor of such purchase, and the vote on the purchase of every bond and mortgage shall be taken by yeas and nays and shall be duly recorded in the books of the Board.

4. Procedure in Negotiating and Completing a Loan. The borrower shall submit to the State Land Commissioner an application stating the amount he wishes to borrow and giving other information as to the land and character thereof on a blank, prepared and furnished by the Land Commissioner, together with an appraisal of the land signed by at least two members of the County Board of Appraisal and other information which may be required by the Land Commissioner to be furnished by said Board. Such application and appraisal shall be presented to the Board of University and School Lands at their next meeting for consideration. Immediately after the loan is authorized the Land Commissioner shall notify the applicant in writing, stating the amount that will be loaned. If the amount is satisfactory to the applicant he shall present to the attorney general of the State an abstract continued to date.

The Attorney General shall carefully examine the same and ascertain the amount necessary to release each encumbrance if any. The applicant shall also execute and deliver to the Attorney General a mortgage and note executed by the owner of said premises, by wife or husband or both as the case may be, with the State of North Dakota as mortgagee. The mortgage shall be recorded and abstract continued to date subsequent. The Attorney General shall then certify in duplicate to the Land Commissioner and State Auditor as to the condition of the title and as to the amount or amounts necessary to release each encumbrance and deliver the certificates, abstract, mortgage and note to the State Auditor.

If the Attorney General finds the title satisfactory and that the encumbrances do not exceed the amount of the loan, he shall place the certificates and abstract before the State Auditor, who shall draw his warrant in favor of the County Treasurer of the county in which the loan is made for the amount of the loan. The County Treasurer shall obtain and file with the proper county officer the releases necessary to release the land from all encumbrances, as stated in the certificate. The county treasurer shall also ascertain the amount of the unpaid recording,

appraisal and abstract fees with the State Land Commissioner. The County Treasurer shall then draw checks disbursing the proceeds of the loan in the following manner.

First: To each of the parties holding an encumbrance against the property, if any, the amount thereof.

Second, the balance to the applicant, and shall cause all releases to be recorded and continued on the abstract and forward to the State Land Commissioner, the abstract and all other instruments in connection with the loan.

And when so amended recommend the same do pass.

W. R. BOND,
Chairman.

Senator Bond 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 7, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 59. A Bill for an Act Making it a Misdemeanor for any Person to Operate a Motor Vehicle While such Person is in an Intoxicated Condition, and Providing a Penalty for the Violation Thereof.

House Bill No. 62. A Bill for an Act to Amend and Re-enact Section 3476, Compiled Laws, 1913 as Amended by Chapter 13 of the Special Session Laws, 1918, Relating to the Levying of Tax to Provide for a Sinking Fund to Pay County Seed and Feed Bonds.

House Bill No. 152. A Bill for an Act Requiring the County Superintendent of Schools of all Counties to Report Names of School District Clerks to the Workmen's Compensation Bureau.

House Bill No. 148. A Bill for an Act Providing for the Annual Reporting by County Auditor to the Workmen's Compensation Bureau of All Elective Auditors and Clerks of Political Subdivisions of the County.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 147. A Bill for an Act Providing for the Filing of Bills of Sale and Other Transfers of Personal Property and Prescribing the Effect of Such Filing.

Was read the first and second time and referred to the Committee on Judiciary.

House Bill No. 145. A Bill for an Act to Provide for the Closing and Liquidation of the Business Heretofore Conducted by the State of North Dakota in the Operation of

a State Experimental Creamery; Providing for the Transfer of all Funds to the General Fund of the State Repealing Chapter 149 of the Session Laws for the Year 1919.

Was read the first and second time and referred to the Committee on State Affairs.

House Bill No. 95. A Bill for an Act Making an Appropriation for the Florence Crittendon Home at Fargo, North Dakota.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 159. A Bill for an Act to Provide for the Retention of Certain Part of the Salary of Teachers in the Public Schools of North Dakota.

Was read the first and second time and referred to the Committee on Education.

House Bill No. 142. A Bill for an Act Providing for the Proper Protection of Guests in Hotels, Restaurants and Rooming Houses.

Was read the first and second time and referred to the Committee on State Affairs.

House Bill No. 132. A Bill for an Act Entitled, an Act to Appropriate Money for the Use of the Board of Railroad Commissioners Between the Following Dates, January 1st, 1923 and June 30th, 1923, and Specifying the Purpose for Which the Appropriation is Made.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Chapter 95 of the Session Laws of North Dakota for 1921, Being an Act to Amend and Re-enact Section 2 of Chapter 63, Session Laws of North Dakota for 1915, Prescribing and Limiting Punishment of the Crime of Murder in the First Degree and Limiting the Time, Manner and Condition Whereby Such Person May be Pardoned.

Was read the first and second time and referred to the Committee on State Affairs.

House Bill No. 143. A Bill for an Act Providing for the Filing of Transcripts of Judgments of the United States Courts and Notices of Taxes Due the United States, with Certain County Officers.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 157. A Bill for an Act to Amend and Re-enact Section 1154 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Opening and Closing of Polls in School Elections.

Was read the first and second time and referred to the Committee on Elections.

House Bill No. 61. A Bill for an Act to Repeal Sections 3471, 3472, 3473, 3474, 3475, 3477, 3478, 3479, 3480, 3481, 3483, 3484, 3485, 3486 and 3487, Compiled Laws, 1913, as Amended by Chapter 13 of the Special Session Laws, 1918, and as Amended by Chapter 177 Session Laws for 1919, and as Amended by Chapter 54 of the Special Session Laws 1919, Relating to the Issuance of Bonds and Warrants to Procure Seed Grain and Feed for Needy Inhabitants.

Was read the first and second time and referred to the Committee on Judiciary.

House Bill No. 63. A Bill for an Act to Provide for the Collection of Notes, Contracts and Indebtedness for Seed and Feed Furnished by Counties.

Was read the first and second time and referred to the Committee on Judiciary.

House Bill No. 161. A Bill for an Act to Amend Section 1398 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Free Text Books in Public Schools.

Was read the first and second time and referred to the Committee on Education.

House Bill No. 59. A Bill for an Act Making it a Misdemeanor for any Person to Operate a Motor Vehicle While such Person is in an Intoxicated Condition, and Providing a Penalty for the Violation Thereof.

Was read the first and second time and referred to the Committee on State Affairs.

House Bill No. 62. A Bill for an Act to Amend and Re-enact Section 3476, Compiled Laws, 1913 as Amended by Chapter 13 of the Special Session Laws, 1918, Relating to the Levying of Tax to Provide for a Sinking Fund to Pay County Seed and Feed Bonds.

Was read the first and second time and referred to the Committee on Judiciary.

House Bill No. 152. A Bill for an Act Requiring the County Superintendent of Schools of all Counties to Report Names of School District Clerks to the Workmen's Compensation Bureau.

Was read the first and second time and referred to the Committee on State Affairs.

House Bill No. 148. A Bill for an Act Providing for the Annual Reporting by County Auditor to the Workmen's Compensation Bureau of all Elective Auditors and Clerks of Political Subdivisions of the County.

Was read the first and second time and referred to the Committee on State Affairs.

Senator Carey moved for an extension of time for further consideration of Senate Bill No. 219.

Which motion prevailed.

Senator Steel moved that the vote by which Senate Bill No. 25, was passed be reconsidered.

Which motion prevailed.

The following bills were messaged to the House:

Senate Bills 136, 137, 133, 96, 100, 112, 85, 200, 208, 226, 167, 165, 164, 163, 233, 251 and 151.

The courtesies of the floor were extended to S. D. Adams of Lisbon; Wm. Nemmo of Devils Lake; H. K. Geist of Grand Forks; W. W. Thomas of Wahpeton; Paul Campbell of Rugby; W. L. Stockwell of Fargo; G. A. Troyer of Rugby.

Senator Baker moved that the Senate do now adjourn
Which motion prevailed.

W. E. PARSONS,
Secretary.

THIRTY-EIGHTH DAY

Senate Chamber,
Bismarck, N. D.
February 8, 1923.

The Senate convened at 2:00 o'clock P. M., the President, Frank H. Hyland, presiding.

Prayer by Rev. H. C. Postlethwaite.

Roll was called all Senators being present.

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

Mr. President: Your committee on revision and correction of the Journal have carefully examined the Journal of the 37th day and recommend that the same be corrected as follows:

On page 16, line 26, correct spelling of "motion."

On page 27, line 15 correct spelling of "prevailed."

On page 31 strike out "Senate Bill No. 238 with title and insert S. B. 338 with title.

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

MESSAGE FROM THE GOVERNOR

"February 7, 1923.

To the Senate of the State of North Dakota:

This is to notify you that I have this day approved and filed with the Secretary of State, Senate Bill No. 90, being a bill to amend and reenact Section 9037 of the Compiled Laws of North Dakota, for the year 1913, relating to places of trial.

Also, Senate Bill No. 114, being a Bill to Amend Section 9658 and 9659 of the Compiled Laws of 1913, relating to vagrancy.

Yours very truly,

R. A. NESTOS,
Governor."

Senator Wenstrom presented a communication from the Heaton Camp of the Modern Woodmen regarding the Richmond bill which was referred to the Committee on Insurance.

Senator Gardiner presented a communication from the Lakota Public Library regarding the County Library Bill.

REPORTS OF STANDING COMMITTEES

The committee on enrollment and engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 39. A Bill for an Act to Amend and Re-enact Section 287 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 241 of the Session Laws of 1915, and as Amended by Chapter 204 of the Session Laws of 1917, and as Amended by Chapter 198 of the Session Laws of 1919, and as Amended by Chapter 108 of the Session Laws of 1921, Relating to Investment of University and School Land Funds.

Also,

Senate Bill No 119. A Bill for an Act to Amend and Re-enact Section 341 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Manner Common School Lands and Other Public Lands Shall be Leased.

And find the same correctly re-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 97. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Maintenance Fund of the Institute for the Feeble Minded.

Also,

Senate Bill No. 203. A Bill for an Act to Amend and Re-

enact Section 160 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 18 of the Special Session Laws of North Dakota for the Year 1919, Relating to the Appointment of Regular and Special Assistant Attorneys General, and Repealing Chapter 20 of the Special Session Laws of North Dakota for the Year 1919, and All Other Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 206. A Bill for an Act Providing for a Verdict in Civil Cases by Five-Sixths of the Jury After Twelve Hours Deliberation.

Also,

Senate Bill No. 211. A Bill for an Act to Amend and Re-enact Section 3451, Compiled Laws of North Dakota, Relating to County Bonds, Rate of Interest and Mode of Issue.

Also,

Senate Bill No. 238. A Bill for an Act Appropriating Money to Reimburse the Common School Fund of the State of North Dakota for Losses Resulting from a Misappropriation of Such Fund Occurring Previous to January 1, 1917.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang 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. 229. A Bill for an Act to Amend and Re-enact Section 2189 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Publication of Delinquent Tax List, as Amended by Chapter 256 of the Session Laws of 1915.

Have had the same under consideration and recommend that the same do pass.

OLE ETTESTAD,
Chairman.

Senator Ettestad moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Public Printing to whom was referred:

The Gardiner Concurrent resolution regarding the Popular and Authenticated Editions of the 1919 Session Laws.

Have had the same under consideration and recommend that the same do pass.

OLE ETTESTAD,
Chairman.

Senator Ettestad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Highways made the following report:

Mr. President: Your Committee on Highways to whom was referred:

Senate Bill No. 26. A Bill for an Act to Amend and Re-enact Section 1945 of the Compiled Laws of North Dakota for the year 1913, Relating to County Road Funds.

Have had the same under consideration and recommend that the same be indefinitely postponed.

NELS PETERSON,
Chairman.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Highways made the following report:

Mr. President: Your committee on Highways to whom was referred:

Senate Bill No. 46. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Providing for the Establishment of a State Highway Commission, for the Establishment of a System of State Highways and for the Establishment of a State Highway Fund.

Have had the same under consideration and recommend that the same be amended as follows:

In Sec. 3 line 3 after the word "or," where at last appears, strike out the words "motor."

In Section 3 line 4 strike out the words "fuel and."

And when so amended recommend the same be returned without recommendation.

NELS PETERSON,
Chairman.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Rusch moved that S. B. 46 be made a special order of business for February 14th at 3:30 o'clock P. M. which motion prevailed.

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. 162. A Bill for an Act to Prevent Imposition or Fraud in the Sale or Disposition of Certain "Securities" Herein Defined by Requiring an Inspection Thereof: Providing for Such Inspection, Supervision and Regulation of the Business of any Person, Association, Partnership, or Corporation, Engaged or Intending to Engage, Whether as Principal or Agent, May be Necessary to Prevent Imposition or Fraud in the Sale or Disposition of Said Securities, and Repealing Chapter 91 of the Civil Code of the Compiled Laws of 1915.

Have had the same under consideration and recommend that the same be amended as follows:

On page 1, in line 5, before the word "Governor" insert the word "the."

On page 2, line 11, after the words "a salary of" strike out the words and figures "Three Thousand (\$3,000.00)" and insert in lieu thereof the words and figures "Two thousand-eight hundred (\$2,800.00)."

On page 2, in line 15, Section 2, strike out "(15)" and insert in lieu thereof "(1)."

On page 3, Section 3, line 4, after the words "for sale," strike out the balance of the line and line 5 up to and including the word "partnerships."

On page 4, in line 21, before the word "any" insert the word "or" and insert in lieu thereof the word "of."

On page 4, line 25, after the word "value" strike out the word "or" and insert in lieu thereof the word "of."

On page 5, line 43 after the word "following" strike out the word "years" and insert in lieu thereof the word "year."

On page 5, Section 4, line 4, after the word "courts" strike out the word "or" and insert in lieu thereof the word "of."

On page 9, Section 8, line 8, after the word "business" strike out the word "of" and insert in lieu thereof the word "on."

On page 12, line 13, after the word "owner" strike out the word "nor" and insert in lieu thereof the word "not."

On page 12, line 17, after the word "securities" correct the spelling of the word "embrased" to "embraced."

On page 13, in line 34, after the word "dealer" insert the following: "with the provisions of this Act, the said Commission shall issue to such dealer."

On page 15, Section 14 line 9, after the word "make" insert the following: "application to the said Commission for the license as hereinbefore provided for."

On page 15, line 11, Section 15, correct the spelling of the word "obtained."

On page 20, after line 3 of Section 25, correct the Section number to "26" instead of "28."

And when so amended recommend the same do pass.

W. R. BOND,
Chairman.

Senator Bond 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. 224. A Bill for an Act Relating to the Place of Payment of all State Bonds of the State of North Dakota.

Have had the same under consideration and recommend that the same do pass.

W. R. BOND,
Chairman.

Senator 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:

A Concurrent Resolution Introduced by Senator Ployhar, Pertaining to the Proper Observance of Mother's Day, as printed on page 21 of the Journal of the Senate of February 6th, 1923.

Have had the same under consideration and recommend that the same be adopted.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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: A majority of your committee on State Affairs to whom was referred:

Senate Bill No. 305. A Bill for an Act to Repeal Chapter 205 of the Session Laws of the State of North Dakota for the Year 1919, as Amended by Chapter 116 of the Session Laws of the State of North Dakota for the Year 1921.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Mr. President: A minority of your committee on State Affairs to whom was referred:

Senate Bill No. 305. A Bill for an Act to Repeal Chapter 205 of the Session Laws of the State of North Dakota for the Year 1919, as Amended by Chapter 116 of the Session Laws of the State of North Dakota for the Year 1921.

Have had the same under consideration and recommend that the same be indefinitely postponed:

JOHN NATHAN.

Senator Ployhar moved that the majority report of the Committee be adopted.

Senator Nathan moved to amend by substituting the word "minority" for that of "majority."

A roll call was demanded.

The question being on the motion to amend by substituting the word "minority" for the word "majority," the roll was called and there were ayes 30, nays 19, absent and not voting none.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Miklethun	Peterson
Babcock	Gross	Nathan	Thorson
Baker	Hamilton	Olson, Barnes	Ward
Benson	Ingerson	Olson, Eddy-	Wenstrom
Bond	Kaldor	Foster	Whitman
Byrne	Levang	Page	Whitmer
Carey	Magnuson	Patten	Wog
Fleckten	Martin	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Kretschmar	Ployhar	Stevens
Eastgate	Lynch	Porter	Storstad
Ettestad	McCoy	Rusch	Tofsrud
Gardiner	McLachlin	Sperry	Van Camp
Kelsh	Murphy	Steel	

So the motion of Senator Nathan prevailed.

The question being on the motion of Senator Ployhar, as amended, the motion prevailed, and so Senate Bill No. 305 was indefinitely postponed.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred:

Senate Bill No. 209. A bill for an Act to Amend and Re-enact Sections 6072 and 6073 of the Compiled Laws of the State of North Dakota for the Year 1913 as Amended by Chapter 176 of the Session Laws of North Dakota for the Year 1915, Relating to the Legal Rate of Interest and Usury.

Have had the same under consideration and recom-

mend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 227. A Bill for an Act Fixing a Time When it Shall be the Duty of the Board of University and School Lands to Foreclose Mortgage Loans in Default, and Providing for the Collection of any Amount Not Paid on Foreclosure.

Have had the same under consideration and recommend that the same be indefinitely postponed:

L. R. BAIRD,
Chairman.

Senator Baird 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. 240. A Bill for an Act Relating to Redemption from Mortgage foreclosure or Execution Sales and Providing for a Redemptioner Making a Credit on His Claim Against the Debtor as a Part of the Redemption.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 258. A Bill for an Act Providing for the Appointment of Representatives on Behalf of the State of North Dakota to Negotiate a Compact and Agreement Between the States of North Dakota, South Dakota and Montana, and Between said States and the United States of America, Respecting the Use and Distribution of the Waters of the Missouri River and the Rights of said States and the United States Thereto.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 259. A Bill for an Act Relating to the Power of the Supreme Court in Civil Cases on Appeal, and the Extent of Review when Such Causes are Reversed by the Supreme Court and Remanded for a New Trial.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 50. A Bill For an Act to Amend and Re-enact Sections 1, 2, 9 and 13 of Chapter 97, Session Laws, 1921, Relating to Legislation to Prohibit Intoxicating Liquors and Beverages and Property Intended for the Manufacture of Same; Prohibiting the Transportation of Liquor and Providing for the Forfeiture of Property Used for the Transportation of Same; to Provide for its Enforcement and Penalty.

Have had the same under consideration and recommend that the same be amended as follows:

After the words "liquor traffic" at the close of Section 1-B insert the following: "Section 2 (Amendment) Section 2 of Chapter 97 Session Laws 1921 is hereby amended and re-enacted to read as follows:

At the close of Section 2 after the words "possessed and used," insert the following: "Section 3 (Amendment) Section 9 of Chapter 97 Session Laws 1921 is hereby amended and re-enacted to read as follows:"

And when so amended recommend the same do pass.

JOHN MIKLETHUN,
Chairman.

Senator Miklethun 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. 86. A Bill for an Act to appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall be Available, and Repealing all Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith, or to Appropriations for the Same Matters or Purposes Provided for Herein.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2 in line 13, of Subdivision 1 of the printed bill, strike out the figures "\$500.00" and insert in lieu thereof the figures "\$400.00."

Strike out all of line 14.

In line 17, strike out the figures "\$21,600.00" and insert in lieu thereof the figures "\$21,000.00."

On page 3, line 7 of Subdivision 3, after the word "Justices" strike out "at \$125 per mo." also figures "9,600" and insert in lieu thereof the figures "\$10,000.00"

In line 16, strike out the figures "\$74,960.00" and insert in lieu thereof the figures "\$75,360.00."

On Page 3, line 4, of the Subdivision 4, strike out the figures "5,000.00" and insert in lieu thereof the figures "6,0000.00."

Strike out line 5.

In line 11, strike out the figures "\$6,000.00" and insert in lieu thereof, the figures "\$5,000.00"

In line 14, strike out the figures "\$13,900." and insert in lieu thereof the figures "\$11,500.00."

On page 5, line 7 of Subdivision 7,, strike out the figures "\$24,000.00" and insert in lieu thereof the figures "\$10,000.00."

In line 8, strike out the figures "6,900.00" and insert in lieu thereof the figures "\$4,500.00."

In line 9, before the word "Blue" insert the words "Supplement to." Strike out the figures "1921-1923" and insert in lieu thereof the figures "1919." Also strike out figures "\$12,000.00" and insert in lieu thereof the figures "\$3,000.00."

Strike out lines 12, 13, 14, 15 and 16.

In line 18, strike out the figures "\$60,900.00" and insert in lieu thereof the figures "\$28,000.00."

On page 8, in line 9, of Subdivision 11, strike out the figures "\$800.00" and insert in lieu thereof the figures "300.00."

In line 11, strike out the figures "7,000.00" and insert in lieu thereof the figures "\$5,000.00."

In line 12, strike out the figures "800.00" and insert in lieu thereof the figures "500.00."

In line 15, strike out the figures "22,500.00" and insert in lieu thereof the figures "19,700.00."

On page 9, in line 4, of Subdivision 12, strike out the figures \$3,250.00"

In line 5, strike out the figures "30,000.00" and insert in lieu thereof the figures "20,000."

In line 16, strike out the figures "97,600.00" and insert in lieu thereof the figures "87,600.00."

On page 9, in line 5 of Subdivision 13, strike out the figures "4,000.00" and insert in lieu thereof the figures "5,000.00."

In line 12, strike out the figures "20,000.00" and insert in lieu thereof the figures "15,000.00."

In line 13, strike out the figures "1,200.00" and insert in lieu thereof the figures "800.00."

In line 17, strike out the figures "57,900.00" and insert in lieu thereof the figures "53,500.00."

On page 10, Subdivision 14, strike out line "4." Also strike out line "11."

In line 18, strike out the figures "550,000.00 and insert in lieu thereof the figures "450,000.00."

In line 24, strike out the figures "806,600.00" and insert in lieu thereof the figures "699,800.00."

On page 12, Subdivision 16, strike out line "8" and insert in lieu thereof the following: "Official Testor 3,240.00."

In line 8½, insert "Stenographer \$2,640.00."

In line 16, strike out the figures "35,200.00" and insert in lieu thereof the figures "35,080.00"

Page 12, Subdivision 17, strike out lines 7 and 8.

In line 10, strike out the word "Second."

Strike out line 11.

In line 12, strike out the figures "6,000.00" and insert in lieu thereof the figures "4,800.00."

In line 20, strike out the figures "16,000.00" and insert in lieu thereof the figures "12,000.00."

In line 25, strike out the figures "119,300.00" and insert in lieu thereof the figures "97,300.00."

On page 13, Subdivision 18, strike out lines "5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15."

In line 16, strike out the figures "59,100.00" and insert in lieu thereof the figures "4,800.00."

On page 14, line 8 of Subdivivision 19, strike out the figure "3" and insert in lieu thereof the figure "2."

In line 16, strike out the figures "3,600.00" and insert in lieu thereof the figures "3,000.00."

In line 20, strike out the figures "41,170.00" and insert in lieu thereof the figures "40,570.00."

On page 15, line 20, of Subdivision 20, strike out the figures "50,000.00" and insert in lieu thereof the figures "45,000.00."

Strike out line "24."

In line 28, strike out the figures "162,030.00" and insert in lieu thereof the figures "153,030.00."

On page 17, line 3 of Subdivivision 24, strike out the figures "5,000.00" and insert in lieu thereof the figures "4,500.00."

In line 15, strike out the figures "4,000.00" and insert in lieu thereof the figures "2,000.00."

In line 19, strike out the figures "22,740.00" and insert in lieu thereof the figures "20,240.00."

On page 20, Subdivision 28, strike out line "4."

In line 13, strike out the figures "9,440.00" and insert in lieu thereof the figures "9,040.00."

Section 3. Intent, Repeal, Purpose, and Construction. Sections 1416, 1418 and 1419 of the Compiled Laws of 1913, as amended by Chapter 34 of the Session Laws of 1915, are hereby repealed, and all acts and parts of acts that may be in conflict herewith, for the periods of the time herein specified, and if for any reason or cause any specific appropriation for any item or set of items should be held by the court or courts to be unconstitutional or illegal or otherwise unavailable for any cause, such holding shall not affect or be construed to apply to the remaining items or appropriation herein or purposes provided for herein.

Section 4. Emergency. This act is necessary to the immediate preservation of the public peace, health and safety. The reason for this is that it contains the general appropriation and provides the means of continuing and maintaining the state government and to enable it to perform its proper functions, among which are the preservation of the public peace, health and safety of

the people, and without the means provided for by this act the functions of the state government will be suspended. This act will therefore in its entirety go into instant operation upon its approval by the governor.

The committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 308. A Bill for an Act Authorizing the County Commissioners to Satisfy Judgments Against Sureties on Bail Bonds.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1 of the engrossed bill, line 23, strike out the words "without other" and in lieu thereof insert the word "upon;" and strike out the word "than" and insert in lieu thereof the word "of;" In line 25, after the word "person," insert the following: "and such further sum, if any, as they may, in their discretion, deem advisable and just."

In line 26, strike out the word "all" and insert in lieu thereof the words "any further;"

And that the engrossed bill be further amended by adding the following:

"Section 2. Emergency. This act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And when so amended recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Women's and Children's Welfare made the following report:

Mr. President: Your committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 199. A Bill for an Act Making an Appropriation for the Use of the Board of Administration in Administering Child Welfare Laws.

Have had the same under consideration and recommend that the same do pass, and be referred to the Committee on Appropriations for further action.

B. F. BAKER,
Chairman.

Senator Baker moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Women's and Children's Welfare made the following report:

Mr. President: Your committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 175. A Bill for an Act Providing for the Examination, Commitment, Care and Maintenance, Release and Discharge of Persons Alleged or Found to be Feeble Minded.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 8, line 7, of the Engrossed Bill, after the word "deliver," insert the word "him."

And when so amended recommend the same do pass.

B. F. BAKER,
Chairman.

Senator Baker 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 8, 1923.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 1382, Article 21, Chapter Five General School Laws of the State of North Dakota, Entitled School Year and School Week Defined. Holidays.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 8, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 43. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 33 of the Laws Enacted by the Special Session of the Legislature of 1919 Relating to the Formation and Division of Voting Districts.

Which the House has amended as follows:

In line 3 of the printed bill, strike out the word "shall" and insert in lieu thereof the word "may." Insert a comma after the word "act" in line 28. Insert a comma after the

word "village" in line 29. Insert a comma after the word "village" in line 33.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 8, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 61. A Bill for an Act amending Sections 728 and 729 of the Compiled Laws of North Dakota for the year 1913 relating to fees in the Supreme Court and their coverage into the State Treasury.

Which the House has amended as follows:

By striking out everything after the word "Court" in line 8 of printed bill.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 8, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 72. A Bill for an Act Requiring all Agents Acting for or on Behalf of any Insurance Company Doing Business in this State to be Licensed, Regulating the Methods, Practices and Transactions of such Agents in Conducting Such Insurance Business, and Providing Penalties for the Violation of any of the Provisions of This Act.

Which the House has amended as follows:

Strike out all of Section six and renumber all subsequent sections.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 8, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 89 of the Session Laws of 1921, Relating to the Furnishing by the Register of Deeds of Each County to Elevators Making Application and Paying the Fee Provided Therefor, of an Abstract of All Mort-

gages and Liens upon Grain Grown During Each Year, and Filed in the Office of the Register of Deeds.

Which the House has amended as follows:

Strike out in line 10 of body of the printed bill the figure "\$25.00" and insert in lieu thereof, "in counties wherein the number of such liens so abstracted in the preceding calendar year did not exceed 2,500 of \$5.00; In counties where more than 2,500 and not to exceed 5,000 were so abstracted a fee of \$10.00; and in counties where more than 5,000 liens were so abstracted a fee of \$15.00. In section 2 strike out all of section 2 after the word "Emergency" and insert in lieu thereof "an emergency is hereby declared to exist. Therefore this act shall take effect and be in force from and after its passage and approval.

And the further amendment: After the word "shall in line 8 of the printed bill, insert the following words: "be made prior to June 1st in each year and shall"

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Kelsh moved that Senate Bill No. 25, which was recalled from the Governor, be re-referred to the Committee on Education.

Which motion prevailed.

Senator Whitmer asked unanimous consent to withdraw Senate Bill No. 385. There being no objections, his request was granted.

Senator Atkins asked unanimous consent to withdraw Senate Bill No. 354. There being no objections, his request was granted.

Senator Gardiner moved that the Senate do concur in the House Amendments on Senate Bill No. 43. Roll call being demanded.

The question being on the motion to concur in the House Amendment to Senate Bill No. 43 the roll was called and there were ayes 47, nays 2, absent and not voting none.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Sperry
Babeock	Ingerson	Nathan	Steel
Baird	Kaldor	Olson, Barnes	Stevens
Baker	Kelsh	Olson, Eddy-	Storstad
Bond	Kretschmar	Foster	Thorson
Byrne	Levang	Page	Tofsrud
Carey	Lynch	Patten	Van Camp
Eastgate	McCoy	Peck	Ward
Ettestad	McLachlin	Peterson	Wenstrom
Fleckten	Magnuson	Ployhar	Whitman
Garberg	Martin	Porter	Whitmer
Gardiner	Miklethun	Rusch	Wog

Those voting in the negative were:

Messrs.	Messrs.
Benson	Hamilton

So the motion to concur prevailed.

Senator Gardiner moved that Senate Bill No. 43 be placed on top of the Calendar, which motion prevailed.

MOTIONS AND RESOLUTIONS

Senator Steel introduced the following:

CONCURRENT RESOLUTION

From the monument that a grateful people have erected to a worthy Son, can be read these words:

"He who saves his country, saves himself, saves all things, and all things saved bless him; while he who lets his country perish, dies himself, lets all things die, and all things dying curse him."

Therefore be it Resolved by the Senate of the State of North Dakota the House of Representatives Concurring therein, that on Monday, the 12th day of February next, no legislation shall be enacted by either the House or Senate of this Legislative Assembly, and that during the afternoon of said day, the Senators and Representatives shall meet in joint assembly for the purpose of paying tribute to the memory of Abraham Lincoln.

Be it Further Resolved; That the President of the Senate appoint a committee of three to act with a like committee from the House to arrange for a suitable programme for the said joint assembly.

The Resolution was adopted and the president appointed as such committee, Senators Sperry, Ployhar and Gross.

Senator Hamilton moved that the Senate do not concur in the House amendments on Senate Bill 34, and that the President appoint a committee of three to act with a like committee from the House, which motion prevailed, and the President appointed Senators Hamilton, Kaldor and Martin as such committee.

Senator Ingerson moved that the Senate do not concur in the House Amendments on Senate Bill No. 72, and that the President appoint a Committee of three to act with a like Committee from the House, which motion prevailed and the President appointed Senators Murphy, Ingerson and Hamilton, as such committee.

Senator Van Camp moved that the Senate do not concur in the House Amendments on Senate Bill No. 61, and that the President appoint a Committee of three to act with a like Committee from the House, which motion prevailed, and the President appointed Senators Van Camp, Atkins and Gross as such committee.

THIRD READING OF SENATE BILLS
SENATE ROLL CALL

Senate Bill No. 166. A Bill for an Act to Amend and Re-enact Section 1147 of the Compiled Laws of 1913, as Amended by Chapter 135 of the Session Laws of 1915 and Chapter 197 of the Session Laws of 1919, Relating to the Organization of New School Districts.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 32, nays 17, absent and not voting none.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Magnuson	Sperry
Babcock	Hamilton	Martin	Steel
Baird	Kaldor	Murphy	Stevens
Bond	Kelsch	Page	Storstad
Carey	Kretschmar	Peterson	Thorson
Eastgate	Lynch	Ployhar	Tofsrud
Garberg	McCoy	Porter	Van Camp
Gardiner	McLachlin	Rusch	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Ingerson	Olson, Eddy-	Ward
Benson	Levang	Foster	Wenstrom
Byrne	Miklethun	Patten	Whitmer
Ettestad	Nathan	Peck	Wog
Flaeksten	Olson, Barnes		

So the bill passed and the title was agreed to.

Senator Kelsh moved that the vote by which Senate Bill No. 166 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 172. A Bill for an Act Granting to and Imposing Upon the Board of Administration Certain Powers and Duties with Reference to the Welfare of Children and the Administration and Enforcement of Laws Relating Thereto.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays none, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Miklethun	Rusch
Babcock	Gross	Murphy	Sperry
Baird	Hamilton	Nathan	Stevens
Baker	Ingerson	Olson, Barnes	Thorson
Benson	Kaldor	Olson, Eddy-	Tofsrud
Bond	Kelsch	Foster	Van Camp
Byrne	Kretschmar	Page	Ward
Carey	Levang	Patten	Wenstrom

Messrs.	Messrs.	Messrs.	Messrs.
Eastgate	Lynch	Peck	Whitman
Ettestad	McCoy	Peterson	Whitmer
Fleckten	McLachlin	Ployhar	Wog
Garberg	Magnuson	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Martin	Steel	Storstad

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 43. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 33 of the Laws Enacted by the Special Session of the Legislature of 1919, Relating to the Formation and Division of Voting Districts.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 33, nays 14, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Steel
Babcock	Gross	Olson, Eddy-	Stevens
Baird	Kaldor	Foster	Storstad
Bond	Kelsch	Page	Thorson
Byrne	Kretschmar	Peterson	Tofsrud
Carey	Lynch	Ployhar	Van Camp
Eastgate	McCoy	Porter	Whitman
Ettestad	McLachlin	Rusch	
Garberg	Miklethun	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Levang	Patten	Whitmer
Benson	Magnuson	Peck	Wog
Fleckten	Nathan	Ward	
Ingerson	Olson, Barnes	Wenstrom	

Absent and not voting:

Messrs.	Messrs.
Martin	Hamilton

So the bill passed and the title was agreed to.

Senator Gardiner 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.

Senator Benson: I want to vote "no" and give my reason. As I see it, it will cause an extra expense upon the taxpayers and therefore an added burden ;therefore I vote "No."

SENATE ROLL CALL

Senate Bill No. 173. A Bill for an Act to Authorize the Appointment of County Child Welfare Boards and to De-

fine their Powers and Duties, and to Repeal Section 19, Chapter 177, Laws of 1919.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 42, nays none, absent and not voting 7.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Olson, Barnes	Thorson
Babcock	Hamilton	Olson, Eddy-	Tofsrud
Baird	Ingerson	Foster	Ward
Baker	Kaldor	Page	Wenstrom
Bond	Kelsh	Patten	Whitman
Byrne	Levang	Peck	Whitmer
Carey	Lynch	Peterson	Wog
Eastgate	McLachlin	Ployhar	
Ettestad	Magnuson	Porter	
Fleckten	Martin	Sperry	
Garberg	Miklethun	Steel	
Gardiner	Nathan	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	McCoy	Rusch	Van Camp
Kretschmar	Murphy	Storstad	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 176. A Bill for an Act Providing for the Care and Treatment of Indigent, Crippled or Deformed Children.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Nathan	Storstad
Babcock	Gross	Olson, Barnes	Thorson
Baird	Ingerson	Olson, Eddy-	Tofsrud
Baker	Kaldor	Foster	Van Camp
Benson	Kelsh	Page	Ward
Bond	Kretschmar	Patten	Wenstrom
Byrne	Levang	Peck	Whitman
Carey	Lynch	Peterson	Whitmer
Eastgate	McLachlin	Porter	Wog
Ettestad	Magnuson	Rusch	
Fleckten	Miklethun	Steel	
Garberg	Murphy	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Hamilton	Martin	Ployhar	Sperry
McCoy			

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 178. A Bill for an Act Relating to the

Bringing of Children into the State, or Taking Children Therefrom, for Placement in Family Home; for the Licensing or Regulation of Persons and Corporations Engaged in that Work; and for the Repeal of Sections 5107 and 5108, Compiled Laws for 1913.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 37, nays none, absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Olson, Eddy-	Stevens
Baird	Hamilton	Foster	Thorson
Baker	Ingerson	Page	Tofarud
Bond	Kador	Patten	Van Camp
Byrne	Kelsh	Peck	Ward
Carey	Lynch	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Wog
Garberg	Mikethun	Sperry	
Gardiner	Nathan	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Dabcock	Kretschmar	Martin	Rusch
Benson	Levang	Murphy	Storstad
Flechten	McCoy	Olson, Barnes	Whitmer

So the bill passed and the title was agreed to.

Senator Baird moved to amend Senate Bill No. 182 as follows:

In line 1, Section 1, after the figure 1, insert the word "Amendment."

In line 2, after the word "amended" insert the words "and re-enacted."

In line 1, Section 2, after the figure 2 insert the word "Amendment."

In line 2, after the word "Amended" insert the words "and reenacted."

Which motion prevailed.

Senator Baird moved that Senate Bill No. 182 be considered re-engrossed and that it be placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 9607, and Section 9608, Compiled Laws for 1913.

Was read the third time.

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes 39, nays none, absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Miklethun	Sperry
Babcock	Gross	Olson, Eddy-	Steel
Baird	Hamilton	Foster	Stevens
Baker	Ingerson	Steel	Thorson
Benson	Kaldor	Patten	Tofsrud
Lond	Kelsh	Peck	Van Camp
Byrne	Lynch	Peterson	Ward
Carey	McCoy	Ployhar	Wenstrom
Eastgate	McLachlin	Porter	Whitman
Ettestad	Magnuson	Rusch	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Levang	Nathan	Whitmer
Gardiner	Martin	Olson, Barnes	
Kretschmar	Murphy	Storstad	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senator Wog moved to amend Senate Bill No. 235 as follows:

On page 2, line 29 of the printed bill, after the word "the" insert the words "farmers who must be"

Which motion was lost.

Senator Levang moved to amend Senate Bill No. 235 as follows:

On page 2, line 29 of the printed bill strike out the words "twenty-five" and insert in lieu thereof the words "thirty."

Which motion was lost.

Senator Hamilton moved to amend Senate Bill No. 235 as follows:

On page 2, line 29 of the printed bill, after the word "the" insert the words "farmers who live on the farm"

Which motion was lost.

Senator Ingerson moved to amend Senate Bill No. 235 as follows:

On page 2, line 37, of the printed bill after the word "assessment" insert the words "and employing a County Agent"

Which motion prevailed.

Senator Ingerson moved to further amend Senate Bill No. 235 as follows:

On page 3, line 38 of the printed bill add: "The ballot to be submitted to the voters at such election shall be a

separate ballot and shall be worded as follows: 'For County Agent.' 'Against County Agent.'

Senator Eastgate moved to amend the amendment of Senator Ingerson by substituting "For Extension work" and "Against Extension Work" in place of "For County Agent" and "Against County Agent."

Which motion prevailed:

The vote being on the amendment of Senator Ingerson as amended, the motion prevailed.

Senator Fleckten moved to amend Senate Bill No. 235 as follows:

On page 2, line 29, of the printed bill, strike out the words "twenty-five" and insert in lieu thereof the words "thirty-five."

Which motion was lost.

Senator Murphy moved the previous question, which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 235. A Bill for an Act to Amend and Re-enact Section 2263 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted in Chapter 1 of the Session Laws for the Year 1917, Relating to the Levy of a Tax by County Commissioners to be Used in Carrying on Cooperative Agricultural Extension Work as Defined by this Act and Providing for Referendum by Ballot, Audit of Funds and Disposition of Accumulated Funds.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 29, nays twenty, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Storstad
Baird	Ingerson	Murphy	Thorson
Bond	Kaldor	Ployhar	Tofsrud
Carey	Ke'sch	Porter	Van Camp
Eastgate	Lynch	Rosch	Whitman
Eitestad	McCoy	Sperry	
Garberg	McAchlin	Steel	
Gardiner	Martin	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Olson, Barnes	Peck
Baker	Kretschmar	Olson, Eddy-	Peterson
Benson	L'vang	Poster	Ward
Byrne	Magnuson	Page	Wenstrom
Fleckten	Nathan	Patten	Whitmer
			Wog

So the bill passed and the title was agreed to.

Senator Gardiner moved that the vote by which Senate

Bill No. 235 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Nathan: I would like to explain my vote: We had the County Agent once in connection with the other counties but we put it away and I don't like to have this forced on to us again. I vote "no."

Senator Hamilton: In so many places the County Agent is simply a social man who takes part in all of the social activities of the town, instead of taking care of the extension work and consequently is bringing into disrepute the real extension work. I therefore vote "no."

Senator Ward: I would like to explain my vote: I vote "no" for the reason that my county took a vote on this a short time ago and voted it down. I vote "no."

Senators Peterson and Levang gave the same reasons for their votes as Senator Ward gave.

Senator Ingerson: I voted for this bill. The amendment I offered has clarified it to a certain extent and the people in my county have had an election on this proposition and they voted to retain the county agent, or the Agricultural Extension work. The agent in our county is a man who is liked very well, and if my amendment had carried to make the question appear on the ballot "For County Agent" "Against County Agent" it would have resulted in a better understanding and to the advantage of Agricultural Extension work in our county.

SENATE ROLL CALL

Senate Bill No. 243. A Bill for an Act to Safeguard the Business of Beekeeping Against Contagious and Infectious Diseases; Defining Apiaries; Providing for State Inspection Under the Direction and Control of the Commissioner of Agriculture and Labor; Prohibiting the Sale, Barter, Offer of Sale or Barter, Moving, Transportation, Shipping or Offering for Shipping or Transportation, of any Bees, Brood, Comb or Beekeeping Appliances That are Infected; Providing for the Proper Certification of Shipments into the State, and the Reporting of Such Shipments by the Purchaser or Importer; Fixing Penalties for Violation.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 47, nays 1, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Olson, Barnes	Storstad
Baird	Ingerson	Olson, Eddy-	Thorson
Baker	Kaldor	Foster	Tofsrud
Benson	Kelsh	Steel	Van Camp
Bond	Kretschmar	Patten	Ward
Byrne	Levang	Peck	Wenstrom
Carey	Lynch		

Messrs.	Messrs.	Messrs.	Messrs.
Eastgate	McCoy	Peterson	Stevens
Ettestad	McLachlin	Ployhar	Whitman
Fleckten	Magnuson	Porter	Whitmer
Garberg	Miklethun	Rusch	Wog
Gardiner	Murphy	Sperry	
Gross	Nathan	Steel	

Those voting in the negative were:

Messrs.
Babcock

Absent and not voting:

Messrs.
Martin

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Senator Ingerson: I am going to vote "aye" on this bill. I believe it is necessary and good and as the gentleman has explained we will be called on in the future to pass more bee legislation; and we can probably introduce something to induce someone to cross the bee with the firefly and produce an insect that can work nights.

Senator Peterson moved for an extension of time for further consideration of Senate Bills Nos. 44 and 45.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 8, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 1. A Bill for an Act to Amend Section 5205 of the Compiled Laws Relating to the Term of Existence of Certain Corporations.

Senate Bill No. 37. A Bill for an Act to Repeal Section 1119 of the Compiled Laws of 1913 Relating to the Publication of the Proceedings of the State Education Association.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 8, 1923.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 23. A Bill for an Act to Amend and Re-enact Chapter 51 of the Session Laws of North Dakota for the Year 1921, Authorizing Boards of County Commissioners to Issue Refunding Bonds to Fund or Refund for the Purpose of Seed Grain or Seed and Feed Grain Bonds or Warrants Thereofore Issue Pursuant to Law for the Purchase of Seed Grain and Feed or Either.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 8, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 150. A Bill for an Act Providing for the Reporting at the Workmen's Compensation Bureau of All Contracts Involving Labor Entered Into by All Political Subdivisions of the State.

House Bill No. 156. A Bill for an Act to Prohibit the Keeping Open, Running or Permitting the Running of Any Place for Public Dancing on the First Day of the Week, Commonly Called the Sabbath, and Providing a Penalty Therefor.

House Bill No. 86. A Bill for an Act Making an Appropriation for Improvements and Repairs, New Buildings, Equipment and Miscellaneous for the State Hospital for the Insane at Jamestown, North Dakota.

House Bill No. 89. A Bill for an Act Making an Appropriation of One Hundred Seventy-Six Thousand Dollars for Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous for the Tuberculosis Sanitarium at Dunseith.

House Bill No. 106. A Bill for an Act to Appropriate One Thousand and Forty Dollars (\$1,040.00) for the Payment of \$10.00 Once Each Week During the Biennium 1923, 1924, as an Aid to the Society for the Friendless Authorized Under Chapter 46 of the North Dakota Session Laws of 1911.

House Bill No. 112. A Bill for an Act to Appropriate \$3,450.00 for the Payment of the Per Diem and Expenses of the Board of Experts; and the Salary, and Other Expenses of the Field Officer to be Incurred Under Chapter 233 of the Session Laws of North Dakota for 1915, for the Biennial Period.

House Bill No. 119. A Bill for an Act Making an Appropriation of \$63,000.00 for the Care of Insane Patients Whose Residence Can not be Determined and Whose Care Must be Borne by the State.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

The following Senate Bills were messaged to the House: 119, 166, 172, 176, 173, 178.

The courtesies of the floor were extended to: F. B. Lambert of Minot; Fred Irons, of Starkweather; J. L. Page of Westhope; S. O. Allen, J. C. Wright and R. R. Wright of Jamestown; Tracy R. Bangs of Grand Forks; Clyde Duffy of Minnewaukon; A. A. Stone of Fargo; John Skavlan of Schafer; W. S. Shirk of Watford City; F. E. Riley of Wahpeton; C. E. Lounsbery, Jacob Dockter of Venturia; D. W. Crabtree of Ellendale; J. H. Gesamer of Gascoyne; W. F. Krebsbach, of Reeder; Henry Wilson of New Rockford; N. A. Nicklawsky; L. Odegard, Thomas B. Hull of Fargo; Jacob Aman, Goodrich; J. J. Adam of Anamoose.

Senator Ingerson asked the unanimous consent of the Senate to return to the eighth order of business, which motion prevailed.

Senator Ingerson moved that Senate Bill No. 210 be re-referred to the Committee on Judiciary.

Which motion was lost.

Senator Kelsh moved that the Senate do now recess until 12:00 o'clock M. February 9, 1923.

Which motion prevailed.

W. E. PARSONS,
Secretary.

THIRTY-EIGHTH DAY AFTER RECESS AND THIRTY-
NINTH DAY

Senate Chamber,
Bismarck, N. D.
February 9, 1923.

The Senate re-assembled at 12:00 M., February 9, 1923
with President Frank H. Hyland presiding.

FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 1382, Article 21, Chapter Five General School Laws of the State of North Dakota, Entitled School Year and School Week Defined. Holidays.

Was read the first and second time and referred to the Committee on Education.

House Bill No. 150. A Bill for an Act Providing for the Reporting at the Workmen's Compensation Bureau of All Contracts Involving Labor Entered Into by All Political Subdivisions of the State.

Was read the first and second time and referred to the Committee on State Affairs.

House Bill No. 156. A Bill for an Act to Prohibit the Keeping Open, Running, or Permitting the Running of Any Place for Public Dancing on the First Day of the Week, Commonly Called the Sabbath, and Providing a Penalty Therefor.

Was read the first and second time and referred to the Committee on State Affairs.

House Bill No. 86. A Bill for an Act Making an Appropriation for Improvements and Repairs, New Buildings, Equipment and Miscellaneous for the State Hospital for the Insane at Jamestown, North Dakota.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 89. A Bill for an Act Making an Appropriation of One Hundred Seventy-Six Thousand Dollars for Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous for the Tuberculosis Sanatorium at Dunseith.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 106. A Bill for an Act to Appropriate One Thousand and Forty Dollars (\$1,040.00) for the Payment of \$10.00 Once Each Week During the Biennium 1923, 1924, as an Aid to the Society for the Friendless Authorized Under Chapter 46 of the North Dakota Session Laws of 1911.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 112. A Bill for an Act to Appropriate \$3,450.00 for Payment of the Per Diem and Expenses of the Board of Experts; and the Salary, and Other Expenses of the Field Officer to be Incurred Under Chapter 233 of the Session Laws of North Dakota for 1915, for the Biennial Period.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 119. A Bill for an Act Making an Appropriation of \$63,000.00 for the Care of Insane Patients Whose Residence Can not be Determined and Whose Care Must be Borne by the State.

Was read the first and second time and referred to the Committee on Appropriations.

The committee on Immigration made the following report:

Mr. President: Your committee on Immigration to whom was referred:

Senate Bill No. 244. A Bill for an Act to Amend and Re-enact Section 4799 of the Compiled Laws of the State of North Dakota for 1913, Relating to Free Passes, Franks and Special Privileges Prohibited and Exceptions.

Have had the same under consideration and recommend the same be amended as follows:

After the first paragraph of Section 4799 of the Bill, insert the following:

Provided, further, that the provisions of this article shall not be construed to prohibit or make unlawful the transportation of city policemen, firemen, mail carriers and postmen on the street railways in the cities of this state.

And when so amended recommend the same do pass.

FRED VAN CAMP,
Chairman.

Senator Van Camp 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. 132. A Bill for an Act Making an Appropriation for the General Expense of the Hotel Inspection Department.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 158. A Bill for an Act Making an Appropriation of \$10,540.00 for the Purpose of Paying the General Expenses of Carrying Out the Provisions of Chapter 168 of the Session Laws of 1919, Relating to Mine Inspection.

Have had the same under consideration and recommend that the same be amended as follows:

In title of Bill, strike out the figures "\$10,540.00" and insert in lieu thereof the figures "9,900.00."

In Section 1, line 3, of the Printed Bill strike out the figures "\$10, 540.00" and insert in lieu thereof the figures "9,900.00."

In line 9, strike out the figures "2,840.00" and insert in lieu thereof the figures "2,000.00."

In line 17, strike out the figures "10,540.00" and insert in lieu thereof the figures "9,900.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 78. A Bill for an Act Making an Appropriation for the General Expense of the State Oil Inspection.

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

figures "52,220.00" and insert in lieu thereof the figures "51,420.00."

In line 27, strike out the figures "8,800.00" and insert in lieu thereof the figures "8,000.00."

In line 29, strike out the figures "52,220.00" and insert in lieu thereof the figures "51,420.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 111. A Bill for an Act Making an Appropriation of \$20,000.00 for the Maintenance of the Pure Seed Laboratory and Pure Seed Law Enforcement at the Agricultural College, Fargo.

Have had the same under consideration and recommend that the same be amended as follows:

In title of Bill, strike out the figures "20,000.00" and insert in lieu thereof the figures "14,000.00."

In Section 1, line 3, of the Printed Bill, strike out the figures "20,000.00" and insert in lieu thereof the figures "14,000.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 92. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit incurred by the Board of Railroad Commissioners.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 122. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance Fund of the State Training School.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 93. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Supreme Court.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 197. A Bill for an Act to Amend and Re-enact Chapter 146 of the Session Laws of 1919 Relating to the Office of Commissioner of Immigration, Prescribing His Powers and Duties, and Making an Appropriation Therefor, and Repealing All Acts and Parts of Acts in Conflict Therewith.

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 word "ten" and insert in lieu thereof the word "one." Also strike out the figure "10,000.00" and insert in lieu thereof the figure "1,000.00."

In Section 4, line 3, strike out the figures "24,000.00" and insert in lieu thereof the figures "18,000.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 105. A Bill for an Act Making an Appropriation of \$18,825.00 for the Purpose of Paying Per Diem, Clerk Hire, Traveling Expenses, etc., in Carrying Out the Provisions of Chapter 126 of the Session Laws of 1917 Relative to the Depositors Guarantee Fund Commission.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 263. A Bill for an Act Relating to the White Stone Hills Battlefield Grounds in Dickey County, and Vesting the Care, Custody, Control and Maintenance of the Same in the State Historical Society of North Dakota, as Trustee for the State.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 256. A Bill for an Act to Control the Possession, Sale, and Use of Pistols and Revolvers, to Provide Penalties, and for other Purposes.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 287. A Bill for an Act to Amend and Re-enact Chapter 157 of the Laws of North Dakota for the Year 1917, Relating to the Penalty for Larceny of Automobiles and Motorcycles.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 56. A Bill for an Act Providing for the Acceptance of the Provisions of the Sheppard-Towner Act; Making an Appropriation to Meet the Allotments of the Sheppard-Towner Act; Authorizing State Department of Health to Accept Funds for Infant and Maternal Hygiene Work.

Have had the same under consideration and recommend that the same do pass.

And be re-referred to the Committee on Public Health.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted, and the bill was re-referred to the Committee on Public Health.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 275. A Bill for an Act to Repeal Chapter 24 of the Special Session Laws of North Dakota for the Year 1919, Providing for the Issuance of Bonds of the State of North Dakota in a Sum Not Exceeding Two Million Dollars to be Known as "Bonds of North Dakota, Home Building Series."

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Carey moved that the Senate recess until 1:00 o'clock P. M.

Which motion prevailed.

AFTER RECESS

The Senate reassembled at 1:00 o'clock P. M.

SENATE ROLL CALL

Senate Bill No. 216. A Bill for an Act Regulating the Standard Provisions of Accident Insurance Policies Issued Within the State, and Providing a 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 ayes 35, nays 2, absent and not voting 12.

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Stevens
Babcock	Kaldor	Nathan	Thorson
Baird	Kelsh	Olson, Barnes	Tofsrud
Baker	Kretschmar	Page	Van Camp
Benson	Levang	Patten	Ward
Bond	Lynch	Peterson	Wenstrom
Byrne	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Wog
Gardiner	Martin	Rusch	

Those voting in the negative were:

Messrs.	Messrs.
Steel	Whitmer

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Carey	Garberg	McCoy	Peck
Eastgate	Hamilton	Murphy	Sperry
Fleckten	Ingerson	Olson, Eddy- Foster	Storstad

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 228. A Bill for an Act to Repeal Section 6624 of the Compiled Laws for the Year 1913. Valued Insurance Policy Act.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 31, nays 8, absent and not voting 10.

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Martin	Steel
Babcock	Gross	Nathan	Stevens
Baird	Kaldor	Olson-Barnes	Thorson
Baker	Kretschmar	Page	Tofsrud
Bond	Levang	Peterson	Van Camp
Byrne	Lynch	Ployhar	Ward
Ettestad	Magnuson	Porter	Whitman
Fleckten	McLachlin	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Miklethun	Peck	Whitmer
Kelsh	Patten	Wenstrom	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Carey	Hamilton	Murphy	Sperry
Eastgate	Ingerson	Olson, Eddy	Storstad
Garberg	McCoy	Foster	

So the bill passed and the title was agreed to.

Senator Ployhar moved that Senate Bill No. 50 be placed at the foot of the Calendar.

Which motion prevailed.

Senator Baker moved to amend Senate Bill No. 212 as follows:

In line 9, after the word "published" of the printed bill insert: "Provided such report shall be set in single column of figures and that all officers' titles shall be set in abbreviated form and on the same line with the officers' names, when possible, and such report shall be paid for at the rate of price and one-half of legal rate."

Which motion prevailed.

Senator Baker moved to further amend Senate Bill No. 212 as follows:

By adding after line 65 of the printed bill the following:
 "Clerk's Statement of Indebtedness of Village. Total amount of warrant's outstanding (if any) date.....
 Total amount of bonds outstanding (if any) date.....
 Total indebtedness of village (date)
 Approved this.....day of.....19...
 By order of the Village Board:Clerk."

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 212. A Bill for an Act to Amend and Re-enact Section 3890 of the Compiled Laws of 1913, Relating to Publishing of Village Treasurer's Reports and Prescribing the Form Thereof.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 49, nays none, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kador	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Page	Van Camp
Byrne	Levang	Patten	Ward
Carey	Lynch	Peck	Wenstrom
Eastgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	

So the bill passed and the title was agreed to.

Senator Ingerson moved that Senate Bill No. 210 be referred to the Committee on Judiciary.

Which motion was lost.

Senator Wenstrom moved that action on Senate Bill No. 210 be deferred until the next five succeeding bills have been acted upon.

Which motion was lost.

SENATE ROLL CALL

Senate Bill No. 210. A Bill for an Act Providing for the Acquiring by Condemnation of Roads so Located as to Interfere with the Working of Coal or Other Mines, and Providing the Compensation to be Made Therefor.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 28, nays 21, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Murphy	Steel
Baird	Kelsh	Page	Stevens
Bond	McLachlin	Peterson	Storstad
Carey	Lynch	Peterson	Thorson
Eastgate	McCoy	Porter	Tofsrud
Ettestad	McLachlin	Rusch	Van Camp
Gardiner	Martin	Sperry	Whitman

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Nathan	Ward
Baker	Hamilton	Olson-Barnes	Wenstrom
Benson	Ingerson	Olson, Eddy	Whitmer
Byrne	Levang	Foster	Wog
Fleckten	Magnuson	Patten	
Garberg	Miklethun	Peck	

So the bill passed and the title was agreed to.

Senator Baker: I wish to explain my vote. I vote "No" for the reason that this applies only to four mining companies at present in the state of North Dakota. There are only four that are benefitted by this state-wide law.

This may open up the privilege to all coal miners in the state of North Dakota to take advantage of this law. I am opposed to any special legislation in favor of a corporation as against the public interest and I vote "No."

Senator Fleckten: I want to vote "No" for the same reason as Senator Baker, because it is special legislation, and I vote "No."

SENATE ROLL CALL

Senate Bill No. 74. A Bill for an Act to Amend Sections 6072 and 6073 of the Revised Codes of North Dakota for

1913 as Amended by Chapter 176 of the Session Laws of 1915 prescribing lawful rates of interest for any legal indebtedness, defining usury.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 29, nays 20, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Nathan	Tofsrud
baker	Gross	Olson-Barnes	Ward
Benson	Hamilton	Olson, Eddy	Wenstrom
Bond	Ingerson	Foster	Whitman
Byrne	Levang	Page	Whitmer
Carey	Magnuson	Patten	Wog
Ettestad	Martin	Peck	
Fleckten	Miklethun	Peterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Murphy	Steel
Baird	Kretschmar	Ployhar	Stevens
Eastgate	Lynch	Porter	Storstad
Gardiner	McCoy	Rusch	Thorson
Kaldor	McLachlin	Sperry	Van Camp

So the bill passed and the title was agreed to.

Senator Baker moved to reconsider the vote by which Senate Bill No. 74 passed.

Which motion prevailed.

Senator Baker moved to amend Senate Bill No. 74 by striking out the word "eight" in line 1, page 2, of the engrossed bill, and inserting in lieu thereof the word "nine."

Which motion prevailed.

Senator Baker moved that the rules be suspended; that Senate Bill No. 74 be considered re-engrossed as amended, and that it be placed on its third reading and final passage.

Which motion prevailed.

Senator Kretschmar moved to amend Senate Bill No. 74 as follows:

By adding to the printed bill: "Section 4. This Act shall take effect January 1, 1924."

A roll call was demanded.

SENATE ROLL CALL

The question being on the motion of Senator Kretschmar to amend Senate Bill No. 74, the roll was called and there were ayes 23, nays 26, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Peterson	Stevens
Baird	Kelsh	Ployhar	Storstad
Bond	Kretschmar	Porter	Thorson
Carey	McCoy	Rusch	Tofsrud
Eastgate	McLachlin	Sperry	Van Camp
Gardiner	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Miklethun	Peck
Baker	Hamilton	Nathan	Ward
Benson	Ingerson	Olson-Barnes	Wenstrom
Byrne	Levang	Olson, Eddy	Whitman
Ettestad	Lynch	Foster	Whitmer
Fleckten	Magnuson	Page	Wog
Garberg	Martin	Patten	

So the motion to amend was lost.

Senator Hamilton: I want to explain my vote. I vote "No" for the reason that the class of people whom this is intended to benefit by the lower rate of 1 per cent has to renew their loans and mortgages this fall. This amendment will not allow them to take advantage of it in 1924. They can do nothing until 1925; and that is where it goes to. I vote "No."

SENATE ROLL CALL

Senate Bill No. 74. A Bill for an Act to Amend Sections 6072 and 6073 of the Revised Codes of North Dakota for 1913 as Amended by Chapter 176 of the Session Laws of 1915 Prescribing Lawful Rates of Interest for Any Legal Indebtedness, Defining Usury.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 29, nays 20, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Miklethun	Tofsrud
Baker	Gross	Nathan	Ward
Benson	Hamilton	Olson-Barnes	Wenstrom
Bond	Ingerson	Olson, Eddy	Whitman
Byrne	Levang	Foster	Whitmer
Carey	Lynch	Page	Wog
Ettestad	Magnuson	Patten	
Fleckten	Martin	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Steel
Baird	Kretschmar	Ployhar	Stevens
Eastgate	McCoy	Porter	Storstad
Gardiner	McLachlin	Rusch	Thorson
Kaldor	Murphy	Sperry	Van Camp

So the bill passed and the title was agreed to.

Senator Kelsh: I wish to explain my vote. I would like to vote for this law but I think it is the wrong time

to do it. A few years ago, the same thing came up before the Legislature when money was plentiful and times good and it was voted down. Now when times are hard, you are going to injure the very people you are trying to help. I vote "No."

Senator Kretschmar: I wish to explain my vote for the same reason as Senator Kelsh. In 1917 the Senate passed such a law and it was not accepted by the House, therefore we have 9 per cent interest rate. At the present time I don't think it is right to reduce that rate of interest. I vote "No."

Senator Olson (of Eddy and Foster): I want to explain my vote. I know something about the bill that was introduced in 1917 and I know that that was defeated for the same reason that this amendment that we tried to put on today was put on then. That was why that was defeated. I vote "Aye."

Senator Page: I wish to explain my vote. I believe this will be a benefit to the farmers, and my reason is that the quicker the farmers can pay their notes the sooner I will have to quit endorsing them. I vote "Aye."

Senator Rusch: I wish to explain my vote: I believe the farmers will be more benefited. I believe in the lower rate. I vote "No."

Senator Sperry moved that the Senate do now adjourn.

Which motion prevailed.

THIRTY-NINTH DAY

The Senate convened at 2:00 o'clock P. M., the President, Frank H. Hyland, presiding.

Roll was called, all Senators being present.

Prayer by the Chaplain, Rev. H. C. Postlethwaite.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-eighth Day and recommend that the same be corrected as follows:

On page 2 strike out all of line 13 and insert in lieu thereof "the Lakota Public Library."

Page 2, line 18, correct spelling of "enrollment."

Page 7, line 52, correct spelling of "same."

Page 17, line 7, correct spelling of "calendar."

Page 18, in roll call on Senate Bill No. 166 record Murphy as voting in affirmative instead of negative.

Page 24, line 4, correct spelling of "prevailed."

Page 24, line 10, correct spelling of "agent."

Page 25, line 25, correct spelling of "moved."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

The Secretary read a copy of House Joint Memorial No. 3 of the Thirty-second Legislative Assembly of the State of Oregon memorializing the Senate and House of Representatives of the United States regarding Federal income taxes, which was referred to the Committee on Taxes and Tax Laws.

Senator Rusch presented a telegram from the Fargo Commercial Club which included a report of its Budget Committee which investigated the budget appropriation of the North Dakota Agricultural College, which was referred to the Committee on Appropriations.

Senator Lynch presented a petition signed by Chas. A. Long and 28 others protesting against the discontinuance of the State Geological Survey, which was referred to the Committee on Appropriations.

Senator Bond presented a petition from P. M. Hanson and 86 others, from Barnes county, which was referred to the Committee on Banks and Banking.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 1. A bill for an Act to Amend Section 5205 of the Compiled Laws Relating to the Term of Existence of Certain Corporations.

Also,

Senate Bill No. 37. A Bill for an Act to Repeal Section 1119 of the Compiled Laws of 1913 Relating to the Publication of the Proceedings of the State Education Association.

Also,

Senate Bill No. 43. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 33 of the Laws Enacted by the Special Session of the Legislature of 1919 Relating to the Formation and Division of Voting Districts.

And find the same correctly enrolled.

CHRIS LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Enrollment and En-grossment have examined the following bills:

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 9607, and Section 9608, Compiled Laws for 1913.

Also,

Senate Bill No. 235. A Bill for an Act to Amend and Re-enact Section 2263 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted in Chapter 1 of the Session Laws for the Year 1917, Relating to the Levy of a Tax by County Commissioners to be Used in Carrying on Cooperative Agricultural Extension Work as Defined by this Act and Providing for Referendum by Ballot, Audit of Funds and Disposition of Accumulated Funds.

And find the same correctly re-engrossed.

CHRIS LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President Your committee on Enrollment and En-grossment have examined the following bills:

Senate Bill No. 174. A Bill for an Act Providing for Juvenile Courts, Defining Their Powers over Dependent, Neglected and Delinquent Children and Over Persons Contributing to Such Neglect, Dependency or delinquency, and for the Repeal of Sections 11402 to 11428, Inclusive, Compiled Laws for 1913, and Chapter 179, Laws of 1915, and Chapter 8, Laws of 1921.

Also,

Senate Bill No. 175. A Bill for an Act Providing for the Examination, Commitment, Care and Maintenance, Release and Discharge of Persons Alleged or Found to be Feeble Minded.

Also,

Senate Bill No. 224. A Bill for an Act Relating to the Place of Payment of all State Bonds of the State of North Dakota.

Also,

Senate Bill No. 229. A Bill for an Act to Amend and Re-enact Section 2189 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Publication of Delinquent Tax List, as Amended by Chapter 256 of the Session Laws of 1915.

Also,

Also,

Senate Bill No. 240. A Bill for an Act Relating to Redemption from Mortgage foreclosure or Execution Sales and Providing for a Redemptioner Making a Credit on His Claim Against the Debtor as a Part of the Redemption.

Also,

Senate Bill No. 258. A Bill for an Act Providing for the Appointment of Representatives on Behalf of the State of North Dakota to Negotiate a Compact and Agreement Between the States of North Dakota, South Dakota and Montana and Between said States and the United States of America, Respecting the Use and Distribution of the Waters of the Missouri River and the Rights of said States and the United States Thereto.

Also,

Senate Bill No. 259. A Bill for an Act Relating to the Power of the Supreme Court in Civil Causes on Appeal, and the Extent of Review when Such Causes are Reversed by the Supreme Court and Remanded for a New Trial.

Also,

Senate Bill No. 308. A Bill for an Act Authorizing the County Commissioners to Satisfy Judgments Against Sureties on Bail Bonds.

And find the same correctly engrossed.

CHRIS LEVANG,
Chairman.

Senator Levang 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. 241. A bill for an Act to Amend and Re-enact Section 7036 of the Compiled Laws of North Dakota for 1913; Relating to Protesting Negotiable Instruments.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 7036 of the engrossed bill, line 5, place a period after the word non-payment, strike out the balance of line 5 all of line 6 and the first word in line 7; in line 8 after the word charged strike out the semicolon and insert in lieu thereof a period, strike out the balance of the engrossed bill and insert in lieu thereof the following: "Where a bill does not appear on its face to be a foreign bill, protest thereof in case of dishonor is unnecessary, and if the same is protested no charge therefor shall be made to any party to the instrument."

And when so amended recommend the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 266. A Bill for an Act Amending Section 4571 of the Compiled Laws of 1913, Providing for the Assessment of Shares of Stock in Corporations.

Have had the same under consideration and recommend that the same be amended as follows:

After the word "Bill," strike out everything and insert in lieu thereof the following:

Section 4571. AMENDMENT. LIMITATION OF. No assessment must exceed ten per cent of the amount of the capital stock named in the articles of incorporation, except in the cases in this section otherwise provided for, as follows:

1. If the whole capital of a corporation has not been paid up, and the corporation is unable to meet its liabilities or to satisfy the claims of its creditors, the assessment may be for the full amount unpaid upon the capital stock; or if a less amount is sufficient then it may be for such a percentage as will raise that amount.

2. The directors of railroad corporations may assess the capital stock in installments of not more than ten per cent per month, unless in the articles of incorporation it is otherwise provided.

3. The directors of fire or marine insurance corporations may assess such a per centage of the capital stock as they deem proper.

4. The directors of banking associations may assess such percentage of the capital stock as they deem proper, not exceeding one hundred per cent of the face value thereof, during any three years.

Section 2. This act is hereby declared to be an emergency measure and shall be in force and effect after its passage and approval.

And when so amended recommend the same do pass.

W. R. BOND,
Chairman.

Senator 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. 148. A Bill for an Act to Limit State and Municipal Taxation for the Years 1923 and 1924.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. O. THORSON,
Chairman.

Senator Thorson 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. 246. A Bill for an Act to Amend and Re-enact Section 1218 of the Compiled Laws of North Dakota, Relating to Report and Annual Statement of School Districts, as Amended by Chapter 50 of the Special Session Laws of 1919.

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 words "North Dakota" insert the words "for the year 1913."

In line two of the printed bill after the words "for the year 1913", insert the following "as Amended by Chapter 50 of the Special Session Laws of 1919."

And when so amended recommend the same do pass.

ALFRED STEEL,
Chairman.

Senator Steel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Education to whom was re-referred:

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Section 1421 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 266 of the Session Laws for the year 1915, Legalizing and Validating Certain Indebtedness of School Districts in the Form of School Warrants and Negotiable Bonds Issued to Fund the Same.

Have had the same under consideration and recommend that the Senate does not concur with the House in the House Amendments to Senate Bill No. 68.

ALFRED STEEL,
Chairman.

Senator Steel moved that the report be adopted, and that the President appoint a Conference Committee, which motion prevailed and the President appointed Senators Steel, Peck and Kelsh.

Mr. President: A majority of your committee on State Affairs to whom was referred:

Senate Bill No. 252. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 63 of the Session Laws for the Year 1915, Relating to Capital Punishment.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Mr. President: A minority of your committee on State Affairs to whom was referred:

Senate Bill No. 252. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 63 of the Session Laws for the Year 1915, Relating to Capital Punishment.

Have had the same under consideration and recommend that the same be indefinitely postponed.

D. H. HAMILTON,
JOHN L. MIKLETHUN,
ROBERT BYRNE,
O. C. GROSS,
O. H. OLSON,

Senator Ployhar moved to adopt the majority report.

Senator Hamilton moved to amend by substituting the word "minority" for the word "majority."

A roll call was demanded.

SENATE ROLL CALL

The question being on the motion to amend by substituting "minority" for "majority" the roll was called and there were ayes 25, nays 24, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Miklethun	Tofsrud
Baker	Hamilton	Nathan	Ward
Benson	Ingerson	Olson-Barnes	Wenstrom
Byrne	Levang	Olson, Eddy-	Whitmer
Ettestad	Lynch	Foster	Wog
Flechten	Magnuson	Patten	
Garberg	Martin	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Page	Steel
Baird	Kelsh	Peterson	Stevens
Bond	Kretschmar	Ployhar	Storstad
Carey	McCoy	Porter	Thorson
Eastgate	McLachlin	Rusch	Van Camp
Gardiner	Murphy	Sperry	Whitman

So the motion to amend prevailed.

Senator Hamilton: I have spoken to several prominent attorneys in this state and I have not found one of them that agrees that we should go back to capital punishment. Believing this is a step backwards, if we institute that, I vote "no."

Senator Nathan: I would like to explain my vote. A

year ago I was in quite a little trouble in my district. I really didn't know what they meant but they used to call me "Kaiser," and would like to get me out of the way. I am afraid if this law goes into effect they may do away with me. I vote "no."

The vote being on the motion of Senator Ployhar, as amended, the motion prevailed, and Senate Bill No. 252 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. 214. A Bill for an Act Entitled an Act Providing for the Creation and Establishment of a State Board of Engineering Examiners, Granting Certain Powers to and Prescribing the Duties of Said Board; Providing for the Examination and Registration of Surveyors and Professional Engineers; Regulating the Practice of Engineering in the State of North Dakota, Providing Penalties for the Violation of This Act and Repealing All Acts or Parts of Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Immigration made the following report:

Mr. President: Your committee on Immigration to whom was referred:

Senate Bill No. 171. A Bill for an Act, Entitled an Act Creating a North Dakota Real Estate Brokers Board with Sufficient Powers to Administer the Act; Defining the Terms Used Therein; Requiring Real Estate Salesmen to be Licensed; Prescribing the Requirements of the Applications for and the Renewals of Licenses and the Fees Therefor; Enumerating the Powers of Licensees; Requiring the Names of Licensees and of Those Whose Licenses Have Been Cancelled to be Published; Prescribing the Procedure on Complaints, the Grounds Therefor, Expenses Therefor and in Case of a Review, how Paid; Establishing a Fund from Which to Meet all the Operating Expenses of the Board; Penalty for Violation of the Provisions of the Act; Appropriation from Which to Meet the Organization Expenses of the Board; All Provisions of Act to be in Effect until Specifically Declared to Be Void and Repealing all Conflicting Legislation.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRED VAN CAMP,
Chairman.

Senator Van Camp 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. 245. A Bill for an Act Relating to the Assessment of Telephone Property, Providing for a Tax on Gross Earnings of Telephone Companies in Lieu of the General Property Tax on the Property of Such Companies Used Exclusively in Connection with the Operation of their Telephone Business, and in Lieu of the Tax Upon the Shares of Stock of Such Companies; Repealing All Acts and Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

In the printed bill, in line 5 of the Title after the word "of" strike out the words "the Tax" and insert in lieu thereof the words "any Franchise, Excise or Income Tax;" Also in the same line after the word "upon" strike out the words "the Shares of Stock."

In line 7 of Section 1 of the Bill, after the word "of" strike out the word "February" and insert in lieu thereof the word "March."

In line 7 of Section 4 of the Bill, after the word "franchise" strike out the word "or" and insert a comma in lieu thereof; also, in the same line after the word "excise" insert the words "or income"; also in the same line after the word "on" strike out the words "the shares of stock of."

And when so amended recommend the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee appointed to consider Senate Bill No. 72, made the following report:

Mr. President: Your Conference committee to whom was referred:

Senate Bill No. 72. A Bill for an Act Requiring all Agents Acting for or on Behalf of any Insurance Company Doing Business in this State to be Licensed, Regulating the Methods, Practices and Transactions of Such Agents in Considering Such Insurance Business, and Providing Penalties for the Violation of Any of the Provisions of This Act.

Have had the same under consideration and recommend that the Senate concur in the House Amendments:

For the Senate:

P. J. MURPHY,
RALPH INGERSON,
D. H. HAMILTON.

For the House:

D. L. PETERS,
J. C. ARDUSER,
JNO W. CARR.

P. J. MURPHY,
Chairman.

Senator Murphy moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Murphy moved that the rules be suspended, that Senate Bill No. 72 be considered re-engrossed, and placed on the Calendar for third reading, and final passage.

Which motion prevailed.

Senator Baird moved that no more legislation be taken up where five or more Senators object, from the time of adjournment today until Tuesday, February 13, at 2:00 o'clock.

Which motion prevailed.

Senator Storstad moved that Senate Bills No. 2 and 47 be made a Special Order for 3:30 P. M.

Which motion prevailed.

Senator Van Camp nominated A. K. Bolton as stenographer and Committee Clerk.

SENATE ROLL CALL

The question being on the election of Mr. A. K. Bolton as Committee Clerk, the roll was called and there were ayes 40, nays 4, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Stevens
Babcock	Ingerson	Olson, Barnes	Storstad
Baird	Kaldor	Olson, Eddy-	Thorson
Baker	Kelsh	Foster	Tofsrud
Benson	Kretschmar	Page	Van Camp
Bond	Levang	Peck	Ward
Byrne	Lynch	Peterson	Wenstrom
Carey	McCoy	Ployhar	Whitman
Eastgate	McLachlin	Porter	Whitmer
Ettestad	Magnuson	Rusch	Wog
Garberg	Martin	Sperry	
Gardiner	Mikliethun	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Gross	Nathan	Patten

So. Mr. Bolton was declared elected extra Committee Clerk and Stenographer.

The President administered the oath of office to A. K. Bolton.

Senator Whitman moved that the rules be suspended,

and that smoking be permitted for one hour.

Which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 1. A Bill for an Act to Amend Section 5205 of the Compiled Laws Relating to the Term of Existence of Certain Corporations.

Also,

Senate Bill No. 37. A Bill for an Act to Repeal Section 1119 of the Compiled Laws of 1913 Relating to the Publication of the Proceedings of the State Education Association.

Also,

Senate Bill No. 43. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 33 of the Laws Enacted by the Special Session of the Legislature of 1919 Relating to the Formation and Division of Voting Districts.

And the President signed the same in the presence of the Senate.

Senator Hamilton moved that the vote by which the report of the committee was adopted, be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Kaldor moved that Senate Bill No. 144 be amended as follows:

Strike out line one and everything thereafter in the printed bill and insert in lieu thereof the following:

Section 1. It shall be unlawful for any bank with which money has been deposited to charge against the deposit any claim of such bank of any other person, or to appropriate the same to the payment of any debt to such bank or any other person, without legal process or without the consent of the depositor.

Section 2. Any bank which shall so charge any claim against a deposit or in any way appropriate the same to the payment of a debt of the depositor, in violation of the terms hereof, shall be liable to the party aggrieved for any damages caused thereby to be recovered in a civil action.

Which motion prevailed.

Senator Ployhar moved to further amend by adding the words "or trust company" after the word "bank" wherever it appears in the printed bill.

Which motion prevailed.

Senator Baker moved to further amend by adding the emergency clause to Senate Bill No. 144.

Which motion was lost.

Senator Kaldor moved to amend the title of Senate Bill No. 144 as follows:

After the word "banks" strike out all of the title and insert "or trust companies and making it unlawful to make a charge against the same without the consent of the depositor."

Which motion prevailed.

Senator Miklethun moved to put Senate Bill No. 144 to the foot of the Calendar.

Which motion was lost.

SENATE ROLL CALL

Senate Bill No. 144. A Bill for an Act Relating to Deposits in Banks or Trust Companies and Making it Unlawful to Make a Charge Against the Same Without the Consent of the Depositor.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 49, nays none, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Denson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Page	Van Camp
Byrne	Levang	Patten	Ward
Carey	Lynch	Peck	Wenstrom
Eastgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Whitmer
Flechten	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	

So the bill passed and the title was agreed to.

Senator Kaldor moved that the vote by which Senate Bill No. 144 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Benson moved to defer action on Senate Bill No. 338 one day.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 9, 1923.

Mr. President: The House respectfully requests that

Senate Bill No. 25 be returned to the House.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 9, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 200. A Bill for an Act Providing for the Recall of County Commissioners.

Which the House has indefinitely postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Kelsh moved that Senate Bill No. 25 be recalled from the Committee on Education, and that the request of the House be granted.

Which motion prevailed.

The hour of 3:30 having arrived, Senator Storstad **moved** that the Senate take up for consideration Senate Bills No. 2 and 47.

Which motion prevailed.

Senator Storstad moved that Special Order be dispensed with.

Which motion prevailed.

Senate Bill No. 2 was recommended to be amended as follows:

On page 2 of the printed bill, Section 3, strike out the last two words of line 2, also lines 3, 4, 5 and 6, and insert in lieu thereof the following: "one or more licensed grain buyers in each town, city or village where there is one, as inspector."

Add the letter "s" to the word "inspector" in line 7.

Strike out all of line 8 after the words "necessary blanks."

On page 3, Section 10, line 5, after the words "cost of" insert the word "insuring."

In line 6, after the word "grain" strike out the balance of the line up to and including the word "insuring."

On page 4, Section 11, after line 21, insert the following:

"Inspector's Certificate

"I hereby certify that I have this day examined Mr. and the sample of grain by him presented and sworn to as being a true sample of his grain as above described. I have graded the same and computed the dockage and find it to be No. and the dockage to be% according to the Standard of U. S. Grain Grading Law. The condition of the sample is wet..... dry.....

"Dated at.....North Dakota. this.....day of.....19.....

"Inspector for.....County, North Dakota."

Senator Storstad moved that Senate Bill No. 2, as amended, be recommended for passage.

Which motion prevailed.

Senate Bill No. 47 was recommended for indefinite postponement.

Senator Storstad moved that Senate Bill No. 47 be indefinitely postponed.

Senator Benson moved as a substitute motion that further consideration of the report on Senate Bill No. 47 be laid over until next Tuesday, at 2:00 o'clock.

Which motion was lost.

A roll call was demanded on the motion of Senator Storstad to indefinitely postpone Senate Bill No. 47.

SENATE ROLL CALL

The question being on the motion to indefinitely postpone Senate Bill No. 47, the roll was called and there were ayes 25, nays 24, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.		
Atkins	Ka'dor	Murphy	Steel
Baird	Kelsh	Peterson	Stevens
Bond	Kretschmar	Ployhar	Storstad
Carey	Lynch	Porter	Thorson
Eastgate	McCoy	Rusch	Tofsrud
Gardiner	McLachlin	Sperry	Van Camp
			Wor

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babeock	Gross	Nathan	Ward
Baker	Hamilton	Olson, Barnes	Wenstrom
Benson	Ingerson	Olson, Eddy-	Whitman
Byrne	Levang	oster	Whitmer
Ettestad	Magnuson	Page	
Fleckten	Martin	Patten	
Garberg	Miklethun	Peck	

So the bill was indefinitely postponed.

Senator Kelsh moved that the vote by which Senate Bill No. 47 was indefinitely postponed be reconsidered and

the motion to reconsider be laid on the table.
A roll call was demanded.

SENATE ROLL CALL

The question being on the motion of Senator Kelsh, the roll was called and there were ayes 25, nays 24, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Ployhar	Thorson
Baird	Kretschmar	Porter	Tofsrud
Bond	Lynch	Rusch	Van Camp
Carey	McCoy	Sperry	Whitman
Eastgate	McLachlin	Steel	
Gardiner	Murphy	Stevens	
Kaldor	Peterson	Storstad	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Martin	Page
Baker	Gross	Miklethun	Patten
Benson	Hamilton	Nathan	Peck
Byrne	Ingerson	Olson, Barnes	Ward
Ettestad	Levang	Olson, Eddy-	Wenstrom
Fleckten	Magnuson	Foster	Whitmer
			Wog

So the motion to reconsider and lay on the table prevailed.

SENATE ROLL CALL

Senate Bill No. 97. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Maintenance Fund of the Institute 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 ayes 43, nays 3, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Martin	Magnuson	Ployhar
Babcock	Gardiner	Miklethun	Porter
Baird	Gross	Nathan	Rusch
Baker	Hamilton	Murphy	Steel
Benson	Ingerson	Olson, Barnes	Stevens
Bond	Kaldor	Olson, Eddy-	Storstad
Byrne	Kelsh	Foster	Thorson
Carey	Levang	Page	Tofsrud
Eastgate	Lynch	Patten	Wenstrom
Ettestad	McCoy	Peck	Whitman
Garberg	McLachlin	Peterson	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fleckten	Nathan	Whitmer

Absent and not voting:

Messrs.	Messrs.	Messrs.
Sperry	Van Camp	Ward

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Section 160 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 18 of the Special Session Laws of North Dakota for the Year 1919, Relating to the Appointment of Regular and Special Assistant Attorneys General, and Repealing Chapter 20 of the Special Session Laws of North Dakota for the Year 1919, and All Other Acts and Parts of Acts in Conflict Therewith.

The question being on the final passage of the bill, the roll was called and there were ayes 42, nays 2, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Mik'ethun	Sperry
Babcock	Gross	Murphy	Steel
Baird	Ka'dor	Nathan	Stevens
Baker	Kelsh	O'son, Eddy-	Storstad
Bond	Kretschmar	Foster	Thorson
Byrne	Levang	Olson, Barnes	Tofsrud
Carey	Lynch	Page	Van Camp
Eastgate	McCoy	Peterson	Ward
Ettestad	McLachlin	Ployhar	Wenstrom
Flockten	Magnuson	Porter	Whitman
Garberg	Martin	Rusch	

Those voting in the negative were:

Messrs.	Messrs.
Hamilton	Whitmer

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Vatten	Peck	Wog
Ingerson			

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 206. A Bill for an Act Providing for a Verdict in Civil Cases by Five-Sixths of the Jury After Twelve Hours Deliberation.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 40, nays 5, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Steel
Babcock	Ingerson	Nathan	Storstad
Baird	Ka'dor	Olson, Barnes	Thorson
Baker	Kelsh	Olson, Eddy-	Tofsrud
Byrne	Kretschmar	Foster	Ward

Messrs.	Messrs.	Messrs.	Messrs.
Carey	Levang	Patten	Wenstrom
Eastgate	Lynch	Peck	Whitman
Ettestad	McCoy	Peterson	Wog
Fleckten	McLachlin	Ployhar	
Garberg	Magnuson	Rusch	
Gardiner	Martin	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Murphy	Porter	Stevens	Van Camp
Page			

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Bond	Hamilton	Whitmer

SENATE ROLL CALL

Senate Bill No. 211. A Bill for an Act to Amend and Re-enact Section 3451, Compiled Laws of North Dakota, Relating to County Bonds, rate of Interest and Mode of Issue.

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 12, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Martin	Stevens
Babcock	Gardiner	Murphy	Storstad
Baird	Kaldor	Page	Thorson
Bond	Kelsh	Peterson	Tofsrud
Byrne	Kretschmar	Ployhar	Van Camp
Carey	Lynch	Porter	Ward
Eastgate	McCoy	Rusch	Whitman
Ettestad	McLachlin	Sperry	Wog
Fleckten	Magnuson	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Ingerson	Nathan	Patten
Benson	Levang	Olson-Barnes	Peck
Gross	Mikieithun	Olson, Eddy-	Wenstrom
		Foster	

Absent and not voting:

Messrs.	Messrs.
Hamilton	Whitmer

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senator Murphy moved to place Senate Bill No. 174 at the foot of the Calendar.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 39. A Bill for an Act to Amend and Re-

enact Section 287 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 241 of the Session Laws of 1915, and as Amended by Chapter 204 of the Session Laws of 1917, and as Amended by Chapter 198 of the Session Laws of 1919, and as Amended by Chapter 108 of the Session Laws of 1921, Relating to Investment of University and School Land Funds.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 47, nays none, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Sperry
Babcock	Gross	Nathan	Steel
Baird	Ingerson	Olson, Barnes	Stevens
Baker	Kaldor	Olson, Eddy-	Storstad
Benson	Kelsh	Poster	Thorson
Bond	Kretschmar	Page	Tofsrud
Byrne	Levang	Patten	Van Camp
Carey	Lynch	Peck	Ward
Eastgate	McCoy	Peterson	Wenstrom
Ettestad	McLachlin	Porter	Whitman
Fleekten	Magnuson	Ployhar	Whitmer
Garberg	Miklethun	Rusch	Wog

Absent and not voting:

Messrs.	Messrs.
Hamilton	Martin

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 9, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 151. A Bill for an Act Relating to the Insurance of Employers with the Workmen's Compensation Fund Providing for Compensation for Injuries or Death of the Employer Himself, in Cases Where the Employer has Contracted for such Protection with the Bureau, also Providing for the Basis of Premium for such Protection.

House Bill No. 168. A Bill for an Act to Amend and Re-enact Section 6750 of the Compiled Laws of North Dakota for 1913, Relating to Standardized Form of Mortgage.

House Bill No. 176. A Bill for an Act Authorizing the Board of County Commissioners of any County in North Dakota to Issue Funding or Refunding Bonds for the Purpose of Funding or Refunding Seed Grain or Seed and Feed Grain Indebtedness.

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 6790 of the Compiled Laws of North Dakota for 1913.

House Bill No. 123. A Bill for an Act Making an Appropriation for the Completion and Furnishing of the Liberty Memorial Building.

House Bill No. 81. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs and Equipment Thereof.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 9, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 25. A Bill for an Act Relating to the Validation of Bonds Voted and Issued or to be Issued, by any Common, Special or Independent School District, in Cases Where the School District Issuing Such Bonds, or Where by such Vote Bonds are Authorized to be Issued, has Heretofore, by a Majority Vote, Increased the Limit of Indebtedness Five Per Cent on the Assessed Valuation of the Taxable Property in Such School District, Beyond the Five Per Cent Limit of Indebtedness Established by the Constitution, as Provided by Article 35 of the Amendments to the Constitution, of the State of North Dakota, and where the Indebtedness of Such School District Does Not Exceed Ten per cent on the Assessed Valuation of the Taxable Property of Such School District, and Declaring Such Bonds Legal and Valid.

Which the House has amended as follows:

By striking out in line 19 of printed bill the words "such bonds." Strike out the word "are," at end of same line and insert in lieu thereof the word "is."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Baird moved that Senate Bill No. 229 be placed at the foot of the Calendar.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 224. A Bill for an Act Relating to the Place of Payment of all State Bonds 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 ayes 43, nays none, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Nathan	Stevens
Babcock	Gross	Olson-Barnes	Storstad
Baird	Ingerson	Olson, Eddy-	Thorson
Benson	Kaldor	Foster	Tofsrud
Bond	Kelsh	Page	Van Camp
Byrne	Kretschmar	Peck	Ward
Carey	Levang	Peterson	Wenstrom
Eastgate	Lynch	Porter	Whitman
Ettestad	McCoy	Ployhar	Whitmer
Fleckten	McLachlin	Rusch	Wog
Garberg	Murphy	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Magnuson	Patten	Sperry
Hamilton	Martin		

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 240. A Bill for an Act Relating to Redemption from Mortgage foreclosure or Execution Sales and Providing for a Redemptioner Making a Credit on His Claim Against the Debtor as a Part of the Redemption.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 41, nays none, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Olson-Barnes	Storstad
Babcock	Kaldor	Olson, Eddy-	Thorson
Baird	Kelsh	Foster	Tofsrud
Benson	Kretschmar	Page	Van Camp
Bond	Levang	Patten	Ward
Byrne	Lynch	Peck	Wenstrom
Eastgate	McCoy	Ployhar	Whitman
Fleckten	McLachlin	Porter	Whitmer
Garberg	Miklethun	Rusch	Wog
Gardiner	Murphy	Steel	
Gross	Nathan	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Ettestad	Magnuson	Peterson
Carey	Hamilton	Martin	Sperry

So the bill passed and the title was agreed to.

Senator Rusch asked unanimous consent to return to the Eighth Order of Business. There being no objections, the Senate took up the Eighth Order of Business.

Senator Rusch moved that Senate Bill No. 229 be re-referred to the Committee on Public Printing.

Which motion prevailed.

Senator Kelsh moved that the Senate do now concur in the House amendments to Senate Bill No. 25.

Which motion prevailed.

Senator Kelsh moved that Senate Bill No. 25 be placed on the Calendar in its regular order.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 258. A Bill for an Act Providing for the Appointment of Representatives on Behalf of the State of North Dakota to Negotiate a Compact and Agreement Between the States of North Dakota, South Dakota and Montana, and Between said States and the United States of America, Respecting the Use and Distribution of the Waters of the Missouri River and the Rights of said States and the United States Thereto.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 37, nays none, absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Kaldor	Olson, Barnes	Stevens
Baird	Kelsh	Olson, Eddy-	Storstad
Baker	Kretschmar	Foster	Thorson
Benson	Levang	Page	Tofsrud
Bond	Lynch	Patten	Van Camp
Eastgate	McCoy	Peck	Ward
Eitestad	Magnuson	Peterson	Whitman
Garberg	Miklethun	Ployhar	Whitmer
Gardiner	Murphy	Porter	
Gross	Nathan	Sperry	
Absent and not voting:			

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Flechten	McLachlin	Steel
Byrne	Hamilton	Martin	Wenstrom
Carey	Ingerson	Rusch	Wog

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 259. A Bill for an Act Relating to the Power of the Supreme Court in Civil Causes on Appeal, and the Extent of Review when Such Causes are Reversed by the Supreme Court and Remanded for a New Trial.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 40, nays none, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Nathan	Sperry
Baird	Hamilton	Olson, Barnes	Stevens
Benson	Kaldor	Olson, Eddy-	Storstad
Bond	Kelsh	Foster	Thorson
Carey	Kretschmar	Page	Tofsrud
Eastgate	Lynch	Patten	Van Camp
Ettestad	McCoy	Peck	Ward
Fleekten	McLachlin	Peterson	Wenstrom
Garberg	Magnuson	Ployhar	Whitman
Gardiner	Murphy	Porter	Wog
			Whitmer

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Martin	Rusch
Baker	Levang	Miklethun	Steel
Byrne			

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Senator Ward: It is with reluctance that I vote for this bill but I understand it is going to cut some of our legal men out of considerable work, they have been cutting out the bankers, and if the Senator will assure me he will still get a living I will vote "Aye." I do vote "Aye."

SENATE ROLL CALL

Senate Bill No. 308. A Bill for an Act Authorizing the County Commissioners to Satisfy Judgments Against Sureties on Bail Bonds.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Rusch
Babcock	Gross	Nathan	Sperry
Baird	Hamilton	Olson, Barnes	Stevens
Baker	Kaldor	Olson, Eddy-	Storstad
Benson	Kelsh	Foster	Thorson
Byrne	Kretschmar	Page	Tofsrud
Carey	Lynch	Patten	Van Camp
Eastgate	McCoy	Peck	Ward
Ettestad	McLachlin	Peterson	Wenstrom
Fleekten	Magnuson	Ployhar	Whitman
Garberg	Miklethun	Porter	Whitmer
			Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Bond	Levang	Martin	Steel
Ingerson			

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 175. A Bill for an Act Providing for the Examination, Commitment, Care and Maintenance, Release and Discharge of Persons Alleged or Found to be Feeble Minded.

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 20, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Olson, Eddy-	Van Camp
Babcock	Gross	Foster	Whitman
Baird	Kaldor	Patten	Whitmer
Baker	Lynch	Peterson	Wog
Benson	Magnuson	Sperry	
Byrne	Miklethun	Steel	
Garberg	Olson, Barnes	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Carey	Kretschmar	Nathan	Ruseh
Eastgate	Levang	Page	Storstad
Ettestad	McCoy	Peck	Thorson
Flechten	McLachlin	Ployhar	Tofsrud
Kelsh	Murphy	Porter	Wenstrom

Absent and not voting:

Messrs.	Messrs.		
Bond	Ingerson	Martin	Ward
Hamilton			

So the bill failed to pass.

Senator Murphy moved that the vote by which Senate Bill No. 175 failed to pass, be reconsidered and the motion to reconsider be laid on the table.

Senator Stevens moved that Senate Bill No. 175 be laid on the table.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 72. A Bill for an Act Requiring All Agents Acting for or on Behalf of Any Insurance Company Doing Business in this State to be Licensed, Regulating the Methods, Practices and Transactions of Such Agents in Conducting Such Insurance Business, and Providing Penalties for the Violation of any of the Sections 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 ayes 36, nays 9, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Olson, Barnes	Steel
Babcock	Ingerson	Olson, Eddy-	Stevens
Baird	Kaldor	Foster	Storstad
Baker	Kelsh	Page	Thorson
Bond	Kretschmar	Peck	Van Camp
Byrne	Levang	Peterson	Wenstrom
Carey	Lynch	Ployhar	Whitman
Eastgate	McCoy	Porter	
Garberg	Magnuson	Rusch	
Gardiner	Murphy	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	McLachlin	Patten	Wog
Ettestad	Miklethun	Whitmer	
Fleckten	Nathan		

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Hamilton	Martin	Tofsrud	Ward

So the bill passed and the title was agreed to.

The Senate returned to the Sixth Order of Business.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 86. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall be Available, and Repealing all Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith, or to Appropriations for the Same Matters or Purposes Provided for Herein.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Kretschmar moved to amend Senate Bill No. 86 as follows:

On Page 6 of the Engrossed Bill strike out figures 40,800.00 and figures 39,300.00 be inserted therefor.

Line 9 of Sub-division 9, page 6, strike out the figures 1500.00 and figures 1800.00 be inserted therefor.

In line 21 of Sub-division 17 on Page 11, strike out figures 97,300.00 and the figures 98,300.00 be inserted therefor.

In line 4 of Sub-division 4, strike out figures 6000 and insert 5000.00.

Senator Kretschmar moved that Senate Bill No. 86 be considered re-engrossed, and that it be placed on the Calendar for third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 86. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall be Available, and Repealing all Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith, or to Appropriations for the Same Matters or Purposes Provided for Herein.

Was read the third time.

The question being on the final passage of the bill as amended, the roll was called and there were ayes 43, nays 1, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	
Atkins	Kaldor	Patten	Ward
Babcock	Kelsh	Peck	Wenstrom
Baird	Kretschmar	Peterson	Whitman
Benson	Levang	Ployhar	Whitmer
Bond	Lynch	Porter	Wog
Byrne	McLachlin	Rusch	
Carey	Magnuson	Sperry	
Eastgate	Miklethun	Steel	
Ettestad	Nathan	Stevens	
Garberg	Olson, Barnes	Storstad	
Gardiner	Olson, Eddy-	Thorson	
Gross	Foster	Tofsrud	
Hamilton	Page	Van Camp	

Those voting in the negative were:

Messrs.
McCoy

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Ingerson	Murphy	
Fleckten	Martin		

So the bill passed and the title was agreed to.

Senator Ployhar moved that the vote by which Senate Bill No. 86 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Senate returned to the Sixth Order of Business:

Mr. President:

Your committee on Joint Conference to whom was referred:

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Section 1421 of the Compiled Laws of North Dakota

for 1913, as Amended and Re-enacted by Chapter 266 of the Session Laws for the Year 1915, Legalizing and Validating Certain indebtedness of School Districts in the Form of School Warrants and Negotiable Bonds Issued to Fund the Same.

Beg leave to report that the House has receded from its amendment of line twelve of the printed bill wherein was added after the word "percent" the words "or less."

And your conference committee concurs in the balance of the House amendments.

ALFRED STEEL,
A. A. PECK,
T. J. KELSH,
Senate Conference Committee.

L. L. TWICHELL,
JOHN K. OLAFSON,
J. H. BURKHART,
House Conference Committee.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, N. D.
February 9, 1923.

Mr. President: I have the honor to announce that the House has adopted the conference committee's report on House Bill 68.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

The Senate took up the Eighth Order of Business.

Senator Storstad moved for an extension of time for further consideration of Senate Bills No. 260 and 261.

Which motion prevailed.

Senator Sperry moved for an extension of time for further consideration of Senate Bills Nos. 265 and 321.

Which motion prevailed.

Senator Atkins moved for an extension of time for further consideration of Senate Bills Nos. 12, 249 and 271.

Which motion prevailed.

Senator Thorson moved for an extension of time for further consideration of Senate Bills Nos. 146, 147 and 148.

Which motion prevailed.

Senator Steel moved for an extension of time for further consideration of Senate Bill No. 242.

Which motion prevailed.

Senator Steel moved that the Conference Committee report on Senate Bill No. 68 be adopted and that Senate Bill No. 68 be placed on the Calendar.

Which motion prevailed.

The following bills were messaged to the House:

Senate Bills 25, 150,, 243, 216, 228, 210, 182, ,235, 97, and 74.

The courtesies of the floor were extended to E. R. Sinkler, Leslie White,, Peter Fugelso, D. C. Greenleaf, G. S. Woolledge of Minot; Alex R. Wright of Oakes; Bert McGuines of Valley City; L. R. Nostdahl of Rugby; J. J. Simonson and B. A. Everson of Washburn, L. C. Washburn, of Edgeley; A. F. Lehr of Gackle; G. A. Lenhart of Hazelton; N. J. Roop of Flasher; Rev. P. A. Thoreson of Fargo; H. A. Brown, Cooperstown; J. G. Odegard of Northwood; John Orchard, W. A. McClure, H. E. Skange of Dickinson; W. H. Shure, Seth Richardson, Jno. Martin and W. C. Green of Fargo; C. W. Pollock of Valley City; J. D. Bacon, John Valley, W. A. McIntyre, T. A. Toner, Roy Bridgeman, Geo. E. Duis, G. H. Olmstead of Grand Forks; J. J. Weeks of Bottineau; A. Berthaume of Bottineau.

Senator Ployhar moved that the Senate do now recess until 1:00 o'clock P. M. February 10.

Which motion prevailed.

W. E. PARSONS,
Secretary.

THIRTY-NINTH DAY AFTER RECESS AND FORTIETH
DAY

Senate Chamber,
Bismarck, North Dakota,
February 10, 1923.

The Senate re-assembled at 1:00 o'clock P. M. pursuant to recess taken, the President, Frank H. Hyland, presiding.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 151. A Bill for an Act Relating to the Insurance of Employers with the Workmen's Compensation Fund Providing for Compensation for Injuries or Death of the Employer Himself, in Cases Where the Employer has Contracted for such Protection with the Bureau, also Providing for the Basis of Premium for such Protection.

Was read the first and second time and referred to the Committee on State Affairs.

House Bill No. 168. A Bill for an Act to Amend and Re-enact Section 6750 of the Compiled Laws of North Dakota for 1913, Relating to Standardized Form of Mortgage.

Was read the first and second time and referred to the Committee on Judiciary.

House Bill No. 176. A Bill for an Act Authorizing the Board of County Commissioners of any County in North Dakota to Issue Funding or Refunding Bonds for the Purpose of Funding or Refunding Seed Grain or Seed and Feed Grain Indebtedness.

Was read the first and second time and referred to the Committee on Judiciary.

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 6790 of the Compiled Laws of North Dakota for 1913.

Was read the first and second time and referred to the Committee on Judiciary.

House Bill No. 81. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs and Equipment Thereof.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 123. A Bill for an Act Making an Appropriation for the Completion and Furnishing of the Liberty Memorial Building.

Was read the first and second time and referred to the Committee on Appropriations.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 170. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred by the Flood Control Commission.

Have had the same under consideration and recommend that the same do pass.

JOHN W. BENSON,
Chairman Pro Tem.

Senator Benson 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. 113. A Bill for an Act to appropriate the Sum of \$54,000.00 for the Purpose of Aiding in the Construction of a Bridge Across the Missouri River From Burleigh County to Morton County in the State of North Dakota Under the Provision of Chapter 73 of the Laws Passed at the Sixteenth Session of the Legislative Assembly of North Dakota, Approved March 5, 1919, in Addition to the Sums Appropriated by Chapter 4 of the Special Session of the Sixteenth Legislative Assembly, Approved December 12, 1919, and Chapter 6 of the Laws Passed at the Seventeenth Session of the Legislative Assembly of the State of North Dakota Approved March 9, 1921, and That Such Appropriation Be Made From the State Highway Fund.

Have had the same under consideration and recommend that the same do pass.

JOHN W. BENSON,
Chairman Pro Tem.

Senator Benson 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. 161. A Bill for an Act to appropriate the Sum of Five Hundred Dollars (\$500.00) or so Much Thereof as may be Necessary for the Purpose of Paying the Per Diem and Mileage of Witnesses Incurred by the Special Investigating Committee of the Senate, in Considering the Audit of the State Bank and State Industries, During the Seventeenth Legislative Assembly.

Have had the same under consideration and recommend that the same be amended as follows:

In title of bill, strike out the figures "500.00" and insert in lieu thereof the figures \$100.00."

In Section 1, line 2, of the printed bill, strike out the word "five," and insert in lieu thereof the word "one."

In line 3, strike out the figures "500.00" and insert in lieu thereof the figures "100.00."

And when so amended recommend the same do pass.

JOHN W. BENSON,
Chairman Pro Tem.

Senator Benson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 61. A Bill for an Act Amending Sections 728 and 729 of the Compiled Laws of North Dakota for the Year 1913 Relating to Fees in the Supreme Court and Their Coverage into the State Treasury.

Have had the same under consideration and recommend that the Senate concur in the House amendments to same.

For the House:

C. H. STARKE,
P. O. SATHRE,
C. H. SAGEN.

• For the Senate:

FRED VAN CAMP,
Chairman.
O. C. GROSS,
S. J. ATKINS.

Senator Van Camp moved that the report be adopted, which motion prevailed and the report was adopted and the committee was discharged.

Senator Ployhar moved that the rules be suspended, that Senate Bill No. 61 be considered engrossed, and be placed on the Calendar.

Which motion prevailed.

Senator Carey moved to recess subject to the call of the President.

Which motion prevailed.

FORTIETH DAY

The Senate convened at two o'clock P. M., the President, Frank H. Hyland, presiding.

Prayer by Rev. H. C. Postlethwaite.

The roll was called, all Senators being present with the exception of Senators Atkins, Kaldor, Kretschmar, McLachlin and Tofsrud.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-eighth Day After Recess and Thirty-ninth Day and recommend that the same be corrected as follows:

On page 1, correct lines 3 and 4 to read "Thirty-eighth Day After Recess and Thirty-ninth Day."

On page 3, line 46, correct spelling of "amended."

On page 7, line 24, correct spelling of "prevailed."

On page 6, line 31, correct spelling of "revolvers."

On page 13, line 24, correct spelling of "benefited."

On page 17, line 37, correct spelling of "Section," "this" and "is."

On page 19, place lines 2, 3, 4 and 5 below line 8.

At bottom of page 20 add "Have had the same under consideration and recommend that the same be indefinitely postponed."

On page 31, line 8, correct spelling of "your."

On page 35, line 33, strike out the word "passed" and insert in lieu thereof the words "failed to pass."

On page 41, line 2, correct spelling of "revolvers."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Senator Van Camp presented a petition signed by Frank O'Leary and 25 others of Neche, N. D., which was referred to the Committee on Taxes and Tax Laws.

MESSAGE FROM THE GOVERNOR

February 10, 1923.

To the Senate of the State of North Dakota:

This is to inform you that I have this day forwarded to the Secretary of State at Washington, D. C., and to the President of the Senate, and the Speaker of the House of Representatives of the National Congress, and to each of North Dakota's Senators and Congressmen in the National Congress, Concurrent Resolution memorializing the United States Congress to prohibit the further issuance of tax exempt securities, introduced by Mr. Steel.

Also,

This is to notify you that I have this day approved and filed with the Secretary of State:

Senate Bill No. 1, being a Bill to Amend Section 5205, of the Compiled Laws Relating to the Term of Existence of Certain Corporations.

Also,

Senate Bill No. 37, being a Bill to Repeal Section 1119 of the Compiled Laws of 1913, Relating to the Publication of the Proceedings of the State Education Association.

Also,

Senate Bill No. 43, being a Bill to Amend and Re-enact Section 2 of Chapter 33 of the Laws Enacted by the Special Session of the Legislature of 1919, Relating to the Formation and Division of Voting Districts.

Very truly yours,

R. A. NESTOS,
Governor.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 78. A Bill for an Act Making an Appropriation for the General Expense of the State Oil Inspection.

Also,

Senate Bill No. 92. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit incurred by the Board of Railroad Commissioners.

Also,

Senate Bill No. 93. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Supreme Court.

Also,

Senate Bill No. 105. A Bill for an Act Making an Appropriation of \$18,825.00 for the Purpose of Paying Per Diem, Clerk Hire, Traveling Expense etc., in Carrying Out the Provisions of Chapter 126 of the Session Laws of 1917 Relative to the Depositors Guaranty Fund Commission.

Also,

Senate Bill No. 111. A Bill for an Act Making an Appropriation of \$14,000.00 for the Maintenance of the Pure Seed Laboratory and Pure Seed Law Enforcement at the Agricultural College, Fargo.

Also,

Senate Bill No. 122. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance Fund of the State Training School.

Also,

Senate Bill No. 132. A Bill for an Act Making an Appropriation for the General Expense of the Hotel Inspection Department.

Also,

Senate Bill No. 158. A Bill for an Act Making an Appropriation of \$9,900.00 for the Purpose of Paying the General Expenses of Carrying Out the Provisions of Chapter 168 of the Session Laws of 1919, Relating to Mine Inspection.

Also,

Senate Bill No. 162. A Bill for an Act to Prevent Imposition or Fraud in the Sale or Disposition of Certain "Securities" Herein Defined by Requiring an Inspection Thereof: Providing for Such Inspection, Supervision and Regulation of the Business of any Person, Association, Partnership, or Corporation, Engaged or Intending to Engage, Whether as Principal or Agent, May be Necessary to Prevent Imposition or Fraud in the Sale or Disposition of Said Securities, and Repealing Chapter 91 of the Civil Code of the Compiled Laws of 1915.

Also,

Senate Bill No. 246. A Bill for an Act to Amend and Re-enact Section 1218 of the Compiled Laws of North Dakota for the Year 1913 Relating to Report and Annual Statement of School Districts, as Amended by Chapter 50 of the Special Session Laws of 1918.

Also,

Senate Bill No. 256. A Bill for an Act to Control the Possession, Sale, and Use of Pistols and Revolvers, to Provide Penalties, and for other Purposes.

Also,

Senate Bill No. 263. A Bill for an Act Relating to the White Stone Hills Battlefield Grounds in Dickey County, and Vesting the Care, Custody, Control and Maintenance of the Same in the State Historical Society of North Dakota, as Trustee for the State.

Also,

Senate Bill No. 266. A Bill for an Act Amending Section 4571 of the Compiled Laws of 1913, Providing for the Assessment of Shares of Stock in Corporations.

Also,

Senate Bill No. 275. A Bill for an Act to Repeal Chapter 24 of the Special Session Laws of North Dakota for the Year 1919, Providing for the Issuance of Bonds of the State of North Dakota in a Sum Not Exceeding Two Million Dollars to be Known as "Bonds of North Dakota, Home Building Series."

Also,

Senate Bill No. 287. A Bill for an Act to Amend and Re-enact Chapter 157 of the Laws of North Dakota for the Year 1917, Relating to the Penalty for Larceny of Automobiles and Motorcycles.

Also,

Senate Bill No. 2. A Bill for an Act to Provide for the Storing of Grain in Store Rooms or Granaries on Farms, the Loaning of Money on the Same and the Manner of Collecting Said Loans.

Also,

Senate Bill No. 245. A Bill for an Act Relating to the Assessment of Telephone Property, Providing for a Tax on Gross Earnings of Telephone Companies in Lieu of the General Property Tax on the Property of Such Companies Used Exclusively in Connection with the Operation of Their Telephone Business, and in Lieu of Any Franchise, Excise or Income Tax, upon Such Companies; Repealing All Acts and Parts of Acts in Conflict Herewith.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 144. A Bill for an Act Relating to Deposits in Banks or Trust Companies and Making it Unlawful to Make a Charge Against the Same Without the Consent of the Depositor.

Also,

Senate Bill No. 212. A Bill for an Act to Amend and Re-enact Section 3890 of the Compiled Laws of 1913, Relating to Publishing of Village Treasurer's Reports and Prescribing the Form Thereof.

And find the same correctly re-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 1. A Bill for an Act to Amend Section 5205 of the Compiled Laws Relating to the Term of Existence of Certain Corporations.

Also,

Senate Bill No. 37. A Bill for an Act to Repeal Section 1119 of the Compiled Laws of 1913 Relating to the Publication of the Proceedings of the State Education Association.

Also,

Senate Bill No. 43. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 33 of the Laws Enacted by the Special Session of the Legislature of 1919 Relating to the Formation and Division of Voting District.

Were delivered to the Governor for his approval at the hour of 4:30 o'clock P. M., February 9, 1923.

CHRIST LEVANG,
Chairman.

The Committee on Highways made the following report:

Mr. President: Your Committee on Highways to whom was referred:

Senate Bill No. 257. A Bill for an Act to Limit County Road and Bridge Tax Levies; Repealing All Acts and Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the words and figures "one (1)" where they appear in lines 2, 5, 24 and 28 of the printed bill, and insert in each of said places the following: "two (2)."

And when so amended recommend the same do pass.

NILS PETERSON,
Chairman.

Senator Peterson 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. 215. A Bill for an Act to Regulate the Drawing of Warrants by Public Officials of the State of North Dakota, and all Sub-divisions Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN W. BENSON,
Chairman Pro Tem.

Senator Benson 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. 98. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred by the Flood Control Commission.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN W. BENSON,
Chairman Pro Tem.

Senator Benson 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. 65. A Bill for an Act to Amend and Re-enact Acticle 19 of Chapter 5 of the Political Code of the State of North Dakota Being Sections 524 to 539 Both Inclusive of the Compiled Laws of North Dakota for the Year 1913, Relating to the Practice of Optometry, Creating a State Board of Examiners in Optometry, Providing for

the Registration of Optometrists, Defining and Regulating Violation of the Terms of Said Act.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of subdivision "F," Section 536 of the engrossed bill, after the word "misrepresentations" strike out the remainder of the paragraph.

And when so amended recommend the same do pass.

W. H. PORTER,
Chairman.

Senator Porter 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. 153. A Bill for an Act Relating to Double Appeals.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 232. A Bill for an Act to Amend and Re-enact Section 9367 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Prescribing of an Oath.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 269. A Bill for an Act Relating to the Power of the Supreme Court in Civil Cases on Appeal and the Extent of Review Where Such Cases Are Reversed by the Supreme Court and Remanded for a New Trial.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 276. A Bill for an Act to Provide a Penalty for Neglect to Try and Dispose of Civil Jury Actions Upon the District Court Calendar.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 268. A Bill for an Act to Amend and Re-enact Chapter 7660, of the Compiled Laws of the State of North Dakota, for the Year 1913, as Amended by Chapter 7660, of the Compiled Laws of the State of North Dakota, for the Year 1913, as Amended by Chapter 131, of the Session Laws of 1921, Relating to Causes for a New Trial in Civil Actions.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 219. A Bill for an Act Providing for the Election at Large of Members of Boards of County Commissioners by the Electors of the Several Counties of the State of North Dakota, and Repeal All Acts and Parts of Acts That are Inconsistent with the Provisions of this Act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. CAREY,
Chairman.

Senator Carey 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. 270. A Joint Resolution for an Amendment to the Constitution of the State of North Dakota, Providing a Term of Office of Four Years for All Elective State Officers.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. CAREY,
Chairman.

Senator Carey 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. 309. A Bill for an Act to Amend and Re-enact Section 962 of the Compiled Laws of North Dakota for 1913, Relating to the Position of Names of Candidates on Ballots.

Have had the same under consideration and recommend that the same do pass.

C. W. CAREY,
Chairman.

Senator Carey 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. 296. A Bill for an Act Designating What Insurance Companies May Write Insurance in the State of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. J. MURPHY,
Chairman.

Senator Murphy 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. 304. A Bill for an Act to Permit Mutual Insurance Companies to Classify Their Business by Trades, Occupations or Professions, and to Pay Dividends to Policyholders Based Upon Each Trade, Occupation or Profession's Proportion of Losses Received to the Premiums Paid by Them; and Providing the Method of Determining Such Dividends.

Have had the same under consideration and recommend that the same do pass.

P. J. MURPHY,
Chairman.

Senator Murphy 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. 314. A Bill for an Act to Define the Duties of the State Fire Marshall in the Investigation of Fire and Tornado Losses.

Have had the same under consideration and recommend that the same do pass.

P. J. MURPHY,
Chairman.

Senator Murphy moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Livestock made the following report:

Mr. President: Your Committee on Livestock to whom was referred:

Senate Bill No. 279. A Bill for an Act Making the Trespassing or Estraying of Any Bull Not of Pure Bred Breeding Upon the Property of Another or Upon a Public Highway Unlawful. Authorizing the Castration of Such Bull, and Providing the Penalty for the Violation of Said Act.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill in the title after the word "bull" in line 1, add the words "stallion or boar."

In line four of the title after the word "bull" add the words "stallion or boar."

In Section 1, line 2, after the word "bull" add the words "stallion or boar."

In line 6, after the word "cattle" add the words "horses or hogs."

In line 6 after the word "bull" add the words "stallion or boar."

In line 8 after the word "bull" add the words "stallion or boar."

In Section 2, line 2, after the word "bull" add the words "stallion or boar."

In line 5, after the word "dollars" strike out the balance of line, also lines 6 and 7 of the engrossed bill.

And when so amended recommend the same do pass.

J. E. EASTGATE,
Chairman.

Senator Eastgate moved that the report be adopted, which motion prevailed and the report was adopted.

MOTIONS AND RESOLUTIONS

Senator Stevens moved that the vote by which Senate Bill 175 lost be reconsidered; that Senate Bill 175 be removed from the table and placed on the Secretary's desk.

Which motion prevailed.

Senator Stevens moved the clincher motion on Senate Bill No. 175.

Which motion prevailed.

Senator Baker moved that Senate Bill 175 be placed on the Calendar in its regular order for third reading and final passage.

Which motion prevailed.

Senator Gross moved that Senate Bill No. 257 be re-referred to the Committee on Taxes and Tax Laws.

Which motion prevailed.

Senator Sperry moved that all absent Senators be excused.

Which motion prevailed.

Senator Baird moved that Action on Senate Bill No. 174 be deferred until Tuesday, February 13.

Which motion prevailed.

Senator Baker moved that Senate Bill No. 175 be placed just above Senate Bill No. 174 on the Calendar for Tuesday, February 15th.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 10, 1923.

Mr. President I have the honor to return herewith the following bills:

Senate Bill No. 60. A Bill for an Act Appropriating Eight Hundred Fifty-three Dollars and Sixty-one Cents (\$853.61) to Take Care of Deficit in Biennial Appropriation of Department of Insurance.

Senate Bill No. 95. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit by Members of the State Canvassing Board.

Senate Bill No. 99. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit by the District Judges.

Senate Bill No. 109. A Bill for an Act to appropriate \$2,000.00 Out of any Monies in the State Treasury Not Otherwise Appropriated for the Purpose of Paying Premiums on State Official Bonds as Provided by Chapter 175 of the Session Laws of North Dakota for 1917.

Senate Bill No. 121. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Actions to Release Insane Patients.

Senate Bill No. 123. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Treasurer's Office.

Senate Bill No. 124. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit Incurred in the State Executive Department.

Senate Bill No. 126. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Arrest and Return of Fugitives from Justice Fund.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

SENATE ROLL CALL

Senate Bill No. 50. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 187 of the Session Laws of North Dakota for the Year 1919, Relating to the Qualifications of Official and Legal Newspapers and Providing for the Method of Selection of Official Newspapers.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 41, nays none, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Nathan	Steel
Baird	Hamilton	Olson, Barnes	Stevens
Baker	Ingerson	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Van Camp
Byrne	Levang	Patten	Ward
Carey	Lynch	Peck	Wenstrom
Eastgate	McCoy	Peterson	Whitman
Ettestad	Magnuson	Ployhar	Whitman
Fleckten	Martin	Porter	Wog
Garberg	Miklethun	Rusch	
Gardiner	Murphy	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	McLachlin	Storstad
Bond	Kretschmar	Page	Tofsrud

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 338. A Bill for an Act Appropriating Money to Reimburse the Common School Fund of the State of North Dakota for Losses Resulting From a Misappropriation of Such Fund Occurring Previous to January 1, 1917.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 39, nays 3, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gardiner	Murphy	Sperry
Baird	Gross	Olson, Barnes	Steel
Baker	Hamilton	Olson, Eddy-	Stevens
Benson	Ingerson	Foster	Thorson
Bond	Kelsh	Page	Van Camp
Byrne	Lynch	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Ettestad	Magnuson	Ployhar	Whitman
Garberg	Martin	Porter	Whitmer
	Miklethun	Rusch	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Nathan	Patten	

Absent and not voting

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	McLachlin	Tofsrud
Kaldor	Levang	Storstad	

So the bill passed and the title was agreed to.

Senator Bond moved to amend Senate Bill No. 162 as follows:

In Section 27, after the numerals "27" insert the word "Repeal."

After the word "the" line 1, strike out the words "Civil Code of the Compiled" and insert in lieu thereof the word "Session."

Which motion prevailed.

Senator Bond moved to further amend Senate Bill No. 162 as follows:

In line 2, Section 27, of the printed bill, after the word "parts" insert "of acts"; strike out "thereto" and insert "herewith,"

Which motion prevailed.

Senator Fleckten moved to amend Senate Bill No. 162 as follows.

In Section 10, strike out \$15.00 and insert in lieu thereof \$10.00

Which motion was lost.

Senate Bill No. 162. A Bill for an Act to Prevent Imposition or Fraud in the Sale or Disposition of Certain "Securities" Herein Defined by Requiring an Inspection Thereof: Providing for Such Inspection, Supervision and Regulation of the Business of any Person, Association, Partnership, or Corporation, Engaged or Intending to Engage, Whether as Principal or Agent, May be Necessary to Prevent Imposition or Fraud in the Sale or Disposition of Said Securities, and Repealing Chapter 91 of the Session Laws of 1915.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 38, nays 5, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gardiner	Murphy	Stevens
Baird	Gross	Olson, Eddy-	Storstad
Baker	Hamilton	Foster	Thorson
Benson	Ingerson	Page	Van Camp
Bond	Kelsh	Peck	Ward
Byrne	Levang	Peterson	Wenstrom
Carey	Lynch	Porter	Whitman
Eastgate	McCoy	Rusch	Whitmer
Ettestad	Magnuson	Sperry	Wog
Garberg	Miklethun	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Nathan	Martin	Olson, Barnes
Patten			

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	McLachlin	Tofsrud
Kretschmar	Ptoyar		

So the bill passed and the title was agreed to.

Senator Bond moved to amend the title of Senate Bill 162 as follows:

In the last line, after the word "the" strike out Civil Code of the Compiled" and insert in lieu thereof the word "Session."

Which motion prevailed.

Senator Rusch moved the clincher motion.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 244. A Bill for an Act to Amend and Re-enact Section 4709 of the Compiled Laws of the State of North Dakota for 1913, Relating to Free Passes, Franks and Special Privileges Prohibited and Exceptions.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 40, nays 2, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Olson, Barnes	Storstad
Baker	Hamilton	Olson, Eddy-	Thorson
Benson	Ingerson	Foster	Van Camp
Bond	Kelsh	Page	Ward
Byrne	Levang	Patten	Wenstrom
Carey	Lynch	Peck	Whitman
Eastgate	McCoy	Peterson	Whitmer
Ettestad	Magnuson	Porter	Wog
Fleckten	Miklethun	Rusch	
Garberg	Murphy	Sperry	
Gardiner	Nathan	Steel	

Those voting in the negative were:

Messrs.	Messrs.
Martin	Stevens

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	McLachlin	Tofsrud
Baird	Kretschmar	Ployhar	

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 132. A Bill for an Act Making an Appropriation for the General Expense of the Hotel Inspection Department.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 38, nays 2, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gardiner	Olson, Barnes	Stevens
Baker	Gross	Olson, Eddy-	Storstad
Benson	Kelsh	Foster	Thorson
Bond	Levang	Page	Van Camp
Byrne	Lynch	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	Magnuson	Ployhar	Whitman
Ettestad	Miklethun	Porter	Whitmer
Fleckten	Murphy	Rusch	Wog
Garberg	Nathan	Steel	

Those voting in the negative were:

Messrs.	Messrs.
Ingerson	Patten

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	McLachlin	Sperry
Baird	Kretschmar	Martin	Tofsrud
Hamilton			

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 158. A Bill for an Act Making an Appropriation of \$19,540.00 for the Purpose of Paying the General Expenses of Carrying Out the Provisions of Chapter 168 of the Session Laws of 1919, Relating to Mine Inspection.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 39, nays none, absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gardiner	Nathan	Sperry
Baker	Gross	Olson, Barnes	Steel
Benson	Ingerson	Olson, Eddy-	Stevens
Bond	Kelsh	Foster	Storstad
Byrne	Levang	Page	Thorson
Carey	Lynch	Peck	Ward
Eastgate	McCoy	Peterson	Wenstrom
Ettestad	Magnuson	Ployhar	Whitman
Fleckten	Miklethun	Porter	Whitmer
Garberg	Murphy	Rusch	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Martin	Van Camp
Baird	Kretschmar	Patten	
Hamilton	McLachlin	Tofsrud	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 78. A Bill for an Act Making an Appropriation for the General Expense of the State Oil Inspection.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 39, nays none, absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gardiner	Nathan	Sperry
Baker	Gross	Olson, Barnes	Steel
Benson	Ingerson	Olson, Eddy-	Stevens
Bond	Kelsh	Foster	Storstad
Byrne	Levang	Page	Thorson
Carey	Lynch	Peck	Ward
Eastgate	McCoy	Peterson	Wenstrom
Ettestad	Magnuson	Ployhar	Whitman
Fleckten	Miklethun	Porter	Whitmer
Garberg	Murphy	Rusch	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Martin	Van Camp
Baird	Kretschmar	Patten	
Hamilton	McLachlin	Tofsrud	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 111. A Bill for an Act Making an Appropriation of \$20,000.00 for the Maintenance of the Pure Seed Laboratory and Pure Seed Law Enforcement at the Agricultural College, Fargo.

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 none, absent and not voting 14.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Olson, Barnes	Sperry
Baird	Gardiner	Olson, Eddy-	Steel
Benson	Gross	Foster	Stevens
Bond	Kelsh	Page	Storstad
Byrne	Lynch	Peck	Thorson
Carey	Magnuson	Peterson	Ward
Eastgate	Miklethun	Ployhar	Wenstrom
Ettestad	Murphy	Porter	Whitman
Fleckten	Nathan	Rusch	Whitmer
			Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	McLachlin	Van Camp
Baker	Kretschmar	Martin	Wenstrom
Hamilton	Levang	Patten	
Ingerson	McCoy	Tofsrud	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 92. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit incurred by the Board of Railroad Commissioners.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 40, nays none, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gardiner	Page	Thorson
Baird	Gross	Patten	Van Camp
Baker	Hamilton	Peck	Ward
Benson	Kelsh	Peterson	Wenstrom
Byrne	Lynch	Ployhar	Whitman
Bond	Magnuson	Porter	Whitmer
Carey	Miklethun	Rusch	Wog
Eastgate	Murphy	Sperry	
Ettestad	Nathan	Steel	
Fleckten	Olson, Barnes	Stevens	
Garberg	Olson, Eddy-	Storstad	
	Foster		

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	McLachlin	Tofsrud
Ingerson	Levang	Martin	
Kaldor	McCoy		

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 122. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance Fund of the State Training School.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 38, nays 5, absent and not voting 6.

Those voting in the affirmative were :

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gardiner	Murphy	Steel
Baird	Gross	Olson, Barnes	Stevens
Baker	Hamilton	O. son, Eddy-	Storstad
Benson	Ingerson	Poster	Thorson
Bond	Kelsh	Page	Van Camp
Byrne	Levang	Peterson	Ward
Carey	Lynch	Ployhar	Wenstrom
Eastgate	Magnuson	Porter	Whitman
Ettestad	Martin	Rusch	Whitmer
Garberg	Miklethun	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Patten	Peck	Wog
Nathan			

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	McLachlin	Tofsrud
Kaldor	McCoy		

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 93. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Supreme court.

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 7, absent and not voting 7.

Those voting in the affirmative were :

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Martin	Rusch
Baird	Gardiner	Miklethun	Sperry
Baker	Gross	Murphy	Stevens

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Hamilton	Olson, Eddy-	Storstad
Bond	Ingerson	Foster	Thorson
Byrne	Kelsh	Page	Van Camp
Carey	Levang	Peterson	Ward
Eastgate	Lynch	Ploybar	Wenstrom
Ettestad	Magnuson	Porter	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Olson, Barnes	Peck	Wog
Nathan	Patten	Whitmer	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	McLachlin	Tofsrud
Kaldor	McCoy	Steel	

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 10, 1923.

Mr. President: I have the honor to ask the return to the House of Senate Bill No. 200.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Martin moved that Senate Bill No. 200 be returned to the House.

Which motion prevailed.

And Senate Bill No. 200 was messaged to the House.

Senator Hamilton moved to amend Senate Bill 197 as follows:

In first sentence of Section 3, strike out "office of Commissioner of Agriculture and Labor" and insert in lieu thereof "Capitol Building."

Which motion prevailed.

Senator Fleckten moved to amend Senate Bill 197, as follows:

In Section 2, lines 3 and 12, after the word "distribute" insert the word "true."

Which motion was lost.

SENATE ROLL CALL

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Chapter 146 of the Session Laws of 1919 Relating to

the Office of Commissioner of Immigration, Prescribing His Powers and Duties, and Making an Appropriation Therefor, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 35, nays 6, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Page	Stevens
Baird	Kelsh	Patten	Storstad
Benson	Levang	Peck	Thorson
Bond	Lynch	Peterson	Van Camp
Byrne	McCoy	Ployhar	Ward
Eastgate	Magnuson	Porter	Wenstrom
Garberg	Murphy	Rusch	Whitman
Gardiner	Olson, Eddy-	Sperry	Whitmer
Gross	Foster	Steel	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Ettestad	Martin	Nathan	Olson, Barnes
Fleckten	Miklethun		

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Carey	Kaldor	McLachlin
Baker	Ingerson	Kretschmar	Tofsrud

So the bill passed and the title was agreed to.

Senator Nathan: I would like to vote for this bill, but as long as this word "true" is kept out, I can't vote for it. I vote "no."

Senate Bill No. 105. A Bill for an Act Making an Appropriation of \$18,825.00 for the Purpose of Paying Per Diem, Clerk Hire, Traveling Expenses, etc., in Carrying Out the Provisions of Chapter 126 of the Session Laws of 1917 Relative to the Depositors Guarantee Fund Commission.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 40, nays 1, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Olson, Eddy-	Steel
Baker	Kelsh	Foster	Stevens
Benson	Levang	Page	Storstad
Bond	Lynch	Patten	Thorson
Byrne	McCoy	Peck	Van Camp
Carey	Magnuson	Peterson	Ward
Eastgate	Miklethun	Ployhar	Wenstrom
Ettestad	Murphy	Porter	Whitman
Fleckten	Nathan	Rusch	Whitmer
Garberg	Olson, Barnes	Sperry	Wog
Gardiner			

Those voting in the negative were:

Messrs.
Martin

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Kaldor	McLachlin
Baird	Ingerson	Kretschmar	Tofsrud

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 263. A Bill for an Act Relating to the White Stone Hills Battlefield Grounds in Dickey County, and Vesting the Care, Custody, Control and Maintenance of the Same in the State Historical Society of North Dakota, as Trustees for the State.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 38, nays 2, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Levang	Patten	Van Camp
Baird	Lynch	Peck	Ward
Benson	McCoy	Petersop	Wenstrom
Bond	Magnuson	Ployhar	Whitman
Byrne	Martin	Porter	Whitmer
Carey	Miklethun	Rusch	Wog
Eastgate	Murphy	Sperry	
Ettestad	Olson, Barnes	Steel	
Garberg	Olson, Eddy-	Stevens	
Gardiner	Foster	Storstad	
Kelsh	Page	Thorson	

Those voting in the negative were:

Messrs.	Messrs.
Fleckten	Nathan

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Kaldor	McLachlin
Baker	Ingerson	Kretschmar	Tofsrud
Gross			

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 10, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 128. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Survey of Coal Mines Fund.

Senate Bill No. 166. A Bill for an Act to Amend and Re-enact Section 1147 of the Compiled Laws of 1913 as Amended by Chapter 135 of the Session Laws of 1915 and

Chapter 197 of the Session Laws of 1919, Relating to the Reorganization of New School Districts.

Which the House has indefinitely postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 10, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 201. A Bill for an Act to Amend and Re-enact Section 5608 of the Compiled Laws of the State of North Dakota for the Year 1913.

Which the House has amended as follows:

After the word "wife" in line 7 of the printed bill, strike out the balance of the line.

Strike out all of lines 8, 9 and 10 and the first four words of line 11.

Strike out all of Section 2.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

SENATE ROLL CALL

Senate Bill No. 287. A Bill for an Act to Amend and Re-enact Chapter 157 of the Laws of North Dakota for the Year 1917, Relating to the Penalty for Larceny of Automobiles and Motorcycles.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 42, nays none, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Nathan	Steel
Baird	Hamilton	Olson, Barnes	Stevens
Baker	Ingerson	Olson, Eddy-	Storstad
Bond	Kelsh	Foster	Thorson
Byrne	Levang	Page	Van Camp
Carey	Lynch	Peck	Ward
Eastgate	McCoy	Peterson	Wenstrom
Ettestad	Magnuson	Ployhar	Whitman
Fleckten	Martin	Porter	Whitmer
Garberg	Miklethun	Rusch	Wog
Gardiner	Murphy	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	McLachlin	Tofsrud
Benson	Kretschmar	Patten	

So the bill passed and the title was agreed to.

Senator Baird moved to amend Senate Bill No. 256 as follows:

In Section 3, line 5, of the printed bill strike out the word "perpetual" and insert in lieu thereof the word "life,"

In Section 5, line 4, strike out figure "31st" and insert in lieu thereof "30th."

Which motion prevailed.

Senator Murphy moved that final action on Senate Bill No. 256 be deferred until Senator McLachlin returns.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 275. A Bill for an Act to Repeal Chapter 24 of the Special Session Laws of North Dakota for the Year 1919, Providing for the Issuance of Bonds of the State of North Dakota in a Sum Not Exceeding Two Million Dollars to be Known as "Bonds of North Dakota, Home Building Series."

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 22, nays 20, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gardiner	Peterson	Storstad
Baird	Kelsh	Porter	Thorson
Bond	Lynch	Rusch	Van Camp
Carey	McCoy	Sperry	Whitman
Eastgate	Murphy	Steel	
Ettestad	Page	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Ingerson	Olson, Barnes	Wenstrom
Byrne	Levang	Olson, Eddy-	Whitmer
Fleckten	Magnuson	Foster	Wog
Garberg	Martin	Peck	
Gross	Miklethun	Ployhar	
Hamilton	Nathan	Ward	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	McLachlin	Tofsrud
Benson	Kretschmar	Patten	

So the bill failed to secure the constitutional majority and failed to pass.

Senator Ployhar: I wish to explain my vote. I vote "no" for the reason that I want to move to reconsider at the first opportunity.

SENATE ROLL CALL

Senate Bill No. 241. A Bill for an Act to Amend and Re-enact Section 7036 of the Compiled Laws of North Dakota

for 1913, Relating to Protesting Negotiable Instruments.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays none, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Nathan	Sperry
Baird	Hamilton	Olson, Barnes	Steel
Baker	Ingerson	Olson, Eddy-	Stevens
Bond	Kelsh	Poster	Storstad
Byrne	Levang	Page	Thorson
Carey	Lynch	Patten	Van Camp
Eastgate	McCoy	Peck	Ward
Ettestad	Magnuson	Peterson	Wenstrom
Fleckten	Martin	Ployhar	Whitman
Garberg	Miklethun	Porter	Whitmer
Gardiner	Murphy	Rusch	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	McLachlin	Tofsrud
Benson	Kretschmar		

So the bill passed and the title was agreed to.

Senator Bond moved that action on Senate Bill No. 266 be deferred until the return of Senator Kretschmar.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 246. A Bill for an Act to Amend and Re-enact Section 1218 of the Compiled Laws of North Dakota, Relating to Report and Annual Statement of School Districts, as Amended by Chapter 50 of the Special Session Laws of 1918.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays none, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gardiner	Murphy	Rusch
Baird	Gross	Nathan	Sperry
Baker	Hamilton	Olson, Barnes	Steel
Benson	Ingerson	Olson, Eddy-	Storstad
Bond	Kelsh	Poster	Thorson
Byrne	Levang	Page	Van Camp
Carey	Lynch	Patten	Ward
Eastgate	McCoy	Peck	Wenstrom
Ettestad	Magnuson	Peterson	Whitman
Fleckten	Martin	Ployhar	Whitmer
Garberg	Miklethun	Porter	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Stevens	Tofsrud
Kaldor	McLachlin		

So the bill passed and the title was agreed to.

Senator Thorson moved that final action on Senate Bill No. 245 be deferred until February 13.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 25. A Bill for an Act Relating to the Validation of Bonds Voted and Issued, or to be Issued, by any Common, Special or Independent School District, in Cases where the School District Issuing Such Bonds, or where by Such Vote Bonds are Authorized to be Issued, has Theretofore, by a Majority Vote, Increased the Limit of Indebtedness Five per cent on the Assessed Valuation of the Taxable Property in such School District, Beyond the Five per cent Limit of Indebtedness Established by the Constitution, as Provided by Article 35 of the Amendments to the Constitution of the State of North Dakota, and where the Indebtedness of Such School District, but Does Not Exceed Ten per cent on the Assessed Valuation of the Taxable Property of such School District, and Declaring Such Bonds Legal and Valid.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 42, nays none, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Gross	Olson, Barnes	Steel
Baker	Ingerson	Olson, Eddy-	Stevens
Benson	Kelsh	Foster	Storstad
Bond	Levang	Page	Thorson
Byrne	Lynch	Patten	Van Camp
Carcy	McCoy	Peck	Ward
Eastgate	Magnuson	Peterson	Wenstrom
Ettestad	Martin	Ploybar	Whitman
Fleckten	Miklethun	Porter	Whitmer
Garberg	Murphy	Rusch	Wog
Gardiner	Nathan	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Kretschmar	Tofsrud
Babcock	Kaldor	McLachlin	

So the bill passed and the title was agreed to.

Senator Storstad moved that final action on Senate Bill No. 2 be deferred until February 13.

Which motion prevailed.

Senator Baker moved that the vote by which Senate Bill No. 211 passed be reconsidered.

Which motion prevailed.

Senator Baker moved to amend Senate Bill 211 as follows:

In Section 3451, line 5, of the printed bill, after the word "date" insert the following: "Provided that funding or re-funding bonds for the purpose of funding or re-funding seed grain or seed and feed grain indebtedness may be issued in installment serial bonds payable in from two to five years from the date thereof."

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 211. A Bill for an Act to Amend and Re-enact Section 3451, Compiled Laws of North Dakota. Relating to County Bonds, Rate of Interest and Mode of Issue.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 42, nays none, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Olson, Barnes	Steel
Baird	Ingerson	Olson, Eddy-	Stevens
Baker	Kelsh	Foster	Storstad
Benson	Levang	Page	Thorson
Bond	Lynch	Patten	Van Camp
Byrne	McCoy	Peck	Ward
Carey	Magnuson	Peterson	Wenstrom
Eastgate	Martin	Ployhar	Whitman
Ettestad	Miklethun	Porter	Whitmer
Fleckten	Murphy	Rusch	Wog
Gardiner	Nathan	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Kretschmar	Tofsrud
Garberg	Kaldor	McLachlin	

So the bill passed and the title was agreed to.

Senator Steel moved that the rules be suspended; that Senate Bill No. 68 be placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Section 1421 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 266 of the Session Laws for the year 1915, Legalizing and Validating Certain Indebtedness of School Districts in the Form of School Warrants and Negotiable Bonds Issued to Fund the Same.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 36, nays 5, absent and not voting 8.

Those voting in the affirmative were :

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Olson, Eddy-	Storstad
Baird	Ingerson	Foster	Thorson
Baker	Kelsh	Page	Van Camp
Bond	Levang	Peck	Ward
Byrne	Lynch	Peterson	Wenstrom
Carey	McCoy	Ployhar	Whitman
Eastgate	Magnuson	Porter	Wog
Fleckten	Miklethun	Rusch	
Garberg	Murphy	Sperry	
Gardiner	Olson, Barnes	Stevens	

Those voting in the negative were :

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Martin	Nathan	Patten
Ettestad			

Absent and not voting :

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	McLachlin	Tofsrud
Hamilton	Kretschmar	Steer	Whitmer

So the bill passed and the title was agreed to.

Senator Van Camp moved that the rules be suspended; that Senate Bill No. 61 be placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 61. A Bill for an Act Amending Sections 728 and 729 of the Compiled Laws of North Dakota for the Year 1913 Relating to Fees in the Supreme Court and Their Coverage Into the State Treasury.

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 none, absent and not voting 8.

Those voting in the affirmative were :

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gardiner	Olson, Barnes	Steel
Baird	Gross	Olson, Eddy-	Stevens
Baker	Kelsh	Foster	Storstad
Benson	Levang	Page	Thorson
Bond	Lynch	Patten	Van Camp
Byrne	McCoy	Peck	Ward
Carey	Magnuson	Peterson	Wenstrom
Eastgate	Martin	Ployhar	Whitman
Ettestad	Miklethun	Porter	Wog
Fleckten	Murphy	Rusch	
Garberg	Nathan	Sperry	

Absent and not voting :

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Kretschmar	Tofsrud
Hamilton	Kaldor	McLachlin	Whitmer

So the bill passed and the title was agreed to.

Senator Ployhar moved that action be deferred on

House Bills Nos. 35 and 50 until February 13.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 69. A Bill for an Act to Appropriate the Sum of Two Thousand Eight Hundred Eighty-Two and 3-100 Dollars (\$2,882.03) for the Purpose of Charging Off Losses Resulting to the State on Account of the Failure, in the Year 1909, of the First National Bank of Rugby, Rugby, North Dakota, and the Barton State Bank, Barton, North Dakota.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 38, nays 4, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gardiner	Murphy	Stevens
Baird	Gross	Olson, Barnes	Storstad
Baker	Hamilton	Page	Thorson
Benson	Kelsh	Peck	Van Camp
Bond	Levang	Peterson	Ward
Byrne	Lynch	Ploybar	Wenstrom
Carey	McCoy	Porter	Whitman
Eastgate	Magnuson	Rusch	Whitmer
Ettestad	Martin	Sperry	
Garberg	Miklethun	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Nathan	Olson, Eddy- Foster	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	McLachlin	Tofsrud
Ingerson	Kretschmar	Patten	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 79. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments 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 ayes 42, nays none, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Nathan	Steel
Baird	Gross	Olson, Barnes	Stevens
Baker	Hamilton	Olson, Eddy- Foster	Storstad
Benson	Kelsh		Thorson
Bond	Levang	Page	Van Camp
Byrne	Lynch	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	Magnuson	Ploybar	Whitman
Ettestad	Martin	Porter	Whitmer
Fleckten	Miklethun	Rusch	Wog
Garberg	Murphy	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	McLachlin	Tofsrud
Ingerson	Kretschmar	Patten	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 34. A Bill for an Act to Repeal Section 3522 of the Compiled Laws of North Dakota for the Year 1913, Providing for Livery Allowed Sheriffs.

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 6, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gardiner	Nathan	Sperry
Baird	Gross	Olson, Barnes	Steel
Baker	Hamilton	Olson, Eddy	Stevens
Bond	Kelsh	Foster	Storstad
Byrne	Levang	Page	Thorson
Carey	Lynch	Peterson	Ward
Eastgate	McCoy	Ployhar	Whitman
Fleckten	Mik'ethun	Porter	Whitmer
Garberg	Murphy	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Martin	Wenstrom	Wog
Ettestad	Peck		

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Patten	Van Camp
Ingerson	McLachlin	Tofsrud	
Kaldor	Magnuson		

So the bill passed and the title was agreed to.

The following bills were messaged to the House:

Senate Bills Nos. 92, 122, 93, 105, 263, 287, 275, 241, 246.

Senator Porter moved that action on House Bill 90 be deferred until February 13.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 73. A Bill for an Act to Provide for the Election of Directors of Building and Loan Association for the Term of Three Years.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Nathan	Sperry
Baird	Hamilton	Olson, Barnes	Steel
Baker	Ingerson	Olson, Eddy-	Stevens
Benson	Kelah	Poster	Storstad
Bond	Levang	Page	Thorson
Byrne	Lynch	Patten	Van Camp
Carey	McCoy	Peck	Ward
Eastgate	Magnuson	Peterson	Wenstrom
Ettestad	Martin	Ployhar	Whitman
Fieckten	Miklethun	Porter	Whitmer
Garberg	Murphy	Rusch	Wog
Gardiner			

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	McLachlin	Tofsrud
Kaldor			

So the bill passed and the title was agreed to.

The following bills were messaged to the House:

Senate Bills Nos. 338, 144, 162, 212, 244, 132, 158, 78, 111.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 10, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 129. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Auditor's Office.

Senate Bill No. 130. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the Attorney General's Department.

Senate Bill No. 168. A Bill for an Act to Provide for the Repair of the Whitestone Battlefield Monument Located in the Whitestone Battlefield Park, in Dickey County, North Dakota.

Senate Bill No. 204. A Bill for an Act to Amend and Re-enact Section 158 of the Compiled Laws of North Dakota for 1913, Relating to the Attorney General's Report.

Senate Bill No. 35. A Bill for an Act Relative to the Admission of Persons Under Eighteen Years of Age to Public Dances, and Requiring the Posting of a Copy of the Law and Prescribing Penalty for Its Violation.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 10, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 184. A Bill for an Act to Amend and Re-enact Section 3126, Compiled Laws, State of North Dakota for 1913; and Providing for a Shrinkage Allowance to Local Grain Buyers, and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 193. A Bill for an Act to Amend and Re-enact Section 2189 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 256 of the Session Laws of North Dakota for the Year 1915, Relating to Publication of Delinquent Tax Lists.

House Bill No. 128. A Bill for an Act Legalizing Certain Acts of City, Village and School District Officials.

House Bill No. 68. A Bill for an Act to Amend and Re-enact Chapter 36 of the Session Laws for the Year 1921, Relating to the Application of the Tuberculin Test and Eradication of Bovine Tuberculosis in Townships in Counties in North Dakota Under Direction of the State Live Stock Sanitary Board by Petition of a Majority of Freeholders in Such Townships.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

SENATE ROLL CALL

House Bill No. 44. A Bill for an Act to Amend and Re-enact Section 147 of the Compiled Laws of North Dakota for the Year 1913 and Repealing Section 147a of the Compiled Laws of North Dakota for the Year 1913; Providing for the Publicity of State Finances.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays none, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gardiner	Murphy	Sperry
Baird	Gross	Nathan	Steel
Baker	Hamilton	Olson, Barnes	Stevens
Benson	Person	Olson, Eddy-	Storstad
Bond	Kelsh	Foster	Thorson
Byrne	Levang	Page	Van Camp
Carey	Lynch	Peck	Ward
Eaststad	McCoy	Peterson	Wenstrom
Ettestad	Magnuson	Ployhar	Whitman
Fleckten	Martin	Porter	Whitmer
Garberg	Miklethun	Rusch	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Patten	Tofsrud
Kaldor	McLachlin		

So the bill was passed and the title was agreed to.

Senator Nathan moved to amend House Bill No. 49, as follows: strike out lines 23, 24 and 25 on page 2 of the printed bill.

Which motion was lost.

SENATE ROLL CALL

House Bill No. 49. A Bill for an Act to Amend and Re-enact Section 1188 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Organization of Schools by Petition.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays none, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gardiner	Nathan	Sperry
Baird	Gross	Olson, Barnes	Steel
Baker	Hamilton	Olson, Eddy-	Stevens
Baker	Ingerson	Foster	Storstad
Benson	Kelsh	Page	Thorson
Bond	Lynch	Patten	Van Camp
Byrne	McCoy	Peck	Ward
Carey	Magnuson	Peterson	Wenstrom
Eastgate	Martin	Ployhar	Whitman
Ettestad	Miklethun	Porter	Whitmer
Fleekten	Murphy	Rusch	Wog
Garberg			

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	McLachlin	Tofsrud
Kaldor	Levang		

So the bill was passed and the title was agreed to.

Senator Lynch moved to return to the Eighth Order of Business.

There being no objection the Senate took up the Eighth Order of Business.

Senator Lynch moved that Senate Bill No. 300 be referred to the Committee on Taxes and Tax Laws.

Which motion prevailed.

Senator Baird moved for an extension for further consideration of Senate Bill No. 248.

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:

House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 2104 of the Compiled Laws of the State of North Dakota for 1913 Relating to Range Stock and Where Listed for the Purpose of Taxation.

Have had the same under consideration and recommend that the same do pass.

P. O. THORSON,

Chairman.

Senator Thorson 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. 375. A Bill for an Act validating taxes assessed against bank stock in the years 1919, 1920, 1921 and 1922, authorizing boards of county commissioners and the tax commissioner to compromise such taxes upon bank stock for 1919, 1920, and 1921, as have not been paid, and confirming and ratifying such settlements as have been made.

Have had the same under consideration and recommend that the same do pass.

P. O. THORSON,

Chairman.

Senator Thorson 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. 13. A bill for an Act to Amend and Re-enact Section 2185, Compiled Laws of North Dakota for the Year 1919, Relating to Real Estate Taxes Due and Delinquent, and Penalty and Interest Thereon.

Have had the same under consideration and recommend that the same be amended as follows:

In line 16 of Section 1 of the Engrossed Bill, after the word "the" where it appears the second time, strike out the word "first" and insert in lieu thereof the word "fifteenth";

In line 17 of Section 1 of the Engrossed Bill, after the word "of" strike out the word "November" and insert in lieu thereof the word "October."

And when so amended recommend the same do pass.

P. O. THORSON,

Chairman.

Senator Thorson 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. 40. A Bill for an Act to Cancel Uncollected Personal Property Taxes Assessed for 1915 and Prior Years.

Have had the same under consideration and recommend that the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson 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 the Filing of Transcripts of Judgments of the United States Courts and Notices of Taxes Due the United States, with Certain County Officers.

Have had the same under consideration and recommend that the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson moved that the report be adopted which motion prevailed and the report was adopted.

Senator Baird moved that Senate Bill No. 201 as amended by the House, be considered re-engrossed and put on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 201. A Bill for an Act to Amend and Re-enact Section 5608 of the Compiled Laws of the State of North Dakota for the Year 1913.

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 none, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babeock	Gardiner	Olson, Barnes	Stevens
Baird	Gross	Olson, Eddy	Storstad
Baker	Ingerson	Foster	Thorson
Benson	Kelsh	Patten	Van Camp
Bond	Levang	Peck	Wenstrom
Byrne	Lynch	Peterson	Whitman
Carey	McCoy	Ployhar	Whitmer
Eastgate	Magnuson	Porter	Wog
Ettestad	Miklethun	Rusch	
Fleckten	Murphy	Sperry	
Garberg	Kaldor	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Page	Ward
Hamilton	McLachlin	Tofsrud	
Kaldor	Martin		

So the bill passed and the title was agreed to.

Senator Baker moved that action on House Bill No. 8 be deferred until February 13th.

Which motion prevailed.

Senator Sperry moved that the Senate return to the Seventh Order of Business. There being no objections, the Senate took up the Seventh Order of Business.

Senator Sperry announced the Lincoln Day Program for Monday February 12.

The following bills were messaged to the House: Senate Bills 203, 206, 39, 224, 240, 258, 259, 308, 86.

The courtesies of the floor were extended to Mrs. O. E. Bailey of Manning, John Reuter of Dickinson; J. Teichman of La Moure; Members of Valley City Basket Ball Team.

Senator Stevens moved that the Senate do now recess until 1:00 P. M. February 12, 1923.

Which motion prevailed.

W. E. PARSONS,
Secretary.

FORTIETH DAY AFTER RECESS

Senate Chamber,
Bismarck, North Dakota,
February 12, 1923.

The Senate re-assembled at 1:00 o'clock P. M. pursuant to recess taken, the President, Frank H. Hyland, presiding.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 184. A Bill for an Act to Amend and Re-enact Section 3126, Compiled Laws, State of North Dakota for 1913; and Providing for a Shrinkage Allowance to Local Grain Buyers, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first and second time and referred to the Committee on Warehouses and Grain Grading.

House Bill No. 193. A Bill for an Act to Amend and Re-enact Section 2189 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 258 of the Session Laws of North Dakota for the Year 1915, Relating to Publication of Delinquent Tax Lists.

Was read the first and second time and referred to the Committee on Public Printing.

House Bill No. 128. A Bill for an Act Legalizing Certain Acts of City and Village Officials.

Was read the first and second time and referred to the Committee on Cities and Municipal Corporations.

House Bill No. 68. A Bill for an Act to Amend and Re-enact Chapter 36 of the Session Laws for the Year 1921, Relating to the Application of the Tuberculin Test and Eradication of Bovine Tuberculosis in Townships in Counties in North Dakota Under Direction of the State Live Stock Sanitary Board by Petition of a Majority of Freeholders in Such Townships.

Was read the first and second time and referred to the Committee on Livestock.

PETITIONS AND COMMUNICATIONS

The Secretary read a communication from the National Conference of Commissioners on Uniform State Laws, which was referred to the Committee on Appropriations.

The Secretary read the following communication:

State of Minnesota
Senate Chamber—Forty-third Session

February 9, 1923.

Presiding Officer,
State Senate,
Bismarck, N. D.

Dear Sir: The Governor of Minnesota has invited the Governors of North Dakota, South Dakota, Montana, Illinois, Indiana, Kansas, Michigan, Iowa, Nebraska and Wisconsin to join in a conference to be held February 27th and February 28th in St. Paul, Minnesota to consider questions relating to the improvement of market conditions.

This meeting was called at the request of a number of agricultural organizations and it will consider such problems as stabilization of farm prices.

As presiding officer of the State Senate of Minnesota, I wish to invite the members of the State Senate of the states participating in this conference to attend the meeting in St. Paul.

Yours truly,

L. L. COLLINS,
Lieutenant Governor.

Senator Gardiner presented a resolution, regarding proposed highway legislation, adopted by a mass meeting at Pekin, N. D., which resolution was referred to the Committee on Highways.

Senator Stevens moved that the Senate return to the Eighth Order of Business. There being no objections, the Senate took up the Eighth Order of Business.

Senator Stevens moved that the vote by which Senate Bill No. 232 was indefinitely postponed be reconsidered.

Which motion prevailed.

Senator Stevens Moved that Senate Bill No. 232 be referred to the Committee on Judiciary.

Which motion prevailed.

Senator Baker moved that the Senate do now recess subject to the call of the President.

Which motion prevailed.

AFTER RECESS

The Senate re-assembled at 1:45 o'clock.

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. 116. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 147 of the Session Laws of the State of North Dakota for the Year 1919, Relating to the Qualifications of Persons Employed or to be Employed in the Farm Loan Department of the Bank of North Dakota.

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 the word "Employed" where it appears the second time, strike out the words "in the" and insert in lieu thereof the following: As manager of the Bank of North Dakota, or as Manager or Assistant Manager of the."

In line 19 of page 2 of the printed bill, after the word "be" strike out words "appointed as" and insert in lieu thereof the words "Manager of the Bank of North Dakota or."

In line 21 after the word "is" strike out the remainder of the line and the first word in line 22.

In line 22, after the word "interested" insert the words "as director or officer."

In line 22, after the word "company" where it appears the second time, insert a comma.

In line 22, after the word "or" where it appears the first time, insert the words "manager, owner or partner in any."

In line 24, after the word "mortgages" strike out the balance of the line.

Strike out all of lines 25 and 26 and line 27 up to and including the word "effect."

And when so amended recommend the same do pass.

W. R. BOND,
Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Women's and Children's Welfare made the following report:

Mr. President: Your Committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 191. A Bill for an Act Amending and Re-enacting Section 4424, Compiled Laws of 1913, Relating to the Custody, Service and Earnings of Minor Children.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the engrossed bill after the word "of" insert the words "North Dakota for."

In Section 1, line 2, after the word "of," and insert the words "North Dakota for."

And when so amended recommend the same do pass.

B. F. BAKER,
Chairman.

Senator Baker moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Women's and Children's Welfare made the following report:

Mr. President: Your Committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 186. A Bill for an Act Relating to the Abandonment or Neglect of Wife or Child, and the Desertion and Non-support of Family, and for the Repeal of Sections 9589 and 9603 Inclusive. Compiled Laws of 1913.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill, after the word "laws," insert the words "of North Dakota."

And when so amended recommend the same do pass.

B. F. BAKER,
Chairman.

Senator Baker moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Women's and Children's Welfare made the following report:

Mr. President: Your Committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 188. A Bill for an Act Prohibiting the placing of Children, Either for Temporary or Permanent Care, in Almshouses, or in Institutions, Charitable, Penal or Reformatory, Where Delinquent Children are Kept.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 5 of the engrossed bill, after the word "kept" insert the words, "without the consent of the State Board of Administration."

And when so amended recommend the same do pass.

B. F. BAKER,
Chairman.

Senator Baker moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Women's and Children's Welfare made the following report:

Mr. President: Your Committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 189. A Bill for an Act Concerning the Transfer of Rights in Children and for the Repeal of Chapter 77 of the Laws of 1919.

Have had the same under consideration and recommend that the same do pass.

B. F. BAKER,
Chairman.

Senator Baker moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Women's and Children's Welfare made the following report:

Mr. President: Your Committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 192. A Bill for an Act Relating to Indecent Liberties.

Have had the same under consideration and recommend that the same do pass.

B. F. BAKER,
Chairman.

Senator Baker moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Women's and Children's Welfare made the following report:

Mr. President: Your Committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 190. A Bill for an Act Providing for the Exclusion of Spectators from the Trial of Minors.

Have had the same under consideration and recommend that the same do pass.

B. F. BAKER,
Chairman.

Senator Baker moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Women's and Children's Welfare made the following report:

Mr. President: Your Committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 194. A Bill for an Act to Amend and

re-enact Sections 5109 and 5110 of the Compiled Laws for 1913.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill after the word "laws" insert the words "of North Dakota."

In Section 1, line 1, of the engrossed Bill, after the word "laws" insert the words "of North Dakota."

And when so amended recommend the same do pass.

B. F. BAKER,
Chairman.

Senator Baker moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Stevens: Mr. President, this being a legal holiday, a day set apart in respect and reverence to the memory of Abraham Lincoln—Abraham Lincoln who in the prime of his life and usefulness became a martyr for the cause of humanity, equality and justice, I therefore move that we do now adjourn by a rising vote.

Which motion prevailed, and the Senate adjourned.

W. E. PARSONS,
Secretary.

FORTY-THIRD DAY AND FORTY-FOURTH DAY.

Senate Chamber,
Bismarck, N. D.
February 14, 1923.

The Senate re-convened at 1:00 o'clock, pursuant to recess taken, the President, Frank H. Hyland, presiding. Roll was called, all senators being present with the exception of Senators Atkins, McLachlin, and Rusch.

REPORTS OF STANDING COMMITTEES

The committee on Public Health made the following report:

Mr. President: Your Committee on Public Health to whom was referred:

Senate Bill No. 218. A Bill for an Act Making it Unlawful to Practice, or Advertise the Practice of Medicine, Surgery, Dentistry, Law, Veterinary Surgery, Chiropractic or Osteopathy under any Company, Association or Trade Name; and Providing Penalty Therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of Section 2 of the bill, after the word "and" strike out the words "shall be punished accordingly" and insert in lieu thereof the following: "upon conviction thereof shall be punished by a fine of one hundred (\$100.00) Dollars, or ninety days in jail, or both at the discretion of the court."

And when so amended recommend the same do pass.

W. H. PORTER,
Chairman.

Senator Porter 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. A Bill for an Act Providing for the

Acceptance of the Provisions of the Sheppard-Towner Act; Making an Appropriation to Meet the Allotments of the Sheppard-Towner Act; Authorizing State Department of Health to Accept Funds for Infant and Maternal Hygiene Work.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of Section 2 of the bill, after the word "of" strike out the figures "9,362.74" and insert in lieu thereof the figures "2,000.00."

And when so amended recommend the same do pass.

W. H. PORTER,
Chairman.

Senator Porter 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. 234. A Bill for an Act to Limit the Payment of the Salaries of Deputies, Clerks and Employees and Providing for the Recovery of State Funds so Paid in Violation of this Act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 274. A Bill for an Act to Amend and Re-enact Section 11291 of the Compiled Laws of North Dakota, 1913, Relating to Parole from the State Training School.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 295. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 211 of the Session Laws of North Dakota for 1919, Relating to Supreme Court Reporter and State Law Librarian.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 292. A Bill for an Act to Amend and Re-enact Section 2141 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Chapter 35, Special Session Laws of 1919; Providing for the Substitution of the State Auditor and State Tax Commissioner as Members of the State Board of Equalization Instead of the Commissioner of Insurance and Attorney General; Providing that the Tax Commissioner Shall be Secretary Thereof Instead of the Commissioner of Insurance and Prescribing the Powers and Duties of the State Board of Equalization in regard to the Equalization and Assessment of Property.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 291. A Bill for an Act to Amend and Re-enact Section 3483, Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 13 of the Special Session Laws of 1918, Relating to the Re-payment of the Cost of Seed Grain Obtained by Any Person from Any County in the State.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 293. A Bill for an Act Requiring that Public Investigations, Examinations and Audits for the State of North Dakota and its Industrial and Political Sub-divisions be Made by Accountants who Are Actual Citizens and Residents of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 327. A Bill for an Act to Amend and Re-enact Article 13 of Chapter 200 of the Session Laws of the Year 1915, Relating to Publication in Official Newspapers of Adulterated Food Products.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 347. A Concurrent Resolution to Amend and Re-enact Section 173 of Article 10 of the Constitution of the State of North Dakota Providing for the Election of County Officials.

Have had the same under consideration and recommend that the same be amended as follows:

In line 7 of Section 173 of the Bill, after the word "having" strike out the word "eight" and insert in lieu thereof the word "six."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Ployhar moved that title of Senate Bill No. 347 be changed from "Concurrent Resolution" to "Joint Resolution," which motion prevailed.

Mr. President: Your committee on State Affairs to whom was referred:

Senate Bill No. 352. A Bill for an Act to Amend and Re-enact Section 9235 of the Compiled Laws of the State of

North Dakota for the Year 1913, Relating to Sabbath Breaking.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 320. A Bill for an Act to Amend and Re-enact Sections 1 and 4 of Chapter 17 of the Session Laws of North Dakota for the Year 1921, Relating to the Control of Artesian Wells.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 223. A Bill for an Act to Amend and Re-enact Section 4361 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Who May Solemnize Marriages.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 381. A Bill for an Act Providing for Assistant States Attorneys in Counties with a Population Exceeding Thirty-five Thousand.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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:

A Concurrent Resolution introduced by Senator Whitman, relating to a survey of State Parks.

Have had the same under consideration and recommend that the same be adopted.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 324. A Bill for an Act Prescribing Additional Duties of the Board of Administration Relating to the Admission of Students to the State Institutions Under Their Control.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the title of the Bill after the word "Under" strike out the word "their" and insert in lieu thereof the word "Its."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 355. A Bill for an Act to Amend and Re-enact Section 375 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 227 of the Session Laws of 1915, as Amended by Chapter 21 of the Special Session Laws of 1919, Relating to the State Auditing Board, Its Duties and the Membership Thereof.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 311. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 242, Session Laws of North Dakota for the Year 1919, Relating to State Bounty on Wolves and Coyotes.

Have had the same under consideration and recommend that the same be amended as follows:

In line 5 of Section 2 of the Bill, strike out the words "Six Dollars" and "Four Dollars" and insert in lieu thereof the words "Four Dollars" and "Two Dollars."

At the end of the bill insert the following:

"Section 2. EMERGENCY. This Act is hereby declared to be an emergency measure; Provided, however, that the provisions of this Act shall not apply to any wolves or coyotes killed prior to May 1, 1923.

And when so amended recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Women's and Children's Welfare made the following report:

Mr. President: Your Committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 184. A Bill for an Act Defining and Regulating Maternity hospitals and for the Repeal of Chapter 183 of the Session Laws of 1915.

Have had the same under consideration and recommend that the same do pass.

B. F. BAKER,
Chairman.

Senator Baker moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 179. A Bill for an Act Relating to the Placement of Children in Family Homes for Temporary or Permanent Care, and Providing for the Licensing and Regulation of Persons or Corporations Engaged in that Work, and for the Repeal of Chapter 183 of the Session Laws for 1915.

Have had the same under consideration and recommend that the same do pass.

B. F. BAKER,
Chairman.

Senator Baker moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 180. A Bill for an Act Relating to the Powers of Certain Societies for the Care and Placement

of Dependent Children, and to Amend and Re-enact Section's 5100 and 5101, Compiled Laws for 1913.

Have had the same under consideration and recommend that the same do pass.

B. F. BAKER,
Chairman.

Senator Baker moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 195. A Bill for an Act Creating a Bureau of Child Research, Defining its Duties and Making Provision for its Maintenance.

Have had the same under consideration and recommend that the same be indefinitely postponed.

B. F. BAKER,
Chairman.

Senator Baker moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 187. A Bill for an Act Relating to Children Born out of Wedlock and to Make Uniform the Law with Reference Thereto, and for the Repeal of Sections 10483 to 10500 Inclusive, Compiled Laws of 1913, and Chapter 70. Laws of 1917.

Have had the same under consideration and recommend that the same do pass.

B. F. BAKER,
Chairman.

Senator Baker moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 181. A Bill for an Act Providing for the Licensing and Regulation of Homes and Institutions Caring for Children and for the Repeal of Chapter 183 of the Session Laws of 1915.

Have had the same under consideration and recommend that the same do pass.

B. F. BAKER,
Chairman.

Senator Baker 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. 315. A Bill for an Act Defining Carnivals; Prohibiting Itinerant Carnivals and Declaring the Same a Public Nuisance and Providing Penalties for the Participation Therein.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the enacting clause and insert the following:

“Section 1. (DEFINITIONS) The word “PERSON” as used in this Act shall mean and include natural persons, firms and corporations and their clerks, agents and abettors. The word “CARNIVAL” shall mean and include an aggregation of attractions, whether shows, circuses, acts, games, vending devices, or amusement devices whether conducted under one or more managements independently, which are temporarily set up or conducted in a public place or upon any private premises accessible to the public with or without admission fee and which, from the nature of the aggregation, attracts attendance and causes promiscuous commingling of persons in the spirit of merrymaking and revelry. The words “TOWN BOARD” shall mean and include village or city councils or commissions, or their agents, duly authorized to make any contract or issue any permit as provided in this Act. The words “FAIR BOARD” shall mean and include the officers of any state or county fair association, or their agents duly authorized to make any contract or issue any permit as provided by this Act.

Section 2. (CARNIVALS, WHEN PERMITTED, PROHIBITIONS.) No person shall within this state set up, run, operate or conduct any itinerant carnival except within the limits of an incorporated municipality, or within the limits or upon the grounds of a state or county fair association and then only when such person shall have procured and has in his possession a written contract and permit from the town Board of the Municipality or the fair board of the fair association where such carnival is set up and operated setting forth the conditions under which such carnival shall be operated. The permit shall be granted upon the condition and the contract shall state that shall not be set up or operated any gambling device, lottery, number or paddle wheel, number board, punch board, or other game of chance or skin game of any kind whatsoever; or lewd, lascivious or indecent show, indecent exposure of the person, suggested lewdness or immorality, the hoochee-kooche or other indecent dance, men only shows where women or girls perform, or any other lewd, immoral or indecent show or attraction; and that such will not be allowed or permitted and that such person will not knowingly allow or permit to follow or be connected with such carnival any man or woman infected with venereal disease and will cooperate with such town or

fair board in discovering and apprehending any such man or woman.

Section 3. (POWERS AND DUTIES TOWN AND FAIR BOARDS.) No such permit shall be granted by such town board or fair board until they shall have investigated such carnival and are satisfied that, if permitted, the same will be operated in accordance with the laws of the state and ordinances of the municipality and that none of the illicit or unlawful acts mentioned in the contract will be permitted. Such town boards and fair boards are hereby authorized to enter into such contracts, issue such permits, collect such permit fees as are necessary to pay expenses of said investigation, **aid in policing** such grounds and in otherwise **compensating** such municipality or association in such amount as they may determine and shall require such person to execute and deliver to such municipality a bond in the penal sum of not to exceed \$500.00, to be approved by such board, conditioned for the faithful conduct of such carnival in accordance with laws and ordinances and that the same shall be forfeited upon the violation of the laws or acts prohibited by such contract. The said town board and fair board are hereby required to enforce the provisions of this Act, such contract made and entered into, the laws of this state and the ordinances of such municipality in relation to such carnivals and shall not allow or permit the acts prohibited in this Act by such person. Each license shall contain the provision that sheriffs, constables, and police officers shall have free access to the grounds and all booths, shows and concessions on such grounds at all times and it shall be the duty of all officers present at such carnival to enforce all the provisions of this act and the laws of this state.

Section 4. (CONTRACT, PERMIT MUST BE SHOWN.) The contracts and permits as provided for in this Act shall be made in duplicate and one shall be in the possession of the town or fair board and the other in the possession of the manager of such carnival and in either case shall upon request of an officer or citizen be produced and shown. Refusal to show the same to one asking to see it, shall be presumptive evidence that such carnival is being operated without such contract or permit.

Section 5. (PENALTY.) Any person or persons, town board or fair board, who shall violate any of the provisions of this Act shall be guilty of a misdemeanor and shall upon conviction be fined in any sum not less than \$50.00 nor more than \$500.00, or be confined in the county jail not to exceed 90 days, or by both such fine **and imprisonment.**

Section 6. (EMERGENCY.) Whereas there is repeatedly left in the trail of such carnivals venereal disease and such carnivals operate numerous devices and skin games, this Act is hereby declared to be an emergency measure and shall be in force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 265. A Bill for an Act to Amend and Re-enact Section 2360a of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Section 2360a of Chapter 4 of the Session Laws for the Year 1919.

Have had the same under consideration and recommend that the same do pass.

L. W. SPERRY,
Chairman.

Senator Sperry moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Military Affairs to who mwas referred:

Senate Bill No. 321. A Bill for an Act Providing that Discharged Soldiers Shall Receive Credit for Their Military Service in the Particular Profession, Vocation or Trade in which They Were Engaged at the Time of Their Entrance Into the Military Service of the United States.

Have had the same under consideration and recommend that the same do pass.

L. W. SPERRY,
Chairman.

Senator Sperry 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. 157. A Bill for an Act to Amend and Re-enact Section 1154 of the Compiled Laws of North Dakota for the year 1913, Relating to the Opening and Closing of Polls in School Elections.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. CAREY,
Chairman.

Senator Carey 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. 229. A Bill for an Act to Amend and Re-enact Section 2189 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Publication of Delinquent Tax List, as Amended by Chapter 256 of the Session Laws of 1915.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of the printed bill after line 4 and insert in lieu thereof the following:

Section 2189. AUDITOR'S NOTICE OF SALE; PUBLISHER THEREOF MUST GIVE BOND. The county auditor, under the direction of the Board of County Commissioners, or a majority thereof, shall give notice of said sale in the official newspaper in said county. Said delinquent tax sale notice shall be printed in one issue of said newspaper not less than two weeks nor more than three weeks preceding the tax sale. If there be no official newspaper printed in the county, the county auditor shall give notice of such delinquent tax sale by a written or printed notice posted on the door of the court house or the building in which terms of court are usually held, or the usual place of meeting of the board of county commissioners. The publisher or publishers of the official newspaper for the publication of said tax list shall give bond to the county in the sum to be fixed by the board of county commissioners of not less than five hundred nor more than one thousand dollars, to be approved by the board of county commissioners or a majority thereof, for the correct and legal publication of such tax list in conformity with a copy furnished by the county auditor. Said notice shall contain the information that all lands, describing the same, on which the taxes of the preceding year remaining unpaid, shall be sold and the time and place of sale shall be the second Tuesday in December following. Such notice of delinquent tax sale shall contain a list of the lands to be sold, the name of the owner, as the records appear, and the amount of taxes and penalty due to which the auditor shall add to each description of land so advertised the sum of twenty-five cents, and for each description of town lots the sum of ten cents, to defray the expenses of advertising.

The cost of such advertising shall be paid by the county commissioners at the expiration of the sale upon the affidavit of the publisher; provided, that in no case shall the property so advertised, be charged for such advertising an amount exceeding the sum actually paid for the same. To give further notice to the public of such tax sale, it shall be the duty of the county treasurer to mail to each owner as the records may appear, whose lands or lots are to be sold, a notice giving a whole description of the land offered for sale, said notice to

be mailed not earlier than October first nor later than October fifteenth, prior to date of sale. Provided, further that in case the auditor's copy furnished to the publisher of the delinquent tax lists contain matter other than description of land to be sold and total amount due thereon, including penalty, interest and cost, which shall be printed in one sum total, then the extra space required to print the same shall be paid for by the county at the rate required by law.

And when so amended recommend the same do pass.

OLE ETTESTAD,
Chairman.

Senator Ettestad 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. 344. A Bill for an Act to Amend and Re-enact Section 3294 of the Compiled Laws of the State of North Dakota for 1913, Relating to the Erection, Repair and Maintenance of Buildings.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the Printed Bill after the word "of" insert the word "county."

And when so amended recommend the same do pass.

RALPH INGERSON,
Chairman.

Senator Ingerson 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. 80. A Bill for an Act Making an Appropriation of \$1,042,965.00 for the Purpose of Paying the General Maintenance, Improvements and Repairs, New Equipment, etc., of the State University at Grand Forks, North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In title of Printed Bill, strike out the figures "1,042,965.00" and insert in lieu thereof the figures "1,027,933.00."

On page 4, strike out lines "2, 3 and 4."

In line 13, strike out the figures "1,042,965.00" and insert in lieu thereof the figures "1,027,933.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 81. A Bill for an Act Making an Appropriation for the Current and Contingent Expense of the State Normal and Industrial School at Ellendale, and Making Permanent Improvements and Additions Thereto.

Have had the same under consideration and recommend that the same be amended as follows:

On Page 2, of the Printed Bill in line 24, strike out the figures "800.00" and insert in lieu thereof the figures "1,500.00."

In line 26, strike out the figures "87,472.00" and insert in lieu thereof the figures "88,172.00."

On page 3, in line 45, strike out the figures "99,372.00" and insert in lieu thereof "100,072.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 83. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal School at Mayville and Making Permanent Improvements and Additions Thereto.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 84. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State School for the Blind at Bathgate, and Making Permanent Improvements and Additions Thereto.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Gardiner moved that the title Concurrent Resolution concerning the publication of the 1919 Session Laws, be changed to "Joint Resolution," and be numbered Senate Bill No. 207.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 207. A Joint Resolution by Senator Gardiner.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 37, nays none, absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Gardiner	Nathan	Stevens
Baker	Gross	O'son, Barnes	Storstad
Benson	Ingerson	O'son, Eddy-	Tofsrud
Bond	Kaldor	Foster	Van Camp
Byrne	Kelsh	Page	Ward
Carey	Levang	Patten	Wenstrom
Eastgate	Lynch	Poterson	Whitmer
Ettestad	McCoy	Ployhar	Wog
Fleckten	Miklethum	Sperry	
Garberg	Murphy	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Martin	Rusch
Babcock	McLachlin	Peck	Thorson
Hamilton	Magnuson	Porter	Whitman

So the bill passed and the title was agreed to.

Senator Ployhar moved to reconsider the vote by which Senate Bill No. 275 was lost at 3:00 o'clock P. M. February 15, 1923.

Which motion prevailed.

Senator Ployhar moved that the vote by which Senate Bill No. 201, as amended by the House, was passed, be reconsidered, which motion prevailed.

Senator Ployhar moved that Senate Bill No. 201 be returned to the House.

Which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 72. A Bill for an Act Requiring All Agents Acting For or on Behalf of Any Life or Accident Insurance Company Doing Business in This State to Be Licensed, Regulating the Methods, Practices and Transactions of Such Agents in Conducting Such Insurance Business, and Providing Penalties for the Violation of Any of the Provisions of this Act.

Senate Bill No. 25. A Bill for an Act Relating to the Validation of Bonds Voted and Issued, or to be Issued, by Any Common, Special or Independent School District, in Cases Where the School District Issuing Such Bonds, or Where by Such Vote Bonds Are Authorized to be Issued, Has Theretofore, by a Majority Vote, Increased the Limit of Indebtedness Five Per Cent on the Assessed Valuation of the Taxable Property in Such School District, Beyond the Five Per Cent Limit of Indebtedness Established by the Constitution, as Provided by Article 35 of the Amendments to the Constitution of the State of North Dakota, and Where the Indebtedness of Such School District, but Does Not Exceed Ten Per Cent on the Assessed Valuation of the Taxable Property of Such School District, and Declaring Such Bonds Legal and Valid.

Senate Bill No. 35. A Bill for an Act Relative to the Admission of Persons Under Eighteen Years of Age to Public Dances, and Requiring the Posting of a Copy of the Law and Prescribing Penalty for Its Violation.

Senate Bill No. 50. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 187 of the Session Laws of North Dakota for the Year 1919, Relating to the Qualifications of Official and Legal Newspapers and Providing for the Method of Selection of Official Newspapers.

Senate Bill No. 60. A Bill for an Act Appropriating Eight Hundred Fifty-three Dollars and Sixty-one Cents (\$853.61) to Take Care of Deficit in Biennial Appropriation of Department of Insurance.

Senate Bill No. 61. A Bill for an Act Amending Sections 728 and 729 of the Compiled Laws of North Dakota for the year 1913 relating to fees in the Supreme Court and their coverage into the State Treasury.

Senate Bill No. 95. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit by Members of the State Canvassing Board.

Senate Bill No. 99. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit by the District Judges.

Senate Bill No. 109. A Bill for an Act to Appropriate \$2,000.00 Out of any Monies in the State Treasury Not Otherwise Appropriated for the Purpose of Paying Premiums on State Official Bonds as Provided by Chapter 175 of the Session Laws of North Dakota for 1917.

Senate Bill No. 121. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Actions to Release Insane Patients.

Senate Bill No. 123. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Treasurer's Office.

Senate Bill No. 126. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Arrest and Return of Fugitives from Justice Fund.

Senate Bill No. 124. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit Incurred in the State Executive Department.

Senate Bill No. 129. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Auditor's Office.

Senate Bill No. 130. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the Attorney General's Department.

Senate Bill No. 168. A Bill for an Act to Provide for the Repair of the Whitestone Battlefield Monument Located in the Whitestone Battlefield Park, in Dickey County, North Dakota.

Senate Bill No. 204. A Bill for an Act to Amend and Re-enact Section 158 of the Compiled Laws of North Dakota for 1913, Relating to the Attorney General's Report.

And the President signed the same in the presence of the Senate.

Senator Nathan moved that all absent Senators be excused.

Which motion prevailed.

Senator Kretschmar moved for an extension of time for further consideration of Senate Bills Nos. 88, 76, 54, 82, 70, 141, 87, 59, 107, 198, 157, 108.

Which motion prevailed.

Senator Whitman moved for an extension of time for further consideration of Senate Bill Nos. 306, 323, 366.

Which motion prevailed.

Senator Nathan moved for an extension of time for further consideration of Senate Bills Nos. 247, 271, 12.

Which motion prevailed.

Senator Murphy moved for an extension of time for further consideration of Senate Bill 297.

Which motion prevailed.

Senator Baker moved for an extension of time for further consideration of Senate Bills Nos. 177, 183, 52.

Which motion prevailed.

Senator Baird moved for an extension of time for further consideration of Senate Bill 205.

Which motion prevailed.

Senator Storstad moved for an extension of time for further consideration of Senate Bills Nos. 225, 273.

Which motion prevailed.

Senator Storstad moved that the Senate do now adjourn.

Which motion prevailed, and the Senate adjourned.

FORTY-FOURTH DAY

The Senate convened at 2 o'clock P. M., the President, Frank H. Hyland, presiding.

Prayer by Rev. John A. H. Slag.

Roll was called, all Senators being present with the exception of Senators Atkins, McLachlin and Rusch.

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

Mr. President: Your Committee on revision and correction of the Journal have carefully examined the Journal of the 39th Day after recess and 40th Day and recommend that the same be corrected as follows:

On page 15, line 41 correct spelling of "third."

On page 16, line 25 correct spelling of "third."

On page 16, line 28 correct spelling of "voting."

On page 20, line 9, strike out "11" and insert in lieu thereof "111."

On page 27, line 34 correct spelling of "third."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

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

Mr. President: Your committee on revision and correction of the Journal have carefully examined the Journal of the 40th Day after recess and find it to be correct.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Levang moved that the reading of the titles of the engrossed bills on the report of the Committee on Enrollment and Engrossment be omitted.

Which motion prevailed.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment have examined the following bill:

Senate Bill No. 25. A Bill for an Act Relating to the Validation of Bonds Voted and Issued, or to be Issued, by Any Common, Special or Independent School District, in Cases Where the School District Issuing Such Bonds, or Where by Such Vote Bonds Are Authorized to be Issued, Has Theretofore, by a Majority Vote, Increased the Limit of Indebtedness Five Per Cent on the Assessed Valuation of the Taxable Property in Such School District, Beyond the Five Per Cent Limit of Indebtedness Established by the Constitution, as Provided by Article 35 of the Amendments to the Constitution of the State of North Dakota, and Where the Indebtedness of Such School District, but Does Not Exceed Ten Per Cent on the Assessed Valuation of the Taxable Property of Such School District, and Declaring Such Bonds Legal and Valid.

And find the same correctly re-enrolled.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Chapter 146 of the Session Laws of 1919 Relating to the Office of Commissioner of Immigration, Prescribing His Powers and Duties, and Making an Appropriation Therefor, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 211. A Bill for an Act to Amend and Re-enact Section 3451, Compiled Laws of North Dakota, Relating to County Bonds, rate of Interest and Mode of Issue.

And find the same correctly re-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and En-grossment have examined the following bills:

Senate Bill No. 113. A Bill for an Act to Appropriate the Sum of \$54,000.00 for the Purpose of Aiding in the Construction of a Bridge Across the Missouri River From Burleigh County to Morton County in the State of North Dakota Under the Provision of Chapter 73 of the Laws Passed at the Sixteenth Session of the Legislative Assembly of North Dakota, Approved March 5, 1919, in Addition to the Sums Appropriated by Chapter 4 of the Special Session of the Sixteenth Legislative Assembly, Approved December 12, 1919, and Chapter 6 of the Laws Passed at the Seventeenth Session of the Legislative Assembly of the State of North Dakota Approved March 9, 1921, and That Such Appropriation Be Made From the State Highway Fund.

Also,

Senate Bill No. 161. A Bill for an Act to Appropriate the Sum of Five Hundred Dollars (\$500.00) or so Much Thereof as may be Necessary for the Purpose of Paying the Per Diem and Mileage of Witnesses Incurred by the Special Investigating Committee of the Senate, in Considering the Audit of the State Bank and State Industries, During the Seventeenth Legislative Assembly.

Also,

Senate Bill No. 170. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred by the Flood Control Commission.

Also,

Senate Bill No. 268. A Bill for an Act to Amend and Re-enact Chapter 7660, of the Compiled Laws of the State of North Dakota, for the Year 1913, as Amended by Chapter 7660, of the Compiled Laws of the State of North Dakota, for the Year 1913, as Amended by Chapter 131, of the Session Laws of 1921, Relating to Causes for a New Trial in Civil Actions.

Also,

Senate Bill No. 279. A Bill for an Act Making the Trespassing or Estraying of Any Bull, Stallion or Boar, Not of Pure Bred Breeding Upon the Property of Another or Upon a Public Highway Unlawful. Authorizing the Castration of Such Bull, Stallion or Boar, and Providing the Penalty for the Violation of Said Act.

Also,

Senate Bill No. 304. A Bill for an Act to Permit Mutual Insurance Companies to Classify Their Business by Trades, Occupations or Professions, and to Pay Dividends to Policyholders Based Upon Each Trade, Occupation or Professions Proportion of Losses Received to the Premiums Paid by Them; and Providing the Method of Determining Such Dividends.

Also,

Senate Bill No. 309. A Bill for an Act to Amend and Re-enact Section 962 of the Compiled Laws of North Dakota for 1913, Relating to the Position of Names of Candidates on Ballots.

Also,

Senate Bill No. 314. A Bill for an Act to Define the Duties of the State Fire Marshal in the Investigation of Fire and Tornado Losses.

Also,

Senate Bill No. 375. A Bill for an Act Validating Taxes Assessed Against Bank Stock in the Years 1919, 1920, 1921 and 1922, Authorizing Boards of County Commissioners and the Tax Commissioners to Compromise Such Taxes Upon Bank Stock for 1919, 1920 and 1921 as Have Not Been Paid, and Confirming and Ratifying Such Settlements as Have Been Made.

Also,

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 147 of the Session Laws of the State of North Dakota for the Year 1919, Relating to the Qualifications of Persons Employed or to be Employed as Manager of the Bank of North Dakota, or as Manager or Assistant Manager of the Farm Loan Department of the Bank of North Dakota.

Also,

Senate Bill No. 186. A Bill for an Act Relating to the Abandonment or Neglect of Wife or Child, and the Desertion and Non-support of Family, and for the Repeal of Sections 9589 to 9603 Inclusive, Compiled Laws of 1913.

Also,

Senate Bill No. 188. A Bill for an Act Prohibiting the placing of Children, Either for Temporary or Permanent Care, in Almshouses, or in Institutions, Charitable, Penal or Reformatory, Where Delinquent Children are Kept.

Also,

Senate Bill No. 189. A Bill for an Act Concerning the Transfer of Rights in Children and for the Repeal of Chapter 77 of the Laws of 1919.

Also,

Senate Bill No. 190. A Bill for an Act Providing for the Exclusion of Spectators from the Trial of Minors.

Also,

Senate Bill No. 191. A Bill for an Act Amending and Re-enacting Section 4424, Compiled Laws of 1913, Relating to the Custody, Service and Earnings of Minor Children.

Also,

Senate Bill No. 192. A Bill for an Act Relating to Indecent Liberties.

Also,

Senate Bill No. 194. A Bill for an Act to Amend and re-enact Sections 5109 and 5110 of the Compiled Laws for 1913.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 50. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 187 of the Session Laws of North Dakota for the Year 1919, Relating to the Qualifications of Official and Legal Newspapers and Providing for the Method of Selection of Official Newspapers.

Also,

Senate Bill No. 60. A Bill for an Act Appropriating Eight Hundred Fifty-three Dollars and Sixty-one Cents (\$853.61) to Take Care of Deficit in Biennial Appropriation of Department of Insurance.

Also,

Senate Bill No. 61. A Bill for an Act Amending Sections 728 and 729 of the Compiled Laws of North Dakota for the Year 1913 Relating to Fees in the Supreme Court and Their Coverage into the State Treasury.

Also,

Senate Bill No. 95. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit by Members of the State Canvassing Board.

Also,

Senate Bill No. 99. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit by the District Judges.

Also,

Senate Bill No. 109. A Bill for an Act to appropriate \$2,000.00 Out of any Money in the State Treasury Not Otherwise Appropriated for the Purpose of Paying Premiums on State Official Bonds as Provided by Chapter 175 of the Session Laws of North Dakota for 1917.

Also,

Senate Bill No. 121. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Actions to Release Insane Patients.

Also,

Senate Bill No. 123. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Treasurer's Office.

Also,

Senate Bill No. 124. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit Incurred in the State Executive Department.

Also,

Senate Bill No. 126. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Arrest and Return of Fugitives from Justice Fund.

Also,

Senate Bill No. 129. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Auditor's Office.

Also,

Senate Bill No. 130. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the Attorney General's Department.

Also,

Senate Bill No. 168. A Bill for an Act to Provide for the Repair of the Whitestone Battlefield Monument Located in the Whitestone Battlefield Park, in Dickey County, North Dakota.

Also,

Senate Bill No. 204. A Bill for an Act to Amend and Re-enact Section 158 of the Compiled Laws of North Dakota for 1913, Relating to the Attorney General's Report.

Also,

Senate Bill No. 35. A Bill for an Act Relative to the Admission of Persons Under Eighteen Years of Age to Public Dances and Requiring the Posting of a Copy of the Law and Prescribing Penalty for its Violation.

And find the same properly enrolled.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

MOTIONS AND RESOLUTIONS

Senator Nathan moved that all absent Senators be excused.

Which motion prevailed.

Senator Ployhar moved that the title of Senate Bill No. 347 be changed from "Concurrent Resolution" to "Joint Resolution."

Which motion prevailed.

Senator Baker introduced the following:

CONCURRENT RESOLUTION

Be It Resolved by the Senate of the State of North Dakota,

the House of Representatives Concurring Therein:

That, Whereas, by Section 19a of the Interstate Commerce Act, providing for the valuation by the Interstate Commerce Commission of the properties of common carriers, it is provided that "such investigation shall show the value of its property in each of the several states and territories and the District of Columbia, classified and in detail as herein required"; and

Whereas, the Commission in its valuation reports thus far made has shown the values of properties covered by such reports in each case as a whole only, and has failed to show the values thereof "in each of the several states and territories and the District of Columbia"; and

Whereas, the Bureau of Valuation of said Commission has recommended to the Commission that it request Congress to relieve it from showing the values of said properties by States; and

Whereas, it is desirable for various uses and purposes that such valuation shall be shown separately by States, as aforesaid;

RESOLVED, That the Eighteenth Legislative Assembly of the State of North Dakota now in session expresses its view that the Interstate Commerce Commission should show as to each interstate carrier the value of its property in each of the several states in which said property exists, and that no change in the law to sanction failure to make such showing ought to be sought or made; and be it further

RESOLVED, That a copy of this resolution be mailed to each United States Senator and each member of Congress from North Dakota.

Which was referred to Committee on Taxes and Tax Laws.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 14, 1923.

Mr. President: I have the honor to ask for the return of Senate Bill No. 166.

W. F. CUSHING,
Chief Clerk.

SENATE ROLL CALL

Senate Bill No. 175. A Bill for an Act Providing for the Examination, Commitment, Care and Maintenance, Release and Discharge of Persons Alleged or Found to be Feeble-Minded.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 39, nays none, absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Olson, Eddy-	Thorson
Baird	Ingerson	Foster	Tofsrud
Baker	Kelsh	Page	Van Camp
Benson	Kretschmar	Patten	Ward
Bond	Lynch	Peterson	Wenstrom
Byrne	McCoy	Ployhar	Whitman
Eastgate	Magnuson	Porter	Wog
Ettestad	Mikieithun	Sperry	
Flechten	Murphy	Steel	
Garberg	Nathan	Stevens	
Gardiner	Olson, Barnes	Storstad	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Martin	Whitmer
Carey	Levang	Peck	
Hamilton	McLachlin	Rusch	

So the bill passed and the title was agreed to.

Senator Kelsh moved that Senate Bill No. 166 be returned to the House as requested.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 174. A Bill for an Act Providing for Juvenile Courts, Defining Their Powers over Dependent, Neglected and Delinquent Children and Over Persons Contributing to Such Neglect, Dependency or delinquency, and for the Repeal of Sections 11402 to 11428, Inclusive, Compiled Laws for 1913, and Chapter 179, Laws of 1915, and Chapter 8, Laws of 1921.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Nathan	Stevens
Baird	Hamilton	Olson, Barnes	Storstad
Baker	Ingerson	Olson, Eddy-	Thorson
Benson	Kaldor	Foster	Tofsrud
Bond	Kelsh	Page	Van Camp
Byrne	Kretschmar	Patten	Ward
Carey	Levang	Peck	Wenstrom
Eastgate	Lynch	Peterson	Whitman

Messrs.	Messrs.	Messrs.	
Ettestad	McCoy	Ployhar	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Miklethun	Sperry	
Gardiner	Murphy	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Martin	Rusch

So the bill passed and the title was agreed to.

SENATE ROLL CALL.

Senate Bill No. 266. A Bill for an Act Providing for the Assessment of Shares of Stock in Banking Associations Organized Under the Laws 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 ayes 42, nays 4, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gardiner	Murphy	Stevens
Baird	Hamilton	O'ison, Barnes	Storstad
Baker	Ingerson	Olson, Eddy-	Thorson
Benson	Kaldor	Foster	Tofsrud
Bond	Kelsh	Page	Van Camp
Byrne	Kretschmar	Peck	Ward
Carey	Levang	Peterson	Wenstrom
Eastgate	Lynch	Ployhar	Whitman
Ettestad	McCoy	Porter	Whitmer
Fleckten	Magnuson	Sperry	Wog
Garberg	Martin	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Gross	Miklethun	Nathan	Patten

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Rusch

So the bill passed and the title was agreed to.

Senator Ingerson moved to amend Senate Bill No. 245 as follows:

In line 10, of Section 2, of the printed bill, strike out "seventy-five (75)" and insert in lieu thereof "fifty (50)."

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 245. A Bill for an Act Relating to the Assessment of Telephone Property, Providing for a Tax on Gross Earnings of Telephone Companies in Lieu of the General Property Tax on the Property of Such Companies Used Exclusively in Connection with the Operation of Their Telephone Business, and in Lieu of the Tax Upon

the Shares of Stock of Such Companies; Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 46, nays none, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Murphy	Steel
Baird	Hamilton	Nathan	Stevens
Baker	Ingerson	Olson, Barnes	Storstad
Benson	Kaldor	Olson, Eddy-	Thorson
Bond	Kelsh	Foster	Tofsrud
Byrne	Kretschmar	Page	Van Camp
Carey	Levang	Patten	Ward
Eastgate	Lynch	Peck	Wenstrom
Ettestad	McCoy	Peterson	Whitman
Fleckten	Magnuson	Ployhar	Whitmer
Garberg	Martin	Porter	Wog
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	
Atkins	McLachlin	Rusch

So the bill passed and the title was agreed to.

Senator Storstad moved that final action on Senate Bill No. 2 be deferred until the next Legislative day.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 170. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred by the Flood Control Commission.

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 11, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Gross	Martin	Sperry
Baker	Ingerson	Murphy	Steel
Benson	Kaldor	Olson, Barnes	Stevens
Bond	Kelsh	Olson, Eddy-	Storstad
Byrne	Kretschmar	Foster	Thorson
Carey	Levang	Page	Tofsrud
Eastgate	Lynch	Peterson	Van Camp
Garberg	McCoy	Ployhar	Ward
Gardiner	Magnuson	Porter	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Patten	Whitmer
Ettestad	Miklethun	Peck	Wog
Fleckten	Nathan	Wenstrom	

Absent and not voting:

Messrs.
Atkins

Messrs.
McLachlin

Messrs.
Rusch

So the bill passed and the title was agreed to.

No separate roll call having been demanded on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Senator Baker moved that Senate Bill No. 113 be laid over until final action is taken on Senate Bill No. 46.

Which motion prevailed.

Senator Peterson moved that Senate Bill No. 46 be referred to Committee on Judiciary.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 161. A Bill for an Act to Appropriate the Sum of Five Hundred Dollars (\$500.00) or so Much Thereof as may be Necessary for the Purpose of Paying the Per Diem and Mileage of Witnesses Incurred by the Special Investigating Committee of the Senate, in Considering the Audit of the State Bank and State Industries, During the Seventeenth Legislative Assembly.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 33, nays 13, absent and not voting 3.

Those voting in the affirmative were:

Messrs.
Babcock
Baird
Bond
Byrne
Carey
Eastgate
Ettestad
Garberg
Gardiner

Messrs.
Gross
Hamilton
Ingerson
Kaldor
Kelsh
Kretschmar
Lynch
McCoy
Martin

Messrs.
Murphy
Olson, Eddy-
Foster
Page
Peterson
Ployhar
Porter
Sperry
Steel

Messrs.
Stevens
Storstad
Thorson
Tofsrud
Van Camp
Ward
Whitman

Those voting in the negative were:

Messrs.
Baker
Benson
Fleckten
Levang

Messrs.
Magnuson
Miklethun
Nathan
Olson, Barnes

Messrs.
Patten
Peck
Wenstrom
Whitmer

Messrs.
Wog

Absent and not voting:

Messrs.
Atkins

Messrs.
McLachlin

Messrs.
Rusch

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 268. A Bill for an Act to Amend and Re-enact Chapter

7660, of the Compiled Laws of the State of North Dakota, for the Year 1913, as Amended by Chapter 131, of the Session Laws of 1921, Relating to Causes for a New Trial in Civil Actions.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 41, nays 3, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Nathan	Storstad
Baird	Ingerson	Olson, Eddy-	Thorson
Baker	Kaldor	Foster	Tofsrud
Bond	Kelsh	Olson, Barnes	Van Camp
Byrne	Levang	Page	Ward
Carey	Lynch	Peck	Wenstrom
Eastgate	McCoy	Peterson	Whitman
Ettestad	Magnuson	Porter	Whitmer
Fleckten	Martin	Sperry	Wog
Garberg	Miklethun	Steel	
Gardiner	Murphy	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Hamilton	Patten

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Ployhar	Rusch
Kretschmar			

So the bill passed and the title was agreed to.

Senator Carey moved that action on Senate Bill No. 309 be deferred until action is taken on Senate Bill No. 358.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 304. A Bill for an Act to Permit Mutual Insurance Companies to Classify Their Business by Trades, Occupations or Professions, and to Pay Dividends to Policyholders Based Upon Each Trade, Occupation or Professions Proportion of Losses Received to the Premiums Paid by Them; and Providing the Method of Determining Such Dividends.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays 2, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Olson, Barnes	Storstad
Baird	Ingerson	Olson, Eddy	Thorson
Baker	Kaldor	Foster	Tofsrud
Bond	Kelsh	Page	Van Camp
Byrne	Kretschmar	Patten	Ward
Carey	Levang	Peck	Wenstrom

Messrs.	Messrs.	Messrs.	Messrs.
Eastgate	Lynch	Peterson	Whitman
Ettestad	McCoy	Ployhar	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Martin	Sperry	
Gardiner	Murphy	Steel	
Gross	Nathan	Stevens	

Those voting in the negative were:

Messrs.	Messrs.
Benson	Miklethun

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Rusch

So the bill passed and the title was agreed to.

Senator Murphy moved that final action on Senate Bill No. 314 be deferred until the next Legislative day.

Which motion prevailed.

Senator Olson of Barnes moved to amend Senate Bill No. 279 as follows:

In Section 1, line 2, after the word "bull" strike out all of lines 2 and 3, including word "breeding."

Senator Ettestad moved to amend Senate Bill No. 279 as follows:

In line two after the word "bull," strike out the words "not of pure breeding."

In line five after the word "any" insert the word "land" and after the word "owner" in line five, strike out the rest of the line and the first two words in line six. And in line seven strike out the word "castrate" and insert in lieu thereof the word "sell."

Senator Gardiner moved that Senate Bill No. 279 be indefinitely postponed.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 375. A Bill for an Act Validating Taxes Assessed Against Bank Stock in the Years 1919, 1920, 1921 and 1922, Authorizing Boards of County Commissioners and the Tax Commissioners to Compromise Such Taxes Upon Bank Stock for 1919, 1920, and 1921, as Have Not Been Paid, and Confirming and Ratifying Such Settlements as Have Been Made.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 40, nays 6, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Nathan	Thorson
Baird	Kaldor	Olson, Eddy-	Tofsrud
Baker	Kelsh	Foster	Van Camp
Bond	Kretschmar	Page	Ward
Byrne	Levang	Peterson	Wenstrom
Carey	Lynch	Ployhar	Whitman
Eastgate	McCoy	Porter	Whitmer
Ettestad	Magnuson	Sperry	Wog
Fleckten	Martin	Steel	
Garberg	Miklethun	Stevens	
Gardiner	Murphy	Storstad	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Ingerson	Patten	Peck
Hamilton	Olson, Barnes		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Rusch

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 147 of the Session Laws of the State of North Dakota for the Year 1919, Relating to the Qualifications of Persons Employed or to be Employed in the Farm Loan Department of the Bank 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 ayes 25, nays 20, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Ettestad	McCoy	Patten
Baker	Fleckten	Magnuson	Peck
Benson	Gross	Martin	Ward
Bond	Hamilton	Miklethun	Wenstrom
Carey	Ingerson	Nathan	Whitmer
Eastgate	Levang	Olson, Barnes	Wog
		Page	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Kretschmar	Peterson	Stevens
Garberg	Lynch	Ployhar	Storstad
Gardiner	Murphy	Porter	Thorson
Kaldor	Olson, Eddy	Sperry	Tofsrud
Kelsh	Foster	Steel	Van Camp
			Whitman

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Byrne	McLachlin	Rusch

So the bill failed to pass not having received the required two-thirds majority.

Senate Bill No. 191. A Bill for an Act Amending and Re-enacting Section 4424, Compiled Laws of 1913, Relating to the Custody, Service and Earnings of Minor Children.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays none, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Olson, Barnes	Thorson
Baird	Ingerson	Olson, Eddy-	Tofsrud
Baker	Kaldor	Foster	Van Camp
Benson	Kelsh	Page	Ward
Bond	Kretschmar	Patten	Wenstrom
Byrne	Levang	Peck	Whitman
Carey	Lynch	Peterson	Whitmer
Eastgate	McCoy	Ployhar	Wog
Ettestad	Magnuson	Porter	
Fleckten	Martin	Sperry	
Garberg	Miklethun	Steel	
Gardiner	Murphy	Stevens	
Gross	Nathan	Storstad	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Rusch	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 186. A Bill for an Act Relating to the Abandonment or Neglect of Wife or Child, and the Desertion and Non-support of Family, and for the Repeal of Sections 9589 and 9603 Inclusive. Compiled Laws of 1913.

Was read the third time

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays none, absent and not voting 5.

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Murphy	Steel
Baird	Ingerson	Nathan	Stevens
Baker	Kaldor	Olson, Barnes	Storstad
Benson	Kelsh	Olson, Eddy-	Thorson
Bond	Kretschmar	Foster	Tofsrud
Byrne	Levang	Page	Van Camp
Carey	Lynch	Peck	Ward
Eastgate	McCoy	Peterson	Wenstrom
Ettestad	Magnuson	Ployhar	Whitman
Fleckten	Martin	Porter	Whitmer
Garberg	Miklethun	Sperry	Wog
Gardiner			

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Patten	Rusch
Hamilton			

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 189. A Bill for an Act Concerning the Transfer of Rights in Children and for the Repeal of Chapter 77 of the Laws of 1919.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 41, nays none, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Ingerson	Olson, Eddy-	Thorson
Baird	Kaldor	Foster	Tofsrud
Baker	Kelsh	Steel	Van Camp
Benson	Kretschmar	Patten	Ward
Bond	Levang	Peck	Wenstrom
Byrne	Lynch	Peterson	Stevens
Eastgate	McCoy	Ployhar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Fleckten	Miklethun	Sperry	Wog
Gardiner	Murphy	Steel	
Gross	Olson, Barnes	Storstad	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	McLachlin	Nathan
Carey	Hamilton	Martin	Rusch

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 188. A Bill for an Act Prohibiting the placing of Children, Either for Temporary or Permanent Care, in Almshouses, or in Institutions, Charitable, Penal or Reformatory, Where Delinquent Children are Kept.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 42, nays none, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Ingerson	Olson, Barnes	Stevens
Baird	Kaldor	Olson, Eddy-	Storstad
Baker	Kelsh	Foster	Thorson
Benson	Kretschmar	Page	Tofsrud
Bond	Levang	Fatten	Van Camp
Byrne	Lynch	Peck	Ward
Eastgate	McCoy	Peterson	Wenstrom
Ettestad	Magnuson	Ployhar	Whitman
Fleckten	Miklethun	Porter	Whitmer
Gardiner	Murphy	Sperry	Wog
Gross	Nathan	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	McLachlin	Rusch
Carey	Hamilton	Martin	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 192. A Bill for an Act Relating to Indecent Liberties.

Was read the third time.

The question being on the final passage of the bill, the

roll was called and there were ayes 42, nays 0, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Olson, Barnes	Stevens
Baird	Ingerson	Olson, Eddy-	Storstad
Baker	Kaldor	Foster	Thorson
Benson	Kelsh	Page	Tofsrud
Bond	Levang	Patten	Van Camp
Byrne	Lynch	Peck	Ward
Eastgate	McCoy	Peterson	Wenstrom
Ettestad	Magnuson	Ployhar	Whitman
Fleckten	Miklethun	Porter	Whitmer
Garberg	Murphy	Sperry	Wog
Gardiner	Nathan	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	McLachlin	Rusch
Carey	Kretschmar	Martin	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 190. A Bill for an Act Providing for the Exclusion of Spectators from the Trial of Minors.
Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 39, nays 2, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Olson, Eddy-	Stevens
Baird	Ingerson	Foster	Storstad
Baker	Kaldor	Page	Thorson
Benson	Kelsh	Patten	Tofsrud
Bond	Levang	Peck	Van Camp
Byrne	McCoy	Peterson	Ward
Eastgate	Magnuson	Ployhar	Wenstrom
Fleckten	Miklethun	Porter	Whitman
Garberg	Murphy	Sperry	Whitmer
Gardiner	Olson, Barnes	Steel	Wog

Those voting in the negative were:

Messrs.	Messrs.
Lynch	Nathan

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ettestad	Kretschmar	Martin
Carey	Hamilton	McLachlin	Rusch

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 194. A Bill for an Act to Amend and re-enact Sections 5109 and 5110 of the Compiled Laws for 1913.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 42, nays, none, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Olson, Barnes	Stevens
Baird	Ingerson	Olson, Eddy-	Storstad
Baker	Kaldor	Foster	Thorson
Benson	Kelsh	Page	Tofsrud
Bond	Levang	Patten	Van Camp
Byrne	Lynch	Peck	Ward
Eastgate	McCoy	Peterson	Wenstrom
Ettestad	Magnuson	Ployhar	Whitman
Fleckten	Miklethun	Porter	Whitmer
Garberg	Murphy	Sperry	Wog
Gardiner	Nathan	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	McLachlin	Rusch
Carey	Kretschmar	Martin	

So the bill passed and the title was agreed to.
Senator Thorson moved that the Senate do now recess for ten minutes. Which motion prevailed.

AFTER RECESS.

Senator Storstad moved that final action on House Bill No. 35 be deferred until the next Legislative day.

Which motion prevailed.

Senator Storstad moved that final action on House Bill No. 90 be deferred until the next Legislative day.

Which motion prevailed.

Senator Porter moved to Amend House Bill No. 50 as follows:

In Section 2 under Section 2B, line 1 after the word "of", strike out the word "alcohol," and insert in lieu thereof the words "Intoxicating Liquors."

In line 2, after the word "for," strike out the words "pure grain or ethyl alcohol," and insert in lieu thereof the words "intoxicating Liquors." And strike out the word "alcohol" wherever it appears in the remainder of Section 2B, and insert in lieu thereof the words "Intoxicating liquors."

In Section 2, under Section "2B" in line 8, after the word "by" strike out the words "one or more" and insert in lieu thereof the Article "A" and in the same line strike out the letter "s" from the word "Physicians."

Which motion prevailed.

Senator Miklethun moved to amend House Bill No. 50 as follows:

On page 3, Section 2-B, in line 10 of the printed bill,

strike out the words "five gallons" and insert in lieu thereof the words "six quarts."

Which motion lost.

Senator Peck moved to amend House Bill No. 50 as follows:

On page 2, Section 1, line 17 of the printed bill, insert a period after the word "pasteurized" and strike out balance of line and all of line 18.

Which motion lost.

SENATE ROLL CALL

House Bill No. 50. A Bill for an Act to Amend and Re-enact Sections 1, 2, 9 and 13 of Chapter 97, Session Laws, 1921, Relating to Legislation to Prohibit Intoxicating Liquors and Beverages and Property Intended for the Manufacture of Same; Prohibiting the Transportation of Liquor and Providing for the Forfeiture of Property Used for the Transportation of Same; to Provide for its Enforcement and Penalty.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 42, nays 4, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Olson, Barnes	Stevens
Baker	Hamilton	Olson, Eddy-	Storstad
Benson	Ingerson	Foster	Thorson
Bond	Kaldor	Page	Tofsrud
Byrne	Kelsh	Patten	Van Camp
Carey	Levang	Peck	Ward
Eastgate	Lynch	Peterson	Wenstrom
Ettestad	Magnuson	Ployhar	Whitman
Fleekten	Miklethun	Porter	Whitmer
Garberg	Murphy	Sperry	Wog
Gardiner	Nathan	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Kretschmar	McCoy	Martin

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Rusch

So the bill passed and the title was agreed to.

No separate roll call having been demanded on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

House Bill No. 8. A Bill for an Act to Empower all Cities having a Population in Excess of Twelve Thousand Five Hundred Inhabitants, by the Federal Census of 1920, or by any Subsequent Federal Census, to provide for the Estab-

ishment of Districts or Zones within the Corporate limits, and to Empower such Cities by Ordinance, to Regulate Within Such Zones or Districts, the Use or Uses of Land, the Height, the Area, the Size and the Location of Buildings, the Required Open Spaces for the Light and Ventilation of Such Buildings and the Density of Population; to Provide for a Board of Appeals, and for the Carrying Out of Such Ordinances and to Provide 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 ayes 37, nays 8, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Olson, Barnes	Stevens
Baird	Ingerson	Olson, Eddy-	Storstad
Baker	Kaldor	Foster	Thorson
Bond	Kelsh	Page	Tofsrud
Byrne	Kretschmar	Peck	Van Camp
Carey	Levang	Peterson	Ward
Eastgate	Lynch	Ployhar	Wenstrom
Fleckten	McCoy	Porter	Whitman
Garberg	Magnuson	Sperry	
Gardiner	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Hamilton	Nathan	Whitmer
Ettestad	Mikieithun	Patten	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Martin	Ruech

So the bill passed and the title was agreed to.

Senator Wenstrom moved that further action on House Bill No. 65 be indefinitely postponed.

Senator Murphy moved a substitute motion that final action on House Bill No. 65 be deferred one Legislative day.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 2104 of the Compiled Laws of the State of North Dakota for 1913 Relating to Range Stock and Where Listed for the Purpose of Taxation.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Nathan	Stevens
Baird	Hamilton	Olson, Barnes	Storstad
Baker	Ingerson	Olson, Eddy-	Thorson
Benson	Kaldor	Foster	Tofsrud
Bond	Kelsh	Page	Van Camp
Byrne	Kretschmar	Patten	Ward
Carey	Levang	Peck	Wenstrom
Eastgate	Lynch	Peterson	Whitman
Ettestad	McCoy	Ployhar	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Miklethun	Sperry	
Gardiner	Murphy	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Martin	Rusch

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 13. A Bill for an Act to Amend and Re-enact Section 2185, Compiled Laws of North Dakota for the Year 1919, Relating to Real Estate Taxes Due and Delinquent, and Penalty and Interest Thereon.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Nathan	Stevens
Baird	Hamilton	Olson, Barnes	Storstad
Baker	Ingerson	Olson, Eddy-	Thorson
Benson	Kaldor	Foster	Tofsrud
Bond	Kelsh	Page	Van Camp
Byrne	Kretschmar	Patten	Ward
Carey	Levang	Peck	Wenstrom
Eastgate	Lynch	Peterson	Whitman
Ettestad	McCoy	Ployhar	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Miklethun	Sperry	
Gardiner	Murphy	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Martin	Rusch

So the bill passed and the title was agreed to.

No separate roll call having been demanded on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

House Bill No. 40. A Bill for an Act to Cancel Uncollected Personal Property Taxes Assessed for 1915 and Prior Years.

Was read the third time.

The question being on the final passage of the bill, the

roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.		
Babcock	Gross	Nathan	Stevens
Baker	Hamilton	Olson, Barnes	Storstad
Baker	Ingerson	Olson, Eddy-	Thorson
Benson	Kaldor	Foster	Tofsrud
Bond	Ke'sh	Page	Van Camp
Byrne	Kretschmar	Patten	Ward
Carey	Levang	Peck	Wenstrom
Eastgate	Lynch	Peterson	Whitman
Ettestad	McCoy	Ployhar	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Miklethun	Sperry	
Gardiner	Murphy	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Martin	Rusch

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 143. A Bill for an Act Providing for the Filing of Transcripts of Judgments of the United States Courts and Notices of Taxes Due the United States, with Certain County Officers.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays 2, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Murphy	Sperry
Baird	Hamilton	Nathan	Steel
Baker	Ingerson	Olson, Barnes	Stevens
Bond	Kaldor	Olson, Eddy-	Storstad
Byrne	Ke'sh	Foster	Thorson
Carey	Kretschmar	Page	Tofsrud
Eastgate	Levang	Patten	Van Camp
Ettestad	Lynch	Peck	Ward
Fleckten	McCoy	Peterson	Wenstrom
Garberg	Magnuson	Ployhar	Whitman
Gardiner	Miklethun	Porter	Wog

Those voting in the negative were:

Messrs.	Messrs.
Benson	Whitmer

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Martin	Rusch

So the bill passed and the title was agreed to.

The following bills were messaged to the House, Senate Bills Nos. 197, 211, 175, 174, 266, 245, 170, 268, 304, 375, 194, 190, 192, 188, 189, 186, 191, 161.

The courtesies of the floor were extended to Mrs. J. B.

Weinberger and August Krantz of Kenmare; Mrs. Lindgren, Elizabeth Ehr, A. Holdi of Minot, Mrs. B. F. Baker, Mrs. F. J. Shurr of Glenburn; Mrs. Almeda Lee, Georgia Brones of Mohall, Jas. Robison of St. Paul, Minn.; Robt. Petron of Coal Harbor; Mrs. Ralph Ingerson of Flaxton; Mrs. M. McCann of Woburn; Mrs. Clarence Jacobsen of Northgate; Mrs. Webber; Mrs. R. W. Frazier of Crosby; Anna Olson, Mrs. Ellsworth of New Rockford; A. G. Sorlie, Don McDonald, A. W. Dennis, of Grand Forks, Mrs. Geo. M. McKenna of Napoleon; Mary Kelsh of Fullerton; J. H. Bellon; Jacob Bittner; J. E. Giedt, J. J. Mack of Lehr; Jno. Bischoff of Zeeland; Carl Buehler of Benson County.

Senator Stevens moved that the Senate do now recess until 12:00 M. February 15.

Which motion prevailed.

W. E. PARSONS,
Secretary.

FORTY-FOURTH DAY AFTER RECESS AND FORTY-FIFTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 15, 1923.

The Senate re-assembled at 12:00 o'clock M. pursuant to recess taken, the President, Frank H. Hyland, presiding.

REPORTS OF STANDING COMMITTEES

The Committee on Elections made the following report:
Mr. President: Your Committee on Elections to whom was referred:

Senate Bill No. 319. A Bill for an Act to Amend and Re-enact Section 973 of the Compiled Laws of North Dakota for 1913, Relating to the Filing of Certificates of Nomination.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, Section 1, after the figure "1" write in the word "Amendment."

And when so amended recommend the same do pass.

C. W. CAREY,
Chairman.

Senator Carey 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. 317. A Bill for an Act to Amend and Re-enact Section 1003 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 6 of the Special Laws of 1918, Relating to the Printing of Absent Voter Ballots.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, Section 1, after the figure "1" write in the word "Amendment."

And when so amended recommend the same do pass.

C. W. CAREY,
Chairman.

Senator Carey 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. 312. A Bill for an Act to Amend and Re-enact Section 853 of the Compiled Laws of North Dakota for 1913, Relating to the Filing of Petitions for Nomination.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, Section 1, after the figure "1" write in the word "Amendment."

And when so amended recommend the same do pass.

C. W. CAREY,
Chairman.

Senator Carey 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. 318. A Bill for an Act to Amend and Re-enact Section 974 of the Compiled Laws of North Dakota for 1913, Relating to the Certification of Nominations.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, Section 1, after the figure "1" write in the word "Amendment."

And when so amended recommend the same do pass.

C. W. CAREY,
Chairman.

Senator Carey moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Women's and Children's Welfare made the following report:

Mr. President: Your Committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Sections 4444 and 4446 of the Compiled Laws of North Dakota for 1913, Relating to the Adoption of Minor Children.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 1, of the engrossed bill, after the word "laws," insert the words "of North Dakota."

In Section 1, line 16, after the word "order," insert the words, "a hearing, with," and after the word "there," strike out the word "weeks," and insert the word "weekly" in lieu thereof. And after the word "published," strike out the word "notice" and insert the word, "notices" in lieu thereof.

In Section 2, line 1, after the word "laws" insert the words "of North Dakota."

And when so amended recommend the same do pass.

B. F. BAKER,
Chairman.

Mr. Baker moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Women's and Children's Welfare made the following report:

Mr. President: Your Committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 185. A Bill for an Act to Amend and Re-enact Chapter 185 of the Session Laws of 1915, Relating to the Support of Needy Women who are the Mothers of and Who are Compelled to Support one or More Children Under Sixteen Years of Age.

Have had the same under consideration and recommend that the same be amended as follows:

On page 6 of printed bill add new section at bottom of page as follows:

"Section 11. All mother's pensions granted prior to the time of the taking effect of this article, under the laws now enforced, are by this act cancelled and no further payments shall be made thereunder."

And when so amended recommend the same do pass.

B. F. BAKER,
Chairman.

Mr. Baker 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. 350. A Bill for an Act Amending and Re-enacting Section 1333 and Section 1337 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Issuance of Bonds by Common School Districts, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, after the figure "1" insert the word "Amendment."

In Section 2, after the figure "2" insert the word "Amendment."

And when so amended recommend the same do pass.

ALFRED STEEL,
Chairman.

Senator Steel 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. 310. A Bill for an Act Relating to School Finances; Providing that Each School Board or Board of Education of Any School District Shall Annually Prepare a Budget of Proposed Expenditures; Providing for Publication of Such Budget and of the Proposed Levy; Providing for a Public Hearing in Regard to the Proposed Expenditures and Levy; Fixing a Date for Levy; Providing that All Expenditures Must Conform to the Budget as Adopted, and that All Unappropriated Balances in Any Fund at the End of the Fiscal Year Shall Become a Part of the General Fund; Repealing All Acts and Parts of Acts Inconsistent With the Provisions of This Act.

Have had the same under consideration and recommend that the same be amended as follows:

In line 6, after the words "published in" insert the words "one issue of."

Strike out all of line 7.

In Section 9, line 3, after the words "less than" strike out the words "one hundred" and insert in lieu thereof the words "twenty-five."

In line 4, after the first word "dollars" strike out the figures "(\$100.00)" and insert in lieu thereof the figures "(\$25.00)."

In line 4, after the words "more than" strike out the words "three hundred" and the figures "(\$300.00)" and

insert in lieu thereof the words and figures "one hundred" and "\$100.00."

And when so amended recommend the same do pass.

ALFRED STEEL,
Chairman.

Senator 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. 378. A Bill for an Act to Amend and Re-enact Section 7741 of the Compiled Laws of 1913 as Amended and Re-enacted by Chapter 156 of the Session Laws of 1915, Relating to Partnership Exemptions.

Have had the same under consideration and recommend that the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson 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. 383. A Bill for an Act Validating Taxes Levied by Certain Cities in the Year 1921 Which Were in Excess of the Limitation Imposed by Chapter 122 of the Session Laws of 1921.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. O. THORSON,
Chairman.

Senator Thorson 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. 360. A Bill for an Act Providing for the Forfeiture to the State of Real Property upon Which Taxes Are Delinquent; Fixing the Period of Such Delinquency, the Notice to be Given and the Method of Service; and for Proceedings for a Sale and Disposition of Such Property.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. O. THORSON,
Chairman.

Senator Thorson 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. 299. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 62 of the Laws of North Dakota Enacted at the Special Session of 1919, and Declaring that an Emergency Exists, and that This Act Shall Become Effective Immediately Upon Its Passage and Approval.

Have had the same under consideration and recommend that the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson 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. 353. A Bill for an Act to Provide for the Cancelling, Penalty and Interest on Unpaid Taxes; the Issuing of Bonds and Debentures Against the Unpaid Taxes Due to Counties, and for the Sale of Same for the Benefit of the Taxpayers.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. O. THORSON,
Chairman.

Senator Thorson 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. 301. A Bill for an Act to Amend and Re-enact Chapter 61 of the Session Laws of 1917 Relating to the Assessment of the Capital Stock of Banks, Loan and Trust Companies and of Moneyed Capital Entering into Competition Therewith.

Have had the same under consideration and recommend that the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson 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. 376. A Bill for an Act Providing for a Poll Tax List Separate from Other Tax Lists, and Providing that Such List May Be So Designed as to Serve for More than One Year, Providing a Date upon Which Poll Taxes Shall Become Delinquent and for Their Collection by the Sheriff, and Providing that It Shall Be the Duty of the Employer to Withhold Such Poll Taxes from Salaries and Wages, and Repealing All Acts and Parts of Acts in Conflict with This Act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. O. THORSON,
Chairman.

Senator Thorson 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. 302. A Bill for an Act to Impose a Gross Earnings Tax on Certain Freight Line and Car Equipment Companies Owning and Operating or Leasing and Operating over Railroad Lines Within This State for the Purpose of Raising Revenue to Defray the General Expenses of State Government; Repealing Sections 2 to 11 Inclusive, of Chapter 59, Special Session Laws of 1919 and All Other Acts and Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson 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. 377. A Bill for an Act Correlating Duties Which Devolve upon County Auditors in Connection with the Preparation of Assessment Books, the Correction of Assessment Rolls, the Entering of Changes in Assessment Made by Boards of Equalization Under Existing Statutes, with the Work of a Similar Nature Now Performed by Assessors; Empowering the County Auditor to Appoint All Deputy Assessors Within the County in Lieu of the Present Local Assessors, and for That Purpose Denoting the County Auditor as Ex Officio County Assessor; Defining the Duties of the County Auditor in Connection with the Work of Deputy Assessors; Abolishing the Offices of Township, Village, City, and District Assessors and the Office of Tax Supervisor; Repealing Chapter 69 of the Special Session Laws of 1919, and Repealing All Acts and Parts of Acts in Conflict with This Act.

Have had the same under consideration and recommend that the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson 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. 341. A Bill for an Act to Impose a Tax Upon the Sale of Gasoline, Stored, Shipped, Distributed or Sold Within This State for the Purpose of Raising Revenue for Defraying the Expenses of the State Government; Providing for the Administration of the Same; Repealing Chapter 227 of the Session Laws of 1919 as Amended by Chapter 64 of the Special Session Laws of 1919.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 9, line 15, strike out the words "or kerosene."

In Section 9, line 19, strike out the words "or kerosene."
And when so amended recommend the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson 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. 367. A Bill for an Act to Amend and Re-enact Sections 1441, 1442, 1445, and 1446 of the Compiled Laws of the State of North Dakota for the Year 1913,

as Amended by Chapter 212 of the Session Laws of 1917, and Chapter 52 of the Special Session Laws of 1919, Relating to State Aid for Rural Schools as Represented by the One-room Graded and Graded Consolidated Schools.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ALFRED STEEL,
Chairman.

Senator Steel 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. 340. A Bill for an Act to Amend and Re-enact Section 1365 of the Compiled Laws of 1913 Relating to the Accrediting of Diplomas as Teachers' Certificates.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ALFRED STEEL,
Chairman.

Senator 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. 306. A Concurrent Resolution, Introduced by Senator Eastgate, Pertaining to Consolidation of Railroads.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. WHITMAN,
Chairman.

Senator Whitman moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Warehouses and Grain Grading made the following report:

Mr. President: Your Committee on Warehouses and Grain Grading to whom was referred:

Senate Bill No. 273. A Bill for an Act to Provide for the Creation of Grain Storage Districts, the Building or Purchasing of Elevators and the Storage and Handling of Cereals by Such Districts.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. G. STORSTAD,
Chairman.

Senator Storstad 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. 323. A Bill for an Act to Provide for the Placing of Safety Signals at Dangerous or Difficult Crossings over Railroad Tracks.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. WHITMAN,
Chairman.

Senator Whitman 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:

A Concurrent Resolution Introduced by Senator Patten, Pertaining to the Distribution of Cars by the Interstate Commerce Commission.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. WHITMAN,
Chairman.

Senator Whitman moved that the report be adopted, which motion prevailed and the report was adopted.

MOTIONS AND RESOLUTIONS

Senator Ployhar moved that Senate Bill No. 275 be recalled from the House.

Which motion prevailed.

Senator Ployhar moved that Senate Bill No. 245 be recalled from the House.

Which motion prevailed.

Senator Stevens moved that the Senate do now recess until 1:20 P. M.

AFTER RECESS

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 54. A Bill for an Act to Provide for a State Department of Health; a Public Health Advisory Council; Working Divisions and Employees; Office Space; Making an Appropriation Therefor; Repealing Sections 397, 398, 401, and 403, Compiled Laws of 1913, Declaring Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

On page 4, Section 9, of the printed bill, strike out line "11."

In line 31, strike out the figures "21,450.00" and insert in lieu thereof the figures "19,450.00." Also strike out the figures "42,900.00" and insert in lieu thereof the figures "38,900.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 198. A Bill for an Act making an Appropriation for the Supervisor of Grades, Weights and Measures, for the Purpose of Carrying out, Maintaining General Supervision and Regulation of Grain Grading, Elevator Accounting and Inspection of Elevators, Warehouses and Flour Mills in Handling of all Agricultural Products.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1 of the printed bill in line 2, strike out the words "funds in the State Treasury, not otherwise appropriated," and insert in lieu thereof the words, "monies in the State Grain Grading Fund."

In line 3, strike out the figures "75,000.00" and insert in lieu thereof the figures "60,000.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 70. A Bill for an Act to Incorporate and Establish the North West Agricultural, Live Stock and Fair Association, and Making an Appropriation Therefor.

Have had the same under consideration and recommend that the same be amended as follows:

On page 3, Section 4, of the printed bill, line 9, strike out the figures "5,000.00" and insert in lieu thereof the figures "2,500.00."

In Section 6, on page 5, in line 3, strike out the figures "10,000.00" and insert in lieu thereof the figures "2,500.00." Also strike out the following words and figures: "for the year 1923, and the."

In line 4, strike out the words "further sum of" also the figures "5,000.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 107. A Bill for an Act Making an Appropriation for Per Diem, Clerk Hire, and General Expense of the Department of Public Health.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 141. A Bill for an Act to Appropriate \$1,000.00 for the Biennium, to the Humane Society for Office Supplies, Printing, Office Phone, and Traveling Expense.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 199. A Bill for an Act Making an Appropriation for the Use of the Board of Administration in Administering Child Welfare Laws.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 242. A Bill for an Act Amending and Re-enacting Section 1342 of the Compiled Laws of 1913 as Amended by Chapter 141 of the Session Laws of 1915 and by Chapter 206 of the Session Laws of 1917, and Section 1345 of the Compiled Laws of 1913, Relating to Compulsory Attendance and Providing for the Enforcement Thereof.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the title after the words and figures "of 1915 and" insert "as amended," and in line 3 of the title after the figures "1917" strike out the balance of the line, also line 4, up to and including the figures 1913, and in line 4 of the title after the word "attendance" strike out the balance of the line.

In line 2 of the printed bill after the word "and" insert the words "as amended."

In line 3 after the word "amended" insert the words "and re-enacted."

Beginning with line 5 of the printed bill strike out everything up to and including line 26, and insert in lieu thereof as follows:

"Section 1342. SCHOOL AGE. WHO EXEMPT FROM COMPULSORY ATTENDANCE. Every parent, guardian or other person who resides in any school district or city and who has control over any child of or between the ages of the seventh and fifteenth birthdays, shall send or take such child to a public school in each year during the entire time the public schools of such district or city are in session; and every parent, guardian or other person having control over any deaf, blind or feeble-minded child or youth between the ages of seven and twenty-one years of age shall be required to send such deaf child to the school for the deaf at the City of Devils Lake for the entire year unless excused by the superintendent or principal of such school, such blind child to the school for the blind at Bathgate for the entire school year unless excused by the superintendent or principal of such school, and such feeble-minded child to the institution for the feeble-minded at Grafton; provided, that such parent, guardian or other person having control of any child shall be excused from such duty by the school board of the district or by the board of education of the city or village whenever it shall be shown to their satisfaction, subject to appeal as provided by law, that one of the following reasons therefor exist:"

In line 43 of the printed bill, after the words "to teach" insert the following: "providing, however, that the provisions of this Act shall not disqualify any teacher so employed within this state at the taking effect of this law."

In line 46, after the word "impracticable" insert the following: "On written request by the parent or guardian, any pupil below and including the eighth grade may be withdrawn from the public school not to exceed two hours per week, which time may be taken in one or more periods, to attend any school or class in which instruction is given in religious education, and any pupil who attends such school or class, during said time, may, if such school or class is approved by local school board, be given credit for the work done in such school or class in lieu of the work that such pupil would have done if in attendance at the public school during said period."

Strike out lines 61, 62, 63, and 64 up to and including the words "religious duties."

Beginning with line 1 of Section 2 AMENDMENT, strike out everything up to and including line "18."

And when so amended recommend the same do pass.

ALFRED STEEL,
Chairman.

Senator Steel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Conference having under consideration the House amendments to Senate Bill No. 34, beg leave to report:

That the Senate do concur in the House amendments.

For the Senate:

D. H. HAMILTON,
W. E. MARTIN.

For the House:

L. L. TWICHELL,
W. L. ORANGE,
FRED ECKERT.

Senator Hamilton moved that the report of the Committee on Conference on Senate Bill No. 34 be adopted.

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. 288. A Bill for an Act Providing for a Tax Upon Reserves of Coal and Minerals, Providing for the Obtaining of Tax Titles to Such Reserves when Taxes Thereon Remain Unpaid and Repealing Section 2119, Section 2120 and Section 2121, Compiled Laws of 1913, and All Acts and Parts of Acts in Conflict with This Act.

Have had the same under consideration and recommend that the same be amended as follows:

On page 4, line 23 of the printed bill, after the word "of" strike out the word "Sections" and insert in lieu thereof the word "Chapter."

And when so amended recommend the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Hamilton moved that Senate Bill No. 34 as amended by the House be considered re-engrossed, and placed on its third reading and final passage.

Which motion prevailed.

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. 322. A Bill for an Act to Provide for the Construction of Chimneys, Flues and Fireplaces Where Such Chimneys, Flues and Fireplaces Are Constructed Within the Corporate Limits of Any Village, Town or City

in the State of North Dakota, and Providing for Inspection Thereof and a Penalty for Non-compliance.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ROBERT BYRNE,
Chairman.

Senator Byrne 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. 384. A Bill for an Act Repealing Chapter 192 of the Session Laws of 1919, and Re-enacting Each and Every Act that by the Terms Thereof Is Repealed, and Reinvesting Each City and Municipality with Power to Regulate and Control All Public Utilities and Their Rates and Charges for Service.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ROBERT BYRNE,
Chairman.

Senator Byrne 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. 278. A Bill for an Act to Amend and Re-enact Section 3718 of the Compiled Laws of North Dakota for the Year 1913, Relating to Extension of Water Main Assessments.

Have had the same under consideration and recommend that the same do pass.

ROBERT BYRNE,
Chairman.

Senator Byrne moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Kretschmar moved that the vote by which the committee report of Senate Bill No. 80 was adopted be reconsidered.

Which motion prevailed.

Senator Kretschmar moved that Senate Bill No. 80 be re-referred to the Committee on Appropriations.

Which motion prevailed.

Senator Stevens moved that the Senate do now adjourn.
Which motion prevailed.

FORTY-FIFTH DAY

The Senate convened at 2:00 o'clock P. M. pursuant to adjournment, the President, Frank H. Hyland, presiding. Prayer by Rev. John A. H. Slag.

Roll was called, all Senators being present with the exception of Senators Atkins, McLachlin, Rusch and Murphy.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-third and Forty-fourth Days and find the same to be correct.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

The Secretary read a telegram from the President of the Federation of Churches.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment have examined the following bill:

Senate Bill No. 229. A Bill for an Act to Amend and Re-enact Section 2189 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Publication of Delinquent Tax List, as Amended by Chapter 256 of the Session Laws of 1915.

And find the same correctly re-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 218. A Bill for an Act Making it Unlawful to Practice, or Advertise the Practice of Medicine, Surgery,

Dentistry, Law, Veterinary Surgery, Chiropractic or Osteopathy under any Company, Association or Trade Name; and Providing Penalty Therefor.

Also,

Senate Bill No. 56. A Bill for an Act Providing for the Acceptance of the Provisions of the Sheppard-Towner Act; Making an Appropriation to Meet the Allotments of the Sheppard-Towner Act; Authorizing State Department of Health to Accept Funds for Infant and Maternal Hygiene Work.

Also,

Senate Bill No. 295. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 211 of the Session Laws of North Dakota for 1919, Relating to Supreme Court Reporter and State Law Librarian.

Also,

Senate Bill No. 202. A Bill for an Act to Amend and Re-enact Section 2141 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Chapter 35, Special Session Laws of 1919; Providing for the Substitution of the State Auditor and State Tax Commissioner as Members of the State Board of Equalization Instead of the Commissioner of Insurance and Attorney General; Providing that the Tax Commissioner Shall Be Secretary Thereof Instead of the Commissioner of Insurance and Prescribing the Powers and Duties of the State Board of Equalization in Regard to the Equalization and Assessment of Property.

Also,

Senate Bill No. 347. A Joint Resolution to Amend and Re-enact Section 173 of Article 10 of the Constitution of the State of North Dakota Providing for the Election of County Officials.

Also,

Senate Bill No. 352. A Bill for an Act to Amend and Re-enact Section 9235 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Sabbath Breaking.

Also,

Senate Bill No. 381. A Bill for an Act Providing for Assistant States Attorneys in Counties with a Population Exceeding Thirty-five Thousand.

Also,

Senate Bill No. 324. A Bill for an Act Prescribing Additional Duties of the Board of Administration Relating to the Admission of Students to the State Institutions Under Its Control.

Also,

Senate Bill No. 355. A Bill for an Act to Amend and Re-enact Section 375 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 227 of the Session Laws of 1915, as Amended by Chapter 21 of the Special Session Laws of 1919, Relating to the State Auditing Board, Its Duties and the Membership Thereof.

Also,

Senate Bill No. 311. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 242, Session Laws of North Dakota for the Year 1919, Relating to State Bounty on Wolves and Coyotes.

Also,

Senate Bill No. 184. A Bill for an Act Defining and Regulating Maternity hospitals and for the Repeal of Chapter 183 of the Session Laws of 1915.

Also,

Senate Bill No. 179. A Bill for an Act Relating to the Placement of Children in Family Homes for Temporary or Permanent Care, and Providing for the Licensing and Regulation of Persons or Corporations Engaged in that Work, and for the Repeal of Chapter 183 of the Session Laws for 1915.

Also,

Senate Bill No. 180. A Bill for an Act Relating to the Powers of Certain Societies for the Care and Placement of Dependent Children, and to Amend and Re-enact Sections 5100 and 5101, Compiled Laws for 1913.

Also,

Senate Bill No. 187. A Bill for an Act Relating to Children Born out of Wedlock and to Make Uniform the Law with Reference Thereto, and for the Repeal of Sections 10483 to 10500 Inclusive, Compiled Laws of 1913, and Chapter 70. Laws of 1917.

Also,

Senate Bill No. 181. A Bill for an Act Providing for the Licensing and Regulation of Homes and Institutions Caring for Children and for the Repeal of Chapter 183 of the Session Laws of 1915.

Also,

Senate Bill No. 315. A Bill for an Act Defining Carnivals; Prohibiting Itinerant Carnivals and Declaring the Same a Public Nuisance and Providing Penalties for the Participation Therein.

Also,

Senate Bill No. 265. A Bill for an Act to Amend and Re-enact Section 2360a of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by

Section 2360a of Chapter 4 of the Session Laws for the Year 1919.

Also,

Senate Bill No. 321. A Bill for an Act Providing that Discharged Soldiers Shall Receive Credit for Their Military Service in the Particular Profession, Vocation or Trade in Which They Were Engaged at the Time of Their Entrance into the Military Service of the United States.

Also,

Senate Bill No. 344. A Bill for an Act to Amend and Re-enact Section 3294 of the Compiled Laws of the State of North Dakota for 1913, Relating to the Erection, Repair and Maintenance of County Buildings.

Also,

Senate Bill No. 81. A Bill for an Act Making an Appropriation for the Current and Contingent Expense of the State Normal and Industrial School at Ellendale, and Making Permanent Improvements and Additions Thereto.

Also,

Senate Bill No. 83. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal School at Mayville and Making Permanent Improvements and Additions Thereto.

Also,

Senate Bill No. 84. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State School for the Blind at Bathgate, and Making Permanent Improvements and Additions Thereto.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Wenstrom moved that all absent Senators be excused.

Which motion prevailed.

THIRD READING OF SENATE BILLS

Senator Storstad moved that final action on Senate Bills Nos. 2 and 256 be deferred one Legislative day.

Which motion prevailed.

Senator Sperry asked unanimous consent to return to the Ninth Order of Business.

There being no objections, the Senate took up the Ninth Order of Business.

Senator Sperry moved that the rules be suspended and that permission be granted for the introduction of a bill.

Which motion prevailed.

Senator Baker moved that further action on Senate Bill No. 218 be indefinitely postponed.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 56. A Bill for an Act Providing for the Acceptance of the Provisions of the Sheppard-Towner Act; Making an Appropriation to Meet the Allotments of the Sheppard-Towner Act; Authorizing State Department of Health to Accept Funds for Infant and Maternal Hygiene Work.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Nathan	Stevens
Baird	Hamilton	Olson, Barnes	Storstad
Baker	Ingerson	Olson, Eddy-	Thorson
Benson	Kaldor	Foster	Tofsrud
Bond	Kelsh	Page	Van Camp
Byrne	Kretschmar	Patten	Ward
Carey	Levang	Peck	Wenstrom
Eastgate	Lynch	Peterson	Whitman
Eitstad	McCoy	Porter	Whitmer
Flechten	Magnuson	Ployhar	Wog
Garberg	Martin	Sperry	
Gardiner	Miklethun	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Murphy	Rusch

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 295. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 211 of the Session Laws of North Dakota for 1919, Relating to Supreme Court Reporter and State Law Librarian.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were :

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Nathan	Stevens
Baird	Hamilton	Olson, Barnes	Storstad
Baker	Ingerson	Olson, Eddy-	Thorson
Benson	Kaldor	Foster	Tofsrud
Bond	Kelsh	Page	Van Camp
Byrne	Kretschmar	Patten	Ward
Carey	Levang	Peck	Wenstrom
Eastgate	Lynch	Peterson	Whitman
Ettestad	McCoy	Ployhar	Whitmer
Fleekten	Magnuson	Porter	Wog
Garberg	Martin	Sperry	
Gardiner	Miklethun	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Murphy	Rusch

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 89 of the Session Laws of 1921, Relating to the Furnishing by the Register of Deeds of Each County to Elevators Making Application and Paying the Fee Provided Therefore of an Abstract of all Mortgages and Liens upon Grain Grown During Each Year, and filed in the Office of the Register of Deeds.

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 45, nays none, absent and not voting 4.

Those voting in the affirmative were :

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Nathan	Stevens
Baird	Hamilton	Olson-Barnes	Storstad
Baker	Ingerson	Olson, Eddy-	Thorson
Denson	Kaldor	Foster	Tofsrud
Bond	Kelsh	Page	Van Camp
Byrne	Kretschmar	Patten	Ward
Carey	Levang	Peck	Wenstrom
Eastgate	Lynch	Peterson	Whitman
Ettestad	McCoy	Porter	Whitmer
Fleekten	Magnuson	Ployhar	Wog
Garberg	Martin	Sperry	
Gardiner	Miklethun	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Murphy	Rusch

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Senator Ployhar moved that final action on Senate Bill 292 be deferred one Legislative day.

Which motion prevailed.

Senator Miklethun moved that Senate Bill 314 be re-referred to the Committee on Insurance.

Which motion lost.

Senator Murpty moved that further action on Senate Bill No. 314 be indefinitely postponed.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 347. A Joint Resolution to Amend and Re-enact Section 173 of Article 10 of the Constitution of the State of North Dakota Providing for the Election of County Officials.

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 15, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Miklethun	Steel
Baird	Gross	Murphy	Thorson
Baker	Hamilton	Nathan	Tofsrud
Benson	Ingerson	Olson, Barnes	Van Camp
Bond	Kaldor	Olson, Eddy-	Ward
Byrne	Levang	Foster	Wenstrom
Carey	McCoy	Patten	Whitmer
Eastgate	Magnuson	Ployhar	Wog
Fleckten	Martin	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Peck	Stevens
Ettestad	Lynch	Peterson	Storstad
Gardiner	McLachlin	Porter	Whitman
Kelsh	Page	Rusch	

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 15, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 74. A Bill for an Act to Amend Sections 6072 and 6073 of the Revised Codes of North Dakota for 1913, as Amended by Chapter 176 of the Session Laws of 1915 Prescribing Lawful Rates of Interest for any Legal Indebtedness, Defining Usury.

Which the House has Indefinitely Postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 15, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 191. A Bill for an Act to Repeal Section 1571 of the Compiled Laws of North Dakota for the Year 1913, Providing an Annual Appropriation for the Biological Stations

House Bill No. 250. A Bill for an Act to Repeal Chapter 35 of the Session Laws of North Dakota for 1915, Relating to Militia Grounds.

House Bill No. 251. A Bill for an Act to Repeal Sections 1631 and 1638 of the Compiled Laws of North Dakota for the Year 1913, Relating to Experiment Station at Fargo.

House Bill No. 252. A Bill for an Act to Repeal Section 1621 of the Compiled Laws of North Dakota for the Year 1913, Relating to Experiment Station at Fargo.

House Bill No. 253. A Bill for an Act to Repeal Section 1623 of the Compiled Laws of North Dakota for the Year 1913, Relating to Demonstration Farms.

House Bill No. 255. A Bill for an Act to Repeal Section 1839 of the Compiled Laws of 1913 of North Dakota, Relating to North Dakota's Firemen's Association.

House Bill No. 264. A Bill for an Act to Repeal Section 2786 of the Compiled Laws of North Dakota for 1913, Relating to North Dakota Live Stock Association.

House Bill No. 265. A Bill for an Act to Repeal Section 5117 of the Compiled Laws of North Dakota for 1913, Relating to North Dakota Poultry Association.

House Bill No. 245. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 153 of the Session Laws of North Dakota for 1919, Relating to Bonds of North Dakota, Mill and Elevator Series.

House Bill No. 232. A Bill for an Act Providing for the Cancellation and Destruction of Negotiable Bonds and Interest Coupons Accompanying the Same, Heretofore or Hereafter, Issued by the State of North Dakota, in any Case Where Such Bonds have Matured and Have Been Paid, or Where Any Such Bonds Have Matured and Have Been Paid, or Where Any Such Bonds Have Become Mutilated or Defaced in the Course of Issuing, Negotiating or Delivering the Same, or Where Such Bonds Have Been Issued and Remain Unsold; and Providing for the Re-Issue of New Bonds in Lieu of Such Unsold, Mutilated or Defaced Bonds Which Have Been Cancelled and Destroyed.

House Bill No. 243. A Bill for an Act Authorizing the Issue of Milling Bonds of the State of North Dakota to the Amount of one Million Dollars (\$1,000,00) and Providing for the Payment hereof.

House Bill No. 211. A Bill for an act to Require Insurance Companies to Make Prompt Settlement of Loss.

House Bill No. 201. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 61 of the Session Laws of North Dakota for 1915.

House Bill No. 213. A Bill for an Act to Amend and Re-enact Section 1889 of the Compiled Laws of North Dakota for the Year 1913, Relating to the State Census, and When to be Taken.

House Bill No. 226. A Bill for an Act to Amend and enact Section 1462 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Administration of Non-Resident Students to County Agricultural and Training Schools, Providing for the Payment of Tuition of Such Non-Resident Students by the County of their Residence.

House Bill No. 88. A Bill for an Act Making an Appropriation for Maintenance, Improvements, and Repairs, and Equipment for the Institution of the Feeble-Minded at Grafton.

House Bill No. 166. A Bill for an Act to Amend and Re-enact Section 8325 of the Compiled Laws of North Dakota for 1913, Relating to Actions Arising out of Personal Injury or Death Resulting from Wrongful Acts.

House Bill No. 153. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 162 of the Laws of North Dakota for the Year 1919, Providing for the Payment of Compensation Out of the Workmen's Compensation Fund and Providing that Compensation Shall be Paid for Injuries and Deaths from Injuries Occurring Outside the State of North Dakota Only Under Circumstances as Provided in the Act.

House Bill No. 109. A Bill for an Act Making an Appropriation for the Use and Benefit of the North Dakota Firemen's Association for the Purpose of Promoting the Efficiency and Growth of its Different Departments, and the Holding of an Annual Tournament, According to the Rules and Regulations of Such Associations.

House Bill No. 189. A Bill for an Act to Repeal Section 1574 of the Compiled Laws of North Dakota for the Year 1913, Providing an Annual Appropriation for the State Geological Survey.

House Bill No. 190. A Bill for an Act to Repeal Sections 2545 and 2546 of Article 3 of the Compiled Laws of North Dakota for the Year 1913, Providing for Relief of Needy Settlers.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Hamilton moved that further action on Senate Bill No. 352 be indefinitely postponed.

A roll call was demanded.

The question being on the motion to indefinitely postpone action on Senate Bill No. 352, the roll was called and there were ayes 12, nays 37, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Kelsh	Whitman
Baird	Hamilton	Martin	Whitmer
Fleckten	Ingerson	Porter	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Kaldor	Olson, Barnes	Steel
Baker	Kretschmar	Olson, Eddy-	Stevens
Benson	Levang	Foster	Storstad
Bond	Lynch	Page	Thorson
Byrne	McCoy	Patten	Tofsrud
Carey	McLachlin	Peck	Van Camp
Eastgate	Magnuson	Peterson	Ward
Ettestad	Miklethun	Ployhar	Wenstrom
Garberg	Murphy	Rusch	
Gross	Nathan	Sperry	

So the motion to postpone was lost.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 15, 1923.

Mr. President: I have the honor to return Senate Bill No. 275 and Senate Bill No. 245, as requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Hamilton moved to amend Senate Bill No. 352 as follows:

Strike out lines 7, 8, 9, 10, and 11 of the printed bill.

A roll call was demanded.

The question being on the adoption of the Amendment to Senate Bill No. 352, the roll was called and there were ayes 6, nays 42, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Hamilton	Rusch	Whitmer	Wog
Martin	Stevens		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Miklethun	Porter
Babcock	Gardiner	Murphy	Sperry
Baird	Gross	Nathan	Steel
Baker	Kaldor	Olson, Barnes	Storstad
Benson	Kelsh	Olson, Eddy-	Thorson
Bond	Kretschmar	Foster	Tofsrud
Byrne	Levang	Page	Van Camp
Carey	Lynch	Patten	Ward
Eastgate	McCoy	Peck	Wenstrom
Ettestad	McLachlin	Peterson	Whitman
Fleckten	Magnuson	Ployhar	

Absent and not voting:

Messrs.

Ingerson

So the motion to amend was lost.

SENATE ROLL CALL

Senate Bill No. 352. A Bill for an Act to Amend and Re-enact Section 9235 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Sabbath Breaking.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 37, nays 12, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Porter
Babcock	Kaldor	Nathan	Sperry
Baker	Kelsh	Olson, Barnes	Steel
Benson	Kretschmar	Olson, Eddy-	Storstad
Bond	Levang	Foster	Thorson
Byrne	Lynch	Page	Tofsrud
Carey	McCoy	Patten	Van Camp
Eastgate	McLachlin	Peck	Ward
Ettestad	Magnuson	Peterson	
Garberg	Miklethun	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Hamilton	Rusch	Whitman
Fleckten	Ingerson	Stevens	Whitmer
Gardiner	Martin	Wenstrom	Wog

So the bill passed and the title was agreed to.

Senator Hamilton: I wish to explain my vote. I vote "no" for the reason that I do not take the privilege of dictating to any man what he will consider the Sabbath.

Senator Whitman: I vote "no" because according to this bill. I take it that it would stop our street railways from running in the cities. It would even go farther than that—it would stop railroads from running on Sunday.

Senator Whitmer: I vote "no" on this bill because it interferes with my constitutional rights and further it would absolutely stop all commerce on Sunday.

Senator Ployhar moved that the vote by which Senate Bill 275 was lost be reconsidered.

Which motion prevailed.

Senator Ployhar moved that Senate Bill 275 be placed on the Calendar for third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 275. A Bill for an Act to Repeal Chapter 24 of the Special Session Laws of North Dakota for the Year 1919, Providing for the Issuing of Bonds of the State of North Dakota in a sum not Exceeding Two Million Dollars to be Known as "Bonds of North Dakota, Home Building Series."

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 27, nays 22, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Page	Stevens
Baird	Kelsh	Peterson	Storstad
Bond	Kretschmar	Ployhar	Thorson
Carey	Lynch	Porter	Tofsrud
Eastgate	McCoy	Rusch	Van Camg
Ettestad	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Miklethun	Peck
Baker	Hamilton	Nathan	Ward
Denson	Ingerson	Olson, Barnes	Wenstrom
Byrne	Levang	Olson, Eddy-	Whitmer
Fleckten	Magnuson	Foster	Wog
Ga.berg	Martin	Patten	

So the bill passed and the title was agreed to.

Senator Baker: I want to vote "no" for this reason—I think it is one of the best laws ever put on the statute books of North Dakota, for the reason, if properly administered, as it should be, untold benefit might come to the people of North Dakota by having such a law. That I am still in favor of the law—not willing to criticize the present management and say they are not able to carry on this law as it should be.

Senator Kaldor: I wish to explain my vote. I vote "aye" first, for the reason that it gives to the private individual the right to take private property for private use, something unheard of in the jurisprudence of any country; second, for the reason that the law does not seem to be workable, having made an absolute fizzle when operated by its friends, so what can we expect when operated by its so-called enemies? I vote "aye."

Senator Miklethun: I wish to explain my vote. I was elected and sent here to advance and protect the best interests of the common people and I believe this bill is one of the best ways, so far as the common people are concerned. I vote "no."

Senator Ward. I vote "no" on this bill for the reason that I believe the American home is one of the greatest institutions and that more people will get homes, if properly administered.

Senator Rusch moved to amend Senate Bill 381 as follows:

In line 3 of the printed bill, strike out the word "shall" and insert the word "may" in lieu thereof.

In line 4, strike out the semicolon after the word "Attorneys" and insert a comma in lieu thereof, and add "with the approval of the Board of County Commissioners."

Which motion prevailed.

Senator Rusch moved that the rules be suspended and that Senate Bill 381 be considered re-engrossed and that it now be placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 381. A Bill for an Act Providing for Assistant States Attorneys in Counties with a Population Exceeding Thirty-five Thousand.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 47, nays none, absent and not voting 2.

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Miklethun	Rusch
Babcock	Gross	Murphy	Sperry
Baird	Hamilton	Nathan	Steel
Baker	Ingerson	Olson, Barnes	Stevens
Benson	Kaldor	Olson, Eddy-	Storstad
Bond	Kelsh	Foster	Thorson
Byrne	Kretschmar	Page	Tofsrud
Carey	Levang	Patten	Van Camp
Eastgate	Lynch	Peck	Ward
Ettestad	McCoy	Peterson	Wenstrom
Fleekten	McLachlin	Ployhar	Whitman
Garberg	Magnuson	Porter	Wog

Absent and not voting:

Messrs.	Messrs.
Martin	Whitmer

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Senator Gross moved to amend Senate Bill 324 as follows:

In line 5, Section 1 of the printed bill strike out all of line 5 after the word "will" and all of line 6 up to the word "in" and insert in lieu thereof the words "be discontinued as fast as practicable."

Which motion prevailed.

Senator Ployhar moved to further amend Senate Bill No. 324 as follows:

Strike out Sections 2 and 3.

Which motion prevailed.

Senator Whitman moved that further consideration of Senate Bill 324 be indefinitely postponed.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 355. A Bill for an Act to Amend and Re-enact Section 375 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 227 of the Session Laws of 1915, as Amended by Chapter 21 of the Special Session Laws of 1919, Relating to the State Auditing Board, its Duties and the Membership Thereof.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 41, nays 6, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaidor	Nathan	Stevens
Babeock	Kelsh	Olson, Barnes	Storstad
Baker	Kretschmar	Olson, Eddy-	Thorson
Bond	Levang	Foster	Tofsrud
Byrne	Lynch	Page	Van Camp
Carey	McCoy	Peterson	Ward
Eastgate	McLachlin	Ployhar	Wenstrom
Fleekten	Magnuson	Porter	Whitman
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	
Gross	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Hamilton	Peck	Whitmer
Ettestad	Patten		

Absent and not voting:

Messrs.	Messrs.
Baird	Ingerson

So the bill passed and the title was agreed to.

Senator Nathan moved that the Senate do now recess for ten minutes.

Which motion prevailed.

AFTER RECESS

Senator Whitmer moved to Amend Senate Bill No. 311 as follows:

In line 4 of the printed bill, after the word "follows," in place of the word "eight" write "five."

In line 5 of the printed bill, strike out the word "female", place a period after the word "coyote" and strike out the rest of line 5 and all of line 6 and line 7 up to the word "provided."

Which motion was lost.

Senator Nathan moved to amend Senate Bill No. 311 by striking out "eight" in line 4 of the printed bill and inserting in lieu thereof "four."

Which motion was lost.

SENATE ROLL CALL

Senate Bill No. 311. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 242, Session Laws of North Dakota for the Year 1919, Relating to State Bounty on Wolves and Coyotes.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 41, nays 7, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Miklethun	Steel
Babcock	Gardiner	Murphy	Stevens
Baird	Gross	Olson, Barnes	Thorson
Baker	Hamilton	Olson, Eddy-	Tofsrud
Benson	Ingerson	Foster	Ward
Bend	Kelsh	Page	Wenstrom
Byrne	Levang	Patten	Whitman
Carey	Lynch	Peterson	Whitmer
Eastgate	McCoy	Poybar	Wog
Ettestad	Magnuson	Porter	
Fleckten	Martin	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Kaldor	McLachlin	Peck	Van Camp
Kretschmar	Nathan	Sperry	

Absent and not voting:

Messrs.
Storstad

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Senator Peck: I vote "no" on this bill, believing if it passes in this form it will be only a joke.

SENATE ROLL CALL

Senate Bill No. 184. A Bill for an Act Defining and Regulating Maternity hospitals and for the Repeal of Chapter 183 of the Session Laws of 1915.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 32, nays 12, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Miklethun	Peterson
Babcock	Gardiner	Murphy	Ward
Baird	Gross	Nathan	Wenstrom
Baker	Ingerson	Olson, Barnes	Whitman
Benson	Kaldor	Olson, Eddy-	Whitmer
Bond	Kelsh	Foster	Wog
Byrne	Levang	Patten	
Carey	Lynch	Sperry	
Fleckten	Magnuson	Thorson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Eastgate	Kretschmar	Page	Ruseh
Ettestad	McCoy	Peck	Stevens
Hamilton	McLachlin	Porter	Tofsrud

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Martin	Steel	Storstad	Van Camp
Ployhar			

So the bill passed and the title was agreed to.

Senator Porter: I want to explain my vote. I vote "no" on this bill for the reason that if it is passed a country doctor is a criminal on account of defining what a hospital is. There is practically no doctor who will not have more than one woman admitted to his home for a period of six months for said care; therefore, I will not incriminate myself by voting for this bill.

SENATE ROLL CALL

Senate Bill No. 179. A Bill for an Act Relating to the Placement of Children in Family Homes for Temporary or Permanent Care, and Providing for the Licensing and Regulation of Persons or Corporations Engaged in that Work, and for the Repeal of Chapter 183 of the Session Laws for 1915.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 39, nays none, absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Fleckten	Miklethun	Porter
Babcock	Gardiner	Murphy	Stevens
Baird	Gross	Nathan	Thorson
Baker	Ingerson	Olson, Barnes	Tofsrud
Benson	Kelsh	Olson, Eddy-	Van Camp
Bond	Kretschmar	Foster	Ward
Byrne	Lynch	Page	Wenstrom
Carey	McCoy	Peck	Whitman
Eastgate	McLachlin	Peterson	Whitmer
Ettestad	Magnuson	Ployhar	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Garberg	Levang	Rusch	Storstad
Hamilton	Martin	Sperry	
Kaldor	Patten	Steel	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 180. A Bill for an Act Relating to the Powers of Certain Societies for the Care and Placement of Dependent Children, and to Amend and Re-enact Sections 5100 and 5101, Compiled Laws for 1913.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 36, nays none, absent and not voting 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Murphy	Stevens
Babeock	Gardiner	Nathan	Thorson
Baird	Gross	Olson-Barnes	Tofsrud
Baker	Kaldor	Olson, Eddy-	Ward
Benson	Kelsh	Foster	Wenstrom
Bond	Kretschmar	Page	Whitman
Byrne	Lynch	Peck	Wog
Eastgate	McLachlin	Peterson	
Ettestad	Magnuson	Ployhar	
Fleckten	Miklethun	Porter	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Carey	McCoy	Sperry	Van Camp
Hamilton	Martin	Steel	Whitmer
Ingerson	Patten	Storstad	
Levang	Rusch		

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 187. A Bill for an Act Relating to Children Born out of Wedlock and to Make Uniform the Law with Reference Thereto, and for the Repeal of Sections 10483 to 10500 Inclusive, Compiled Laws of 1913, and Chapter 70. Laws of 1917.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 41, nays none, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Steel
Babeock	Ingerson	Olson-Barnes	Stevens
Baird	Kaldor	Olson, Eddy-	Thorson
Baker	Kelsh	Foster	Tofsrud
Benson	Kretschmar	Page	Van Camp
Bond	Lynch	Patten	Wenstrom
Byrne	McCoy	Peck	Whitman
Eastgate	McLachlin	Peterson	Whitmer
Ettestad	Magnuson	Porter	Wog
Fleckten	Miklethun	Rusch	
Garberg	Murphy	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Carey	Hamilton	Martin	Storstad
Gardiner	Levang	Ployhar	Ward

So the bill passed and the title was agreed to.

Senator Stevens asked unanimous consent to return to the Ninth Order of Business. There being no objections, the Senate took up the Ninth Order of Business.

Senator Stevens moved that the rules be suspended and that permission be granted for the introduction of a bill.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 181. A Bill for an Act Providing for the Licensing and Regulation of Homes and Institutions Caring for Children and for the Repeal of Chapter 183 of the Session Laws of 1915.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 41, nays none, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Olson, Eddy-	Stevens
Babecock	Kaldor	Foster	Thorson
Baird	Kelsh	Page	Tofsrud
Bond	Kretschmar	Patten	Van Camp
Eastgate	Levang	Peck	Ward
Eitestad	Lynch	Peterson	Wenstrom
Fleckten	McCoy	Ployhar	Whitman
Garberg	McLachlin	Porter	Whitmer
Gardiner	Magnuson	Rusch	Wog
Gross	Miklethun	Sperry	
Hamilton	Olson-Barnes	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Byrne	Martin	Nathan
Benson	Carey	Murphy	Storstad

So the bill passed and the title was agreed to.

FIRST AND SECOND READING OF SENATE BILLS

Mr. Sperry introduced:

Senate Bill No. 386. A Bill for an Act to Amend and Re-enact Sections 16, 33, 44, 49, 56, 62, 83, 88 and 89 of Chapter 168 of the Session Laws of North Dakota for the Year 1919, Regulating the Operation of All Coal Mines in North Dakota; Providing for their Inspection; Creating the Office of Coal Mining Inspector; Fixing His Qualifications, Duties, Powers and Compensation; Providing for His Appointment; Creating a Board of Examiners; Fixing its Power and Compensation; Providing the Method of Appointment Thereof; Providing for the Registry, Examination and Issuing of Certificates to Certain Employees of Coal Mines.

Was read the first and second time and referred to the committee on Mines and Minerals.

Messrs. Stevens, Kaldor and Murphy introduced:

Senate Bill No. 387. A Bill for an Act Designating the Sheriff of the Different Counties in the State as Inspectors and Sealers of Weights and Measures, and Giving Him Power to Appoint a Deputy Inspector; Prescribing His Powers and Duties; Defining the Standard of Weights and Measures; Prescribing Fees to be Charged for Inspection; Providing for Complaints and Penalties for its Violation; Providing for Inspectors' Compensation; Naming Custodian of State Standards and Prescribing His Duties; and Repealing Sections 2999, 3000, 3003, 3004, 3005 of the Compiled Laws of North Dakota for 1913 and Chapter 241 of the Session Laws of North Dakota for the Year 1919.

Was read the first and second time and referred to the committee on State Affairs.

MESSAGES FROM THE HOUSE

House of Representatives,
February 15, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 133. A Bill for an Act to Amend and Re-enact Section 3116 of the Compiled Laws of North Dakota for the Year 1913.

House Bill No. 149. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 162 of the Laws of North Dakota for the Year 1919, to Empower the Workmen's Compensation Bureau to Classify Employments, Fix Rates for Premium, Provide for Reserves and Surplus, Provide for Establishment of a System of Merit Rating, and to Provide for the Payment of Premiums Into the Workmen's Compensation Fund.

House Bill No. 82. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal School at Minot, North Dakota, and Making Permanent Improvements and Additions Thereto.

House Bill No. 271. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 38 of the Session Laws of 1921, Relating to the Conciliation of Controversy.

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 1178 of the Compiled Laws of 1913 Relating to the Employing Public School Teachers and the Liability of School Officers.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 15, 1923.

Mr. President: I have the honor to inform you that the House has concurred in your amendment to House Bill No. 34, House Bill No. 13 and House Bill No. 8.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

The courtesies of the floor were extended to Percy Robbins of Minot.

The following bills were messaged to the House: Senate Bills Nos. 207, 56, 295, 347, 352, 275, 355, 311, 184, 179.

Senator Peterson moved that the Senate do now recess until 12:30 P. M. February 16, 1923.

Which motion prevailed.

W. E. PARSONS,
Secretary.

FORTY-FIFTH DAY AFTER RECESS AND FORTY-SIXTH DAY.

Senate Chamber,
Bismarck, North Dakota,
February 16, 1923.

The Senate re-assembled at 12:30 P. M. pursuant to recess taken, the President, Frank H. Hyland, presiding.

FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 191. A Bill for an Act to Repeal Section 1571 of the Compiled Laws of North Dakota for the Year 1913, Providing an Annual Appropriation for the Biological Stations

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 250. A Bill for an Act to Repeal Chapter 35 of the Session Laws of North Dakota for 1915, Relating to Militia Grounds.

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 251. A Bill for an Act to Repeal Section 1631 and 1638 of the Compiled Laws of North Dakota for the Year 1913, Relating to Experiment Station at Fargo.

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 252. A Bill for an Act to Repeal Section 1621 of the Compiled Laws of North Dakota for the Year 1913, Relating to Experiment Station at Fargo.

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 253. A Bill for an Act to Repeal Section 1623 of the Compiled Laws of North Dakota for the Year 1913, Relating to Demonstration Farms.

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 255. A Bill for an Act to Repeal Section 1839 of the Compiled Laws of 1913 of North Dakota, Relating to North Dakota's Firemen's Association.

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 264. A Bill for an Act to Repeal Section 2786 of the Compiled Laws of North Dakota for 1913, Relating to North Dakota Live Stock Association.

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 265. A Bill for an Act to Repeal Section 5117 of the Compiled Laws of North Dakota for 1913, Relating to North Dakota Poultry Association.

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 245. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 153 of the Session Laws of North Dakota for 1919, Relating to Bonds of North Dakota Mill and Elevator Series.

Was read the first and second time and referred to the committee on State Affairs.

House Bill No. 232. A Bill for an Act Providing for the Cancellation and Destruction of Negotiable Bonds, and Interest Coupons Accompanying the Same, Heretofore or Hereafter, Issued by the State of North Dakota, in any Case Where Such Bonds have Matured and Have Been Paid, or Where Any Such Bonds Have Matured and Have Been Paid, or Where Any Such Bonds Have Become Mutilated or Defaced in the Course of Issuing, Negotiating or Delivering the Same, or Where Such Bonds Have Been Issued and Remain Unsold; and Providing for the Re-Issue of New Bonds in Lieu of Such Unsold, Mutilated or Defaced Bonds Which Have Been Cancelled and Destroyed.

Was read the first and second time and referred to the committee on State Affairs.

House Bill No. 243. A Bill for an Act Imposing a Tax Upon the Sale Within the State of North Dakota, of Tobacco in Boxes or Containers and Upon Cigars for the Purpose of Raising Revenue for Defraying Cost of State Government; Providing for the Administration and Collection of the Same.

Was read the first and second time and referred to the committee on State Affairs.

House Bill No. 211. A Bill for an act to Require Insurance Companies to Make Prompt Settlement of Loss.

Was read the first and second time and referred to the committee on Insurance.

House Bill No. 201. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 61 of the Session Laws of North Dakota for 1915.

Was read the first and second time and referred to the committee on Ways and Means.

House Bill No. 213. A Bill for an Act to Amend and Re-enact Section 1889 of the Compiled Laws of North Dakota for the Year 1913, Relating to the State Census, and When to be Taken.

Was read the first and second time and referred to the committee on Apportionment.

House Bill No. 226. A Bill for an Act to Amend and enact Section 1462 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Administration of Non-Resident Students to County Agricultural and Training Schools, Providing for the Payment of Tuition of Such Non-Resident Students by the County of Their Residents.

Was read the first and second time and referred to the committee on Education.

House Bill No. 88. A Bill for an Act Making an Appropriation for Maintenance, Improvements, and Repairs, and Equipment for the Institution of the Feeble-Minded at Grafton.

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 166. A Bill for an Act to Amend and Re-enact Section 8325 of the Compiled Laws of North Dakota for 1913, Relating to Actions Arising out of Personal Injury or Death Resulting from Wrongful Acts.

Was read the first and second time and referred to the committee on Judiciary.

House Bill No. 153. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 162 of the Laws of North Dakota for the Year 1919, Providing for the Payment of Compensation Out of the Workmen's Compensation Fund and Providing that Compensation Shall be Paid for Injuries and Deaths from Injuries Occurring Outside the State of North Dakota only Under Circumstances as Provided in the Act.

Was read the first and second time and referred to the committee on State Affairs.

House Bill No. 109. A Bill for an Act Making an Appropriation for the Use and Benefit of the North Dakota Firemen's Association for the Purpose of Promoting the Efficiency and Growth of its Different Departments, and the Holding of an Annual Tournament, According to the Rules and Regulations of Such Associations.

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 189. A Bill for an Act to Repeal Section 1574 of the Compiled Laws of North Dakota for the Year 1913, Providing an Annual Appropriation for the State Geological Survey.

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 190. A Bill for an Act to Repeal Sections 2545 and 2546 of Article 3 of the Compiled Laws of North

Dakota for the Year 1913, Providing for Relief of Needy Settlers.

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 133. A Bill for an Act to Amend and Re-enact Section 3116 of the Compiled Laws of North Dakota for the Year 1913.

Was read the first and second time and referred to the committee on Warehouses and Grain Grading.

House Bill No. 149. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 162 of the Laws of North Dakota for the Year 1919, to Empower the Workmen's Compensation Bureau to Classify Employments, Fix Rates for Premium, Provide for Reserves and Surplus, Provide for Establishment of a System of Merit Rating, and to Provide for the Payment of Premiums Into the Workmen's Compensation Fund.

Was read the first and second time and referred to the committee on State Affairs.

House Bill No. 82. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal School at Minot, North Dakota, and Making Permanent Improvements and Additions Thereto.

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 271. A Bill for an Act to Amend and Re-enact Section Five of Chapter 38 of the Session Laws of 1921 Relating to the Conciliation of Controversies.

Was read the first and second time and referred to the committee on Judiciary.

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 1178 of the Compiled Laws of 1913 Relating to the Employing Public School Teachers and the Liability of School Officers.

Was read the first and second time and referred to the committee on Education.

REPORTS OF STANDING COMMITTEES

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred:

Senate Bill No. 80. A Bill for an Act Making an Appropriation of \$1,042,965.00 for the Purpose of Paying the General Maintenance, Improvements and Repairs, New Equipment, etc., of the State University at Grand Forks, North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In title of Printed Bill, strike out the figures "1,042,965.00" and insert in lieu thereof the figures "1,027,933.00." On page 4, strike out lines "3, 4, and 5."

In line 8, strike out the figures "44,280.00" and insert in lieu thereof the figures "29,248.00."

In line 11 strike out the figures "38,280.00" and insert in lieu thereof the figures "23,248.00."

In line 13, strike out the figures "1,042,965.00" and insert in lieu thereof the figures "1,027,933.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 362. A Bill for an Act to Amend and Re-enact Section 6815 of the Compiled Laws of 1913 and to Amend and Re-enact Section 6822 of the Compiled Laws of 1913 and to Repeal Section 6816 of the Compiled Laws of 1913.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 290. A Bill for an Act to Provide for the Expenses of Prosecution and Trial of Actions Wherein the Issues Affect the Entire People of the State and Not Alone the County Wherein Such Actions Are Tried.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 336. A Concurrent Resolution for an Amendment to Section 182, Article 12 of the Constitution of the State of North Dakota, as Amended by Article 31 of

the Amendments Thereof, Relating to Issuing or Guaranteeing of Bonds by the State and Providing that Such Bonds in Excess of Two Million Dollars Shall be Secured by First Mortgage on Certain Classes of Property; and Providing for the Submission of this Amendment to the Voters of the State for Rejection or Approval as Provided in Section 292, as Amended, of the Constitution of the State of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In the title where the words "Concurrent Resolution" occur, strike out the word "concurrent" and insert in lieu thereof the word "Joint."

And when so amended recommend the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 368. A Bill for an Act Regulating the Civil Rights of Citizens of This State in Regard to the Payment of Debts and Procedure Relating Thereto.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 316. A Bill for an Act to Amend and Re-enact Section 7625 of the Compiled Laws of North Dakota for 1913, Relating to a Trial Jury in Civil Cases.

Have had the same under consideration and recommend that the same be amended as follows:

In line 11, Section 7626 of the engrossed bill, after the words "in his discretion," strike out the words "may permit"; strike out all of lines 12, 13, 14, 15, 16, 17 and the first four words in line 18. On page 2, line 3, of the engrossed bill, strike out the words "under either of the methods" and insert in lieu thereof the word "as"

And when so amended recommend the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 339. A Joint Resolution for an Amendment to the Constitution of the State of North Dakota, Providing for the Issue of Bonds for the Erection of Dormitories for the State's Educational Institutions.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 351. A Bill for an Act Relating to Fees for the Recording of Deeds or Mortgages Given to or Assigned by the Bank of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 333. A Bill for an Act to Repeal Sections 10092 to 10176, both Inclusive, Together with All Acts Amendatory Thereto.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 280. A Bill for an Act to Amend and Re-enact Section 7643 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 133, of the Session Laws of 1921, Relating to Directed Verdicts.

Have had the same under consideration and recommend that the same be amended as follows:

In Section one of the engrossed bill, after the words "for the year 1913," insert the words "as amended by Chapter 133 of the Session Laws of 1921."

And when so amended recommend the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 370. A Bill for an Act to Amend and Re-enact Section 5626 of the Compiled Laws of North Dakota for 1913.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 326. A Bill for an Act to Amend Sections 3711 of the Compiled Laws of the State of North Dakota for the Year 1913, and to Provide for Special Assessment Funds, the Issuance and Payment of Warrants.

Have had the same under consideration and recommend that the same do pass.

ROBERT BYRNE,
Chairman.

Senator Byrne moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Cities and Municipal Corporations to whom was referred:

Senate Bill No. 328. A Bill for an Act Empowering Cities to Raise a Fund for the Payment of Special Assessment Warrants and Interest for Any Improvement Authorized by Law in Any Case Where Special Assessments Levied for Such Improvement Maturing in Any One Year Shall Have Become Due and a Portion of Said Assessments Remains Unpaid and There Are No Funds Legally Applicable to the Payment of Such Improvement Warrants and Interest.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ROBT. BYRNE,
Chairman.

Senator Byrne 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. 294. A Bill for an Act to Amend and Re-enact section 4 of Chapter 129 of the Session laws of North Dakota for the Year 1921, Relating to Affidavits of Prejudice.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 248. A Bill for an Act to Amend and Re-enact Sections 7753, Sections 7754 and 7758 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 223 of the Laws of North Dakota for the Year 1915 and as Amended by Chapter 109 of the Laws of North Dakota for the Year 1917; Section 7762 of the Compiled Laws of North Dakota for the Year 1913, Relating to Redemption from Sales of Real Estate Under Execution and Foreclosure and the Rate of Interest to be Charged Thereon.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 205. A Bill for an Act to Amend and Re-enact 7644 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 1 of the Session Laws for the year 1919, (Regular Session) and Chapter 129 of the Session Laws for the Year 1921, Relating to Change of Judges in Civil and Criminal Actions in the District Court, for Prejudice or Bias of Judge Thereof; Providing for the Calling of Another Judge of Another Judicial District, and the Payment of his Expenses, and the Discharge of Jurors Therein, 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:

In the engrossed bill, after the enacting clause, insert the following:

Section 1. Amendment. That Section 7644 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 1 of the Session Laws for the year 1919, (Regular Session), as amended by Chapter 129 of the Session Laws for the year 1921, is hereby amended and re-enacted to read as follows:

And when so amended recommend the same do pass:

L. R. BAIRD,
Chairman.

Senator Baird 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. 267. A Bill for an Act Declaring an Emergency to Exist Affecting the Public Welfare of the State with Respect to the Administration of Insolvent Banks; Providing for the Liquidation Thereof; Vesting the Supreme Court with Jurisdiction of Such Liquidation Proceedings, and Requesting It to Assume Original Jurisdiction in Furtherance of the Public Interest; Creating the Position of Supreme Court Commissioner, Fixing His Compensation, and Defining His Powers and Authority, and Providing for the Appointment of Receivers of Insolvent Banks, and Making an Appropriation to Meet the Expenses Incident to Carrying Out the Purpose of the Act.

Have had the same under consideration and recommend that the same do pass.

W. R. BOND,
Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Banks and Banking to whom was referred:

Senate Bill No. 250. A Bill for an Act to Amend and Re-enact Chapter 126 of the Laws of 1917, as Amended by Chapter 110 of the Laws of 1919 and as Further Amended by Chapter 21 of the Laws of 1921.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 6, line 5, of the Engrossed bill, after the word "of" when it appears the first time, insert the words "ten dollars."

In Section 8, line 34, of the Engrossed Bill, after the word "same" strike out the "semi-colon" and insert in lieu thereof a "period," and strike out everything in Section 8 after the word "same."

In Section 9, Line 30, of the Engrossed Bill, strike out the word "of" when it appears the second time, and insert in lieu thereof the word "or."

In Section 10, line 24, of the Engrossed Bill, strike out the word "registered."

In Section 17, line 12, of the Engrossed Bill, after the word "within" strike out the word "thirty" and insert in lieu thereof the word "ninety."

In Section 39, line 7, of the Engrossed Bill, after the word "than" insert the words "one hundred" and after the figures "100.00" insert the word "dollars."

And when so amended recommend the same do pass.

W. R. BOND,
Chairman.

Senator 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. 87. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the Traveling Expenses and Propagation of Game Departments of the State Game and Fish Board.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

Senate Bill No. 76. A Bill for an Act Making an Appropriation of \$117,338.00 as an Offset for Federal Aid in Extension Division Work of the Agricultural College.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

Senate Bill No. 357. A Bill for an Act Providing for the Creation of a Commission for the Purpose of Making a

Study of the Lignite Industry and Reporting to the Next Regular Session of the Legislature Its Findings with Respect to Methods of Developing Such Industry, and Providing an Appropriation for the Purpose of Defraying Necessary Expenses.

Have had the same under consideration and recommend that the same be indefinitely postponed .

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 106. A Bill for an Act to Appropriate One Thousand and Forty Dollars (\$1,040.00) for the Payment of \$10.00 Once Each Week During the Biennium 1923, 1924, as an Aid to the Society for the Friendless Authorized Under Chapter 46 of the North Dakota Session Laws of 1911.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 93. A Bill for an Act to Appropriate One Thousand Dollars to Provide Funds for the Payment of the Per Diem and Necessary Expenses of the Members of the State Board of Pardons, together with Postage, Telegrams, Telephone Tolls, Printing, and Other Necessary Expenses Incurred by Such Board as Provided for in Section 11108 of the Compiled Laws of 1913 for North Dakota.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 95. A Bill for an Act Making an Appropriation for the Florence Crittenton Home at Fargo, North Dakota.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 119. A Bill for an Act Making an Appropriation of \$63,000.00 for the Care of Insane Patients Whose Residence Can not be Determined and Whose Care Must be Borne by the State.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Ward moved that the Senate do now adjourn.

Which motion prevailed.

FORTY-SIXTH DAY.

The Senate convened at 2:00 o'clock P. M., the President, Frank H. Hyland, presiding.

Prayer by Rev. John A. H. Slag.

Roll was called all Senators being present.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on revision and correction of the Journal have carefully examined the Journal of the 44th day after recess and 45th day and recommend that the same be corrected as follows:

On page 39 strike out Senate Bill No. 282, etc." and insert in lieu thereof "Senate Bill No. 288, etc."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

The Secretary read the following communication from Congressman O. B. Burtness.

CONGRESS OF THE UNITED STATES
House of Representatives
Washington, D. C.

February 12, 1923.

Hon. Frank H. Hyland,
President of the Senate,
Bismarck, North Dakota.
Dear Governor Hyland:

I have just received from the office of the Secretary of State a copy of the concurrent resolution introduced

by Mr. A. B. Jackson, which in substance urges congress to take cognizance of the present situation of the north-western wheat farmer, and to guarantee a minimum price of \$1.50 per bushel on wheat during the present emergency.

I have read the resolution very carefully, and it epitomizes the exact arguments that the entire North Dakota delegation in the House has been making to the Agricultural Committee during the past year and a half. We appreciate being backed up in this way by the Legislative Assembly of the state. Every allegation contained in the resolution can be substantiated by undisputed facts.

I regret to have to report, however, that it is impossible to get a favorable report upon such legislation from the Agricultural Committee. Several bills with such an object in view have been pending for more than a year. A majority of the Committee, as well as a majority of Congress seems to feel that it would not be justified in guaranteeing a net price on any commodity and have the United States Treasury take care of the loss which might be incurred in connection therewith. Briefly, they argue that if they start doing so with one commodity, where would they stop?

As so well stated in your concurrent resolution the situation is very different in the case of wheat from what it is in connection with any other commodity, for the Federal Guaranty of wheat prices during the war operated to the disadvantage of the wheat grower, and the Government did, in fact, upon that very wheat, made a profit of \$50,000,000 for the sole reason that the wheat was bought by the Government at a lower price than the producer would have received had the ordinary laws of supply and demand been allowed to operate.

At any rate, your resolution will be referred to the House, and in turn referred to the Agricultural Committee therefor for its consideration.

If the work done on behalf of price stabilization will not bring about legislation to that direct effect, it does at least do some good in calling attention to the agricultural conditions, and in procuring other legislation such as credit legislation, tariff legislation, co-operative legislation, etc., for the good of agriculture.

Assuring you of my earnest co-operation in this work, I remain

Very respectfully yours,

O. B. BURTNESS.

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 371. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Articles of Food and Drugs; for the Prevention of Adulteration and Misbranding Thereof; Requiring Labeling Thereof; Providing for Sales by Weight, Measure or Numerical Count; Providing for Fixing of Standards of Purity and Quality and Fitness of Consumption; Prescribing the Duties of the State Board of Administration and Providing for the Appointment of a State Food Commissioner and Chemist and Prescribing His Duties and Powers; Providing for the Enforcement of the Provisions of the Act; Defining Certain Offenses in Connection Therewith; Providing Penalties for Violations Thereof and Repealing Certain Acts Relating Thereto.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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 Create the Office of State Food Commissioner and Chemist; Providing for His Appointment, Term of Office, Removal and Salary; Defining His Powers and Duties; Defining the Powers and Duties of the State Board of Administration Relating Thereto; Creating a State Regulatory Fund and Providing for Payments Therefrom and Repealing Acts Parts of Acts in Conflict with this Act and Especially Repealing Sections Two and Five of Chapter Two Hundred of the Session Laws of 1915.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 373. A Bill For an Act to Prevent Fraud and Deception in the Manufacture and Sale of Beverages; to Prevent Adulteration and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; to Define the Duties of the State Food Commissioner and Chemist; to Provide for the Enforcement of the Provisions of the Act and to Provide Penalties for Violations Thereof and to Repeal Existing Laws Relating Thereto.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 374. A Bill for an Act to Establish a Uniform Egg Law Regulating the Handling of Eggs Within this State; Preventing the Sale and Traffic in Eggs Unfit for Human Food; Requiring Labeling and Candling; Providing for Licensees for Dealers in Eggs and for the Collection and Disposition of License Fees; Providing for Rules and Regulations and the Enforcement of the Act and Providing Penalties for Violation Thereof and Repealing Acts Relating Thereto.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 379. A Bill for an Act to Regulate the Sale of Petroleum Products; to Provide for the Inspection of Kerosene and Gasoline; to Provide Specifications Therefor; to Prevent Adulteration and Misbranding Thereof; to Provide for Inspection Fees, Collection and Disposition of Same; to Define the Duties of the State Food Commissioner and Chemist; to Provide for the Inspection of Lubricating and Power Oils; to Provide for the Enforcement of the Act; to Provide Penalties for the Violation Thereof and to Repeal Existing Acts Relating Thereto.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 272. A Bill for an Act Relating to the Method of Levying Tax for the Care of Patients at the Hospital for the Insane, Institution for the Feeble Minded and the State Tuberculosis Sanatorium; Providing the Method of Settlement Between County and State; Providing a Penalty for Failure to Pay; Providing a Method of Settling Disputed Claims and Repealing Sections 2572 and

2573, Compiled Laws of 1913 and all Acts or Parts of Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 363. A Bill for an Act to Amend and Re-enact Chapter 170 of the Session Laws of North Dakota for the Year 1919, Being an Act Regulating and Fixing the Hours of Labor for Females, and Providing Penalties for the Violation Thereof.

Have had the same under consideration and recommend that the same be Indefinitely Postponed.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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 Bil I No. 159. A Bill for an Act Appropriating Money for the Use of War History Commission Between the Following Dates: June 30th, 1923, to July the 1st, 1925.

Have had the same under consideration and recommend that the same be amended as follows:

After the figures \$2,720.00 at the close of Section 1 add the following:

(Section 2. All moneys appropriated for the use of the North Dakota War History Commission shall be disbursed and expended under the authority and direction of the State Historical Society of North Dakota, and all records, documents, material and articles of historical nature and significance collected by the North Dakota War History Commission shall be placed in the care and custody of the State Historical Society of North Dakota.

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 325. A Bill for an Act to Amend and Re-enact Sections 551, 552 and 557 of the Compiled Laws of North Dakota for 1913, Governing the Practice of Certified Public Accountants in the state, and Providing a Penalty for Violation of the Laws Governing Accountancy.

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 and Re-enact Article 21 of Chapter 5 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 71 of the Laws of North Dakota for the Year 1919; an Act to Create a State Board of Accountancy and Prescribe its Duties and Powers; to Provide for the Examination and Issuance of Certificates to Qualified Accountants, With the Designation of Certified Public Accountant; and to Provide the Penalty for Violations of the Provisions Thereof.

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

Section 1. Within thirty days after the passage of this act, the Governor of the State shall appoint a Board of three certified public accountants, which board shall be known as the state board of public accountants, which board shall be known as the state board of accountancy.

Section 2. The members of such board shall hold office for three years or until their successors are appointed and have qualified, except that for the members first appointed under the act, one shall hold office for one year, one for two years and one for three years. The term of office for each shall be designated at the time of his appointment.

Thereafter one member shall be appointed annually for the full term.

Section 3. The board shall organize by the election of one of its members as president, one member as secretary and one as treasurer, provided, however, that the office of secretary and treasurer may be held by one person.

Section 4. The board shall keep a complete record of all its proceedings and shall present annually to the governor a detailed statement of the receipts and disbursements of said board during the preceding year, with a statement of its acts and proceedings and such recommendations as such board may deem proper.

Section 5. The board shall be authorized:

(a) To administer oaths to all applicants or persons appearing before the board in respect to investiga-

tions, examination or the issuance of C. P. A. certificates;

(b) To conduct investigations and examinations and issue certificates to properly qualified applicants;

(c) To determine the qualifications of all applicants;

(d) To establish such rules and regulations as may be requisite properly to carry out the purposes of this act and maintain a high standard of integrity, education and proficiency among the holders of C. P. A. certificates;

Section 6. Written examinations of applicants shall be held as often as may be necessary in the opinion of the board, and at such times and places as it may designate, but not less than one in each calendar year.

If five or more persons apply for examination, the board shall hold an examination for such applicants. Examinations may be both oral and written, at the discretion of the board.

Section 7. The written examination shall at least cover four general subjects, with a minimum time allowance, as follows:

(a) Theory of Accounts, 3 hours.

(b) Practical Auditing, 6 hours.

(c) Auditing, 3 hours.

(d) Commercial Law, 3 hours.

And such other subjects as may be required by the board. Seventy-five per cent shall be required in each subject.

Section 8. Any citizen of the United States, or one who, in good faith, has declared his intentions of becoming such citizen (in which case he must become a citizen within one year after the time allowed by law or the certificate shall be revoked by the board), being a bona fide resident of North Dakota, over the age of twenty-one years, of good moral character, a graduate of a high school of recognized standing with a four year course, or possessing an education fully equivalent thereto, who has had at least three years accounting experience, two of which shall have been in public practice on his own account or in the office of a Certified Public Accountant in active practice, and has passed a satisfactory examination (unless otherwise exempt from such examination as herein provided), shall receive a certificate of his qualifications to practice as a professional Public Accountant. And it shall be unlawful for any person or partnership, all of the members of which have not received such certificate, or a corporation to assume such title or the abbreviations C. P. A., C. A., or any other words, letters or abbreviations tending to indicate that the person, firm, or corporation so using the same is a Certified Public Accountant without first having received said certificate.

Section 9. The Board may in its discretion, upon application in writing, waive the examination of and issue a certificate to any non-resident Certified Public Accountant who has the qualifications required by this act and rules of the board, provided, that such person shall submit to the board such evidence as to qualifications as may be required by and be satisfactory to the board, who, for not less than three years, has had the degree of Certified Public Accountant issued by or under the authority another state provided, that the standards prescribed by law and the rules of the board are, in the opinion of the board, fully equivalent to the standards maintained in this state. If, for any reason, the certificates of original issue be revoked or cancelled, the board of accountancy of this state shall forthwith revoke and cancel the certificate issued to such person in accordance with this section.

Section 10. The board shall have the power to revoke any certificate then in force.

(a) If the holder thereof shall have been convicted of a felony;

(b) If he shall be found guilty of conduct involving moral turpitude.

(c) For fraud or misrepresentation in application for certificate or in the examination thereof;

(e) For failure on the part of the applicant, who, at the time of issue of certificates, is not a citizen of the United States, to qualify in accordance with the provisions of Section 8 of this act.

No certificates shall be revoked except after a hearing thereon, and by a majority vote of the board, the Attorney General of the state or an attorney, designated by him, shall attend and act as the legal advisor of the board. Written notice of such proposed hearing shall be mailed to the holder of such certificate at his last known address at least twenty (20) days before the date thereof, stating the basis for such proposed action or revocation, and appointing a time and place for such hearing. At such hearing the board shall have the power to compel the attendance of witnesses, to administer oaths and to examine witnesses under oath.

The board shall keep a complete record of all proceedings with respect to the revocation of any certificates.

Section 11. Each applicant for examination shall pay to the board a fee of twenty-five dollars (\$25.00) at the time of filing his application. In no case shall such fee be returned. If the applicant fails to pass the examination, he shall be entitled to take another examination within one year, at any time at which there are other applicants to be examined, providing he has failed in the first instance in not more than one-half the subjects covered by the examination.

Section 12. The members of the board, to be appointed under the provisions of this act, shall be paid for the time actually expended in the pursuance of the duties imposed upon them by this act, an amount not exceeding five dollars (\$5.00) per diem, and they also shall be entitled to necessary traveling expenses.

Section 13. From the fees collected, the board shall pay all expenses incident to the examinations to be held under this act, the expenses of preparing and issuing certificates, the traveling expenses of examiners and their compensation, while performing their duties under this act, stationery, printing, clerk hire and incidental office expenses provided that no expense incurred under this act shall be a charge against the funds of the state.

Section 14. (a) Any Certified Public Accountant who shall be found guilty of falsifying a report, statement, investigation or audit, shall be deemed a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00), or by imprisonment for a period of not exceeding thirty days, or by both such fine and imprisonment, in the discretion of the court.

(b) Any person representing himself or herself to the public as having a certificate as a Certified Public Accountant, as provided for in this act, or who shall assume to practice as a certified public accountant, without first having received said certificate, or if any person having received such certificate shall thereafter lose the same, by revocation, as provided for in this act and shall continue to practice as a Certified Public Accountant, or use such title or any other title mentioned in Section eight (8) of this act, or if any person shall violate any of the provisions of this act, such person shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than dollars (\$300.00), or by imprisonment for a period not to exceed ninety days, or by both such fine and imprisonment in the discretion of the court.

Section 15. All acts or parts of acts in conflict with this act are hereby repealed.

Section 16. Emergency. Whereas, an emergency exists in that the present accountancy law contains no provision for penalty for infraction and under a recent decision of the North Dakota Supreme Court no protection is afforded thereunder, it is hereby declared that this act shall take effect upon its passage and approval.

And when so amended recommend the same do pass.

H. J. RUSCH,
Chairman.

Senator Rusch 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. A majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 277. A Bill for an Act Transferring to the Industrial Commission the Custody, Control and Management of the Property and Assets of the Home Building Association of North Dakota, for the Purpose of Liquidating and Winding up the Business and Affairs of said Home Building Association of North Dakota, Defining the Powers and Authority of the Industrial Commission With Reference Thereto, Defining the Rights and Liabilities of Applicants for Homes and Purchasers, and Repealing Chapter 150 of the Session Laws of North Dakota for the Year 1919, and Chapter 39 of the Special Session Laws of North Dakota for the Year 1919.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

The Committee on State Affairs made the following report:

Mr. President: A minority of your committee on State Affairs to whom was referred:

Senate Bill No. 277. A Bill for an Act Transferring to the Industrial Commission the Custody, Control and Management of the Property and Assets of the Home Building Association of North Dakota, for the Purpose of Liquidating and Winding Up the Business and Affairs of Said Home Building Association of North Dakota, Defining the Powers and Authority of the Industrial Commission with Reference Thereto, Defining the Rights and Liabilities of Applicants for Homes and Purchasers, and Repealing Chapter 150 of the Session Laws of North Dakota for the Year 1919, and Chapter 39 of the Special Session Laws of North Dakota for the Year 1919.

Have had the same under consideration and recommend that the same be indefinitely postponed.

D. H. HAMILTON,
O. H. OLSON,
GUST WOG.

Senator Ployhar moved that the report of the majority of the Committee on Senate Bill No. 277 be adopted.

Senator Hamilton moved to amend by substituting the word "minority" for that of "majority."

Which motion lost.

The vote being on the motion of Senator Ployhar the motion prevailed.

The Committee on State Affairs made the following report:

Mr. President: A majority of your committee on State Affairs to whom was referred:

Senate Bill No. 380. A Bill for an Act to Provide for the Management, Operation, Control and Government of the North Dakota Mill and Elevator Association, and to Repeal all Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

The Committee on State Affairs made the following report:

Mr. President: A minority of your committee on State Affairs to whom was referred:

Senate Bill No. 380. A Bill for an Act to Provide for the Management, Operation, Control and Government of the North Dakota Mill and Elevator Association, and to Repeal all Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

D. H. HAMILTON,
O. H. OLSON,
GUST WOG,
JOHN NATHAN.

Senator Ployhar moved that the report of the majority of the Committee on Senate Bill No. 380 be adopted.

Senator Hamilton moved to amend by substituting the word "minority" for that of "majority."

Which motion was lost.

The vote being on the motion of Senator Ployhar, the motion prevailed.

The Committee on State Affairs made the following report:

Mr. President: A majority of your committee on State Affairs to whom was referred:

Senate Bill No. 365. A Bill for an Act Providing for the Discontinuance of the Depositors Guaranty Fund and Limiting the Time Up to Which Deposits Are Guaranteed by Said Fund and the Laws Relating Thereto.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

The committee on State Affairs made the following report:

Mr. President: A minority of your committee on State Affairs to whom was referred:

Senate Bill No. 365. A Bill for an Act Providing for the Discontinuance of the Depositors Guaranty Fund and Limiting the Time Up to Which Deposits Are Guaranteed by Said Fund and the Laws Relating Thereto.

Have had the same under consideration and recommend that the same be indefinitely postponed.

D. H. HAMILTON,
O. H. OLSON,
RALPH INGERSON,
JOHN NATHAN,
JOHN L. MIKLETHUN,
GUST WOG.

Senator Ployhar moved that the report of the majority of the Committee on Senate Bill 365 be adopted.

Senator Hamilton moved to amend by substituting the word "minority" for that of "majority."

Senator Ingerson moved a call of the Senate.

Which motion prevailed.

CALL OF THE SENATE

Present:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Stevens
Babcock	Ingerson	Olson, Eddy-	Storstad
Baird	Kaldor	Foster	Thorsen
Benson	Kelsh	Olson, Barnes	Tofsrud
Bond	Kretschmar	Page	Van Camp
Byrne	Levang	Patten	Ward
Carey	Lynch	Peck	Wenstrom
Eastgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Whitmer
Flechten	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	
Gross	Murphy	Steel	

Absent:

Messrs.
Baker

Senator Stevens moved that further proceedings under the call of the Senate be dispensed with.

Which motion prevailed.

Senator Nathan moved that further action on the committee report of Senate Bill No. 365 be deferred until Senator Baker's return to the Senate Chamber.

Which motion lost.

A roll call was demanded on the motion of Senator Hamilton.

The question being on the motion to substitute "minority for the word "majority" the roll was called

and there were ayes 23, nays 25, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Miklethun	Patten
Benson	Hamilton	Nathan	Peck
Byrne	Ingerson	Olson, Barnes	Ward
Fleckten	Levang	Olson, Eddy-	Wenstrom
Garberg	Magnuson	Foster	Whitmer
Ettestad	Martin	Page	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Ployhar	Thorson
Baird	Kretschmar	Porter	Tofsrud
Bond	Lynch	Rusch	Van Camp
Carey	McCoy	Sperry	Whitmer
Fastrate	McLachlin	Steel	
Gardiner	Murphy	Stevens	
Kaldor	Peterson	Storstad	

Absent and not voting:

Messrs.
Baker

So the motion to substitute was lost.

The vote being on the motion of Senator Ployhar the motion prevailed.

The committee on Public Printing made the following report:

Mr. President: The majority of your committee on Public Printing to whom was referred:

Senate Bill No. 247. A Bill for an Act to Repeal Chapter 173 of the Session Laws of the State of North Dakota for the Year 1919, Being an Act Requiring the Label of the International Typographical Union to Be Placed Upon all Public Printing of the State of North Dakota and Providing Penalties for the Violation Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

OLE ETTESTAD, Chairman.
NELS MAGNUSON,
P. O. THORSON,
NELS PETERSON,
E. B. PAGE,
W. D. LYNCH.

The committee on Public Printing made the following report:

Mr. President: A minority of your committee on Public Printing to whom was referred:

Senate Bill No. 247. A Bill for an Act to Repeal Chapter 173 of the Session Laws of the State of North Dakota for the Year 1919, Being an Act Requiring the Label of the International Typographical Union to be Placed Upon All

Public Printing of the State of North Dakota and Providing Penalties for the Violation Thereof.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
O. T. TOFSRUD,
W. H. PORTER.

Senator Ettestad moved that the report of the majority of the Committee on Senate Bill No. 247 be adopted.

Senator Whitman moved to amend by substituting the word "minority" for that of "majority."

Which motion was lost.

The vote being on the motion of Senator Ettestad a Roll Call was demanded.

SENATE ROLL CALL

The question being on the motion to adopt the majority report the roll was called and there were ayes 32, nays 17, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Miklethun	Rusch
Baker	Ingerson	Nathan	Storstad
Benson	Kelsh	Olson, Baraes	Thorson
Byrne	Kretschmar	Olson, Eddy-	Ward
Carey	Levang	Foster	Wenstrom
Ettestad	Lynch	Page	Wog
Fleckten	McCoy	Patien	
Garberg	Magnuson	Peck	
Gross	Martin	Peterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Sperry	Whitman
Baird	McLachlin	Steel	Whitmer
Bond	Murphy	Stevens	
Eastgate	Ployhar	Tofsrud	
Gardiner	Porter	Van Camp	

So the majority report was adopted.

A majority of the Committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred:

Senate Bill No. 232. A Bill for an Act to Amend and Re-enact Section 9367 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Prescribing of an Oath.

Have had the same up for consideration and recommend that the same be amended as follows:

That Section 9367 of the engrossed bill be stricken out and that in lieu thereof there be inserted the following:

"Section 9367. Oath Defined. The term oath as used in Section 9366 of the Compiled Laws of 1913, includes an affirmation and every other mode of attesting the truth of that which is stated, which is authorized by law, and the signing of any writing purporting to be made under oath, in the presence of an officer authorized to administer oaths, or the acknowledgment of the signing thereof, to or before any such officer, or the presentation thereof to such officer by the person signing or by his direction to be authenticated as an oath, shall be deemed to be the taking of an oath within the meaning of said section and the certificate of the officer purporting to take such oath shall be prima facie evidence of the taking thereof."

And when so amended, recommend that the same do pass.

L. R. BAIRD,
Chairman.

A minority of the Committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred:

Senate Bill No. 232. A Bill for an Act to Amend and Re-enact Section 9367 of the Compiled Laws of North Dakota for the year 1913, Relating to the Prescribing of an oath.

Have had the same up for consideration and recommend that the same be indefinitely postponed.

C. J. OLSON,
J. E. FLECKTEN,
OLE ETTESTAD,
JAMES A. WENSTROM.

Senator Baird moved that the report of the majority of the Committee on Senate Bill 232 be adopted.

Senator Olson (of Barnes) moved to amend by substituting the word "minority" for that of "majority."

Which motion lost.

The vote being on the motion of Senator Baird the motion prevailed.

The committee on Insurance made the following report:

Mr. President: A majority of your committee on Insurance to whom was referred:

Senate Bill No. 239. A Bill for an Act to Amend and Re-enact Section 13 of Chapter 159, Session Laws of 1919, Relating to State Fire and Tornado Insurance and Limiting the Amount of Risk to be Carried.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. J. MURPHY,
Chairman.

A minority of the committee on Insurance made the following report:

Mr. President: The minority of your committee on Insurance to whom was referred:

Senate Bill No. 239. A Bill for an Act to Amend and Re-enact Section 13 of Chapter 159, Session Laws of 1919, Relating to State Fire and Tornado Insurance and Limiting the Amount of Risk to Be Carried.

Have had the same under consideration and recommend that the same be amended as follows:

In line 9 of the printed bill, after the word "two" insert the word "hundred."

And when so amended recommend the same do pass.

NILS MAGNUSON,
O. H. OLSON,
CHRIST LEVANG,
RALPH INGERSON,
D. H. HAMILTON.

Senator Murphy moved that the report of the majority of the committee on Senate Bill 239 be adopted.

Senator Olson (of Eddy) moved to amend by substituting the word "minority" for that of "majority."

A roll call was demanded.

SENATE ROLL CALL

The question being on the motion to amend by substituting "minority" for "majority" the roll was called and there were ayes 23, nays 26, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Martin	Patten
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Ettestad	Levang	Olson, Eddy-	Whitmer
Fleekten	Magnuson	Foster	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

So the motion was lost.

The vote being on the motion of Senator Murphy to adopt the majority report, the motion prevailed and Senate Bill No. 237 was indefinitely postponed.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred:

Senate Bill No. 88. A Bill for an Act Making an Appropriation of \$292,250.00 to Pay the General Maintenance, Improvements, Repairs, New Buildings, Equipment and Purchase of Live Stock, for the Experiment Station at the Agricultural College at Fargo, for the Biennium.

Have had the same under consideration and recommend that the same be amended as follows:

In title of printed Bill strike out the figures "292,250.00" and insert in lieu thereof the figures "270,850.00."

In Section 1, line 3, strike out the figures "292,250.00" and insert in lieu thereof the figures "270,850.00."

On page 2, in line 17, strike out the figures "6,000.00" and insert in lieu thereof the figures "3,000.00."

In line 18 after the word "accounting" insert the words "and marketing."

Also strike out the figures "10,000.00" and insert in lieu thereof the figures "5,000.00."

Strike out line 19.

In line 20, strike out the figures "28,400.00" and insert in lieu thereof the figures "25,000.00."

In line 23, strike out the figures "273,800.00" and insert in lieu thereof the figures "252,400.00."

On page 3, line 45, strike out the figures "292,850.00" and insert in lieu thereof the figures "270,850.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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: A majority of your committee on State Affairs to whom was referred:

Senate Bill No. 348. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 152 of the Session Laws for the Year 1919 as Amended by Chapter 142 of the 1921 Session Laws Defining Certain Words and Phrases Contained in Said Chapter, and Particularly "Employment" and "Employer."

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Mr. President: A minority of your committee on State Affairs to whom was referred:

Senate Bill No. 348. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 152 of the Session Laws for the Year 1919 as Amended by Chapter 142 of the 1921 Session Laws Defining Certain Words and Phrases Contained in Said Chapter, and Particularly "Employment" and "Employer."

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. H. OLSON,
D. H. HAMILTON,
GUST WOG.

Senator Ployhar moved that the majority report of the committee on Senate Bill 348 be adopted.

Senator Wenstrom moved to amend by substituting the word "minority" for that of "majority."

Which motion lost.

The vote being on the motion of Senator Ployhar, the motion prevailed.

The committee on State Affairs made the following report:

Mr. President: A Majority of your committee on State Affairs to whom was referred:

Senate Bill No. 337. A Bill for an Act Providing for a Bounty for the Destruction of Magpies and Crows.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,
Chairman.

The committee on State Affairs made the following report:

Mr. President: A minority of your committee on State Affairs to whom was referred:

Senate Bill No. 337. A Bill for an Act Providing for a Bounty for the Destruction of Magpies and Crows.

Have had the same under consideration and recommend that the same do pass.

D. H. HAMILTON ,
GUST WOG,
JOHN NATHAN,
O. H. OLSON,
RALPH INGERSON,

Senator Ployhar moved that the majority report of the committee on Senate Bill No. 337 be adopted.

Senator Hamilton moved to amend by substituting the word "minority" for that of "majority."

Which motion prevailed.

The vote being on the motion of Senator Ployhar as amended, the motion prevailed, and Senate Bill 337 was recommended for passage.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 381. A Bill for an act Providing for Assistant State's Attorneys in Counties With a Population exceeding thirty-five thousand.

And find the same correctly re-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 319. A Bill for an Act to Amend and Re-enact Section 973 of the Compiled Laws of North Dakota for 1913, Relating to the Filing of Certificates of Nomination.

Also,

Senate Bill No. 317. A Bill for an Act to Amend and Re-enact Section 1003 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 6 of the Special Session Laws of 1918. Relating to the Printing of Absent Voter Ballots.

Also,

Senate Bill No. 312. A Bill for an Act to Amend and Re-enact Section 853 of the Compiled Laws of North Dakota for 1913, Relating to the Filing of Petitions for Nomination.

Also,

Senate Bill No. 318. A Bill for an Act to Amend and Re-enact Section 974 of the the Compiled Laws of North Dakota for 1913, Relating to Certification of Nominations.

Also,

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Sections 4444 and 4446 of the Compiled Laws of North Dakota for 1913, Relating to the Adoption of Minor Children.

Also,

Senate Bill No. 185. A Bill for an Act to Amend and Re-enact Chapter 185 of the Session Laws of 1915, Relating to the Support of Needy Women who are the Mothers of and Who are Compelled to Support one or More Children Under Sixteen Years of Age.

Also,

Senate Bill No. 350. A Bill for an Act Amending and Re-enacting Section 1333 and Section 1337 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Issuance of Bonds by Common School Districts, and Declaring an Emergency.

Also,

Senate Bill No. 310. A Bill for an Act Relating to School Finances; Providing that Each School Board or Board of Education of Any School District Shall Annually Prepare a Budget of Proposed Expenditures; Providing for Publication of Such Budget and of the Proposed Levy; Providing for a Public Hearing in Regard to the Proposed Expenditures and Levy; Fixing a Date for Levy; Providing that All Expenditures Must Conform to the Budget as Adopted, and that All Unappropriated Balances in Any Fund at the End of the Fiscal Year Shall Become a Part of the General Fund; Repealing All Acts and Parts of Acts Inconsistent With the Provisions of This Act.

Senate Bill No. 378. A Bill for an Act to Amend and Re-enact Section 7741 of the Compiled Laws of 1913 as Amended and Re-enacted by Chapter 156 of the Session Laws of 1915 Relating to Partnership Exemptions.

Also,

Senate Bill No. 299. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 62 of the Laws of North Dakota Enacted at the Special Session of 1919, and Declaring that an Emergency Exists, and that This Act Shall Become Effective Immediately Upon Its Passage and Approval.

Also,

Senate Bill No. 301. A Bill for an Act to Amend and Re-enact Chapter 61 of the Session Laws of 1917, Relating to the Assessment of the Capital Stock of Banks, Loan and Trust Companies and of Moneyed Capital Entering Into Competition Therewith.

Also,

Senate Bill No. 302. A Bill for an Act to Impose a Gross Earnings Tax on Certain Freight Line and Car Equipment Companies Owning and Operating or Leasing and Operating Over Railroad Lines Within This State for the Purpose of Raising Revenue to Defray the General Expenses of State Government; Repealing Sections 2 to 11 Inclusive, of Chapter 59, Special Session Laws of 1919 and All Other Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 377. A Bill for an Act Correlating Duties Which Devolve upon County Auditors in Connection with the Preparation of Assessment Books, the Correction of Assessment Rolls, the Entering of Changes in Assessment Made by Boards of Equalization Under Existing Statutes, with the Work of a Similar Nature Now Performed by Assessors; Empowering the County Auditor to Appoint All Deputy Assessors Within the County in Lieu of the Present Local Assessors, and for that Purpose Denoting the County Auditor as Ex Officio County Assessor; Defining the Duties of the County Auditor in Connection with the Work of Deputy Assessors; Abolishing the Offices of Township, Village, City, and District Assessors and the Office of Tax Supervisor; Repealing Chapter 69 of the Special Session Laws of 1919, and Repealing All Acts and Parts of Acts in Conflict with This Act.

Also,

Senate Bill No. 341. A Bill for an Act to Impose a Tax Upon Gasoline, Stored, Shipped, Distributed or Held for Sale Within this State, for the Purpose of Raising Revenue for Defraying the Expenses of the State Government; Providing for the Administration of the Same; Repealing Chapter 227 of the Session Laws of 1919 as Amended by Chapter 64 of the Special Session Laws of 1919.

Also,

Senate Bill No. 54. A Bill for an Act to Provide for a State Department of Health; a Public Health Advisory Council; Working Divisions and Employees; Office Space; Making an Appropriation Therefor; Repealing Sections 397, 398, 401, and 403, Compiled Laws of 1913, Declaring Emergency.

Also,

Senate Bill No. 198. A Bill for an Act Making an Appropriation for the Supervisor of Grades, Weights and Measures, for the Purpose of Carrying Out, Maintaining General Supervision and Regulation of Grain Grading, Elevator Accounting and Inspection of Elevators, Warehouses and Flour Mills in Handling of all Agricultural Products.

Also,

Senate Bill No. 70. A Bill for an Act to Incorporate and Establish the North West Agricultural, Live Stock and Fair Association, and Making an Appropriation Therefor.

Also,

Senate Bill No. 141. A Bill for an Act to Appropriate \$1,000.00 for the Biennium, to the Humane Society for Office Supplies, Printing, Office Phone, and Traveling Expense.

Also,

Senate Bill No. 199. A Bill for an Act Making an Appro-

priation for the Use of the Board of Administration in Administering Child Welfare Laws.

Also,

Senate Bill No. 242. A Bill for an Act Amending and Re-enacting Section 1342 of the Compiled Laws of 1913 as Amended by Chapter T41 of the Session Laws of 1915 and by Chapter 206 of the Session Laws of 1917 and Section 1345 of the Compiled Laws of 1913, Relating to Compulsory School Attendance and Providing for the Enforcement Thereof.

Also,

Senate Bill No. 288. A Bill for an Act Providing for a Tax Upon Reserves of Coal and Minerals, Providing for the Obtaining of Tax Titles to Such Reserves When Taxes Thereon Remain Unpaid and Repealing Section 2119, Section 2120 and Section 2121, Compiled Laws of 1913, and All Acts and Parts of Acts in Conflict with This Act.

Also,

Senate Bill No. 278. A Bill for an Act to Amend and Re-enact Section 3718 of the Compiled Laws of North Dakota for the Year 1913, Relating to Extension of Water Main Assessments.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES FROM THE HOUSE.

House of Representatives,
Bismarck, N. D.
February 16, 1923.

Mr. President: I have the honor to return

Senate Bill No. 228. A Bill for an Act to Repeal Section 6624 of the Compiled Laws for the Year 1913. Valued Insurance Policy Act.

Which the house has indefinitely postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, N. D.
February 16, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 50.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

The committee on Enrollement and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 89 of the Session Laws of 1921, Relating to the Furnishing by the Register of Deeds of Each County to Elevators Making Application and Paying the Fee Provided Therefore, of an Abstract of all Mortgages and Liens upon Grain Grown During Each Year, and filed in the Office of the Register of Deeds.

And find the same correctly enrolled.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Rusch moved that the rules be suspended and that permission be granted for the introduction of a bill.

Which motion prevailed.

Senator Byrne moved that the rules be suspended and that permission be granted for the introduction of a bill.

Which motion prevailed.

Senator Whitman moved that the rules be suspended and that permission be granted for the introduction of a bill.

Which motion prevailed.

Senator Martin moved that the rules be suspended and that permission be granted for the introduction of a bill.

Which motion prevailed.

Senator Levang moved that the President appoint a special committee of five to act on delayed bills.

Which motion prevailed.

The president appointed as such committee Senators Levang, Baird, Ingerson, Ployhar and Carey.

Senator Stevens moved that the rules be suspended and that Senators Byrne, Rusch, Whitman and Martin be permitted to introduce their bills.

Senator Hamilton moved as a Substitute motion that the bills of Senators Rusch, Byrne, Whitman and Martin be referred to the Special Committee.

Which motion prevailed.

Senator Murphy moved that the Senate do now recess for ten minutes.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Sections 4444 and 4446 of the Compiled Laws of North Dakota for 1913, Relating to the Adoption of Minor Children.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 41, nays 1, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Murphy	Storstad
Babcock	Gardiner	Nathan	Thorson
Baird	Gross	Olson, Barnes	Tofsrud
Baker	Ingerson	Olson, Eddy-	Van Camp
Benson	Kaldor	Foster	Ward
Bond	Kelsh	Patten	Wenstrom
Byrne	Levang	Peck	Whitman
Carey	McCoy	Peterson	Whitmer
Eastgate	McLachlin	Rusch	Wog
Ettestad	Magnuson	Sperry	
Fleckten	Miklethun	Stevens	

Those voting in the negative were:

Messrs.
Lynch

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Hamilton	Martin	Ploybar	Steel
Kretschmar	Page	Porter	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 81. A Bill for an Act Making an Appropriation for the Current and Contingent Expense of the State Normal and Industrial School at Ellendale, and Making Permanent Improvements and Additions Thereto.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays, none, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Miklethun	Sperry
Babcock	Gardiner	Murphy	Stevens
Baird	Gross	Nathan	Storstad
Baker	Hamilton	Olson, Barnes	Thorson
Benson	Kaldor	Olson, Eddy-	Tofsrud
Bond	Kelsh	Foster	Van Camp
Byrne	Levang	Page	Ward
Carey	Lynch	Patten	Wenstrom
Eastgate	McCoy	Peck	Whitman
Ettestad	McLachlin	Peterson	Whitmer
Fleckten	Magnuson	Rusch	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Ingerson	Martin	Porter	Steel
Kretschmar	Ployhar		

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 83. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal School at Mayville and Making Permanent Improvements and Additions Thereto.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays none, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gardiner	Miklethun	Sperry
Baird	Gross	Murphy	Stevens
Baker	Hamilton	Nathan	Storstad
Benson	Ingerson	Olson, Barnes	Thorson
Bond	Kaldor	Olson, Eddy-	Tofsrud
Byrne	Kelsh	Foster	Van Camp
Carey	Levang	Page	Ward
Eastgate	Lynch	Patten	Wenstrom
Ettestad	McLachlin	Peck	Whitman
Fleckten	McCoy	Peterson	Whitmer
Garberg	Magnuson	Rusch	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Martin	Porter	Steel
Kretschmar	Ployhar		

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 84. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State School for the Blind at Bathgate, and Making Permanent Improvements and Additions Thereto.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Miklethun	Stevens
Babcock	Gross	Murphy	Storstad
Baird	Hamilton	Nathan	Thorson
Baker	Ingerson	Olson, Barnes	Tofsrud
Benson	Kaldor	Olson, Eddy-	Van Camp
Bond	Kelsh	Foster	Ward
Byrne	Levang	Page	Wenstrom
Carey	Lynch	Patten	Whitman
Eastgate	McCoy	Peck	Whitmer
Ettestad	McLachlin	Peterson	Wog
Fleckten	Magnuson	Rusch	
Garberg	Martin	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Kretschmar	Ployhar	Porter	Steel

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 199. A Bill for an Act Making an Appropriation for the Use of the Board of Administration in Administering Child Welfare Laws.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays 1, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Thorson
Babcock	Hamilton	Nathan	Tofsrud
Baird	Ingerson	Olson, Barnes	Van Camp
Baker	Kaldor	Olson, Eddy-	Ward
Benson	Kelsh	Foster	Wenstrom
Bond	Levang	Page	Whitmer
Carey	Lynch	Patten	Wog
Eastgate	McCoy	Peck	
Ettestad	McLachlin	Peterson	
Fleckten	Magnuson	Sperry	
Garberg	Martin	Stevens	
Gardiner	Miklethun	Storstad	

Those voting in the negative were:

Messrs.
Rusch

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Byrne	Ployhar	Porter	Steel
Kretschmar			

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 278. A Bill for an Act to Amend and Re-enact Section 3718 of the Compiled Laws of North Dakota for the Year 1913, Relating to Extension of Water Main Assessments.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays none, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Levang	Page	Van Camp
Carey	Lynch	Patten	Ward
Eastgate	McCoy	Peck	Wenstrom
Ettestad	McLachlin	Peterson	Whitman
Fleckten	Magnuson	Ployhar	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Kretschmar	Porter

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Senator Nathan moved that further consideration of Senate Bill No. 70 be indefinitely postponed.

Which motion was lost.

SENATE ROLL CALL

Senate Bill No. 70. A Bill for an Act to Incorporate and Establish the North West Agricultural, Live Stock and Fair Association, 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 ayes 33, nays 14, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Gross	Murphy	Tofsrud
Baker	Hamilton	Olson, Eddy-	Van Camp
Benson	Ingerson	Foster	Ward
Bond	Kelsh	Patten	Wenstrom
Byrne	Levang	Peck	Whitman
Eastgate	Lynch	Peterson	Whitmer
Ettestad	McCoy	Ployhar	Wog
Fleekten	Magnuson	Sperry	
Garberg	Martin	Thorson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Nathan	Steel
Babcock	Kretschmar	Olson, Barnes	Storstad
Carey	McLachlin	Page	
Gardiner	Miklethun	Rusch	

Absent and not voting:

Messrs.	Messrs.
Porter	Stevens

So the bill passed and the title was agreed to.

Senator Nathan: I was opposed to any appropriation for State Fairs unless we get one State Fair ground in the State, and I am opposed to this appropriation at this time because that makes about \$40,000 appropriations in our State which we could use some place else. I vote "no."

Senator Baird moved to amend Senate Bill No. 256 as follows:

In Section 3, line 5 of the printed bill, strike out the word "perpetual" and insert in lieu thereof the word "life."

In Section 15 line 4 of the printed bill strike out the date "31st" and insert in lieu thereof "30th."

Senator McLachlin moved to amend Senate Bill 256 as follows:

On page 2, Section 5, lines 7 and 8, Strike out "for not less than" and insert in lieu thereof "not to exceed."

Which motion prevailed.

Senator Nathan moved that further consideration of Senate Bill No. 256 be indefinitely postponed.

Which motion lost.

SENATE ROLL CALL

Senate Bill No. 256. A Bill for an Act to Control the Possession, Sale, and Use of Pistols and Revolvers, to Provide Penalties, and for other Purposes.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 25, nays 23, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	O'son, Eddy-	Storstad
Baird	Jynch	Foster	Thorson
Bond	McCoy	Page	Tofsrud
Carey	McLachlin	Ployhar	Van Camp
Gardiner	Miklethun	Rusch	Ward
Kaldor	Murphy	Steel	Whitman
Kelsh		Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Flechten	Magnuson	Peterson
Baker	Garberg	Martin	Sperry
Benson	Gross	Nathan	Wenstrom
Byrne	Hamilton	Olson, Barnes	Whitmer
Eastgate	Innerson	Patten	Wog
Eittestad	Levang	Peck	

Absent and not voting:

Messrs.
Porter

So the bill passed and the title was agreed to.

Senator McLachlin moved that the vote by which Senate Bill No. 256 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Benson moved that the vote by which Senate Bill No. 352 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 2. A Bill for an Act to Provide for the Storing of Grain in Store Rooms or Granaries on Farms, the Loaning of Money on the Same and the Manner of Collecting Said Loans.

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 17, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Olson, Barnes	Steel
Baird	Kretschmar	Olson, Eddy	Stevens
Bond	Lynch	Foster	Storstad
Byrne	McCoy	Page	Thorson
Carey	McLachlin	Peterson	Tofsrud
Eastgate	Magnuson	Ployhar	Van Camp
Garberg	Martin	Rusch	Whitman
Kaldor	Murphy	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gardiner	Nathan	Whitmer
Baker	Gross	Patten	Wog
Benson	Hamilton	Peck	
Ettestad	Ingerson	Ward	
Fleckten	Miklethun	Wenstrom	

Absent and not voting:

Messrs.	Messrs.
Levang	Porter

The bill not having received the required majority the emergency clause was lost.

Senator Hamilton: I want to explain my vote: All cooperative organizations in trying to solve the market problems for the farmers' grain realize that we must utilize grain stored on the farm and Sections 5 and 6 make an absolute joke of that proposition. I vote "no."

Senator Martin: This bill is not just what I would like to vote for but it is the best we have and I vote "aye."

Senator Nathan: As long as I don't see that this bill is any benefit to the farmers that are hard up, I vote "no."

Senator Whitmer. For the reason that this bill is inoperative and would be a detriment, I vote "no."

Senator Van Camp moved to amend Senate Bill No. 292 as follows:

In Section 3 line 5 of the printed bill, strike out everything after the word "state" and in line 6 up to the word "between."

In line 6 after the word "cities" insert the word "and."

After the word "villages" strike out the words "and" townships."

In line 7 strike out the words "it shall."

All of lines 8, 9, 10.

Senator Van Camp moved that the rules be suspended; that Senate Bill No. 292 be considered re-engrossed and

that it be placed on its third reading and final passage.
Which motion prevailed:

SENATE ROLL CALL

Senate Bill No. 292. A Bill for an Act to Amend and Re-enact Section 2141 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Chapter 35, Special Session Laws of 1919; Providing for the Substitution of the State Auditor and State Tax Commissioner as Members of the State Board of Equalization Instead of the Commissioner of Insurance and Attorney General; Providing that the Tax Commissioner Shall Be Secretary Thereof Instead of the Commissioner of Insurance and Prescribing the Powers and Duties of the State Board of Equalization in Regard to the Equalization and Assessment of Property.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 42, nays 5, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Babcock	Ingerson	Nathan	Stevens
Baird	Ka'dor	Olson, Barnes	Storstad
Baker	Kelsh	Olson, Eddy-	Thorson
Benson	Kretschmar	Foster	Tofsrud
Bond	Levang	Page	Van Camp
Carey	Lynch	Patten	Ward
Eastgate	McCoy	Peterson	Wenstrom
Fleckten	McLachlin	Ployhar	Whitman
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Ettestad	Magnuson	Peck	Whitmer
Hamilton			

Absent and not voting

Byrne Porter

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 315. A Bill for an Act Defining Carnivals; Prohibiting Itinerant Carnivals and Declaring the Same a Public Nuisance and Providing Penalties for the Participation Therein.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays 1, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Stevens
Babcock	Hamilton	Olson, Barnes	Storstad
Baird	Ingerson	Olson, Eddy-	Thorson
Baker	Kaldor	Foster	Tofsrud
Benson	Kelsh	Page	Van Camp
Bond	Levang	Patten	Ward
Carey	Lynch	Peck	Wenstrom
Eastgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Whitmer
Fleckten	Magnuson	Rusch	Wog
Garberg	Miklethun	Sperry	
Gardiner	Murphy	Steel	

Those voting in the negative were:

Messrs.
Martin

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Kretschmar	Porter

So the bill passed and the title was agreed to.

Senator Whitmer: While this bill does not cover as much ground as I would like to see it, I still vote for the bill. I vote "aye."

Senator Benson moved that the Special Committee appointed to examine Senate Bill 129 as enrolled be dispensed with.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 265. A Bill for an Act to Amend and Re-enact Section 2360a of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Section 2360a of Chapter 4 of the Session Laws for the Year 1919.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays 1, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Stevens
Babcock	Hamilton	Olson, Barnes	Storstad
Baird	Ingerson	Olson, Eddy-	Thorson
Baker	Kaldor	Foster	Tofsrud
Benson	Kelsh	Page	Van Camp
Bond	Levang	Patten	Wenstrom
Carey	Lynch	Peck	Whitman
Ettestad	McCoy	Peterson	Whitmer
Ettestad	McLachlin	Ployhar	Wog
Fleckten	Magnuson	Rusch	
Garberg	Martin	Sperry	
Gardiner	Miklethun	Steel	

Those voting in the negative were:

Messrs.

Nathan

Absent and not voting:

Messrs.

Byrne

Messrs.

Kretschmar

Messrs.

Porter

Messrs.

Ward

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 321. A Bill for an Act Providing that Discharged Soldiers Shall Receive Credit for Their Military Service in the Particular Profession, Vocation or Trade in which they were Engaged at the Time of Their Entrance Into the Military Service 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 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.

Atkins
Babcock
Baird
Baker
Benson
Bond
Carey
Eastgate
Ettestad
Flecken
Garberg
Gardiner

Messrs.

Gross
Ingerson
Kaldor
Keish
Kretschmar
Lynch
Lynch
Murphy
Martin
McCoy
McLachlin
Magnuson

Messrs.

Nathan
Olson, Barnes
Olson, Eddy-
Foster
Page
Patten
Peck
Peterson
Ployhar
Rusch
Sperry
Steel

Messrs.

Stevens
Storstad
Thorson
Tofarud
Van Camp
Ward
Wenstrom
Whitman
Whitmer
Wog

Absent and not voting:

Messrs.

Byrne

Messrs.

Hamilton

Messrs.

Porter

Messrs.

Miklethun

So the bill passed and the title was agreed to.

Senator Thorson moved that Senate Bill No. 377 be referred to the Committee on Taxes and Tax Laws.

Which motion prevailed.

Senator Ployhar moved that further consideration of Senate Bill 229 be indefinitely postponed.

Senator Whitman moved as a substitute motion that action on Senate Bill 229 be deferred for one Legislative day.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 344. A Bill for an Act to Amend and Re-enact Section 3294 of the Compiled Laws of the State of North Dakota for 1913, Relating to the Erection, Repair and Maintenance of Buildings.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays 0, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Storstad
Babcock	Ingerson	Olson, Barnes	Thorson
Baker	Kaldor	Olson, Eddy-	Tofsrud
Benson	Kelsh	Foster	Van Camp
Bond	Levang	Patten	Ward
Carey	Lynch	Peck	Wenstrom
Eastgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Whitmer
Fleckten	Magnusen	Rusch	Wog
Garberg	Martin	Sperry	
Gardiner	Miklethun	Stevens	
Gross	Murphy	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Eatrd	Byrne	Kretschmar	Page
Porter			

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 319. A Bill for an Act to Amend and Re-enact Section 973 of the Compiled Laws of North Dakota for 1913, Relating to the Filing of Certificates of Nomination.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays 3, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Stevens
Babcock	Ingerson	Nathan	Storstad
Baird	Kaldor	Olson, Barnes	Thorson
Baker	Kelsh	Olson, Eddy-	Tofsrud
Bond	Kretschmar	Foster	Van Camp
Carey	Levang	Page	Ward
Eastgate	Lynch	Peck	Wenstrom
Ettestad	McCoy	Peterson	Whitman
Fleckten	McLachlin	Ployhar	Whitmer
Garberg	Magnuson	Rusch	Wog
Gardiner	Martin	Sperry	
Gross	Miklethun	Steel	

Those voting in the negative were:

Messrs.	Messrs.	
Benson	Patten	Whitmer

Absent and not voting

Messrs.	Messrs.
Porter	Byrne

So the bill passed and the title was agreed to.

Senator Baker moved to amend Senate Bill 317 as follows:

In Section 1003, line 5 of the printed bill, strike out "fifteen" and insert in lieu thereof "twenty."

Which motion prevailed.

Senator Baker moved that the rules be suspended, that Senate Bill 317 be considered re-engrossed and that it now be placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 317. A Bill for an Act to Amend and Re-enact Section 1003 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 6 of the Special Session Laws of 1918. Relating to the Printing of Absent Voter Ballots.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Stevens
Babcock	Ingerson	Olson, Barnes	Storstad
Baird	Kaldor	Olson, Eddy-	Thorson
Baker	Kelsh	Poster	Tofsrud
Benson	Levang	Papp	Ward
Carey	Lynch	Patten	Wenstrom
Eastgate	McCoy	Peck	Whitman
Ettestad	McLachlin	Peterson	Whitmer
Fieckten	Magnuson	Ployhar	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	
Gross	Murphy	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Bond	Kretschmar	Porter	Van Camp
Byrne			

So the bill passed and the title was agreed to.

Senator Wenstrom moved that further action on Senate Bill 312 be deferred for one Legislative day.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 318. A Bill for an Act to Amend and Re-enact Section 974 of the the Compiled Laws of North Dakota for 1913, Relating to Certification of Nominations.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 43, nays 1, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Steel
Babcock	Hamilton	Murphy	Stevens
Baird	Ingerson	Nathan	Storstad
Benson	Kaldor	Olson, Barnes	Thorson
Bond	Kelsh	Olson, Eddy-	Tofsrud
Carey	Kretschmar	Foster	Van Camp
Castrate	Lynch	Page	Ward
Ettestad	McCoy	Peck	Wenstrom
Flechten	McLachlin	Pererson	Whitman
Garberg	Magnuson	Rusch	Whitmer
Gardiner	Martin	Sperry	Wog

Those voting in the negative were:

Messrs.
Patten

Absent and not voting

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Levang	Ployhar	Porter
Byrne			

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, N. D.
February 16, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 275. A Bill for an Act to Provide for the Purchase by the Industrial Commission of Claims Against the Returned Soldiers' Fund and for the Financing of Such Purchase by Such Commission, and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 96. A Bill for an Act Making an Appropriation of \$10,000.00 for the Current and Contingent Expenses of the State Free Employment Service Under Chapter 117, Session Laws of 1921.

House Bill No. 115. A Bill for an Act Appropriating Money for the Benefit of the North Dakota Dairymen's Association, for the Purpose of Promoting and Encouraging the Dairying Interests of the State.

House Bill No. 260. A Bill for an Act to Repeal Chapter 27 of the Session Laws of 1915, Relating to State Fish Hatchery.

House Bill No. 261. A Bill for an Act to Repeal Section 11 of Chapter 31 of the Session Laws of Special Session of 1919, Relating to Appropriation to State Dairy Commissioner.

House Bill No. 262. A Bill for an Act to Repeal Section 1661 of the Compiled Laws of North Dakota for 1913, Relating to Serum Institute.

House Bill No. 266. A Bill for an Act to Repeal Chapter 38 of the Session Laws of North Dakota for the Year

1917, Relating to North Dakota Dairymen's Association.
House Bill No. 268. A Bill for an Act to Repeal Section 813 of the Compiled Laws of 1913 for the State of North Dakota, Relating to Disbarment Proceedings.

House Bill No. 269. A Bill for an Act to Repeal Chapter 16 of the Session Laws of North Dakota for the Special Session of 1919, Relating to Testing Dairy Products.

House Bill No. 210. A Bill for an Act Concerning Declaratory Judgments and Decrees and to Make Uniform the Laws Relating Thereto.

Senate Bill No. 281. A Bill for an Act Relating to the Payment of Certificates of Deposit.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, N. D.
February 16, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 169. A Bill for an Act Relating to the Powers of Stockholders and Management of Co-operative Corporations and Associations.

Which the House has indefinitely postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, N. D.
February 16, 1923.

Mr. President: I have the honor to inform you that the House refuses to concur in the Senate Amendments to House Bill No. 8 and the Speaker has appointed Messrs. Jardine, Walker and Carr to act as a conference committee.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

The President appointed Senators Byrne, Rusch and Kaldor as a Conference Committee to act with a like committee from the House to consider amendments to House Bill No. 8.

Senator Rusch asked unanimous consent to return to the Eighth Order of Business. There being no objections the Senate took up the Eighth Order of Business.

Senator Rusch moved that Senate Bill No. 88 be referred to the Committee on Appropriations.

Which motion prevailed.

The following senate bills were messaged to the House: 180, 187, 181, 381, 193, 81, 83, 84, 199, 278, 70, 2, 256, 315, 265, 321, 344, 319, 317, 318.

The courtesies of the floor were extended to C. W. Fowler, S. F. Crabbe, of Fargo; Judge A. G. Burr of Rugby; B. W. Driggs, of Devils Lake; Mrs. Chas. Young of Cooperstown; Mrs. Wm. Van Scoik of Hannaford; Dr. C. E. Allen, A. G. Bonhus, C. F. Mudgett, L. S. Ward, Burl Carr, of Valley City.

Senator Ward moved that the Senate do now recess until 12:00 M. February 17, 1923.

Which motion prevailed.

W. E. PARSONS,

Secretary.

FORTY-SIXTH DAY AFTER RECESS, AND FORTY-SEVENTH DAY.

Senate Chamber,
Bismarck, North Dakota,
February 17, 1923.

The Senate re-assembled at 12:00 M., pursuant to recess taken, the President, Frank H. Hyland, presiding.

FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 275. A Bill for an Act to Provide for the Purchase by the Industrial Commission of Claims Against the Returned Soldiers' Fund and for the Financing of Such Purchase by Such Commission, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first and second time and referred to the committee on State Affairs.

House Bill No. 96. A Bill for an Act Making an Appropriation of \$10,000.00 for the Current and Contingent Expenses of the State Free Employment Service Under Chapter 117, Session Laws of 1921.

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 115. A Bill for an Act Appropriating Money for the Benefit of the North Dakota Dairymen's Association, for the Purpose of Promoting and Encouraging the Dairying Interests of the State.

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 260. A Bill for an Act to Repeal Chapter 27 of the Session Laws of 1915, Relating to State Fish Hatchery.

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 261. A Bill for an Act to Repeal Section 11 of Chapter 31 of the Session Laws of Special Session of 1919, Relating to Appropriation to State Dairy Commissioner.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 262. A Bill for an Act to Repeal Section 1661 of the Compiled Laws of North Dakota for 1913, Relating to Serum Institute.

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 266. A Bill for an Act to Repeal Chapter 38 of the Session Laws of North Dakota for the Year 1917, Relating to North Dakota Dairymen's Association.

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 268. A Bill for an Act to Repeal Section 813 of the Compiled Laws of 1913 for the State of North Dakota, Relating to Disbarment Proceedings.

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 269. A Bill for an Act to Repeal Chapter 16 of the Session Laws of North Dakota for the Special Session of 1919, Relating to Testing Dairy Products.

Was read the first and second time and referred to the committee on Appropriations.

House Bill No. 210. A Bill for an Act Concerning Declamatory Judgments and Decrees and to Make Uniform the Laws Relating thereto.

Was read the first and second time and referred to the committee on Judiciary.

House Bill No. 281. A Bill for an Act to Control the Possession, Sale, and Use of Pistols and Revolvers, to Provide Penalties and for Other Purposes.

Was read the first and second time and referred to the committee on State Affairs.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 89 of the Session Laws of 1921, Relating to the Furnishing by the Register of Deeds of Each County to Elevators Making Application and Paying the Fee Provided Therefore, of an Abstract of all Mortgages and Liens upon Grain Grown During Each Year, and filed in the Office of the Register of Deeds.

And the President signed the same in the presence of the Senate.

Senator Baird moved to reconsider the vote by which the committee report indefinitely postponing Senate Bill 357 was adopted.

Which motion prevailed.

Senator Baird moved that Senate Bill 357 be re-referred to the committee on Appropriations.

Which motion prevailed.

Senator Ployhar moved to reconsider the vote by which the Committee report indefinitely postponing Senate Bill 274 was adopted.

Which motion prevailed.

Senator Ployhar moved that Senate Bill No. 274 be re-referred to the Committee on State Affairs.

Which motion prevailed.

Senator Sperry moved that the Senate do now recess subject to the call of the President. Which motion prevailed.

Mr. President: Your committee on Education to whom was referred:

Senate Bill No. 298. A Bill for an Act to Amend and Re-enact Sections 1360, 1361 and 1369 of the Compiled Laws of 1913 Relating to the Requirements for Teachers' Certificates.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ALFRED STEEL,
Chairman.

Senator Steel 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. 343. A Joint Resolution to Amend and Re-enact Section 150 of the Constitution, Relating to the Election of an Educational Commission for Each County, with Power to Appoint a County Superintendent of Schools, and to Perform Such Other Duties as May be Prescribed by Law.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ALFRED STEEL,
Chairman.

Senator Steel 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. 159. A Bill for an Act to Provide for the Retention of Certain Part of the Salary of Teachers in the Public Schools of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ALFRED STEEL,
Chairman.

Senator Steel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Education to whom was referred:

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 1382 of the Laws of the State of North Dakota for the Year 1913 Defining School Year and School Week. Holidays.

Have had the same under consideration and recommend that the same be amended as follows:

After the Enacting Clause in the Engrossed Bill insert the following: Section 1, Amendment, That Section 1382 of the Laws of North Dakota for the Year 1913 is hereby amended and re-enacted to read as follows:

On page two of the Engrossed bill, Line one ,after the word "time" strike out the word "following" and insert in lieu thereof the word "falling"

And when so amended recommend the same do pass.

ALFRED STEEL,
Chairman.

Senator Steel moved that the report be adopted, which motion prevailed and the report was adopted:

Mr. President: Your committee on Education to whom was referred:

House Bill No. 161. A Bill for an Act to Amend Section 1398 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Free Text Books in Public Schools.

Have had the same under consideration and recommend that the same be amended as follows:

After the Enacting Clause in the Engrossed Bill insert the following:

Section 1. Amendment. That Section 1398 of the Compiled Laws of the State of North Dakota for the year 1913, is hereby amended and re-enacted to read as follows:

And when so amended recommend the same do pass.

ALFRED STEEL,
Chairman.

Senator Steel moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Mines and Minerals made the following report:

Mr. President: Your committee on Mines and Minerals to whom was referred:

Senate Bill No. 386. A Bill for an At to amend and Re-enact Sections 16, 33, 44, 49, 56, 62, 83, 88 and 89 of Chapter

168 of the Session Laws of North Dakota for the Year 1919, Regulating the Operation of All Coal Mines in North Dakota; Providing for their Inspection; Creating the Office of Coal Mining Inspector; Fixing His Qualifications, Duties, Powers and Compensation; Providing for His Appointment; Creating a Board of Examiners; Fixing Its Powers and Compensation; Providing the Method of Appointment Thereof; Providing for the Registry, Examination and Issuing of Certificates to Certain Employees of Coal Mines.

Have had the same under consideration and recommend that the same do pass.

S. J. ATKINS,
Chairman.

Senator Atkins 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. 236. A Bill for an Act Authorizing the Cancellation, Conversion and Exchange of Bonds Issued Under and by Virtue of Chapter 128, Session Laws of 1919.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2, of the title, in the Engrossed Bill, strike out the figures "128" and insert in lieu thereof the figures "148."

And when so amended recommend the same do pass.

W. R. BOND,
Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Banks and Banking to whom was referred:

Senate Bill No. 262. A Bill for an Act Limiting the Exemptions to Stockholders of Banks on Claims Against Them for Liability as Stockholders.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. R. BOND,
Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Banks and Banking to whom was referred:

Senate Bill No. 117. A Bill for an Act to Amend and Re-enact Sections 7 and 12 of Chapter 126 of the Session Laws

of North Dakota for the Year 1917, Relating to Depositors' Guaranty Fund.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. R. BOND,
Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Joint Rules made the following report:

Mr. President: Your committee on Joint Rules to whom was referred:

Concurrent Resolution Relating to State Printing.

Have had the same under consideration and recommend that the same be amended by adding the following:

BE IT FURTHER RESOLVED, That copies of this resolution be by the Secretary of the Senate and the Chief Clerk of the House submitted to the Auditor, Secretary of State and the Governor of the State of North Dakota.

And when so amended recommend the same be adopted.

P. B. GARBERG,

Senator Garberg moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Women's and Children's Welfare made the following report:

Mr. President: Your committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 177. A Bill for an Act Amending and Repealing Chapter 153, Laws of 1909, the Same Being Sections 1404 to 1414 Inclusive, Compiled Laws for 1913, Regulating the employment of Child Labor and to Provide for the Enforcement Thereof, and to Prescribe Penalties for Violations of the Act.

Have had the same under consideration and recommend that the same be amended as follows:

In the Printed Bill in the title, strike out all of the Act, after the word "act" in the first line, and insert in lieu thereof the words "Regulating the Employment of Child Labor and to Provide for the Enforcement thereof, and to Prescribe Penalties for Violations of the act and Repealing Chapter 153, Laws of 1909, the Same Being Section 1404 to 1414 Inclusive, Compiled Laws for 1913."

In Section 1, Page 1, line 9, strike out the word "term" and in lieu thereof insert the word "hours."

In Section 4, page 4, line 7, after the word "births" strike out the "period" and insert in lieu thereof "comma" and the word "or."

In line 10, after the word "child" strike out "period" and insert in lieu thereof "comma" and the word "or."

In line 22, after the letter "(d)" strike out the period and in lieu thereof insert a comma and the word "or".

On page 5, line 43, after the word "obtained" strike out "period" and insert in lieu thereof "comma" and the word "or".

In line 47 after the word "him" strike out "period" and insert in lieu thereof "comma" and the word "or".

On Page 11, Section 11, Line 1, after the word "of" strike out the words "Workmen's Compensation" and in lieu thereof insert the words "Board of".

In line 2, strike out the word "Bureau" and in lieu thereof insert the word "Administration." Also strike out the words "Workman's Compensation" and in lieu thereof insert the words "Board of Administration."

In line 3, strike out the word "Bureau."

In Section 12, line 1, strike out the words "Workman's Compensation", and insert in lieu thereof the words "Board of Administration."

In line 2, strike out the word "Bureau."

On page 12, Section 13, line 5, strike out the words "Workmen's Compensation Bureau," and in lieu thereof insert the words "Board of Administration."

And when so amended recommend the same do pass.

B. F. BAKER,
Chairman.

Senator Baker 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. 289. A Bill for an Act Providing That the County Commissioners Shall Have Power to Abate Certain Assessments Levied by Boards of Irrigation Districts Upon Application of the District Board Approved by the Director of the Reclamation Service.

Have had the same under consideration and recommend that the same do pass.

PETER McLACHLIN,
Chairman.

Senator McLachlin moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Women's and Children's Welfare made the following report:

Mr. President: Your committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 183. A Bill for an Act to Regulate Certain Occupations of Children in Streets and Public Places.

Have had the same under consideration and recommend that the same be amended as follows:

On Page 3, Section 8, Line 2, of the printed bill strike out the word "Workman's and insert in lieu thereof the word "Board."

In line 3, strike out the words "Compensation Bureau" and insert in lieu thereof the words "of Administration." On page 4, in line 11, strike out the words "to the Workmen's Compensation Bureau."

And when so amended recommend the same do pass.

B. F. BAKER,
Chairman.

Senator Baker moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 52. A Bill for an Act to Amend and Re-enact Chapter 185 of the Session Laws of the State of North Dakota for the Year 1915, Providing for Mothers' Pensions for the Assistance of Indigent Mothers and Their Children Under Fourteen Years of Age, Fixing the Proportion to be Paid by County and by Local Poor Districts; Conferring Jurisdiction in Such Matters Upon the County Judges of the Several Counties, Subject to the Approval of the Board of County Commissioners of Such Counties, and Repealing all Acts and Parts of Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

B. F. BAKER,
Chairman.

Senator Baker moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Mines and Minerals made the following report:

Mr. President: Your committee on Mines and Minerals to whom was referred:

Senate Bill No. 249. A Bill for an Act to Repeal Chapter 168, Session Laws of North Dakota for 1919, Being an Act to Regulate the Operation of all Coal Mines in the State of North Dakota; to Provide for Their Inspection; to Create the Office of Coal Mining Inspector; to Fix His Qualifications, Duties, Powers and Compensation; to Provide for His Appointment; to Create a Board of Examiners; to Fix its Powers and Compensation; to Provide the Method of Appointment Thereto; to Provide for the Regis-

try, Examination and Issuing of Certificates to Certain Employees of Coal Mines and to Provide for an Appropriation Therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

S. J. ATKINS,
Chairman.

Senator Atkins moved that the report be adopted, which motion prevailed and the report was adopted.

Senator McCoy moved that the Senate do now adjourn, which motion prevailed.

FORTY-SEVENTH DAY.

The Senate convened at 2:00 o'clock P. M., the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. John A. H. Slag.

Roll was called, all Senators being present with the exception of Senator Porter.

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

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the 45th day after recess and 46th day and recommend that the same be corrected as follows:

On Page 24, line 17, strike out "265" and insert in lieu thereof "365"

On page 24, line 45, strike out "265" and insert in lieu thereof "365."

On page 31, line 6, correct spelling of "prevailed."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

The Secretary read a communication presented by Senator Fleckten from the Minot Unit of the State Tax Payers' Association, which was referred to the committee on Taxes and Tax Laws.

Senator Ingerson presented the following communication:

Washington, D. C.,
February 10, 1923.

Hon. A. B. Jackson, Jr.,
Bismarek, North Dakota .

My Dear Mr. Jackson:

Secretary Hall has forwarded to me a copy of the Con-

current Resolution introduced by yourself on the subject of a Minimum guaranteed price on wheat, and I shall see that this is brought to the attention of the Congress.

As you may be aware, over a year ago I introduced my first bill for a stabilized price on farm products, and I have been doing my utmost to obtain the passage of legislation of that kind since that time. While a bill of this character was regarded as being too progressive when originally introduced the condition of agriculture and business generally has grown so much worse that it is now conceded by nearly all farmers and a large number of business men that we must have some such action if agriculture is to be restored to a paying basis. My Bill has been endorsed by leading farm and business organizations all over the country, and as long ago as last winter was similarly endorsed by the legislature of the State of Maryland, representing a million and a half persons. Upon my return to Washington this fall, I introduced what is known as the Norris-Sinclair bill for the relief of agriculture, a copy of which I am enclosing you. Under separate cover I am mailing you the hearings. I am deeply pleased to have the backing of our own legislature in my efforts here, and only regret that this resolution was not passed by you at the beginning of your session. As you will appreciate, at this late hour when the Congress is drawing to a close, it is not possible for me to obtain for it the full consideration it merits. Kindly convey to your colleagues my appreciation of the action taken, and my assurance that I am sparing no endeavor to carry out your wishes.

Yours very truly,

J. H. SINCLAIR.
Chairman.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 292. A Bill for an Act to Amend and Re-enact Section 2141 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Chapter 35, Special Session Laws of 1919; Providing for the Substitution of the State Auditor and State Tax Commissioner as Members of the State Board of Equalization Instead of the Commissioner of Insurance and Attorney General; Providing that the Tax Commissioner Shall be Secretary Thereof Instead of the Commissioner of Insurance and Prescribing the Powers and Duties of the State Board of Equalization in Regard to the Equalization and Assessment of Property.

Also,

Senate Bill No. 80. A Bill for an Act Making an Appropriation of \$1,027,933.00 for the Purpose of Paying the General Maintenance, Improvements and Repairs, New Equipment etc., of the State University at Grand Forks, North Dakota.

And find the same correctly re-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 336. A Concurrent Resolution for an Amendment to Section 182, Article 12 of the Constitution of the State of North Dakota, as Amended by Article 31 of the Amendments Thereof, Relating to Issuing or Guaranteeing of Bonds by the State and Providing that Such Bonds in Excess of Two Million Dollars Shall be Secured by First Mortgage on Certain Classes of Property; and Providing for the Submission of this Amendment to the Voters of the State for Rejection or Approval as Provided in Section 292, as Amended, of the Constitution of the State of North Dakota.

Also,

Senate Bill No. 316. A Bill for an Act to Amend and Re-enact Section 7625 of the Compiled Laws of North Dakota for 1913, Relating to a Trial Jury in Civil Cases.

Also,

Senate Bill No. 339. A Joint Resolution for an Amendment to the Constitution of the State of North Dakota, Providing for the Issue of Bonds for the Erection of Dormitories for the State's Educational Institutions.

Also,

Senate Bill No. 280. A Bill for an Act to Amend and Re-enact Section 7643 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 133, of the Session Laws of 1921, Relating to Directed Verdicts.

Also,

Senate Bill No. 370. A Bill for an Act to Amend and Re-enact Section 5626 of the Compiled Laws of North Dakota for 1913.

Also,

Senate Bill No. 326. A Bill for an Act to Amend Sections 3711 of the Compiled Laws of the State of North Dakota for the Year 1913, and to Provide for Special Assessment Funds, the Issuance and Payment of Warrants.

Also,

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact 7644 of the Compiled Laws of North Dakota for the

Year 1913 as Amended by Chapter 1 of the Session Laws for the year 1919, (Regular Session) and Chapter 129 of the Session Laws for the Year 1921, Relating to Change of Judges in Civil and Criminal Actions in the District Court, for Prejudice or Bias of Judge Thereof; Providing for the Calling of Another Judge of Another Judicial District, and the Payment of his Expenses, and the Discharge of Jurors Therein, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 267. A Bill for an Act Declaring an Emergency to Exist Affecting the Public Welfare of the State with Respect to the Administration of Insolvent Banks; Providing for the Liquidation Thereof; Vesting the Supreme Court with Jurisdiction of Such Liquidation Proceedings, and Requesting It to Assume Original Jurisdiction in Furtherance of the Public Interest; Creating the Position of Supreme Court Commissioner, Fixing His Compensation, and Defining His Powers and Authority, and Providing for the Appointment of Receivers of Insolvent Banks, and Making an Appropriation to Meet the Expenses Incident to Carrying Out the Purpose of the Act.

Also,

Senate Bill No. 250. A Bill for an Act to Amend and Re-enact Chapter 126 of the Laws of 1917, as Amended by Chapter 110 of the Laws of 1919 and as Further Amended by Chapter 21 of the Laws of 1921.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Education made the following report:

Mr. President: A majority of your committee on Education to whom was referred:

Senate Bill No 356. A Bill for an Act Providing for the Creation of a High School Fund, Regulating the Distribution of Same Among the High Schools or Standardized Graded Schools Maintaining a High School Department; Amending and Re-enacting Section 1224 of the Compiled Laws of the State of North Dakota for the Year 1913 as Amended by Chapter 216 of the Session Laws of 1919, and Chapter 66 of the Special Session Laws of 1919; and Repealing Chapter 107 of the Session Laws of 1921; and all Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. STEEL,
Chairman.

Mr. President: A Minority of your committee on Education to whom was referred:

Senate Bill No. 356. A Bill for an Act Providing for the Creation of a High School Fund, Regulating the Distribution of Same Among the High Schools or Standardized Graded Schools Maintaining a High School Department; Amending and Re-enacting Section 1224 of the Compiled Laws of the State of North Dakota for the Year 1913 as Amended by Chapter 216 of the Session Laws of 1919, and Chapter 66 of the Special Session Laws of 1919; and Repealing Chapter 107 of the Session Laws of 1921; and All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

P. B. GARBERG,
ROBERT BYRNE,

Senator Steel moved that the majority report of the committee on Senate Bill 356 be adopted.

Senator Byrne moved to amend by substituting the word "minority" for that of "majority."

Which motion lost.

The vote being on the motion of Senator Steel, the motion prevailed, and Senate Bill 356 was indefinitely postponed.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred:

Senate Bill No. 285. A Bill for an Act to Amend and Re-enact Section 790 of the Compiled Laws of North Dakota for the Year 1913, Relating to Qualifications of Applicants for Admission to the Bar of the State of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 382. A Bill for an Act to Amend and Re-enact Section 5888 Requiring Certain Contracts to be in Writing.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 342. A Bill for an Act to Amend and Re-enact Subdivision 2 of Section 1 and Section 13a of Chapter 231 of the Session Laws of 1917 as Amended by Chapter 225 of the Session Laws of 1919, and to Amend Section 2 of Chapter 125 of the Session Laws of 1921, Relating to Inheritance Taxes Upon Estates of Deceased Non-Residents.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 334. A Bill for an Act to Amend and Re-enact Section 7418 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Change of Place of Trial and Judgment by Default.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 361. A Bill for an Act Providing for the Transfer and Removal of Female Inmates of the State Training School to the School of Forestry, and Their Maintenance Thereat, in Certain Cases.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Insurance made the following report:
Mr. President: A majority of Your committee on Insurance to whom was referred:

Senate Bill No. 297. A Bill for an Act Limiting the Writing and Placing of All Hail Insurance on Growing

Crops in the State of North Dakota, with the State of North Dakota and North Dakota Insurance Companies.

Have had the same under consideration and recommend that the same be amended as follows:

In the title thereof, after the words "North Dakota Insurance Companies," strike out the period and add the following: "and providing a maximum premium to be charged therefor."

In line 2, Section 1, of the engrossed bill, after the words "by the State," insert the words "Hail Insurance Department"; and in the same line, after the word "of," insert the word "the";

After Section 1, insert the following: "Section 2. The maximum premium to be charged for hail insurance on growing crops in 1923 and 1924 shall not exceed the premium charged in 1922, provided however that this section shall not apply to insurance carried by the State Hail Insurance Department."

And after Section 2, so inserted, insert the following: "Section 3. Emergency. This act is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval."

And when so amended recommend the same do pass.

P. J. MURPHY,
Chairman.

Mr. President. A minority of your committee on Insurance to whom was referred:

Senate Bill No. 297. A Bill for an Act Limiting the Writing and Placing of All Hail Insurance on Growing Crops in the State of North Dakota, with the State of North Dakota and North Dakota Insurance Companies.

Have had the same under consideration and recommend that the same be indefinitely postponed.

H. J. RUSCH,
T. J. KELSH,

Senator Murphy moved that the report of the majority of the Committee on Senate Bill 297 be adopted.

Senator Rusch moved to amend by substituting the word "minority" for that of "majority."

Which motion lost.

The vote being on the motion of Senator Murphy, the motion prevailed.

The committee on Railroads made the following report:

Mr. President. A majority of your committee on Railroads to whom was referred:

Senate Bill No. 366. A Bill for an Act Relating to Intra-state Freight Rates in North Dakota, Fixing the Maximum Rates and Charges for Transportation of Freight Intra-state, Providing Penalties and Punishment for the Viola-

tion Thereof, and Defining the Duties and Powers of the Board of Railroad Commissioners.

Have had the same under consideration and recommend that the same be indefinitely postponed.

Mr. President: A minority of your committee on Railroads to whom was referred:

Senate Bill No. 366. A Bill for an Act Relating to Intra-state Freight Rates in North Dakota, Fixing the Maximum Rates and Charges for Transportation of Freight Intra-state, Providing Penalties and Punishment for the Violation Thereof, and Defining the Duties and Powers of the Board of Railroad Commissioners.

Have had the same under consideration and recommend that the same do pass.

JOHN W. BENSON,
CHRIST LEVANG,
OLE ETTESTAD,
R. W. PATTEN,
C. A. WARD,
O. C. GROSS.

Senator Whitman moved that the majority report of the Committee on Senate Bill 366 be adopted.

Senator Benson moved to amend by substituting the word "minority for that of majority."

A roll call was demanded.

The question being on the motion to substitute the minority report for that of the majority, the roll was called and there were ayes 29, nays 18, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Flechten	Miklethun	Ployhar
Babeock	Garberg	Nathan	Tofsrud
Baird	Gross	Olson, Barnes	Ward
Baker	Ingerson	Olson, Eddy-	Wenstrom
Benson	Levang	Foster	Whitmer
Byrne	Lynch	Page	Wog
Carey	Magnuson	Patten	
Ettestad	Martin	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Bond	Kretschmar	Rusch	Thorson
Eastgate	McCoy	Sperry	Van Camp
Gardiner	McLachlin	Steel	Whitman
Kaldor	Murphy	Stevens	
Kelsh	Peterson	Storstad	

Absent and not voting:

Messrs.	Messrs.
Hamilton	Porter

So the motion prevailed.

Senator Rusch: Believing that the Railroad Commissioners have the power to regulate these rates at the present time, I vote "no."

The committee on Banks and Banking made the following report:

Mr. President: A majority of your committee on Banks and Banking to whom was referred:

Senate Bill No. 231. A Bill for an Act Declaring the Purpose of Establishing Public Banking Districts to Engage in the Banking Business and Establishing a System of Banking Owned, Controlled and Operated by the Districts; Defining the Scope and Manner of Such Banks' Operation; Prescribing the Powers and Duties of the Persons Charged with their Management, and Providing Penalties for the Violation of the Provisions Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. R. BOND,
Chairman.

The committee on Banks and Banking made the following report:

Mr. President: A Minority of your committee on Banks and Banking to whom was referred:

Senate Bill No. 231. A Bill for an Act Declaring the Purpose of Establishing Public Banking Districts to Engage in the Banking Business and Establishing a System of Banking Owned, Controlled and Operated by the Districts; Defining the Scope and Manner of Such Banks' Operation; Prescribing the Powers and Duties of the Persons Charged with their Management, and Providing Penalties for the Violation of the Provisions Thereof.

Have had the same under consideration and recommend that the same do pass.

RALPH INGERSON,
B. F. BAKER,
P. B. GARBERG,
JNO. L. MIKLETHUN,
R. W. PATTEN.

Senator Bond moved that the report of the majority of the Committee on Senate Bill 231 be adopted.

Senator Ingerson moved to amend by substituting the word "minority" for that of "majority."

Senator Bond moved the previous question.

A roll call was demanded.

SENATE ROLL

The question being on the motion to amend by substituting the word minority for majority, the roll was called

and there were ayes 20, nays 28, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babeock	Gross	Miklethun	Ward
Baker	Hamilton	Olson, Barnes	Wenstrom
Benson	Ingerson	Olson, Eddy-	Whitmer
Byrne	Levang	Foster	
Fleckten	Magnuson	Patten	
Garberg	Martin	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Nathan	Stevens
Baird	Keish	Page	Storstad
Bond	Kretschmar	Peterson	Thorson
Carey	Lynch	Ployhar	Tofsrud
Eastgate	McCoy	Rusch	Van Camp
Ettestad	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	Wog

Absent and not voting:

Messrs.
Porter

So the motion to amend failed to carry.

Senator Murphy moved that the rules be suspended and that smoking be allowed for the balance of this legislative day.

Senator Baker moved to amend by substituting that smoking be allowed for the first fifteen minutes of each hour.

Which motion lost.

The vote being on the motion of Senator Murphy, the motion prevailed.

Senator Baird moved that the rules be suspended; that permission be granted to introduce a bill.

Which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 44. A Bill for an Act to Amend and Re-enact Section 147 of the Compiled Laws of North Dakota for the Year 1913 and Repealing Section 147a of the Compiled Laws of North Dakota for the Year 1913; Providing for the Publicity of State Finances.

House Bill No. 69. A Bill for an Act to Appropriate the Sum of Two Thousand Eight Hundred Eighty-Two and 3-100 Dollars (\$2,882.03) for the Purpose of Charging Off Losses Resulting to the State on Account of the Failure, in the Year 1909, of the First National Bank of Rugby, Rugby, North Dakota, and the Barton State Bank, Barton, North Dakota.

House Bill No. 73. A Bill for an Act to Provide for the Election of Directors of Building and Loan Association for the Term of Three Years.

House Bill No. 79. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

House Bill No. 49. A Bill for an Act to Amend and Re-enact Section 1188 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Organization of Schools by Petition.

House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 2104 of the Compiled Laws of the State of North Dakota for 1913 Relating to Range Stock and Where Listed for the Purpose of Taxation.

House Bill No. 40. A Bill for an Act to Cancel Uncollected Personal Property Taxes Assessed for 1915 and Prior Years. Whereas, There are a large number of uncollectible personal property taxes on the tax books of the various counties of the state for the year 1915 and prior years which the Boards of County Commissioners have neglected to cancel as provided by law.

House Bill No. 143. A Bill for an Act Providing for the Filing of Manuscripts of Judgments of the United States Courts and Notices of Taxes Due the United States, with Certain County Officers.

House Bill No. 13. A Bill for an Act to Amend and Re-enact Section 2185, Compiled Laws of North Dakota for the Year 1919, Relating to Real Estate Taxes Due and Delinquent, and Penalty and Interest Thereon.

House Bill No. 34. A Bill for an Act to Repeal Section 3522 of the Compiled Laws of North Dakota for the Year 1913, Providing for Livery Allowed Sheriffs.

House Bill No. 50. A Bill for an Act to Amend and Re-enact Sections 1, 2, 9 and 13 of Chapter 97, Session Laws, 1921, Relating to Legislation to Prohibit Intoxicating Liquors and Beverages and Property Intended for the Manufacture of Same; Prohibiting the Transportation of Liquor and Providing for the Forfeiture of Property Used for the Transportation of Same; to Provide for its Enforcement and Penalty.

And the President signed the same in the presence of the Senate.

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. 281. A Bill for an Act Relating to the Payment of Certificates of Deposit.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. R. BOND,
Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Banks and Banking to whom was referred:

Senate Bill No. 282. A Bill for an Act Relating to the Payment of Checks Drawn on Banks.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. R. BOND,
Chairman.

Senator 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. 147. A Bill for an Act to Amend and Re-enact Chapter 220 of the Laws of North Dakota for the Year 1919, Relating to the Classification of Property for Assessment.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. O. THORSON,
Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Taxes and Tax Laws to whom was referred:

House Bill No. 146. A Bill for an Act to Amend and Re-enact Section 2212 of the Compiled Laws of North Dakota for 1913 as Amended and Re-enacted in Chapter 252 of the Session Laws of North Dakota for 1915, Relating to the Duty of the County Auditor and the Requirements of the Transfer of Real Property as to Taxes, Deeds and Other Instruments of Conveyance.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. O. THORSON,
Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 377. A Bill for an Act Correlating Duties Which Devolve upon County Auditors in Connection with the Preparation of Assessment Books, the Correction of Assessment Rolls, the Entering of Changes in Assessment Made by Boards of Equalization Under Existing Statutes, with the Work of a Similar Nature Now Performed by Assessors; Empowering the County Auditor to Appoint All Deputy Assessors Within the County in Lieu of the Present Local Assessors, and for That Purpose Denoting the County Auditor as Ex Officio County Assessor; Defining the Duties of the County Auditor in Connection with the Work of Deputy Assessors; Abolishing the Offices of Township, Village, City, and District Assessors and the Office of Tax Supervisor; Repealing Chapter 69 of the Special Session Laws of 1919, and Repealing All Acts and Parts of Acts in Conflict with This Act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. O. THORSON,
Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 300. A Bill for an Act to Amend and Re-enact Section 2110 of the Compiled Laws of 1913 as Amended by Chapter 221 of the Session Laws of 1913 and Chapter 119 of the Session Laws of 1921, Relating to the Taxation of Corporate Excess.

Have had the same under consideration and recommend that the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson moved that 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. 283. A Bill for an Act to Amend and Re-enact Sections 9868, 9869, 9870, 9871, 9872, 9873, 9874, 9875 and 9876 of the Compiled Laws of North Dakota for the Year 1913, Relating to Burglary, House Breaking and Unlawful Entering.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the title of the Bill, after the figures "9875" insert a comma and strike out the word and figures "and 9876" and insert in lieu thereof the word and figures "9876 and 9878";

In line 12 of Section 9868, after the word "thereof" insert the word "or" and strike out the word "or" at the beginning of line 13";

In line 16 of Section 9868 of the engrossed Bill, after the word "crime" insert the word "or" and strike out the word "or" at the beginning of line 17";

In line 25 of the engrossed Bill, after the word "crime" insert the word "or" and strike out the word "or" at the beginning of line 26.

In line 2 of Section 2 of the Bill after the figures "9875" insert a comma and strike out the word and figures "and 9876" and insert in lieu thereof the word and figures "9876 and 9878."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Benson moved that all absent Senators be excused.

Which motion prevailed.

Senator Ployhar moved that the Senate do now recess until 3:30 P. M.

Which motion prevailed.

AFTER RECESS.

The committee on Mines and Minerals made the following report:

Mr. President: Your committee on Mines and Minerals to whom was referred:

Senate Bill No. 12. A Bill for an Act to Repeal Sections 5518 and 5519 of the Compiled Laws of the State of North Dakota for the Year 1913.

Have had the same under consideration and recommend that the same be indefinitely postponed.

S. J. ATKINS,
Chairman.

Senator Atkins moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and En-grossment have examined the following bills:

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Section 1421 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 266 of the Session Laws for the Year 1915, Legalizing and Validating Certain Indebtedness of School Districts in the Form of School Warrants and Negotiable Bonds Issued to Fund the Same.

And find the same correctly enrolled.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and En-grossment made the following report:

Mr. President: Your committee on Enrollment and En-grossment have examined the following bills:

Senate Bill No. 335. A Bill for an Act to Create the Office of State Food Commissioner and Chemist; Providing for His Appointment, Term of Office, Removal and Salary; Defining His Powers and Duties; Defining the Powers and Duties of the State Board of Administration Relating Thereto; Creating a State Regulatory Fund and Providing for Payments Therefrom and Repealing Acts and Parts of Acts in Conflict with this Act and Especially Repealing Sections Two and Five of Chapter Two Hundred of the Session Laws of 1915.

Senate Bill No. 87. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the Traveling Expenses and Propagation of Game Departments of the State Game and Fish Board.

Senate Bill No. 76. A Bill for an Act Making an Appropriation of \$117,238.00 as an Offset for Federal Aid in Extension Division Work of the Agricultural College.

Senate Bill No. 159. A Bill for an Act Appropriating Money for the Use of War History Commission Between the Following Dates: June 30th, 1923, to July the 1st, 1925.

Senate Bill No. 277. A Bill for an Act Transferring to the Industrial Commission the Custody, Control and Management of the Property and Assets of the Home Building Association of North Dakota, for the Purpose of Liquidating and Winding Up the Business and Affairs of Said Home Building Association of North Dakota, Defining the Powers and Authority of the Industrial Commission with Reference Thereto, Defining the Rights and Liabilities of Applicants for Homes and Purchasers, and Repealing Chapter 150 of the Session Laws of North Dakota for the Year 1919, and Chapter 39 of the Special Session Laws of North Dakota for the Year 1919.

Senate Bill No. 325. A Bill for an Act to Amend and Re-enact Sections 551, 552 and 557 of the Compiled Laws of North Dakota for 1913, Governing the Practice of Certified Public Accountants in the state, and Providing a Penalty for Violation of the Laws Governing Accountancy.

And find the same correctly enrolled-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Ployhar moved to reconsider the report of the committee by which Senate Bill 272 was indefinitely postponed.

Which motion prevailed.

Senator Ployhar moved that Senate Bill 272 be re-referred to the Committee on State Affairs.

Which motion prevailed.

Senators Ingerson and Baird introduced the following

CONCURRENT RESOLUTION

WHEREAS, all workable coal fields within the State of North Dakota lie west of an imaginary North and South line drawn approximately through the City of Bismarck, North Dakota, and owing to flat increases of railroad rates during the period of United States Government operation of railroads the differentials between the various mines operated within the district above described, have been so increased as to prohibit free competition; and

WHEREAS, previous to said government operation, said differential did not exceed thirty cents per ton of two thousand pounds between any mines within the district, by virtue of which vast lignite fields in the western part of this state were developed promoting competition in the coal industry; and

WHEREAS, during the operation of the railroads by the United States Railroad Administration, horizontal raises in freight rates were made, thus greatly increasing the differentials between the various mines which raises were especially detrimental to the mines in the western part of the state; and

WHEREAS, during the times of abnormal prices the horizontal raises in freight rates have not been so serious as to prevent operation; and

WHEREAS, we are approaching the pre-war competitive conditions and it is essential that free competition be re-established to insure reasonable cost to the consumer,

NOW, THEREFORE, BE IT RESOLVED, by the Senate of the 18th Legislative Assembly of the State of North Dakota, the House of Representatives concurring therein,

that the Board of Railroad Commissioners of the State of North Dakota be requested and directed to prepare, publish and put in operation just and reasonable rates on lignite coal, following as far as possible the plan and differentials established by the Railroad Commissioners and set out in Northern Pacific Railroad Company's lignite freight tariff issued October 28th, 1915, said rates to be established and promulgated within sixty days if possible.

Which was referred to the committee on Mines and Minerals.

Senator Ployhar introduced the following

CONCURRENT RESOLUTION

WHEREAS, grade school subjects and high school subjects are being taught in many of the institutions of Higher Learning in the state causing a duplication of work and expense that is deemed not for the best interests of the safety of the state.

NOW, THEREFORE, BE IT RESOLVED, That it is hereby made the duty of the Board of Administration to prescribe the rules and regulations for the admission of students to the higher educational institutions of this state under its jurisdiction and control, provided, that on and after September 1, 1923, no student shall be admitted to any of said institutions who has not completed at least four (4) units of high school work; that on and after September 1, 1924, no student shall be admitted to any of said institutions who has not completed at least eight (8) units of high school work; that on and after September 1, 1925, no student shall be admitted to any of said institutions who has not completed at least twelve (12) units of high school work; that on and after September 1, 1926, no student shall be admitted to any of said institutions who has not completed at least fifteen (15) units of high school work; provided further that the units of high school work herein referred to, must be completed in compliance with and in conformity to the course of study prescribed for the high schools of this state in the high school manual in use on the several dates herein fixed.

Which was referred to the Committee on Education.

Senator Miklethun moved that Senate Concurrent Resolution concerning statements as to the State Mill at Drake, be printed in the Journal, and that it be referred to the Committee on State Affairs.

Senator Stevens moved as a substitute motion that Senate Concurrent Resolution be referred to the Committee on Delayed Bills.

Which motion prevailed.

Senator Hamilton presented a resolution adopted by the American Legion Auxiliary Unit of Towner Post, which was referred to the Committee on Public Health.

Senator Ployhar moved that the vote by which Senate Bill 245 was passed be reconsidered for the purpose of amendment.

Which motion prevailed.

Senator Ployhar moved to amend Senate Bill No. 245 as follows:

In Section 2, line 5, of the printed bill, after the word "state" insert "but in no case less than the equivalent of seventy-five cents for each telephone instrument owned and operated, or leased and operated within this state,"

Which motion prevailed.

Senator Ployhar moved that the rules be suspended; that Senate Bill No. 245 be placed on the Calendar for the third reading and final passage.

Which motion prevailed.

Senator Ployhar moved to further amend Senate Bill 245 as follows:

In Section 2, line 10, of the engrossed bill, strike out "fifty (50) " and insert in lieu thereof "seventy-five."

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 245. A Bill for an Act Relating to the Assessment of Telephone Property, Providing for a Tax on Gross Earnings of Telephone Companies in Lieu of the General Property Tax on the Property of Such Companies Used Exclusively in Connection with the Operation of Their Telephone Business, and in Lieu of Any Franchise, Excise or Income Tax, upon Such Companies; Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 44, nays 2, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Storstad
Babcock	Hamilton	Nathan	Thorson
Baird	Ingerson	Olson, Barnes	Tofsrud
Baker	Kaldor	Olson, Eddy-	Van Camp
Bond	Kelsh	Foster	Ward
Byrne	Levang	Peck	Wenstrom
Carey	Lynch	Peterson	Whitman
Eastgate	McCoy	Ployhar	Whitmer
Ettestad	McLachlin	Rusch	Wog
Fleckten	Magnuson	Sperry	
Garberg	Martin	Steel	
Gardiner	Miklethun	Stevens	

Those voting in the negative were:

Messrs.	Messrs.
Benson	Patten

Absent and not voting:

Messrs.	Messrs.	Messrs.
Kretschmar	Page	Porter

So the bill passed and the title was agreed to.

Senator Ployhar moved that further action on Senate Bill No. 229 be indefinitely postponed.

A roll call was demanded.

SENATE ROLL CALL

The question being on the motion to indefinitely postpone Senate Bill No. 229, the roll was called and there were ayes 8, nays 40, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Kelsh	Martin	Olson, Eddy-	Ployhar
McLachlin	Murphy	Foster	Storstad
			Whitmer

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Flechten	Magnuson	Sperry
Babcock	Garberg	McCoy	Steel
Baird	Gardiner	Miklethun	Stevens
Baker	Gross	Nathan	Thorson
Benson	Hamilton	Olson, Barnes	Tofsrud
Bond	Ingerson	Page	Van Camp
Byrne	Kaldor	Patten	Ward
Carey	Kretschmar	Peck	Wenstrom
Eastgate	Levang	Peterson	Whitman
Ettestad	Lynch	Rusch	Wog

Absent and not voting:

Messrs.
Porter

So the motion to indefinitely postpone was lost.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Section 1421 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 266 of the Session Laws for the Year 1915, Legalizing and Validating Certain Indebtedness of School Districts in the Form of School Warrants and Negotiable Bonds Issued to Fund the Same.

And the President signed the same in the presence of the Senate.

Senator Ettestad moved to amend Senate Bill 229 as follows:

In line 6, page 3, of the engrossed bill, strike out the word "October" and insert in lieu thereof "November".

In line 7, strike out the word "fifteenth" and insert in lieu thereof "first."

Which motion prevailed.

Senator Ployhar moved to amend Senate Bill No. 229 as follows:

In line 6 of the engrossed bill, strike out word "one" and insert in lieu thereof "two."

Which motion was lost.

SENATE ROLL CALL

Senate Bill No. 229. A Bill for an Act to Amend and Re-enact Section 2189 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Publication of Delinquent Tax List, as Amended by Chapter 256 of the Session Laws of 1915.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 45, nays 3, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Stevens
Babcock	Gross	Nathan	Storstad
Baird	Hamilton	Olson, Barnes	Thorson
Baker	Ingerson	Olson, Eddy-	Tofsrud
Benson	Kaldor	Foster	Van Camp
Bond	Kretschmar	Page	Ward
Byrne	Levang	Patten	Wenstrom
Carey	Lynch	Peck	Whitman
Eastgate	McCoy	Peterson	Whitmer
Ettestad	McLachlin	Rusch	Wog
Fleckten	Magnuson	Sperry	
Garberg	Miklethun	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Kelsh	Martin	Ployhar

Absent and not voting:

Messrs.
Porter

So the bill passed and the title was agreed to.

Senator Carey moved that action on Senate Bill No. 312 be deferred one legislative day.

Which motion prevailed.

Senator Bond moved to amend Senate Bill No. 185 as follows:

In Section 1, line 2, of the printed bill, strike out "woman" and insert in lieu thereof "mother."

Which motion prevailed.

Senator Bond moved to further amend Senate Bill No. 185 as follows:

In Section 2, line 2, after the word "court" insert "with the approval of the Board of County Commissioners."

Which motion was lost.

SENATE ROLL CALL

Senate Bill No. 185. A Bill for an Act to Amend and re-enact Chapter 185 of the Session Laws of 1915, Relating to the Support of Needy Women who are the Mothers of and Who are Compelled to Support one or More Children Under Sixteen Years of Age.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 48, nays none, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Stevens
Babeock	Hamilton	Nathan	Storstad
Baird	Ingerson	Olson, Barnes	Thorson
Baker	Kaldor	Olson, Eddy-	Tofsrud
Benson	Kelsh	Foster	Van Camp
Bond	Kretschmar	Page	Ward
Byrne	Levang	Patten	Wenstrom
Carey	Lynch	Peck	Whitman
Eastgate	McCoy	Peterson	Whitmer
Ettestad	McLachlin	Ployhar	Wog
Fleckten	Magnuson	Rusch	
Garberg	Martin	Sperry	
Gardiner	Miklethun	Steel	

Absent and not voting:

Messrs.

Porter

So the bill passed and the title was agreed to

SENATE ROLL CALL

Senate Bill No. 350. A Bill for an Act Amending and Re-enacting Section 1333 and Section 1337 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Issuance of Bonds by Common School Districts, and Declaring an Emergency.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Stevens
Babeock	Ingerson	Olson, Barnes	Storstad
Baird	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Page	Van Camp
Byrne	Levang	Patten	Ward
Eastgate	Lynch	Peck	Wenstrom
Ettestad	McCoy	Peterson	Whitman
Fleckten	McLachlin	Ployhar	Whitmer
Garberg	Magnuson	Rusch	Wog
Gardiner	Miklethun	Sperry	
Gross	Murphy	Steel	

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Carey	Martin	Porter

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Senator Stevens moved that the Senate recess at 5:30 P. M. to re-assemble at 7:30 P. M.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 378. A Bill for an Act to Amend and Re-enact Section 7741 of the Compiled Laws of 1913 as Amended and Re-enacted by Chapter 156 of the Session Laws of 1915 Relating to Partnership Exemptions.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays 1, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Martin	Steel
Babcock	Gross	Miklethum	Stevens
Baird	Hamilton	Murphy	Storstad
Baker	Ingerson	Olson, Barnes	Thorson
Benson	Kaldor	Olson, Eddy-	Tofarud
Bond	Kelsh	Foster	Van Camp
Byrne	Kretschmar	Page	Ward
Carey	Levang	Patten	Wenstrom
Eastgate	Lynch	Peterson	Whitman
Ettestad	McCoy	Ployhar	Whitmer
Flechten	McLachlin	Rusch	Wog
Garberg	Magnuson	Sperry	

Those voting in the negative were:

Messrs.
Peck

Absent and not voting:

Messrs.	Messrs.
Nathan	Porter

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 299. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 62 of the Laws of North Dakota Enacted at the Special Session of 1919, and Declaring that an Emergency Exists, and that This Act Shall Become Effective Immediately Upon Its Passage and Approval.

Was read the third time.

The question being on the final passage of the bill, the

roll was called and there were ayes 46, nays 2, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Sperry
Babcock	Hamilton	Murphy	Steel
Baird	Ingerson	Nathan	Stevens
Benson	Kaldor	Olson, Barnes	Storstad
Bond	Kelsh	Olson, Eddy-	Thorson
Byrne	Kretschmar	Foster	Tofsrud
Carey	Levang	Page	Van Camp
Eastgate	Lynch	Patten	Ward
Ettestad	McCoy	Peck	Wenstrom
Fleckten	McLachlin	Peterson	Whitman
Garberg	Magnuson	Ployhar	Wog
Gardiner	Martin	Rusch	

Those voting in the negative were:

Messrs.	Messrs.
Baker	Whitmer

Absent and not voting:

Messrs.
Porter

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 301. A Bill for an Act to Amend and Re-enact Chapter 61 of the Session Laws of 1917, Relating to the Assessment of the Capital Stock of Banks, Loan and Trust Companies and of Moneyed Capital Entering Into Competition Therewith.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays 2, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Miklethun	Stevens
Babcock	Gross	Nathan	Storstad
Baird	Hamilton	Olson-Barnes	Thorson
Baker	Ingerson	Olson, Eddy-	Tofsrud
Benson	Kaldor	Foster	Van Camp
Bond	Kelsh	Page	Ward
Byrne	Kretschmar	Patten	Wenstrom
Carey	Levang	Peck	Whitman
Eastgate	Lynch	Peterson	Wog
Ettestad	McCoy	Ployhar	
Fleckten	McLachlin	Sperry	
Garberg	Magnuson	Steel	

Those voting in the negative were:

Messrs.	Messrs.
Rusch	Whitmer

Absent and not voting:

Messrs.	Messrs.	Messrs.
Martin	Murphy	Porter

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Senator Rusch: I vote "no" for the reason that I do not believe this is clear in regard to the provisions.

AFTER RECESS

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 307. A Bill for an Act to Define Criminal Syndicalism and Sabotage, Prescribe Certain Acts and Methods in Connection Therewith and in Pursuance Thereof, and Provide Penalties and Punishment Therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In line 4, subdivision 1 of Section 2 of the engrossed bill, strike out the word "political"; and in the same line, after the word "change" which follows immediately after the word so stricken out, insert the following: "in the present form of government."

In Section 3 of the engrossed bill, strike out the last eight words in line 4 and the first three words in line 5, such words being the following: "it would have enacted and made the law of this state"; and in the same section, strike out the last two words of line 5 and the first five words of line 6, such words so stricken out being "and such other sections, clauses and provisions."

And when so amended recommend the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 253. A Bill for an Act to Repeal Chapter 122 of the Session Laws of 1921.

Have had the same under consideration and recommend that the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson 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. 146. A Bill for an Act to Amend and Re-enact Section 2078, Compiled Laws of North Dakota for Year 1913, as Amended by Chapter 223, Session Laws of 1919, and Chapter 122, Session Laws of 1921, Relating to the Exemption of Certain Property From Taxation.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, subdivision 11, after the figures "11" insert the letter "a."

On page 3, of the engrossed bill, after subdivision "11a" insert the following:

"11b. All personal property of National and State Banking Associations, whose capital stock is assessed and taxed to the holders thereof in lieu of a tax upon its property valued and assessed under the provisions of Section 2115 of the Compiled Laws for 1913, as amended by Chapter 61 of the Laws of 1917."

And when so amended recommend the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson 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. 255. A Bill for an Act to Amend and Re-enact Chapter 220 of the Laws of North Dakota for the Year 1919.

Have had the same under consideration and recommend that the same be amended as follows:

In line two of the title of the engrossed bill after the figures "1919" add the following: "Relating to the Basis of Assessment of Property for Taxation Purposes."

In line 8, Section 1 of the engrossed bill, after the word "thereof" insert the following: "except farm buildings and improvements, which are hereby exempted from all taxes. Assessors and Boards of Review shall assess and return all taxable property at its full value and it shall be the duty of the county auditor to make the computations necessary to reduce such assessed value to said seventy-five (75) per cent."

In line 7, Section 1, of the engrossed bill, after the words "assessed at" strike out the word "fifty" and insert in lieu thereof the words "seventy-five."

And when so amended recommend the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson 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:

A Concurrent Resolution Providing for the Valuation by the Interstate Commerce Commission of the Properties of Common Carriers, It Is Provided that "Such Investigation Shall Show the Value of Its Property in Each of the Several States and Territories and the District of Columbia, classified and in Detail as Herein Required."

Have had the same under consideration and recommend that the same be adopted.

P. O. THORSON,
Chairman.

Senator Thorson 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. 346. A Bill for an Act Prohibiting the Creation of Deficits by State Officials, State Boards and Heads of State Institutions, and Prescribing a Penalty for the Violations of this Act.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1 of the printed bill in line 8, after the word "fund" insert the following words and figures:

"Any state official, or member of the state board, or the head of any state institution or state department violating any of the provisions of Section 1 hereof shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$10.00 nor more than \$100.00, or by imprisonment in the county jail for not less than ten days nor more than thirty days, or by both such fine and imprisonment in discretion of the court."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 108. A Bill for an Act Making an Appropriation of \$56,600.00 for the Enforcement of the Feeding Stuffs, Fertilizer, Beverage and Sanitary Inspection Laws.

Have had the same under consideration and recommend that the same be amended as follows:

In title of printed bill strike out the figures "56,000.00" and insert in lieu thereof the figures "44,000.00."

In line 3, strike out the figures "56,000.00" and insert in lieu thereof the figures "44,000.00."

In line 7, after the word "period," strike out the balance of the line, and insert the following words and figures: "Beverage Fund 24,000.00" also "Pure Food Fund 20,000.00."

Strike out all lines of Bill from line 8 to line 37 inclusive.

On page 2, in line 38, strike out the figures "56,000.00" and insert in lieu thereof the figures "44,000.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 357. A Bill for an Act Providing for the Creation of a Commission for the Purpose of Making a Study of the Lignite Industry and Reporting to the Next Regular Session of the Legislature its Findings with Respect to methods of developing such Industry, and Providing an Appropriation for the Purpose of Defraying Necessary Expenses.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 88. A Bill for an Act Making an Appropriation of \$292,250.00 to Pay the General Maintenance, Improvements, Repairs, New Buildings, Equipment and Purchase of Live Stock, for the Experiment Station at the Agricultural College at Fargo, for the Biennium.

Have had the same under consideration and recommend that the same be amended as follows:

In title of the printed bill, strike out the figures "\$292,250.00" and insert in lieu thereof the figures "\$293,350.00."

On page 2, strike out line 15.

In line 17, strike out the figures "\$6,000.00" and insert in lieu thereof the figures "\$3,000.00."

In line 18 after the word "accounting" insert in lieu thereof the words "and marketing" and strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$5,000.00."

Strike out line 19.

In line 23, strike out figures "\$273,800.00" and insert in lieu thereof the figures "\$247,400.00."

In line 29 insert the following: "5, addition to Dairy Barn, \$10,000.00."

Line 30 strike out figures "\$7,250.00" and insert in lieu thereof the figures "\$17,250.00."

In line 32 strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$3,500.00."

Between lines 34 and 35 make a new line and insert in lieu thereof the following: "4, Animal Nutrition Building \$6,000.00."

Line 35 insert the following: "5, Hog Barn \$5,000.00"

Between lines 35 and 36 making a new line and insert the following: "6, Animal Building Veterinary Department \$5,000.00."

Line 36 strike out the figures "\$5,200.00" and insert the figures "\$22,700.00."

In line 45 strike out figures "\$292,250.00" and insert in lieu thereof the figures "\$293,350.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 82. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Teachers' College at Valley City, and Making Permanent Improvements and Additions Thereto.

Have had the same under consideration and recommend that the same be amended as follows:

In title of Bill strike out the words "Teachers College" and insert in lieu thereof the words "Normal School."

In Section 1 of the printed bill in line 3, strike out the figures "\$322,230.00" and insert in lieu thereof the figures "\$334,730.00."

In line 5, strike out the words "Teachers College" and insert in lieu thereof the words "Normal School."

In line 9, strike out the figures "\$55,000.00" and insert in lieu thereof the figures "\$50,000.00."

On page 2, in line 21, strike out the figures "\$279,200.00" and insert in lieu thereof the figures "\$274,200.00."

In line 36, insert the words "Additions to Permanent Property," also the figures "\$17,500.00."

In line 37, strike out the figures "\$9,480.00," and insert in lieu thereof the figures "\$26,980.00."

In line 38, strike out the figures "\$322,230.00", and insert in lieu thereof the figures "\$334,730.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 157. A Bill for an Act Making an Appropriation of \$573,118.00 to Pay the General Maintenance, Improvements and Repairs, New Buildings, and Equipment of the Agricultural College, Fargo, for the Biennium.

Have had the same under consideration and recommend that the same be amended as follows:

In title of bill strike out figures "\$575,118.00" and insert in lieu thereof the figures "\$544,906.00."

In line 10 of the printed bill strike out the figures "\$95,212.00" and insert in lieu thereof the figures "\$90,000.00."

On page 2 line 26 strike out the figures "\$638,058.00" and insert in lieu thereof the figures "\$632,846.00."

On page 3 strike out line 50, 53, 54 and 57.

In line 61 strike out the figures "\$38,000.00" and insert in lieu thereof the figures "\$15,000.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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 to Amend and Re-enact Sections 782, 783, 784, 787, 799, 808, 809, 810, 811 and 812 of the Compiled Laws of North Dakota for the Year 1919, as Amended by Chapter 69 of the Session Laws for the Year 1919, Relating to the Creating of a State Bar Board, Its Members, Their Term of Office, Qualifications, Compensation and Duties and Providing for the Admission of Attorneys to Practice and the Issuance of License to Practice.

Have had the same under consideration and recommend that the same be amended as follows:

On page 1 of the engrossed bill, in line 5, of Section 782, after the words "members of the," insert the word "State;"

On page 2 of the engrossed bill, line 11, section 783, strike out the word "an" and insert in lieu thereof the word "the;" and in the same line after the word "oath," insert the words "required by" and strike out the words "to support."

On page 2, Section 783, strike out last five words in line 12, and lines 13, 14, 15, 16.

On page 2, Section 784, in line 3, after the word "president," strike out period and add the following: "who shall hold said office for a term of two years and until his successor is duly elected and qualified."

On page 4, Section 808, in line 5, after the word "witness," insert the word "so;" and in line 6 of the same section, strike out the word "county" and insert in lieu thereof the words "Judicial District;"

On page 5, Section 811, in line 4, strike out the words "five dollars" and insert in lieu thereof the words "ten dollars;" and in line 15 of the same section, strike out the word "Board" and insert in lieu thereof the word "bar."

On page 5, Section 812, in lines 4 and 5, strike out the words: "possess and keep posted in his office and in lines 1 and 2, of the same section, strike out the words "possess and keep posted in his office."

And when so amended recommend the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 374. A Bill for an Act to Establish a Uniform Egg Law Regulating the Handling of Eggs within This State; Preventing the Sale and Traffic in Eggs Unfit for Human Food; Requiring Labeling and Candling; Providing for Licenses for Dealers in Eggs and for the Collection and Disposition of License Fees; Providing for Rules and Regulations and the Enforcement of the Act and Providing Penalties for Violations Thereof and Repealing Acts Relating Thereto.

Also,

Senate Bill No. 379. A Bill for an Act to Regulate the Sale of Petroleum Products; to Provide for the Inspection of Kerosene and Gasoline; to Provide Specifications Therefor; to Prevent Adulteration and Misbranding Thereof; to Provide for Inspection Fees, Collection and Disposition of Same; to Define the Duties of the State Food Commissioner and Chemist; to Provide for the Inspection of Lubricating and Power Oils; to Provide for the Enforcement of the Act; to Provide Penalties for the Violation Thereof and to Repeal Existing Acts Relating Thereto.

Also,

Senate Bill No. 380. A Bill for an Act to Provide for the Management, Operation, Control and Government of the North Dakota Mill and Elevator Association, and to Repeal All Acts in Conflict Therewith.

Also,

Senate Bill No. 365. A Bill for an Act Providing for the Discontinuance of the Depositors Guaranty Fund and Limiting the Time Up to Which Deposits Are Guaranteed by Said Fund and the Laws Relating Thereto.

Also,

Senate Bill No. 232. A Bill for an Act to Amend and Re-enact Section 9637 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Prescribing of an Oath.

Also,

Senate Bill No. 348. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 162 of the Session Laws for the

Year 1919 as Amended by Chapter 142 of the 1921 Session Laws Defining Certain Words and Phrases Contained in Said Chapter, and Particularly "Employment" and "Employer."

Also,

Senate Bill No. 337. A Bill for an Act Providing for a Bounty for the Destruction of Magpies and Crows.

Also,

Senate Bill No. 373. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Beverages; to Prevent Adulteration and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; to Define the Duties of the State Food Commissioner and Chemist; to provide for the Enforcement of the Provisions of the Act and to provide Penalties for Violations Thereof and to Repeal Existing Laws Relating Thereto.

And find the same correctly engrossed.

CHRIST LEVANG,,

Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

SENATE ROLL CALL

Senate Bill No. 302. A Bill for an Act to Impose a Gross Earnings Tax on Certain Freight Line and Car Equipment Companies Owning and Operating or Leasing and Operating Over Railroad Lines Within the State for the Purpose of Raising Revenue to Defray the General Expenses of State Government; Repealing Sections 2 to 11 Inclusive, of Chapter 59, Special Session Laws of 1919 and All Other Acts and Parts of Acts in Conflict Herewith.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays none, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Steel
Babcock	Hamilton	Murphy	Stevens
Baird	Ingerson	Nathan	Storstad
Baker	Kaldor	Olson, Eddy	Thorson
Benson	Kelsh	Poster	Tofsrud
Bond	Kretschmar	Page	Van Camp
Carey	Levang	Patten	Ward
Eastgate	Lynch	Peck	Wenstrom
Ettestad	McCoy	Peterson	Whitman
Fleekstad	McLachlin	Ployhar	Whitmer
Garberg	Magnuson	Rusch	Wog
Gardiner	Martin	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Byrne	Olson, Barnes	Porter

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Senator Gross moved to amend Senate Bill No. 310 as follows:

In Section 2, line 6, after the word "meeting" insert "whenever the estimate exceeds \$6,000.00 per year."

In line 7, after the word "county," add "and when \$6000 or less, shall be posted by the clerk in at least three places in the district."

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 310. A Bill for an Act Relating to School Finances; Providing That Each School Board or Board of Education of Any District School District Shall Annually Prepare a Budget of Proposed Expenditures; Providing for Publication of Such Budget and of the Proposed Levy; Providing for a Public Hearing in Regard to the Proposed Expenditures and Levy; Fixing a Date for Levy; Providing that all Expenditures Must Conform to the Budget as Adopted, and that all Unappropriated Balances in any Fund at the End of the Fiscal Year Shall Become a Part of the General Fund; Repealing All Acts and Parts of Acts Inconsistent With the Provisions of this Act.

Was read the third time. The question being on the final passage of the bill, as amended, the roll was called and there were ayes 42, nays 6, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Martin	Sperry
Babcock	Gross	Murphy	Steel
Baird	Hamilton	Nathan	Stevens
Baker	Ingerson	Olson, Barnes	Storstad
Benson	Kaldor	Olson, Eddy-	Thorson
Bond	Kelsh	Foster	Tofsrud
Byrne	Kretschmar	Page	Van Camp
Eastgate	Levang	Peck	Ward
Ettestad	Lynch	Peterson	Whitman
Fleckten	McLachlin	Ployhar	Whitmer
Garberg	Magnuson	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Carey	Miklethun	Wenstrom	Wog
McCoy	Patten		

Absent and not voting:

Messrs.
Porter

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 341. A Bill for an Act to Impose a Tax Upon Gasoline, Stored, Shipped, Distributed or Held for Sale Within this State, for the Purpose of Raising Revenue for Defraying the Expenses of the State Government; Providing for the Administration of the Same; Repealing Chapter 227 of the Special Session Laws of 1919 as Amended by Chapter 64 of the Special Session Laws of 1919.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 32, nays 15, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Fleckten	Nathan	Steel
Babcock	Garberg	Olson, Barnes	Stevens
Baird	Gardiner	Olson, Eddy-	Storstad
Baker	Gross	Foster	Thorson
Benson	Hamilton	Page	Tofsrud
Bond	Ingerson	Peck	Van Camp
Byrne	Lynch	Ployhar	
Eastgate	McCoy	Rusch	
Ettestad	Murphy	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Carey	McLachlin	Patten	Whitman
Kaldor	Magnuson	Peterson	Whitmer
Kelsh	Martin	Ward	Wog
Kretschmar	Miklethun	Wenstrom	

Absent and not voting:

Messrs.	Messrs.
Levang	Porter

So the bill passed and the title was agreed to.

Senator Gardiner moved that a separate roll call be made on the emergency clause. Which motion prevailed.

SENATE ROLL CALL.

The question being on the passage of the emergency clause of Senate Bill No. 341 as amended, the roll was called and there were ayes 34, nays 13, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Fleckten	McLachlin	Ployhar
Babcock	Garberg	Magnuson	Rusch
Baird	Gardiner	Murphy	Steel
Baker	Gross	Nathan	Stevens
Benson	Hamilton	Olson, Barnes	Storstad
Bond	Ingerson	Olson, Eddy-	Thorson
Byrne	Kaldor	Foster	Van Camp
Eastgate	Lynch	Page	Whitman
Ettestad	McCoy	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Carey	Martin	Peterson	Ward
Kelsh	Miklethun	Sperry	Wenstrom
Kretschmar	Vatten	Tofsrud	Whitmer
			Wog

Absent and not voting:

Messrs.	Messrs.
Levang	Porter

So the Emergency Clause of Senate Bill No. 341 was carried.

Senator Storstad moved that Senate Bill No. 54 be amended as follows:

By striking out "by the by-laws of the council or" in the last line of page 2 of the engrossed bill.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 54. A Bill for an Act to Provide for a State Department of Health; a Public Health Advisory Council; Working Divisions and Employees; Office Space; Making an Appropriation Therefor; Repealing Sections 397, 398, 401, and 403, Compiled Laws of 1913, Declaring Emergency.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 27 nays 21, absent and not voting one.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Eastgate	Levang	Ployhar
Babeock	Garberg	Lynch	Sperry
Baird	Gardiner	Murphy	Steel
Benson	Ingerson	Olson, Eddy-	Stevens
Bond	Kaldor	Foster	Thorson
Byrne	Kelsh	Page	Van Camp
Carey	Kretschmar	Peterson	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	McLachlin	Patten	Wenstrom
Ettestad	Magnuson	Peck	Whitmer
Flechten	Martin	Rusch	Wog
Gross	Miklethun	Storstad	
Hamilton	Nathan	Tofsrud	
McCoy	Olson, Barnes	Ward	

Absent and not voting:

Messrs.
Porter

So the bill passed and the title was agreed to and the emergency clause was declared lost.

Gross: I vote "No" because I think the county has been crippled by not having county units.

SENATE ROLL CALL

Senate Bill No. 198. A Bill for an Act Making an Appropriation for the Supervisor of Grades, Weights and Measures, for the Purpose of Carrying Out, Maintaining General Supervision and Regulation of Grain Grading, Elevator Accounting and Inspection of Elevators, Warehouses and Flour Mills in Handling of all Agricultural Products.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays 5, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Magnuson	Sperry
Babcock	Gross	Martin	Steel
Baird	Hamilton	Miklethun	Stevens
Baker	Ingerson	Murphy	Storstad
Benson	Kaldor	Olson, Barnes	Thorson
Bond	Kelsh	Olson, Eddy-	Van Camp
Byrne	Kretschmar	Foster	Ward
Carey	Levang	Patten	Wenstrom
Eastgate	Lynch	Peck	Whitman
Fleckten	McCoy	Ployhar	Whitmer
Garberg	McLachlin	Rusch	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Ettestad	Page	Peterson	Tofsrud
Nathan			

Absent and not voting:

Messrs.

Porter

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 141. A Bill for an Act to appropriate \$1,000.00 for the Biennium, to the Humane Society for Office Supplies, Printing, Office Phone, and Traveling Expense.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 48, nays none, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Stevens
Babcock	Hamilton	Nathan	Storstad
Baird	Ingerson	Olson, Barnes	Thorson
Baker	Kaldor	Olson, Eddy-	Tofsrud
Benson	Kelsh	Foster	Van Camp
Bond	Kretschmar	Page	Ward
Byrne	Levang	Patten	Wenstrom
Carey	Lynch	Peck	Whitman
Eastgate	McCoy	Peterson	Whitmer
Ettestad	McLachlin	Ployhar	Wog
Fleckten	Magnuson	Rusch	
Garberg	Martin	Sperry	
Gardiner	Miklethun	Steel	

Absent and not voting:

Messrs.

Porter

So the bill passed and the title was agreed to.

Senator Steel moved to amend Senate Bill 242 as follows:

After line 67 of the printed bill insert the following:

3. That such child has already acquired the branches of learning taught in the public schools; provided, that in the case the eighth grade is not completed such child shall attend school, if necessary, until the seventeenth birthday is reached.

Which motion prevailed.

Senator Whitmer moved to amend Senate Bill 242 as follows:

In line 51 of the printed bill, strike out "twenty-five" and insert in lieu thereof "ten."

Which motion prevailed.

Senator Gross moved to amend Senate Bill No. 242 as follows:

In line 52, of the printed bill strike out "half" and insert in lieu thereof "quarter."

Which motion was lost.

Senator Murphy moved to amend Senate Bill 242 as follows:

In line 30, page 2 of the printed bill strike out "no" and insert in lieu thereof "such;"

In lines 31, 33 and 36 strike out "unless" and insert in lieu thereof "when."

Which motion lost.

Senator Murphy moved that further action on Senate Bill No. 242 be indefinitely postponed.

A roll call having been demanded,

SENATE ROLL CALL

The question being on the motion to indefinitely postpone further action on Senate Bill No. 242, the roll was called and there were ayes 19, nays 29, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Ingerson	Miklethun	Peck
Ettestad	Kelsh	Murphy	Ward
Fleckten	Levang	Nathan	Wenstrom
Garberg	McCoy	Olson, Barnes	Whitmer
Hamilton	Martin	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Foster	Storstad
Babcock	Gross	Page	Thorson
Baird	Kaldor	Peterson	Tofsrud
Benson	Kretschmar	Ployhar	Van Camp
Bond	Lynch	Rusch	Whitman
Byrne	McLachlin	Sperry	Wog
Carey	Magnuson	Steel	
Eastgate	Olson, Eddy-	Stevens	

Absent and not voting:

Messrs.
Porter

So the motion to indefinitely postpone was lost.

SENATE ROLL CALL

Senate Bill No. 242. A Bill for an Act Amending and Re-enacting Section 1342 of the Compiled Laws of 1913 as Amended by Chapter 141 of the Session Laws of 1915 and by Chapter 206 of the Session Laws of 1917 and Section 1345 of the Compiled Laws of 1913, Relating to Compulsory School Attendance and Providing for the Enforcement Thereof.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 27, nays 21, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Page	Storstad
Babcock	Kaldor	Peterson	Thorson
Baird	Kretschmar	Ployhar	Tofsrud
Byrne	Lynch	Rusch	Van Camp
Carey	McLachlin	Sperry	Whitman
Eastgate	Magnuson	Steel	Wog
Gardiner	Olson, Eddy-	Stevens	
	Foster		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Miklethun	Ward
Benson	Ingerson	Murphy	Wenstrom
Bond	Kelsh	Nathan	Whitmer
Ettestad	Levang	Olson, Barnes	
Fleckten	McCoy	Patten	
Garberg	Martin	Peck	

Absent and not voting

Messrs.
Porter

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 17, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 166. A Bill for an Act to Amend and Re-enact Section 1147 of the Compiled Laws of 1913 as Amended by Chapter 135 of the Session Laws of 1915 and Chapter 197 of the Session Laws of 1919, Relating to the Reorganization of New School Districts.

Senate Bill No. 51. A Bill for an Act Fixing Publication Fees for Printing Delinquent Tax Lists, School Treasurers Reports, and County Commissioners' Proceedings.

Senate Bill No. 246. A Bill for an Act to Amend and Re-enact Section 1218 of the Compiled Laws of North Dakota, Relating to Report and Annual Statement of School Districts, as Amended by Chapter 50 of the Special Session Laws of 1919.

Which the House has indefinitely postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

SENATE ROLL CALL

Senate Bill No. 288. A Bill for an Act Providing for a Tax Upon Reserves of Coal and Minerals, Providing for the Obtaining of Tax Titles to Such Reserves When Taxes Thereon Remain Unpaid and Repealing Section 2119, Section 2120 and Section 2121, Compiled Laws of 1913, and All Acts and Parts of Acts in Conflict with This Act.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 42, nays none, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Miklethun	Sperry
Babcock	Gardiner	Nathan	Steel
Baird	Gross	O'son, Barnes	Stevens
Baker	Hamilton	O'son, Eddy-	Storstad
Benson	Ka'dor	Foster	Thorson
Bond	Ke'sh	Page	Tofsrud
Byrne	Kretschmar	Patten	Ward
Carey	Levang	Peck	Wenstrom
Eastgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Wog
Fleckten	Magnuson	Rusch	

Absent and not voting

Messrs.	Messrs.	Messrs.	Messrs.
Ingerson	Martin	Porter	Whitmer
Lynch	Murphy	Van Camp	

So the bill passed and the title was agreed to.

Senator Sperry moved to amend Senate Bill No. 80 as follows:

In the title, and in line 3, of Section 1, and the last line of the engrossed bill, strike out \$1,027,933.00 and insert in lieu thereof \$1,042,965.00.

On page 4 of the printed bill after line 2, insert:

2. Bismarck, \$5,562.00.
3. Minot, 5,270.00.
4. Fargo, 4,200.00.

In line 8, strike out \$29,248.00 and insert in lieu thereof \$44,280.00.

In line 11, strike out \$23,248.00 and insert in lieu thereof \$38,280.00.

Which motion prevailed.

Senator Sperry moved that the rules be suspended; that Senate Bill No. 80 be considered re-engrossed and that it be placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 80. A Bill for an Act Making an Appropriation of \$1,042,965.00 for the Purpose of Paying the General Maintenance, Improvements and Repairs, New Equipment, etc., of the State University at Grand Forks, North Dakota.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 47, nays none, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Martin	Sperry
Babcock	Gross	Miklethun	Steel
Baird	Hamilton	Nathan	Stevens
Baker	Ingerson	Olson, Barnes	Storstad
Benson	Kaldor	Olson, Eddy-	Thorson
Bond	Kelsh	Foster	Tofsrud
Byrne	Kretschmar	Page	Van Camp
Carey	Levang	Patten	Ward
Eastgate	Lynch	Peck	Wenstrom
Ettestad	McCoy	Peterson	Whitman
Fleckten	McLachlin	Ployhar	Whitmer
Garberg	Magnuson	Rusch	Wog

Absent and not voting

Messrs.	Messrs.
Murphy	Porter

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 336. A Concurrent Resolution for an Amendment to Section 182, Article 12 of the Constitution of the State of North Dakota, as Amended by Article 31 of the Amendments Thereof, Relating to Issuing or Guaranteeing of Bonds by the State and Providing that Such Bonds in Excess of Two Million Dollars Shall be Secured by First Mortgage on Certain Classes of Property; and

Providing for the Submission of this Amendment to the Voters of the State for Rejection or Approval as Provided in Section 292, as Amended, of the Constitution 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 ayes 46, nays none, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Martin	Steel
Babecock	Gross	Miklethun	Stevens
Baird	Hamilton	Nathan	Storstad
Baker	Ingerson	Olson, Barnes	Thorson
Benson	Kaldor	Olson, Eddy-	Tofsrud
Bond	Ke'ish	Foster	Van Camp
Byrne	Kretschmar	Page	Ward
Carey	Levang	Peck	Wenstrom
Eastgate	Lynch	Peterson	Whitman
Ettestad	McCoy	Ployhar	Whitmer
Fleckten	McLachlin	Rusch	Wog
Garberg	Magnuson	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Murphy	Patten	Porter

So the bill passed and the title was agreed to.

Senator Steel asked unanimous consent to return to the Eighth Order of Business.

There being no objections, the Senate took up the Eighth Order of Business.

Senator Steel moved that the vote by which Senate Bill No. 242 passed be reconsidered and that the motion to reconsider be laid on the table.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 316. A Bill for an Act to Amend and Re-enact Section 7625 of the Compiled Laws of North Dakota for 1913, Relating to a Trial Jury in Civil Cases.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays none, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Miklethun	Steel
Babecock	Gardiner	Nathan	Stevens
Baird	Gross	Olson, Barnes	Storstad
Baker	Hamilton	Olson, Eddy-	Thorson
Benson	Ingerson	Ke'ish	Tofsrud
Bond	Foster	Page	Van Camp
Byrne	Kaldor	Patten	Ward

Messrs.	Messrs.	Messrs.	Messrs.
Carey	Levang	Peck	Wenstrom
Eastgate	Lynch	Peterson	Whitman
Ettestad	McCoy	Ployhar	Whitmer
Fleckten	McLachlin	Rusch	Wog
Garberg	Magnuson	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Martin	Murphy	Porter

So the bill passed and the title was agreed to.

Senator Ployhar moved that final action on Senate Bill No. 339 be deferred one legislative day.

Which motion prevailed.

Senator Lynch moved to amend Senate Bill No. 280 as follows:

In line 19 of the printed bill strike out "shall not" and insert in lieu thereof "may."

In line 20 strike out "reviewable" and insert in lieu thereof "reviewed by"; strike out "unless" and insert in lieu thereof "without."

In line 22, strike out "was" and insert in lieu thereof "having been."

Which motion prevailed.

Senator Lynch moved that the rules be suspended; that Senate Bill No. 280 be considered re-engrossed, and placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 280. A Bill for an Act to Amend and Re-enact Section 7643 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 133, of the Session Laws of 1921, Relating to Directed Verdicts.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 39, nays none, absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Miklethun	Sperry
Babcock	Ingerson	Nathan	Steel
Baird	Kaldor	Olson, Barnes	Stevens
Benson	Kelsh	Olson, Eddy-	Storstad
Bond	Kretschmar	Foster	Thorson
Carey	Levang	Page	Tofsrud
Ettestad	Lynch	Patten	Van Camp
Fleckten	McCoy	Peck	Ward
Gardiner	McLachlin	Peterson	Whitman
Gross	Magnuson	Rusch	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Garberg	Ployhar	Whitmer
Byrne	Martin	Porter	
Eastgate	Murphy	Wenstrom	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 370. A Bill for an Act to Amend and Re-enact Section 5626 of the Compiled Laws of North Dakota for 1913.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 42, nays none, absent and not voting 7.

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Steel
Babcock	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Page	Van Camp
Carey	Levang	Patten	Ward
Eastgate	Lynch	Peck	Whitman
Ettestad	McCoy	Peterson	Whitmer
Fleckten	McLachlin	Rusch	Wog
Gardiner	Magnuson	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Byrne	Martin	Ployhar	Wenstrom
Garberg	Murphy	Porter	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 326. A Bill for an Act to Amend Sections 3711 of the Compiled Laws of the State of North Dakota for the Year 1913, and to Provide for Special Assessment Funds, the Issuance and Payment of Warrants.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 40, nays none, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Olson, Eddy	Van Camp
Babcock	Kaldor	Foster	Ward
Baird	Kelsh	Patten	Whitman
Baker	Kretschmar	Peck	Whitmer
Bond	Levang	Peterson	Wog
Carey	Lynch	Rusch	
Eastgate	McCoy	Sperry	
Ettestad	McLachlin	Steel	
Fleckten	Magnuson	Stevens	
Gardiner	Miklethun	Storstad	
Gross	Nathan	Thorson	
Hamilton	Olson, Barnes	Tofsrud	

Absent and not voting:

Messrs.
Benson
Byrne
Garberg

Messrs.
Martin
Murphy
Page

Messrs.
Floyhar
Porter
Wenstrom

Messrs.

So the bill passed.

Senator Gardiner moved that the letter "s" be stricken from the word "sections" in the title of Senate Bill 326.

Which motion prevailed.

So the title was agreed to.

The Committee on Delayed Bills made the following report:

Mr. President: Your Committee on Delayed Bills to whom was referred sundry bills for introduction have had the same under consideration and recommend that Senator Whitman, Senator Byrne, Senator Rusch, Senator Martin, Senator Ingerson, and Senator Stevens be allowed to introduce their bills submitted to the committee subject, however, to the will of the Senate.

CHRIST LEVANG,
Chairman.

Sen. Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The Senate returned to the Eighth Order of Business.

Senator Byrne moved that the rules be suspended and that permission be granted to introduce a bill.

Which motion prevailed.

Senator Baird moved that the rules be suspended and that permission be granted to introduce a bill.

Which motion prevailed.

Senator Martin moved that the rules be suspended and that permission be granted to introduce a bill.

Which motion prevailed.

Senator Ingerson moved that the rules be suspended and that permission be granted to introduce a bill.

Which motion prevailed.

Senator Stevens moved that the rules be suspended and that permission be granted to introduce a bill.

Which motion prevailed.

Senator Whitman moved that the rules be suspended and that permission be granted to introduce a bill.

Which motion was lost.

SENATE ROLL CALL

Senate Bill No. 205. A Bill for an Act to Amend and Re-

enact 7644 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 1 of the Session Laws for the year 1919, (Regular Session) and Chapter 129 of the Session Laws for the Year 1921, Relating to Change of Judges in Civil and Criminal Actions in the District Court, for Prejudice or Bias of Judge Thereof; Providing for the Calling of Another Judge of Another Judicial District, and the Payment of his Expenses, and the Discharge of Jurors Therein, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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 one, absent and not voting 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Fleckten	Nathan	Steel
Babcock	Gardiner	Olson, Eddy-	Stevens
Baird	Hamilton	Foster	Storstad
Baker	Kaldor	Page	Thorson
Benson	Kelsh	Peck	Tofsrud
Bond	Levang	Peterson	Van Camp
Carey	Lynch	Ployhar	Whitman
Eastgate	McLachlin	Rusch	Whitmer
Ettestad	Magnuson	Sperry	Wog

Those voting in the negative were:

Messrs.
Ingerson

Absent and not voting

Messrs.	Messrs.	Messrs.	Messrs.
Byrne	McCoy	Olson, Barnes	Wenstrom
Garberg	Martin	Patten	
Gross	Miklethun	Porter	
Kretschmar	Murphy	Ward	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 87. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the Traveling Expenses and Propagation of Game Departments of the State Game and Fish Board.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 32, nays 3, absent and not voting 14.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Page	Thorson
Babcock	Kaldor	Peterson	Tofsrud
Baird	Kelsh	Ployhar	Van Camp
Baker	Levang	Rusch	Ward
Bond	Lynch	Sperry	Whitman
Carey	McLachlin	Steel	Whitmer
Eastgate	Magnuson	Stevens	Wog
Ettestad	Olson, Eddy-	Storstad	
Gardiner	Foster		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fleckten	Nathan	Peck

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Ingerson	Miklethun	Porter
Byrne	Kretschmar	Murphy	Wenstrom
Garberg	McCoy	Olson, Barnes	
Hamilton	Martin	Patten	

So the bill passed and the title was agreed to.

Senator Stevens moved that a separate roll call be had on the emergency clause on Senate Bill No. 87.

Which motion prevailed.

SENATE ROLL CALL

The question being on the final passage of the emergency clause of Senate Bill No. 87, the roll was called and there were ayes 37, nays 4, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Storstad
Babeock	Hamilton	Olson, Eddy-	Thorson
Baird	Ingerson	Foster	Tofsrud
Baker	Kaldor	Page	Van Camp
Benson	Kelsh	Peterson	Ward
Bond	Kretschmar	Ployhar	Whitman
Carey	Levang	Rusch	Whitmer
Eastgate	Lynch	Sperry	Wog
Ettestad	McLachlin	Steel	
Gardiner	Magnuson	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Nathan	Olson, Barnes	Peck

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Byrne	McCoy	Murphy	Porter
Garberg	Martin	Patten	Wenstrom

So the emergency clause of Senate Bill No. 87 was declared passed.

Senator Kretschmar moved that further action on Senate Bill No. 76 be deferred one Legislative Day.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 159. A Bill for an Act Appropriating Money for the Use of War History Commission Between the Following Dates: June 30th, 1923, to July the 1st, 1925.

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 6, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Miklethun	Stevens
Babcock	Gross	Olson, Eddy-	Storstad
Baird	Kaldor	Foster	Thorson
Baker	Kelsh	Rusch	Tofsrud
Benson	Kretschmar	Page	Van Camp
Bond	Levang	Peterson	Ward
Carey	Lynch	Ployhar	Whitman
Eastgate	McLachlin	Sperry	Wog
Ettestad	Magnuson	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Nathan	Peck	Whitmer
Ingerson	Olson, Barnes		

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Byrne	Hamilton	Martie	Patten
Garberg	McCoy	Murphy	Porter
			Wenstrom

So the bill passed and the title was agreed to.

Senator Whitmer: I am going to vote "No" for the reason that I would like to forget the late war.

The following bills were messaged to the House, Senate Bills Nos. 292, 229, 185, 350, 378, 299, 301, 302, 341, 54, 198, 141, 242, 288, 336, 316, 370, 326, 205, 87, 159.

FIRST AND SECOND READING OF SENATE BILLS

Mr. Byrne introduced:

Senate Bill No. 388. A Bill for an Act Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations whose Period of Duration has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations, and Providing that this Act Shall Take Effect Immediately Upon Its Passage and Approval.

Was read the first and second time and referred to the Committee on Corporations Other than Municipal.

Mr. Baird introduced:

Senate Bill No. 389. A Bill for an Act Regulating the Reservation of Mineral Rights and Providing for the Transfer of Same.

Was read the first and second time and referred to the Committee on Mines and Minerals.

Mr. Martin introduced:

Senate Bill No. 390. A Bill for an Act Prohibiting the Employment of a Married Woman in any Public Office in the State of North Dakota, Whose Husband is Able-bodied and Able to Earn a Living Wage, and Providing a Penalty Therefor.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Rusch introduced:

Senate Bill No. 391. A Bill for an Act Repealing Chapter 91 of the Laws of 1921 Relating to Promissory Notes.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Stevens introduced:

Senate Bill No. 392. A Bill for an Act to Provide a Custodian for the property belonging to the State of North Dakota Known as the Biological Station and Located on the Shores of Devils Lake, Ramsey County, North Dakota, and to Designate the Purposes for Which Said Property May Be Used.

Was read the first and second time and referred to the Committee on Ways and Means.

Mr. Ingerson introduced:

Senate Bill No. 393. A Bill for an Act to Appropriate Out of any Moneys in the State Treasury, Belonging to the Home Building Association, and Not Otherwise Appropriated, the Sum of \$1,863.09, with the Interest Thereon at the Rate of 5½ per cent per annum from the 21st Day of October, 1921, for the Purpose of Reimbursing the Estate of Frank Lee, Deceased, Formerly a Member of Home Buyers' League No. 1 of Mandan, North Dakota, for Moneys Paid by Said Frank Lee, Deceased to said Home Building Association Prior to His Death.

Was read the first and second time and referred to the Committee on Appropriations.

Senator Ward moved that the Senate do now recess until 10:30 A. M., February 19, 1923.

Which motion prevailed.

W. E. PARSONS,
Secretary.

FORTY-SEVENTH DAY AFTER RECESS AND FORTY-
NINTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 19, 1923.

The Senate re-assembled at 10:30 A. M. pursuant to recess taken, the President, Frank H. Hyland, presiding.

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. 254. A Bill for an Act to Amend and Re-enact Chapter 223 of the Laws of 1919 and Repealing Certain Provisions of Law in Conflict Therewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. O. THORSON,
Chairman.

Senator Thorson 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. 286. A Bill for an Act to Amend and Re-enact Chapter 25 of the Session Laws of the State of North Dakota for the Year 1921, Being an Act to Create, Define and Establish the Bar Association of the State of North Dakota, and Providing for the Publication of Its Proceedings and Filing Copies Thereof with the State Bar Board and State Libraries, and as Otherwise Provided and Making an Appropriation for the Expenses Connected Therewith.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2 of the engrossed bill, line three, strike out the word "a" and insert in lieu thereof the word "the"; also in the same line strike out the words "money not to exceed"; also on page two of the engrossed bill, in line 6, strike out the last five words and the first three words of line 7, being the words "or as much thereof as may be required."

And when so amended recommend the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 372. A Bill for an Act Providing for the Inspection of Hotels and Restaurants; Prescribing Sanitary Requirements Therefor; Providing for Licensing, Payment and Disposition of License Fees; Providing for the Revocation of Licenses; Defining the Duties of the State Food Commissioner and Chemist with Regard to the Act; Providing for Penalties for Violation Thereof and Repealing Existing Laws Relating Thereto.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the title of the engrossed Bill strike out the word "Licensing" and insert in lieu thereof the word "Certification" and in the same line after the word "of" strike out the word "License" and insert in lieu thereof the word "Certificate."

In line 4 of the title, after the word "of" strike out the word "Licenses" and insert in lieu thereof the word "Certificates."

In line 8 of Section 2, of the engrossed bill, after the word "to" insert the words "at least an average of five."

In line 20 of Section 4, after the word "with" strike out the words "tight fitting."

In line 24 of Section 4, after the word "be" insert the words "calculated or in lieu thereof."

In line 49 of Section 4, after the word "be" strike out the word "licensed" and insert in lieu thereof the word "certified."

In line 50 of Section 4, after the word "are" insert the word "continually" and in the same line after the word "and" strike out the words "the presence of any of these" and insert in lieu thereof the words "such condition."

In line 51 of Section 4, after the word "the" strike out the word "license" and insert in lieu thereof the word "certificate"; also, strike out the word "license" wherever it appears in the Bill and insert in lieu thereof the word "certificate."

In line 56 of Section 4, after the word "fumigated" strike out the remainder of the line and all of lines 57 and 58 and the word "chemist" at the beginning of line 59.

In line 63 of Section 4, after the word "from" strike out the words "any proprietor or person in charge."

In line 67 of Section 4, strike out the word "proprietor" at the beginning of the line and insert in lieu thereof the word "employee."

In line 69 of Section 4, strike out the word "employer" at the beginning of the line and insert in lieu thereof the word "employee."

In line 74 of Section 4, after the word "times" strike out the remainder of the line; and all of line 75 up to and including the word "and"; capitalize the word "individual" in line 75."

In line 8 of Section 6, after the word "rooms" insert the words "one of."

In line 7 of Section 7, after the word "installed" strike out the remainder of the section and insert in lieu thereof the words "within a reasonable length of time."

In line 16 of Section 9, after the word "penalties" strike out the remainder of the section.

In line 4 of Section 10, after the word "necessary" insert the words "by the Board of Administration."

In line 1 of Section 11, after the figures "11" strike out the word "license" and insert in lieu thereof the word "certificate."

In line 1 of Section 12, after the figures "12" strike out the word "license" and insert in lieu thereof the word "certificate."

In line 4 of Section 15, after the word "Act" insert the following: "after proper notice having been given and reasonable time allowed for compliance."

In line 74 after the word "times" insert the following: "The use of tobacco is hereby prohibited in all hotel and restaurant kitchens."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 272. A Bill for an Act Relating to the Method of Levying Tax for the Care of Patients at the Hospital for the Insane, Institution for the Feeble Minded and the State Tuberculosis Sanatorium; Providing the Method of Settlement Between County and State; Providing a Penalty for Failure to Pay; Providing a Method of Settling Disputed Claims and Repealing Sections 2572 and 2573, Compiled Laws of 1913 and All Acts or Parts of Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 274. A Bill for an Act to Amend and Re-enact Section 11291 of the Compiled Laws of North Dakota, 1913, Relating to Parole from the State Training School.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,

Senator Ployhar moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 19, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 110. A Bill for an Act to Appropriate Sixty Thousand Dollars (\$60,000.00) to Provide Funds for the Maintenance of the North Dakota National Guard, or State Militia, as Provided for Under Chapter 35 of the Compiled Laws of 1913 for North Dakota, and to Meet Other Requirements Prescribed by the Federal Statutes.

House Bill No. 80. A Bill for an Act to Make Appropriation for Postage, Office Supplies, Furniture and Fixtures, Printing, Miscellaneous Expenses, Traveling Expense, Maintenance of Game Farms, Salary and Expenses of Fish Commissioner and Deputy Fish Commissioner, and Expenses and Maintenance of Fish Hatchery.

House Bill No. 87. A Bill for an Act Making Appropriations for the Current and Contingent Expenses of the State Penitentiary and for Making of Permanent Improvements and Additions Thereto.

House Bill No. 279. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit Incurred in the State Fire Marshal's Department.

House Bill No. 303. A Bill for an Act to Amend and Re-enact Section 1951 of the Compiled Laws of 1913 as Amended and Re-enacted by Chapter 72 of the Laws of 1919, Relating to the Construction of Bridges by County Commissioners.

House Bill No. 165. A Bill for an Act to Amend and Re-enact Chapter 58 of the Special Session of North Dakota for 1919.

House Bill No. 91. A Bill for an Act to appropriate Six Hundred Dollars to the North Dakota Poultry Association for the Biennium Period According to Section 5117 of the Compiled Laws of 1913 for the State of North Dakota.

House Bill No. 228. A Bill for an Act to Provide for the Consolidation of Counties, or Portions Thereof into a New County; Organization Thereof and Disposal of Any Portions of Such Counties Not Included Therein.

House Bill No. 231. A Bill for an Act Regulating the Signing of Recall Petitions; Preventing Fraud and Corruption and Providing Penalties for the Violation of the Provisions of this Act.

House Bill No. 187. A Bill for an Act to Provide for the Destruction of Weeds on Public Highways by the Owner or Occupant of Land Abutting Thereon, Specifying Method of Procedure in Case of Failure to do so and Assessment and Collection of Costs.

House Bill No. 85. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the Dickinson Normal School at Dickinson, and Making Permanent Improvements and Additions Thereto.

House Bill No. 97. A Bill for an Act Making an Appropriation of the sum of \$18,000.00 for the Purpose of Carrying out the Provisions of Chapter 119 of the Session Laws of North Dakota for the year 1917, Relating to Farmers' Institutes.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 110. A Bill for an Act to Appropriate Sixty Thousand Dollars (\$60,000.00) to Provide Funds for the Maintenance of the North Dakota National Guard, or State Militia, as Provided for Under Chapter 35 of the Compiled Laws of 1913 for North Dakota, and to Meet Other Requirements Prescribed by the Federal Statutes.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 80. A Bill for an act to Make Appropriation for Postage, Office Supplies, Furniture and Fixtures, Printing, Miscellaneous Expenses, Traveling Expense, Maintenance of Game Farms, Salary and Expenses of Fish Commissioner and Deputy Fish Commissioner, and Expenses and Maintenance of Fish Hatchery.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 87. A Bill for an Act Making Appropriations for the Current and Contingent Expenses of the State Penitentiary and for Making of Permanent Improvements and Additions Thereto.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 279. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit Incurred in the State Fire Marshal's Department.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 303. A Bill for an Act to Amend and Re-enact Section 1951 of the Compiled Laws of 1913 as Amended and Re-enacted by Chapter 72 of the Laws of 1919, Relating to the Construction of Bridges by County Commissioners.

Was read the first and second time and referred to the Committee on Highways.

House Bill No. 165. A Bill for an Act to Amend and Re-enact Chapter 58 of the Special Session of North Dakota for 1919.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 91. A Bill for an Act to Appropriate Six Hundred Dollars to the North Dakota Poultry Association for the Biennium Period According to Section 5117 of the Compiled Laws of 1913 for the State of North Dakota.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 228. A Bill for an Act to Provide for the Consolidation of Counties, or Portions Thereof into a

New County; Organization Thereof and Disposal of Any Portions of Such Counties Not Included Therein.

Was read the first and second time and referred to the Committee on Counties and County Boundaries.

House Bill No. 231. A Bill for an Act Regulating the Signing of Recall Petitions; Preventing Fraud and Corruption and Providing Penalties for the Violation of the Provisions of this Act.

Was read the first and second time and referred to the Committee on Elections.

House Bill No. 187. A Bill for an Act to Provide for the Destruction of Weeds on Public Highways by the Owner or Occupant of Land Abutting Thereon, Specifying Method of Procedure in Case of Failure to do so and Assessment and Collection of Costs.

Was read the first and second time and referred to the Committee on Highways.

House Bill No. 85. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the Dickinson Normal School at Dickinson, and Making Permanent Improvements and Additions Thereto.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 97. A Bill for an Act Making an Appropriation of the sum of \$18,000.00 for the Purpose of Carrying out the Provisions of Chapter 119 of the Session Laws of North Dakota, for the Year 1917, Relating to Farmers' Institutes.

Was read the first and second time and referred to the Committee on Appropriations.

Senator Bond moved that the Senate do now recess until 12:00 M.

Which motion prevailed.

AFTER RECESS

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 63. A Bill for an Act to Provide for the Collection of Notes, Contracts and Indebtedness for Seed and Feed Furnished by Counties.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 61. A Bill for an Act to Repeal Sections 3471, 3472, 3473, 3474, 3475, 3477, 3478, 3479, 3480, 3481, 3483, 3484, 3485, 3486 and 3487, Compiled Laws, 1913 as Amended by Chapter 13 of the Special Session Laws, 1918, and as Amended by Chapter 177, Session Laws for 1919, and as Amended by Chapter 54 of the Special Session Laws, 1919, Relating to the Issuance of Bonds and Warrants to Procure Seed Grain and Feed for Needy Inhabitants.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 176. A Bill for an Act Authorizing the Board of County Commissioners of any County in North Dakota to Issue Funding or Refunding Bonds for the Purpose of Funding or Refunding Seed Grain or Seed and Feed Grain Indebtedness.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Mines and Minerals made the following report:

Mr. President: Your Committee on Mines and Minerals to whom was referred:

Senate Bill No. 389. A Bill for an Act Regulating the Reservation of Mineral Rights and Providing for the Transfer of Same.

Have had the same under consideration and recommend that the same do pass.

S. J. ATKINS,
Chairman.

Senator Atkins moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highways made the following report:

Mr. President: Your Committee on Highways to whom was referred:

Senate Bill No. 44. A Bill for an Act to Establish a State Highway Commission, Prescribing its Powers and Duties, Fixing the Salaries of the Commission and the Employees Thereof, Authorizing the Engagement of Employees and Repealing All Acts and All Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

NILS PETERSON,
Chairman.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highways made the following report:

Mr. President: Your Committee on Highways to whom was referred:

Senate Bill No. 73. A Bill for an Act to Amend and Re-enact Chapter 70 of the Special Session Laws of North Dakota for the Year 1919, Relating to Cutting and Removing Weeds and Grasses Along the Public Roads or Highways.

Have had the same under consideration and recommend that the same do pass.

NILS PETERSON,
Chairman.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highways made the following report:

Mr. President: Your Committee on Highways to whom was referred:

Senate Bill No. 330. A Bill for an Act to Authorize County Commissioners to Lay Out and Construct or Contract for the Construction of Highways on State Lines.

Have had the same under consideration and recommend that the same do pass.

NILS PETERSON,
Chairman.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highways made the following report:

Mr. President: Your Committee on Highways to whom was referred:

Senate Bill No. 369. A Bill for an Act to Eliminate Railroad Grade Crossings and Other Dangerous Places on State and County Highways.

Have had the same under consideration and recommend that the same be indefinitely postponed.

NILS PETERSON,
Chairman.

Senator Peterson 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. 392. A Bill for an Act to Provide a Custodian for the Property Belonging to the State of North Dakota Known as the Biological Station and Located on the Shores of Devils Lake, Ramsey County, North Dakota, and to Designate the Purposes for Which Said Property May be Used.

Have had the same under consideration and recommend that the same do pass.

H. J. RUSCH,
Chairman.

Senator Rusch 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. 390. A Bill for an Act Prohibiting the Employment of a Married Woman in any Public Office in the State of North Dakota, Whose Husband is Able-bodied and Able to Earn a Living Wage, and Providing a Penalty Therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar moved that the report be adopted, which motion was lost.

Senator Martin moved that Senate Bill No. 390 be recommended for passage.

Senator Ployhar moved that the motion of Senator Martin be laid on the table.

Which motion was lost.

The vote being on the motion of Senator Martin, the motion prevailed.

The Committee on Elections made the following report:
Mr. President: Your Committee on Elections to whom was referred:

Senate Bill No. 349. A Bill for an Act to Amend and Re-enact Section 917 of the Compiled Laws of North Dakota for the Year 1913, Relating to Party Registration and Providing Penalties for Violation of this Act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. CAREY,
Chairman.

Senator Carey 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. 332. A Bill for an Act to Repeal Sections ~~685, 686, 687, 688, 689, 690, 691, 692, 693, 694~~ and 695 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 199 of the Session Laws of 1915, Chapter 176 of the Session Laws of 1917, and Chapter 184 of the Session Laws of 1919, Relating to the Removal of Officials by the Governor.

Have had the same under consideration and recommend that the same do pass.

C. W. CAREY,
Chairman.

Senator Carey 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. 331. A Bill for an Act Relating to the Management and Government of Counties by the Chairmen of the Boards of Township Supervisors, the Presidents of Village Councils, the Mayors of Cities, and the Members of City Commissions, and Prescribing Their Duties and Powers.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. CAREY,
Chairman.

Senator Carey 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. 345. A Bill for an Act to Amend and Re-enact Sections 2154, 2156, and 2157 of the Compiled Laws of North Dakota for the Year 1913, Relating to Making of Tax Lists and Tax Bills by the County Auditor, and to Delivery of Tax Lists to the County Treasurer, and the Collection of Taxes Therein Extended by the County Treasurer.

Have had the same under consideration and recommend that the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 329. A Bill for an Act to Amend and Re-enact Section 33 of Chapter 225 of the Session Laws of 1919 Relating to Rehearings of the Determination of Inheritance Taxes, and Providing that No Report Need Be Made to the Tax Commissioner in Case of Insolvent Estates.

Have had the same under consideration and recommend that the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson moved that the report be adopted, motion prevailed and the report was adopted.

Mr. President: Your committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 202. A Bill for an Act to Impose a Tax Upon the Sale of Cigarettes in the State of North Dakota; Providing for the Administration and Collection of the Same, and Repealing Sections 10184 and 10185 of the Compiled Laws of North Dakota for the Year 1913.

Your committee returns without recommendation.

P. O. THORSON,
Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Thorson moved that the committee report on Senate Bill No. 202 be adopted; and that Senate Bill No. 202 be placed on General Orders of the next Legislative Day.

Senator Miklethun moved that the motion of Senator Thorson be laid on the table.

Senator Whitman demanded a Call of the Senate. Which motion prevailed.

SENATE ROLL CALL

Present:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Sperry
Baird	Ingerson	Nathan	Steel
Baker	Kaldor	Olson, Barnes	Stevens
Benson	Kelsh	Olson, Eddy-	Storstad
Bond	Kretschmar	Foster	Thorson
Byrne	Levang	Page	Tofsrud
Carey	Lynch	Patten	Van Cams
Eastgate	McCoy	Peck	Ward
Ettestad	McLachlin	Peterson	Wenstrom
Fleckten	Magnuson	Ployhar	Whitman
Garner	Martin	Porter	Whitmer
Gardiner	Miklethun	Rusch	Wog

Absent:

Messrs.	Messrs.
Babcock	Hamilton

Senator Whitman moved that the call of the Senate be dispensed with, and that further action on the Committee report on Senate Bill 202 be made a Special Order at 3:00 o'clock P. M. February 19.

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. 257. A Bill for an Act to Limit County Road and Bridge Tax Levies; Repealing All Acts and Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: A majority of your Committee on Judiciary to whom was referred:

Senate Bill No. 118. A Bill for an Act Providing for the Issuing of Bonds of the Depositors' Guaranty Fund Commission in the Sum of \$10,000,000.00 to be Known as Bankers' Guaranty Bonds; Describing the Terms and Stating the Purpose Thereof; Making Provision for the Payment

Thereof; and Making Provision for the Carrying Into Effect of the Provisions of this Act.

Have had the same under consideration and recommend that the same be amended as follows:

On the last page of the engrossed bill, after **Section 9**, insert the following:

“Section 10. Constitutionality. If for any reason any section, clause or provision of this Act shall by any court be held unconstitutional, then the Legislative Assembly hereby declares that, irrespective of the unconstitutionality so determined of such section, clause or provision, all other sections, clauses and provisions of this Act shall remain and be in full force and effect.”

On the last page of the engrossed bill, strike out the words: “Section 10” and insert in lieu thereof the words “Section 11.”

On same page, strike out the words “Section 11,” and insert in lieu thereof the words “Section 12.”

And when so amended recommend the same do pass.

L. R. BAIRD.

Mr. President: A minority of your Committee on Judiciary to whom was referred:

Senate Bill No. 118. A Bill for an Act Providing for the Issuing of Bonds of the Depositors' Guaranty Fund Commission in the Sum of \$10,000,000.00 to be Known as Bankers' Guaranty Bonds; Describing the Terms and Stating the Purpose Thereof; Making Provision for the Payment Thereof; and Making Provision for the Carrying Into Effect of the Provisions of this Act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
THEO. KALDOR,
OLE ETTESTAD,
J. H. McCOY,
C. J. OLSON.

L. R. BAIRD,
Chairman.

Senator Baker moved that the report of the majority of the committee on Senate Bill No. 118 be adopted.

Senator Whitman moved to amend by substituting the word “minority” for that of “majority.”

A roll call was demanded.

SENATE ROLL CALL

The question being on the motion to indefinitely postpone Senate Bill No. 118, the roll was called and there were ayes 25, nays 22, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Ployhar	Thorson
Baird	Kretschmar	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Ettestad	Murphy	Steel	
Gardiner	Olson, Barnes	Stevens	
Kaldor	Peterson	Storstad	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Peck
Benson	Ingerson	Nathan	Ward
Bond	Jevang	Olson, Eddy-	Wenstrom
Byrne	Lynch	Foster	Whitmer
Fleckten	Magnuson	Page	Wog
Garberg	Martin	Patten	

Absent and not voting:

Babcock Hamilton

So the motion prevailed.

Senator Kaldor moved that the vote by which Senate Bill No. 118 was indefinitely postponed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Olson (of Barnes): I want to explain my vote. I don't see any more of a reason why we should bond the state for to pay up the indebtedness of the "busted" banks in the state than the state should bond itself to pay the debt of the bankrupted farmers, therefore I vote "Aye."

Senator Wenstrom: I want to explain my vote. For the reason I do not believe it is the "busted" banks that are concerned, but the depositors, I vote "No."

The Committee on Judiciary made the following report:

Mr. President: A majority of your Committee on Judiciary to whom was referred:

Senate Bill No. 364. A Joint Resolution Proposing an Amendment to the Constitution of the State of North Dakota.

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:

"Be It Resolved, by the Senate of the State of North Dakota, the House of Representatives concurring, that the following amendment to the Constitution of the State of North Dakota be agreed to and submitted to the qualified electors of the state for approval or rejection, in accordance with the provisions of Section 202, as amended, of the Constitution of the State of North Dakota.

"AMENDMENT. That the Constitution of the State of North Dakota be amended by adding the following section:

"The Legislative Assembly may provide for the issuance of bonds of the State of North Dakota, to an amount not exceeding \$7,500,000.00, bearing interest at the rate of not to exceed five per cent per annum, running for a period of not to exceed thirty years from the date of such bonds, for the purpose of paying off depositors whose deposits are guaranteed by the Depositors Guaranty Fund, in banks that have been closed as insolvent prior to February 1st, 1923, and provide for the levy of a tax for the payment of principal and interest thereon, in addition to all tax levies now authorized by the Constitution.

"Any law enacted under the authority of this amendment must provide for the reimbursement of the State out of the Depositors Guaranty Fund and additions thereto, derived from assessments as may be provided by law."

And when so amended recommend the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird moved that the report be adopted.

Mr. President: A minority of your Committee on Judiciary to whom was referred:

Senate Bill No. 364. A Joint Resolution Proposing an Amendment to the Constitution of the State of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

THEO. KALDOR,
OLE ETTESTAD.

Senator Baird moved that the report of the majority of the committee on Senate Bill No. 364 be adopted.

Senator Kaldor moved to amend by substituting the word "minority" for that of "majority."

Which motion was lost.

The vote being on the motion of Senator Baird, the motion prevailed.

The Committee on Banks and Banking made the following reports:

Mr. President: A majority of your Committee on Banks and Banking to whom was referred:

Senate Bill No. 238. A Bill for an Act to Repeal the Initiated Measure Enacted by the People of the State of North Dakota in the General Election on November 2, 1920, Relating to Real Estate Mortgage Loans by the Bank of North Dakota to Actual Farmers Who are Residents of this State.

Have had the same under consideration and recommend that the same do pass.

W. R. BOND,
Chairman.

Mr. President: A minority of your Committee on Banks and Banking to whom was referred:

Senate Bill No. 238. A Bill for an Act to Repeal the Initiated Measure Enacted by the People of the State of North Dakota in the General Election on November 2, 1920, Relating to Real Estate Mortgage Loans by the Bank of North Dakota to Actual Farmers Who Are Residents of this State.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. B. PAGE,
H. J. RUSCH,
PETER McLACHLIN,
S. J. ATKINS,
P. T. KRETSCHMAR,
W. R. BOND.

Mr. Bond moved that the report of the majority of the committee on Senate Bill No. 238 be adopted.

Senator Kelsh moved to amend by substituting the word "minority" for that of "majority."

Which motion was lost.

The vote being on the motion of Senator Bond, the motion prevailed.

The Committee on Banks and Banking made the following report:

Mr. President: A majority of your Committee on Banks and Banking to whom was referred:

Senate Bill No. 230. A Bill for an Act Providing for the Deposit of All County, Township, Municipal and School District Funds and All Other Public Funds in the Bank of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything in the engrossed bill after the Enacting Clause, and insert in lieu thereof the following:

"Section 1. All county, township, municipal and school district funds shall be, by the persons having control of such funds, deposited in the Bank of North Dakota, or in any bank within the state that has qualified and comes under the provisions and the protection of the Depositors' Guaranty Fund, within three months from the taking effect of this Act, subject to disbursements for public purposes on checks drawn by the proper officials in the man-

ner now or hereafter to be provided by law; provided, however, that if any such funds are now loaned by authority of law on a contract terminating at a future time then the depositing of such funds in the Bank of North Dakota, or in any bank within the state that has qualified and comes under the provisions and the protection of the Depositors' Guaranty Fund, shall not be required until two months after time of expiration of such contract; provided, that no such contract made after the passage and approval of this Act shall be valid. Any person who shall violate any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by imprisonment in a county jail not less than ninety days, and by a fine not less than \$100.00."

And when so amended recommend the same do pass.

W. R. BOND,
Chairman.

Mr. President: A minority of your Committee on Banks and Banking to whom was referred:

Senate Bill No. 230. A Bill for an Act Providing for the Deposit of All County, Township, Municipal and School District Funds and All Other Public Funds in the Bank of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

H. J. RUSCH,
W. R. BOND,
S. J. ATKINS,
PETER McLACHLIN.

Senator Bond moved that the report of the majority of the committee on Senate Bill No. 230 be adopted.

Senator Baker moved that further consideration of the report of the committee be deferred one legislative day.

Which motion lost.

Senator Rusch moved as a substitute motion that further consideration of Senate Bill No. 230 be indefinitely postponed.

A roll call was demanded.

SENATE ROLL CALL

The question being on the motion of Senator Rusch to indefinitely postpone Senate Bill No. 230, the roll was called and there were ayes 25, nays 21, absent and not voting 3.

Those voting in the affirmative were :

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Murphy	Sperry
Baird	Kelsh	Page	Steel
Bond	Kretschmar	Peterson	Stevens
Carey	Lynch	Ployhar	Storstad
Eastgate	McCoy	Porter	Thorson
Gardiner	McLachlin	Rusch	Van Camp
			Whitman

Those voting in the negative were :

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Olson, Barnes	Ward
Benson	Ingerson	Olson, Eddy-	Wenstrom
Byrne	Levang	Foster	Whitmer
Ettestad	Magnuson	Patten	Wog
Fleckten	Miklethun	Peck	
Garberg	Nathan	Tofsrud	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Martin

So the motion to indefinitely postpone Senate Bill No. 230 prevailed.

Senator Rusch moved the clincher motion to indefinitely postpone Senate Bill No. 230.

Which motion prevailed.

Senator Ingerson moved that the Senate do now adjourn.

Which motion prevailed.

FORTY-NINTH DAY

The Senate convened at 2:00 o'clock P. M., the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. Gerhard Sprock.

Roll was called, all Senators being present with the exception of Senator Babcock.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-sixth Day After Recess and Forty-seventh Day and recommend that the same be corrected as follows:

On page 5, line 25, correct spelling of "recommend."

On page 6, line 39, correct spelling of "employment."

On page 7, line 40, correct spelling of "same."

On page 26, line 19, strike out "seventy-five (75)" and insert in lieu thereof "fifty (50)" and in same line strike out "fifty (50)" and insert in lieu thereof "seventy-five (75)."

On page 37 strike out lines 34, 35, 36 and 37, and insert in lieu thereof "Senate Bill No. 157. Etc."

And when so corrected recommend that the same be approved.

J. H. McCOY,

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Fleckten presented a petition signed by Aug. Krantz and 20 others, which was referred to the Committee on Appropriations.

Senator Eastgate presented a communication from the Larimore Commercial Club which was referred to the Committee on Highways.

The Committee on Warehouses and Grain Grading made the following report:

Mr. President: Your Committee on Warehouses and Grain Grading to whom was referred:

Senate Bill No. 225. A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, 4, 6, 7, 9, 11 and 17 of the North Dakota Grain Grading Act Adopted at the General Election Held November 7th, 1922, Declaring the Purpose of the State of North Dakota to Supervise and Regulate the Marketing of Farm Products; Preventing Unjust Discrimination, Fraud and Extortion in the Marketing of Same; Establishing a System of Grading, Weighing and Measuring Farm Products; Defining the Scope and Manner of Such Supervision and the Powers and Duties of the Persons Charged with Same; Providing for Licensing Buyers, Solicitors, and Warehouses Handling Such Farm Products; and Making an Appropriation Therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In the original bill, line 3, Section 3, strike out the name "Bismarck" and insert in lieu thereof "the Agricultural College of this state."

And when so amended recommend the same do pass.

A. G. STORSTAD,

Chairman.

Senator Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and En-grossment respectfully report that:

Senate Bill No. 72. A Bill for an Act Requiring all Agents Acting for or on Behalf of any Insurance Company Doing Business in this State to be Licensed, Regulating the Methods, Practices and Transactions of such Agents in Conducting Such Insurance Business, and Providing Penalties for the Violation of any of the Provisions of This Act.

Also,

Senate Bill No. 50. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 187 of the Session Laws of North Dakota for the Year 1919, Relating to the Qualifications of Official and Legal Newspapers and Providing for the Method of Selection of Official Newspapers.

Also,

Senate Bill No. 61. A Bill for an Act Amending Sections 728 and 729 of the Compiled Laws of North Dakota for the year 1913 relating to fees in the Supreme Court and their coverage into the State Treasury.

Also,

Senate Bill No. 60. A Bill for an Act Appropriating Eight Hundred Fifty-three Dollars and Sixty-one Cents (\$853.61) to Take Care of Deficit in Biennial Appropriation of Department of Insurance.

Also,

Senate Bill No. 95. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit by Members of the State Canvassing Board.

Also,

Senate Bill No. 99. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit by the District Judges.

Also,

Senate Bill No. 109. A Bill for an Act to Appropriate \$2,000.00 Out of any Money in the State Treasury Not Otherwise Appropriated for the Purpose of Paying Premiums on State Official Bonds as Provided by Chapter 175 of the Session Laws of North Dakota for 1917.

Also,

Senate Bill No. 121. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Actions to Release Insane Patients.

Also,

Senate Bill No. 123. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Treasurer's Office.

Also,

Senate Bill No. 124. A Bill for an Act Making an Appro-

priation to Provide for the Payment of a Deficit Incurred in the State Executive Department.

Also,

Senate Bill No. 126. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Arrest and Return of Fugitives from Justice Fund.

Also,

Senate Bill No. 129. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Auditor's Office.

Also,

Senate Bill No. 130. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the Attorney General's Department.

Also,

Senate Bill No. 168. A Bill for an Act to Provide for the Repair of the Whitestone Battlefield Monument Located in the Whitestone Battlefield Park, in Dickey County, North Dakota.

Also,

Senate Bill No. 204. A Bill for an Act to Amend and Re-enact Section 158 of the Compiled Laws of North Dakota for 1913, Relating to the Attorney General's Report.

Also,

Senate Bill No. 35. A Bill for an Act Relative to the Admission of Persons Under Eighteen Years of Age to Public Dances, and Requiring the Posting of a Copy of the Law and Prescribing Penalty for Its Violation.

Also,

Senate Bill No. 25. A Bill for an Act Relating to the Validation of Bonds Voted and Issued, or to be Issued, by Any Common, Special or Independent School District, in Cases Where the School District Issuing Such Bonds, or Where by Such Vote Bonds Are Authorized to be Issued, Has Theretofore, by a Majority Vote, Increased the Limit of Indebtedness Five Per Cent on the Assessed Valuation of the Taxable Property in Such School District, Beyond the Five Per Cent Limit of Indebtedness Established by the Constitution, as Provided by Article 35 of the Amendments to the Constitution of the State of North Dakota, and Where the Indebtedness of Such School District, Does Not Exceed Ten Per Cent on the Assessed Valuation of the Taxable Property of Such School District, and Declaring Such Bonds Legal and Valid.

Were delivered to the governor for his approval at the hour of 4:30 o'clock P. M., February 17, 1923.

CHRIST LEVANG,
Chairman.

SENATE COMMITTEE ON ENROLLMENT AND EN-
GROSSMENT.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 89 of the Session Laws of 1921, Relating to the Furnishing by the Register of Deeds of Each County to Elevators Making Application and Paying the Fee Provided Therefor, of an Abstract of All Mortgages and Liens upon Grain Grown During Each Year, and Filed in the Office of the Register of Deeds.

Also,

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Section 1421 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 266 of the Session Laws for the Year 1915, Legalizing and Validating Certain indebtedness of School Districts in the Form of School Warrants and Negotiable Bonds Issued to Fund the Same.

Were delivered to the governor for his approval at the hour of 4:45 o'clock P. M., February 17, 1923.

CHRIST LEVANG,

Chairman.

Senator Baker moved to amend the Concurrent Resolution introduced by him on February 14th, by inserting after the words "resolution be" the last paragraph the following: "filed in the office of the Secretary of State and by him."

Which motion prevailed.

Senator Thorson moved that the Resolution be adopted as amended.

Which motion prevailed.

The Committee on Federal Relations made the following report:

Mr. President: Your Committee on Federal Relations to whom was referred the Concurrent Resolution introduced by Senator Thorson.

Have had the same under consideration and recommend that the same be not adopted.

JOHN W. BENSON,

Chairman.

Senator Benson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Peterson asked unanimous consent of the Senate to return to the Eighth Order of Business.

There being no objections the Senate took up the Eighth Order of Business.

Senator Peterson moved that the vote by which Senate Bill 369 was indefinitely postponed, be reconsidered.

Which motion prevailed.

Senator Peterson moved that Senate Bill 369 be referred to the Committee on Highways.

Which motion prevailed.

Senator Benson moved that all absent senators be excused.

Which motion prevailed.

Senator Stevens moved that when the Senate convenes at 2 o'clock P. M. next Thursday, February 22, after prayer and roll call, that the Senate recess for one hour, as a mark of respect to the memory of George Washington, the Father and first president, of this great Republic.

Which motion prevailed.

Senator Stevens moved that the president appoint a Committee of four to formulate some program for that hour.

Which motion prevailed.

The president appointed as such committee Senators Atkins, Baird, Sperry and Hamilton.

Senator Whitman moved that the rules be suspended and that permission be granted to introduce a bill.

Which motion prevailed.

Senator Ployhar moved that the Senate do now recess until 3:15 P. M.

Which motion prevailed.

AFTER RECESS.

Senator Whitman moved that the rules be suspended and that Senate Bill 394 be not printed.

Which motion prevailed.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 80. A Bill for an Act Making an Appropriation of \$1,042,965.00 for the Purpose of Paying the General Maintenance, Improvements and Repairs, New Equipment, etc., of the State University at Grand Forks, North Dakota.

Also,

Senate Bill No. 88. A Bill for an Act Making an Appropriation of \$293,350.00 to Pay the General Maintenance, Improvements, Repairs, New Buildings, Equipment and Purchase of Live Stock, for the Experiment Station at the Agricultural College at Fargo, for the Biennium.

Also,

Senate Bill No. 245 A Bill for an Act Relating to the Assessment of Telephone Property, Providing for a Tax on Gross Earnings of Telephone Companies in Lieu of the General Property Tax on the Property of Such Companies Used Exclusively in Connection with the Operation of Their Telephone Business, and in Lieu of Any Franchise, Excise or Income Tax, upon Such Companies; Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 280. A Bill for an Act to Amend and Re-enact Section 7643 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 133, of the Session Laws of 1921, Relating to Directed Verdicts.

Also,

Senate Bill No. 310. A Bill for an Act Relating to School Finances; Providing that Each School Board or Board of Education of Any School District Shall Annually Prepare a Budget of Proposed Expenditures; Providing for Publication of Such Budget and of the Proposed Levy; Providing for a Public Hearing in Regard to the Proposed Expenditures and Levy; Fixing a Date for Levy; Providing that All Expenditures Must Conform to the Budget as Adopted, and that All Unappropriated Balances in Any Fund at the End of the Fiscal Year Shall Become a Part of the General Fund; Repealing All Acts and Parts of Acts Inconsistent With the Provisions of This Act.

And find the same correctly re-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Enrollment and Engrossment have examined the following Concurrent Resolution introduced by Mr. Ettestad.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 236. A Bill for an Act Authorizing the Cancellation, Conversion and Exchange of Bonds Issued Under and by Virtue of Chapter 148, Session Laws of

Also,

Senate Bill No. 177. A Bill for an Act, Regulating the Employment of Child Labor and to Provide for the Enforcement Thereof, and to Prescribe Penalties for Violations of the Act and Repealing Chapter 153, Laws of 1909, the same being section 1404 to 1414 inclusive Compiled Laws for 1913.

Also,

Senate Bill No. 289. A Bill for an Act Providing That the County Commissioners Shall Have Power to Abate Certain Assessments Levied by Boards of Irrigation Districts Upon Application of the District Board Approved by the Director of the Reclamation Service.

Also,

Senate Bill No. 183. A Bill for an Act to Regulate Certain Occupations of Children in Streets and Public Places.

Also,

Senate Bill No. 386. A Bill for an Act to Amend and Re-enact Sections 16, 33, 44, 49, 56, 62, 83, 88 and 89 of Chapter 168 of the Session Laws of North Dakota for the Year 1919, Regulating the Operation of All Coal Mines in North Dakota; Providing for their Inspection; Creating the Office of Coal Mining Inspector; Fixing His Qualifications, Duties, Powers and Compensation; Providing for His Appointment; Creating a Board of Examiners; Fixing its Power and Compensation; Providing the Method of Appointment Thereof; Providing for the Registry, Examination and Issuing of Certificates to Certain Employees of Coal Mines.

Also,

Senate Bill No. 342. A Bill for an Act to Amend and Re-enact Subdivision 2 of Section 1 and Section 13a of Chapter 231 of the Session Laws of 1917 as Amended by Chapter 225 of the Session Laws of 1919, and to Amend Section 2 of Chapter 125 of the Session Laws of 1921, Relating to Inheritance Taxes Upon Estates of Deceased Non-Residents.

Also,

Senate Bill No. 297. A Bill for an Act Limiting the Writing and Placing of All Hail Insurance on Growing Crops in the State of North Dakota, with the State of North Dakota and North Dakota Insurance Companies, and Providing a Maximum Premium to be Charged Therefor.

Also,

Senate Bill No. 366. A Bill for an Act Relating to Intra-state Freight Rates in North Dakota, Fixing the Maximum Rates and Charges for Transportation of Freight Intra-state, Providing Penalties and Punishment for the Violation Thereof, and Defining the Duties and Powers of the Board of Railroad Commissioners.

Also,

Senate Bill No. 300. A Bill for an Act to Amend and Re-enact Section 2110 of the Compiled Laws of 1913 as Amended by Chapter 221 of the Session Laws of 1913 and Chapter 119 of the Session Laws of 1921, Relating to the Taxation of Corporate Excess.

Also,

Senate Bill No. 283. A Bill for an Act to Amend and Re-enact Sections 9868, 9869, 9870, 9871, 9872, 9873, 9874, 9875, 9876 and 9878 of the Compiled Laws of North Dakota for the Year 1913, Relating to Burglary, House Breaking and Unlawful Entering.

Also,

Senate Bill No. 307. A Bill for an Act to Define Criminal Syndicalism and Sabotage, Prescribe Certain Acts and Methods in Connection Therewith and in Pursuance Thereof, and Provide Penalties and Punishment Therefor.

Also,

Senate Bill No. 253. A Bill for an Act to Repeal Chapter 122 of the Session Laws of 1921.

Also,

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 2078, oCmpiled Laws of North Dakota for Year 1913, as Amended by Chapter 223, Session Laws of 1919, and Chapter 122, Session Laws of 1921, Relating to the Exemption of Certain Property From Taxation.

Also,

Senate Bill No. 255. A Bill for an Act to Amend and Re-enact Chapter 220 of the Laws of North Dakota for the Year 1919 relating to the basis of Assessment of Property for Taxation Purposes.

Also,

Senate Bill No. 346. A Bill for an Act Prohibiting the Creation of Deficits by State Officials, State Boards and Heads of State Institutions, and Prescribing a Penalty for the violation of this Act.

Also,

Senate Bill No. 108. A Bill for an Act Making an Appropriation of \$44,000.00 for the Enforcement of the Feeding Stuffs, Fertilizer, Beverage and Sanitary Inspection Laws.

Also,

Senate Bill No. 357. A Bill for an Act Providing for the Creation of a Commission for the Purpose of Making a Study of the Lignite Industry and Reporting to the Next Regular Session of the Legislature its Findings with Respect to methods of developing such Industry, and Providing an Appropriation for the Purpose of Defraying Necessary Expenses.

Also,

Senate Bill No. 82. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal School at Valley City, and Making Permanent Improvements and Additions Thereto.

Also,

Senate Bill No. 157. A Bill for an Act Making an Appropriation of \$544,906.00 to Pay the General Maintenance, Improvements and Repairs, New Buildings, and Equipment of the Agricultural College, Fargo, for the Biennium.

Also,

Senate Bill No. 284. A Bill for an Act to Amend and Re-enact Sections 782, 783, 784, 787, 799, 808, 809, 810, 811 and 812 of the Compiled Laws of North Dakota for the Year 1919, as Amended by Chapter 69 of the Session Laws for the Year 1919, Relating to the Creating of a State Bar Board, Its Members, Their Term of Office, Qualifications, Compensation and Duties and Providing for the Admission of Attorneys to Practice and the Issuance of License to Practice.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang 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: A majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 387. A Bill for an Act Designating the Sheriff of the Different Counties in the State as Inspectors and Sealers of Weights and Measures, and Giving Him Power to Appoint a Deputy Inspector; Prescribing His Powers and Duties; Defining the Standard of Weights and Measures; Prescribing Fees to be Charged for Inspection; Providing for Complaints and Penalties for its Violation; Providing for Inspectors' Compensation; Naming Custodian of State Standards and Prescribing His Duties; and Repealing Sections 2999, 3000, 3003, 3004, 3005 of the Compiled Laws of North Dakota for 1913 and Chapter 241 of the Session Laws of North Dakota for the Year 1919.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

The Committee on State Affairs made the following report:

Mr. President: A minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 387. A Bill for an Act Designating the Sheriff of the Different Counties in the State as Inspectors and Sealers of Weights and Measures, and Giving Him Power to Appoint a Deputy Inspector; Prescribing His Powers and Duties; Defining the Standard of Weights and Measures; Prescribing Fees to be Charged for Inspection; Providing for Complaints and Penalties for its Violation; Providing for Inspectors' Compensation; Naming Custodian of State Standards and Prescribing His Duties; and Repealing Sections 2999, 3000, 3003, 3004, 3005, of the Compiled Laws of North Dakota for 1913, and Chapter 241 of the Session Laws of North Dakota for the Year 1919.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. H. OLSON,
GUST WOG,
JOHN L. MIKLETHUN,

Senator Ployhar moved that the report of the majority of the Committee on Senate Bill No. 387 be adopted.

Senator Ingerson moved that the minority report be substituted for that of the majority report.

Which motion lost.

The vote being on the motion of Senator Ployhar the motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, N. D.
February 19, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate resolution introduced by Senator Magnuson.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

The committee on Judiciary made the following report:

Mr. President: A majority of your committee on Judiciary to whom was referred:

Senate Bill No. 391. A Bill for an Act Repealing Chapter 91 of the Laws of 1921 Relating to Promissory Notes.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Mr. President: A minority of your committee on Judiciary to whom was referred:

Senate Bill No. 391. A Bill for an Act Repealing Chapter 91 of the Laws of 1921 Relating to Promissory Notes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN E. FLECKTEN,

Senator Baird moved that the majority report of the Committee on Senate Bill 391 be adopted.

Senator Ingerson moved that the minority report be substituted for that of the majority report.

A roll call was demanded.

SENATE ROLL CALL

The question being on the motion to substitute the minority report for that of the majority the roll was called and there were ayes 30, nays 18, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Ingerson	Miklethun	Peterson
Benson	Kaldor	Murphy	Storstad
Byrne	Levang	Nathan	Ward
Fttestad	Lynch	Olson, Barnes	Wenstrom
Fleckten	McCoy	Olson, Eddy-	Whitman
Garberg	McLachlin	Foster	Whitmer
Gross	Magnuson	Patten	Wog
Hamilton	Martin	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Porter	Thorson
Baird	Kelsh	Rusch	Tofsrud
Bend	Kretschmar	Steel	Van Camp
Carey	Page	Sperry	
Eastgate	Ployhar	Stevens	

Absent and not voting:

Messrs.
Babcock

So the motion to substitute prevailed.

Senator Nathan moved the clincher motion on the

committee report indefinitely postponing Senate Bill No. 391.

Which motion prevailed.

Mr. President: A majority of your committee on Judiciary to whom was referred:

Senate Bill No. 46. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Providing for the Establishment of a State Highway Commission, for the Establishment of a System of State Highways and for the Establishment of a State Highway Fund.

Have had the same under consideration and recommend that the same do pass.

In the title thereof, strike out the word "Concurrent" and insert in lieu thereof the word "Joint;"

In Section 2 of the engrossed bill, line 2, strike out the word "forever;"

In section 3 thereof, line 2, strike out the word "tax;" in line 3, strike out the words "or motor fuel;" in line 5, strike out the word "thereof" and insert in lieu thereof the word "hereof." On page 2 of the engrossed bill, line 3, strike out the last word and strike out the balance of the bill thereafter.

And when so amended recommend the same do pass.

L. R. BAIRD,
Chairman.

Mr. President: A minority of your committee on Judiciary to whom was referred:

Senate Bill No. 46. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Providing for the Establishment of a State Highway Commission, for the Establishment of a System of State Highways and for the Establishment of a State Highway Fund.

Have had the same under consideration and a minority recommend that the same be indefinitely postponed.

OLE ETTESTAD.

Senator Baird moved that the majority report of the Committee on Senate Bill No. 46 be adopted.

Senator Ettestad moved that the minority report be substituted for that of the majority.

A Roll Call was demanded.

SENATE ROLL CALL

The question being on the motion to substitute the minority report, the roll was called and there were ayes 22, nays 26, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Miklethun	Stevens
Benson	Ingerson	Nathan	Storstad
Ettestad	Levang	Patten	Whitmer
Fleckten	McLachlin	Peck	Wog
Garberg	Magnuson	Peterson	
Gross	Martin	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Eddy-	Thorsen
Baird	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Page	Van Camp
Eyrne	Lynch	Ployhar	Ward
Carey	McCoy	Porter	Wenstrom
Eastgate	Murphy	Sperry	Whitman
Gardiner	Olson, Barnes	Steel	

Absent and not voting:

Messrs.
Babcock

So the motion to substitute was lost.

The Committee on Warehouses and Grain Grading made the following report:

Mr. President: A majority of your committee on Warehouses and Grain Grading to whom was referred:

Senate Bill No. 261. A Bill for an Act Re-establishing its Powers and Duties, and Providing for the Control, the North Dakota Mill and Elevator Association, Defining Management and Operation of State Owned Grain Warehouses, Elevators and Flour Mills and the Conduct of all Business Relating Thereto, Especially as Relates to the State Owned Mill and Elevator at Grand Forks and Providing for the Appointment of a Board of Managers Thereof and Repealing Chapter 152 Laws of North Dakota 1919, Entitled "An Act Declaring the Purpose of the State of North Dakota to Engage in the Business of Manufacturing and Marketing of Farm Products, and for Establishing a Warehouse, Elevator and Flour Mill System Under the Name of North Dakota Mill and Elevator Association Operated by the State, and Defining the Scope and Manner of its Operation, and the Powers and Duties of the Persons Charged with its Management; and Making an Appropriation Therefor."

Have had the same under consideration and recommend that the same be amended as follows:

In line 6 and 7 of Section 3 of the printed Bill, strike out the words "Governor by and with the advise and consent of the Senate" and insert in lieu thereof the words "Industrial Commission."

In line 1 of Section 4, strike out the word "Treasurer."

In lines 2 and 3 of Section 4, after the word "the" strike out the words "Governor by and with the advice and consent of the Senate" and insert in lieu thereof the words "Industrial Commission."

In line 4 of Section 4, after the word "and" strike out the words "Treasurer of the Association."

In line 5 of Section 4, after the word "shall" strike out the remainder of the line, and all of line 6 and the word "shall" at the beginning of line 7.

In line 8 of Section 4, after the word "managers" strike out the words "the officers of the Mill and Elevator."

In line 14 of Section 4, after the word "of" strike out the figures "4,000.00" and insert in lieu thereof the figures "3,000.00."

In line 2 of Section 5, after the word "The" strike out the word "Governor" and insert in lieu thereof the words "Industrial Commission."

In line 3 of Section 5, after the word "term" strike out the remainder of the Section.

In line 1 of Section 6, strike out the word "Governor" and insert in lieu thereof the words "Industrial Commission."

In line 2 of Section 6, after the word "the" strike out the word "Governor" and insert in lieu thereof the words "Industrial Commission."

In line 4 of Section 6, after the word "removal" strike out the word "he" and insert in lieu thereof the words "the Industrial Commission."

Strike out lines 5 and 6 and insert in lieu thereof the following: "give such appointive Board Member a copy of the charges against him and fix a time when he shall be heard in his own."

In line 9 of Section 6, after the word "the" strike out the word "Governor" and insert in lieu thereof the words "Industrial Commission."

In line 6 of Section 7, after the word "Chairman" insert the words "and one of the members as Secretary," and in the same line after the word "years" insert the word "each."

In line 29 of Section 8, after the word "shall" strike out the word "not" and in the same line after the word "purchase" strike out the word "any."

In line 30 of Section 8, after the word "state" strike out the remainder of the line and all of line 31 up to and including the word "state" and insert in lieu thereof the following: "only when such grain can be purchased, milled and marketed at a cost less than grain of like quality available within the state may be purchased, milled, and marketed."

In line 36 of Section 8, after the word "Act" insert the following: "except when necessary to insure the efficient operation of such mill."

In line 39 of Section 8, strike out the words "be bought and sold for future delivery, must" and insert in lieu thereof the words "be adequately hedged shall."

In line 41 of Section 8, after the word "product" strike out the period and insert the words "or the equivalent thereof."

In line 43 of Section 8, strike out the words "bought or sold for future delivery, must" and insert in lieu thereof the words "adequately hedged shall."

In line 45 of Section 8, after the word "or" strike out the word "the" and in the same line after the word "equivalent" insert the word "thereof."

Strike out all of line 48 of Section 8, and all of line 49 up to and including the word "such" and insert in lieu thereof the following: "In so far as consistent with the recognized practices of the milling industry." Also in line 49, after the word "made" strike out the word "only."

In line 50 of Section 8, after the word "delivery" strike out the remainder of the line and all of line 51.

In line 73 of Section 8, after the word "products" insert the words "except as required to meet competition."

In line 11 of Section 15, after the word "the" strike out the word "Governor" and insert in lieu thereof the words "Industrial Commission."

In line 14 of Section 15, at the end of the Section, strike out the period and insert a comma, and insert the following: "and the General Manager of the Mill."

And when so amended recommend the same do pass.

A. G. STORSTAD,
Chairman.

Mr. President: A minority of your committee on Warehouses and Grain Grading to whom was referred:

Senate Bill No. 261. A Bill for an Act Re-establishing the North Dakota Mill and Elevator Association, Defining its Powers and Duties, and Providing for the Control, Management and Operation of State Owned Grain Warehouses, Elevators and Flour Mills and the Conduct of all Business Relating Thereto, Especially as Relates to the State Owned Mill and Elevator at Grand Forks and Providing for the Appointment of a Board of Managers Thereof and Repealing Chapter 152 Laws of North Dakota 1919, Entitled "An Act Declaring the Purpose of the State of North Dakota to Engage in the Business of Manufacturing and Marketing of Farm Products, and for Establishing a Warehouse, Elevator and Flour Mill System under the Name of North Dakota Mill and Elevator Association Operated by the State, and Defining the Scope and Manner of its Operation, and the Powers and Duties of the Persons Charged with its Management: and Making an Appropriation Therefor."

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. A. WARD,
J. E. FLECKTEN,
RALPH INGERSON,
NELS MAGNUSON,
O. H. OLSON.

Senator Storstad moved that the majority report of the Committee on Senate Bill No. 261 be adopted.

Senator Baker moved that further consideration of the Committee report on Senate Bill No. 261 be deferred until the printed amendments appear in the Journal.

Which motion lost.

Senator Ingerson moved that the minority report be substituted for that of the majority, which motion lost. The vote being on the motion of Senator Storstad, the motion prevailed.

The committee on Delayed Bills made the following report:

Mr. President: Your committee on Delayed Bills to whom was referred:

Concurrent Resolution introduced by Senator Miklethun have had the same under consideration and a majority of your committee recommend that the same be not printed in the Journal.

L. R. BAIRD,
FRANK E. PLOYHAR,
C. W. CAREY.

A minority of your said committee recommend that the same be printgd in the Journal.

RALPH INGERSON,,
CHRIST LEVANG,

Senator Levang moved that the minority report on Senate Resolution introduced by Senator Miklethun be adopted.

Senator Ployhar moved to substitute the majority report for that of minority.

A Roll Call was demanded.

Senator Ployhar moved a Call of the Senate.

Senator Baker moved that Senator Babcock be excused from the Call of the Senate.

Which motion prevailed.

Senator Ployhar moved that the Call of the Senate be dispensed with.

Which motion prevailed.

SENATE ROLL CALL

The question being on the motion to substitute the report of the majority report for that of the minority the roll was called and there were ayes 28, nays 20, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Page	Storstad
Baird	Kelsh	Peterson	Thorson
Baker	Kretschmar	Ployhar	Tofsrud
Benson	Lynch	Porter	Van Camp
Carey	McCoy	Ruseh	Whitman
Eastgate	McLachlin	Sperry	
	Martin	Steel	
Gardiner	Murphy	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Bond	Hamilton	Nathan	Peck
Byrne	Ingerson	Olson, Barnes	Ward
Ettestad	Levang	Olson, Eddy-	Wenstrom
Flechten	Magnuson	Foster	Whitmer
Garberg	Miklethun	Patten	Wog
Gross			

Absent and not voting:

Messrs.

Babcock

So the motion prevailed and the report of the majority of the Committee was adopted.

Senator Baker: I want to vote "no" on this motion because this matter relates to the report of the Industrial Commission as to which there is a question as to its accuracy and we are voting "No" for the reason that we think these are mis-statements; and furthermore, we believe that the people of North Dakota are entitled to know in this Journal what the Resolutions are, and we believe this is public property, and this information that comes to us.

Senator Lynch: I want to vote "Yes" because I think at this late date, it is too late to start an investigation.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, N. D.
February 19, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 282. A Bill for an Act to Amend and Re-enact Section 890 of the Compiled Laws of North Dakota for 1913, Relating to Selection, Organization, Time and Place of Meeting of County and State Central Committees of Political Parties.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,,
Chief Clerk.

GENERAL ORDERS

The president called Senator Ployhar to the Chair.

When the Committee arose it submitted the following report:

The Committee of the Whole made the following report:

Mr. President: Your Committee of the Whole to whom was referred:

Senate Bill No. 202. A Bill for an Act to Impose a Tax Upon the Sale of Cigarettes in the State of North Dakota; Providing for the Administration and Collection of the Same, and Repealing Sections 10184 and 10185 of the Compiled Laws of North Dakota for the Year 1913.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar moved that the report be adopted.

A Roll Call was demanded.

SENATE ROLL CALL

The question being on the adoption of the report of the Committee of the Whole, the roll was called and there were ayes 33, nays 13, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Kelsh	Foster	Storstad
Benson	Levang	Page	Thorson
Byrne	Lynch	Patten	Tofstad
Ettestad	Magnuson	Peck	Van Camp
Fleckten	Miklethun	Ployhar	Ward
Garberg	Murphy	Rusch	Wenstrom
Gardiner	Nathan	Sperry	Wog
Gross	Olson, Barnes	Steel	
Kaldor	Olson, Eddy-	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Fasteate	McCoy	Whitmer
Bafro	Hamilton	McLachlin	
Bond	Ingerson	Peterson	
Carey	Kretschmar	Whitman	

Absent and not voting

Messrs.	Messrs.	Messrs.
Babcock	Martin	Porter

So the report was adopted.

Senator Miklethun moved that the vote by which the Committee Report was adopted, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate McLachlin: I vote "no" for the reason that I am convinced that the penalizing the use of cigarettes will drive them out of the state more effectively than the enforcement of the law to prohibit the sale of them.

Senator Ployhar moved that the Senate have a night session.

Which motion prevailed.

Senator Baker moved that when the Senate recess it recess until 7:15 P. M.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, N. D.
February 19, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 305. A Bill for an Act Providing for the Issue of Bonds on the State of North Dakota in a Sum not Exceeding Fifteen Million Dollars to be Known as "Bonds of North Dakota, Real Estate Series;" Prescribing the Terms and Stating the Purpose Thereof; Providing for a Tax and Making Other Provisions for the Payment of Interest and Principal on State Bonds, and to Carry Into Effect the Provisions of this Act; and Declaring this Act to be an Emergency Measure.

House Bill No. 285. A Bill for an Act to Provide for the Nomination and Election of Candidates for the Offices of Presidential Electors, United States Senator, and Member of Congress; for Electing Delegates to National Committeemen and for the Apportionment and Term of Office and the Nomination and Election of Party Precinct Committeemen; for Forms of Ballots and Requirements of New Parties with Reference Thereto; and to Repeal Sections 857, 859, 889, 901a, 910, 912, 917, 918, 919 and 971a of the Compiled Laws of North Dakota for the Year 1913, and all Other Acts or Parts of Acts that Are in Conflict with the Provisions Hereof.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

MESSAGE FROM THE GOVERNOR

Office of the Governor,
Bismarck, N. D.
February 19, 1923.

To the State Senate—State of North Dakota:

This is to notify you that I have this day filed with the Secretary of State:

Senate Bill No. 25. A Bill for an Act Relating to the Validation of Bonds Voted and Issued or to be Issued, by any Common, Special or Independent School District, in Cases Where the School District Issuing Such Bonds, or Where by such Vote Bonds are Authorized to be Issued, has Heretofore, by a Majority Vote, Increased the Limit

of Indebtedness Five Per Cent on the Assessed Valuation of the Taxable Property in Such School District, Beyond the Five Per Cent Limit of Indebtedness Established by the Constitution, as Provided by Article 35 of the Amendments to the Constitution, of the State of North Dakota, and where the Indebtedness of Such School District Does Not Exceed Ten per cent on the Assessed Valuation of the Taxable Property of Such School District, and Declaring Such Bonds Legal and Valid.

Also,

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 89 of the Session Laws of 1921, Relating to the Furnishing by the Register of Deeds of Each County to Elevators Making Application and paying the Fee Provided Therefor, of an Abstract of All Mortgages and Liens upon Grain Grown During Each Year, and Filed in the Office of the Register of Deeds.

Also,

Senate Bill No. 35. A Bill for an Act Relative to the Admission of Persons Under Eighteen Years of Age to Public Dances and Requiring the posting of a Copy of the Law and Prescribing Penalty for its Violation.

Also,

Senate Bill No. 50. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 187 of the Session Laws of North Dakota for the Year 1919, Relating to the Qualifications of Official and Legal Newspapers and Providing for the Method of Selection of Official Newspapers.

Also,

Senate Bill No. 60. A Bill for an Act Appropriating Eight Hundred Fifty-three Dollars and Sixty-one Cents (\$853.61) to Take Care of Deficit in Biennial Appropriation of Department of Insurance.

Also,

Senate Bill No. 61. A Bill for an Act amending Sections 728 and 729 of the Compiled Laws of North Dakota for the year 1913 relating to fees in the Supreme Court and their coverage into the State Treasury.

Also,

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Section 1421 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 266 of the Session Laws for the year 1915, Legalizing and Validating Certain Indebtedness of School Districts in the Form of School Warrants and Negotiable Bonds Issued to Fund the Same.

Also,

Senate Bill No. 72. A Bill for an Act Requiring all Agents Acting for or on Behalf of any Insurance Company Doing Business in this State to be Licensed, Regulating the Methods, Practices and Transactions of such Agents in Con-

ducting Such Insurance Business, and Providing Penalties for the Violation of any of the Provisions of This Act.

Also,

Senate Bill No. 95. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit by Members of the State Canvassing Board.

Also,

Senate Bill No. 99. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit by the District Judges.

Also,

Senate Bill No. 109. A Bill for an Act to Appropriate \$2,000.00 Out of any Monies in the State Treasury Not Otherwise Appropriated for the Purpose of Paying Premiums on State Official Bonds as Provided by Chapter 175 of the Session Laws of North Dakota for 1917.

Also,

Senate Bill No. 121. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Actions to Release Insane Patients.

Also,

Senate Bill No. 123. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Treasurer's Office.

Also,

Senate Bill No. 124. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit Incurred in the State Executive Department.

Also,

Senate Bill No. 126. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Arrest and Return of Fugitives from Justice Fund.

Also,

Senate Bill No. 129. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Auditor's Office.

Also,

Senate Bill No. 130. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the Attorney General's Department.

Also,

Senate Bill No. 168. A Bill for an Act to Provide for the Repair of the Whitestone Battlefield Monument Located in the Whitestone Battlefield Park, in Dickey County, North Dakota.

Also,
Senate Bill No. 35. A Bill for an Act Relative to the Admission of Persons Under Eighteen Years of Age to Public Dances and Requiring the Posting of a Copy of the Law and Prescribing Penalty for its Violation.

Respectfully submitted,

R. A. NESTOS,
Governor.

FIRST AND SECOND READING OF SENATE BILLS

Mr. Whitman introduced:

Senate Bill No. 394: A Bill for an Act Relating to the Licensing, Regulating, Supervising and Inspection of Pool and Billiard Rooms, Ball and Pin Alleys, Dance Halls, Theatres, Moving Picture Shows, Taxi Cab, or Auto Livery Places Where Soft Drinks Are Sold, or Where Cigars and Tobacco Are Sold, or Public Halls Owned Privately and Used for Public Purposes, Providing the Licensing Fees Therefor and Repealing Chapter 84 of the Session Laws of 1921, and all Acts and Parts of Acts Inconsistent Herewith.

Was read the first and second time and referred to the Committee on State Affairs.

FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 282. A Bill for an Act to Amend and Re-enact Section 890 of the Compiled Laws of North Dakota for 1913, Relating to Selection, Organization, Time and Place of Meeting of County and State Central Committees of Political Parties.

Was read the first and second time and referred to the Committee on Elections.

House Bill No. 305. A Bill for an Act Providing for the Issue of Bonds on the State of North Dakota in a Sum Not Exceeding Fifteen Million Dollars to be Known as "Bonds of North Dakota, Real Estate Series;" Prescribing the Terms and Stating the Purpose Thereof; Providing for a Tax and Making Other Provisions for the Payment of Interest and Principal on State Bonds, and to Carry Into Effect the Provisions of this Act; and Declaring this Act to be an Emergency Measure.

Was read the first and second time and referred to the Committee on Banks and Banking.

House Bill No. 285. A Bill for an Act to Provide for the Nomination and Election of Candidates for the Offices of Presidential Electors, United States Senator, and Member of Congress; for Electing Delegates to National Party Conventions, National Committeemen and For the Apportionment and Term of Office and the Nomination and Election of Party Precinct Committeemen; For Forms of Ballots and Requirements of New Parties With Reference Thereto; and to Repeal Sec-

tions 857, 859, 889, 901a, 910, 912, 917, 918, 919 and 971a of the Compiled Laws of North Dakota for the Year 1913, and all Other Acts or Parts of Acts That Are in Conflict with the Provisions Hereof.

Was read the first and second time and referred to the committee on Elections.

AFTER RECESS

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred:

Senate Bill No. 393. A Bill for an Act to appropriate Out of any Moneys in the State Treasury, Belonging to the Home Building Association, and Not Otherwise Appropriated, the Sum of \$1,863.00, with the Interest Thereon at the Rate of 5½ per cent per annum from the 21st Day of October, 1921, for the Purpose of Reimbursing the Estate of Frank Lee, Deceased, Formerly a Member of Home Buyers' League No. 1 of Mandan, North Dakota, for Moneys Paid by Said Frank Lee, Deceased to Said Home Building Association Prior to His Death.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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 19, 1922.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 118. A Bill for an Act to appropriate the Sum of Fourteen Thousand, Five Hundred and Eight Dollars and 66-100 (\$14,508.66) or so Much Thereof as May Be Needed, for the Purpose of Paying the Per Diem and Expenses of Employees, the Per Diem and Mileage of Witnesses and expenses for Printing and Supplies, Incurred by the Special Audit Committee Appointed by the House of Representatives of the Seventeenth Legislative Assembly of the State of North Dakota, in Considering the Audit of and Investigating the State Bank and State Industries as Authorized and Directed by Said House of Representatives.

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 667 of the Compiled Laws of North Dakota for the Year 1913, Relating to County Commissioners Furnishing Bonds.

House Bill No. 194. A Bill for an Act Designating the Depositories of Public Funds and Fixing the Minimum Rate of Interest; Requiring Competitive Bids for Such Deposits; Providing for Publicity with Reference to Such Funds and Depositories; Prescribing Penalties for Violation of this Act; Defining Terms used Herein, and Repealing Sections 147, 147a, 147b and Sections 370 to 374, Inclusive, Sections 1472 to 1478, Inclusive, Sections 3315 to 3329, Inclusive, of the Compiled Laws of 1913, and Chapter 59 Session Laws of 1915 and Chapter 56 Session Laws of 1921.

House Bill No. 124. A Bill for an Act to appropriate the Sum of Twelve Thousand Sixty-five and 15-100 Dollars (\$12,065.15) for the Payment to Bishop Brissman & Co. of the Sum Due them for the Audit of the State Bank and State Industries, and for other Services rendered.

House Bill No. 238. A Bill for an Act to Amend and Re-enact Sections 10, 21, and 23 of Chapter 77 of the Session Laws of North Dakota for the Year 1921, Relating to State Hail Insurance.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 118. A Bill for an Act to appropriate the Sum of Fourteen Thousand, Five Hundred and Eight Dollars and 66-100 (\$14,508.66) or so Much Thereof as May Be Needed, for the Purpose of Paying the Per Diem and Expenses of Employees, the Pier Diem and Mileage of Witnesses and expenses for Printing and Supplies, Incurred by the Special Audit Committee Appointed by the House of Representatives of the Seventeenth Legislative Assembly of the State of North Dakota, in Considering the Audit of and Investigating the State Bank and State Industries as Authorized and Directed by Said House of Representatives.

Was read the first and second time and referred to the Committee on Appropriations.

SENATE ROLL CALL

Senate Bill No. 177. A Bill for an Act Amending and Repealing Chapter 153, Laws of 1909, the Same Being Sections 1404 to 1414 Inclusive, Compiled Laws for 1913, Regulating the Employment of Child Labor and to Provide for the Enforcement Thereof, and to Prescribe Penalties for Violations of the Act.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 38, nays 8, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Martin	Steel
Land	Gross	Nathan	Stevens
Baker	Ingerson	Olson, Barnes	Thorson
Benson	Hamilton	Olson, Eddy-	Tofsrud
Bond	Kador	Foster	Van Camp
Byrne	Kelsh	Page	Wenstrom
Carey	Kretschmar	Patten	Whitmer
Eastgate	Levang	Peterson	Whitmer
Fleckten	McCoy	Ployhar	Wog
Garberg	Magnuson	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Ettestad	McLachlin	Peck	Rusch
Lynch	Murphy	Porter	Storstad

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Miklethun	Ward

So the bill passed and the title was agreed to.

Senator Lynch: I want to vote "No" on this bill because I think we have swallowed about as much of this Code as we think the body politic will digest between now and the next session of the legislature.

SENATE ROLL CALL

Senate Bill No. 250. A Bill for an Act to Amend and Re-enact Chapter 126 of the Laws of 1917, as Amended by Chapter 110 of the Laws of 1919 and as Further Amended by Chapter 21 of the Laws of 1921.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 26, nays 21, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Page	Stevens
Baird	Kelsh	Peterson	Storstad
Bond	Kretschmar	Ployhar	Thorson
Carcy	Lynch	Porter	Tofsrud
Eastgate	McCoy	Rusch	Van Camp
Gardiner	McLachlin	Sperry	Whitman
	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Wenstrom
Byrne	Ingerson	Olson, Barnes	Whitmer
Ettestad	Levang	Olson, Eddy-	Wog
Fleckten	Magnuson	Foster	
Garberg	Martin	Patten	

Absent and not voting:

Messrs.	Messrs.
Babcock	Ward

So the bill passed and the title was agreed to.

Senator Ingerson: This bill in conjunction with other bills proposed by the N. D. Bankers Association enables the Guaranty Fund Commission, to force the consolidation of banks as they see fit. This bill confers too much power on the commission. It leaves with them the decision as to whether a bank shall be closed. Another bill provides for merger of banks that the terms of this

bill gives the Guaranty Fund Commission the power to enforce. Section 38 gives them authority to use the Guaranty Fund to bolster up shaky banks and might be used to show favoritism and all these powers I believe dangerous to confer upon the Commission.

Senator Bond asked for a Roll Call on the Emergency Clause on Senate Bill No. 250.

SENATE ROLL CALL

The question being on the final passage of the emergency clause on Senate Bill No. 250, the roll was called and there were ayes 27, nays 20, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Page	Stevens
Baird	Kelsh	Peterson	Storstad
Bond	Kretschmar	Ployhar	Thorson
Carey	Lynch	Rorter	Tofsrud
Eastgate	McCoy	Rusch	Van Camp
Ettestad	McLacklin	Sperry	Whitman
Gardiner	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Nathan	Wenstrom
Benson	Ingerson	Olson, Barnes	Whitmer
Byrne	Levang	O'son, Eddy-	Wog
Fleckten	Magnusson	Foster	
Garberg	Martin	Patten	
Gross	Miklethun	Peck	

Absent and not voting:

Messrs.	Messrs.
Babcock	Ward

So the Emergency clause was declared lost.

Senator Carey moved that Senate Bill 312 be withdrawn as a similar bill has been passed by the House.

Which motion prevailed and Senate Bill No. 312 was withdrawn.

Senator Baird moved to amend Senate Bill 339 as follows:

Strike out everything after the colon in line 8 of the printed bill and insert the following:

"The state may issue bonds for the erection of dormitories for its educational institutions, in such amounts as may be authorized by law, and the authority herein contained shall be in addition to and exclusive of that conferred in the preceding paragraphs of this section. Every law authorizing such bond issue shall specifically indicate what dormitories are to be erected out of the proceeds of such bonds and shall provide for the payment of interest and for the creation of a sinking fund in accordance with the provisions of the immediately preceding paragraph, except that the maturity of such bonds may be fixed at not to exceed forty years from the date of issuance thereof and provision shall be made for appropriating the income from such dormitories to

interest and sinking fund purposes, which provision shall be irrevocable, but not exclusive."

Which motion prevailed.

Senator Baird moved that the rules be suspended and that Senate Bill No. 339 be considered re-engrossed and be placed on its final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 339. A Joint Resolution for an Amendment to the Constitution of the State of North Dakota, Providing for the Issue of Bonds for the Erection of Dormitories for the State's Educational Institutions.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 36, nays 12, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Lynch	Peterson
Baird	Gardiner	McCoy	Ployhar
Baker	Gross	Magnuson	Porter
Benson	Hamilton	Martin	Sperry
Bond	Ingerson	Murphy	Steel
Byrne	Kaldor	Olson, Barnes	Thorson
Carey	Kelsh	Olson, Eddy-	Van Camp
Eastgate	Kretschmar	Foster	Ward
Fleckten	Levang	Page	Wenstrom
			Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Ettestad	Nathan	Rusch	Tofsrud
McLachlin	Patten	Stevens	Whitmer
Miklethun	Peck	Storstad	Wog

Absent and not voting:

Messrs.
Babcock

So the bill passed.

Senator Baird moved to amend the title of Senate Bill 339 as follows:

In the third line after the word "Institutions" change the period to a comma and insert the following: "and pledging the income for payment thereof."

Which motion prevailed and the title to the bill was agreed to.

SENATE ROLL CALL

Senate Bill No. 267. A Bill for an Act Declaring an Emergency to Exist Affecting the Public Welfare of the State with Respect to the Administration of Insolvent Banks; Providing for the Liquidation Thereof; Vesting the Supreme Court with Jurisdiction of Such Liquidation Proceedings, and Requesting It to Assume Original Jurisdiction in Furtherance of the Public Interest; Creating the Position of Supreme Court Commissioner, Fixing His Compensation, and Defining His Powers and Authority,

and Providing for the Appointment of Receivers of Insolvent Banks, and Making an Appropriation to Meet the Expenses Incident to Carrying Out the Purpose of the Act.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 27, nays 21, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Page	Stevens
Baird	Kelsh	Peterson	Storstad
Bond	Kretschmar	Ployhar	Thorson
Byrne	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Nathan	Ward
Benson	Ingerson	Olson, Barnes	Wenstrom
Ettestad	Levang	Olson, Eddy-	Whitmer
Fleekten	Magnuson	Foster	Wog
Garberg	Martin	Patten	
Gross	Miklethun	Peck	

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to.

Senator Ingerson: The other bank bills give the authority of government to the Bankers Association—insofar as government still applies to banks—and this law speeds up the process through which we will get government by the Big Bankers for the Big Bankers. I vote "No."

SENATE ROLL CALL

Senate Bill No. 76. A Bill for an Act Making an Appropriation of \$117,238.00 as an Offset for Federal Aid in Extension Division Work of the Agricultural College.

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 14, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Martin	Rusch
Baird	Gross	Miklethun	Steel
Baker	Kelsh	Murphy	Storstad
Benson	Kretschmar	Olson, Barnes	Thorson
Bond	Levang	Olson, Eddy-	Van Camp
Byrne	Lynch	Foster	Ward
Carey	McCoy	Patten	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Garberg	Magnuson	Porter	

Those voting in the negative were :

Messrs.	Messrs.	Messrs.	Messrs.
Ettestad	Kaldor	Peterson	Whitmer
Fleckten	Nathan	Sperry	Wog
Hamilton	Page	Stevens	
Ingerson	Peck	Tofsrud	

Absent and not voting

Messrs.

Babcock

So the bill passed and the title was agreed to.

Senator Wenstrom moved that the vote by which Senate Bill No. 76 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Storstad moved that Senate Bill No. 371 be placed at the foot of the Calendar.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 335. A Bill for an Act to Create the Office of State Food Commissioner and Chemist; Providing for His Appointment, Term of Office, Removal and Salary; Defining His Powers and Duties; Defining the Powers and Duties of the State Board of Administration Relating Thereto; Creating a State Regulatory Fund and Providing for Payments Therefrom and Repealing Acts Parts of Acts in Conflict with this Act and Especially Repealing Sections Two and Five of Chapter Two Hundred of the Session Laws of 1915.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 40, nays 5, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Steel
Baird	Ingerson	Olson-Barnes	Stevens
Baker	Kaldor	Olson, Eddy-	Storstad
Bond	Kelsh	Foster	Thorson
Byrne	Kretschmar	Page	Tofsrud
Carey	Levang	Peck	Whitman
Eastgate	Lynch	Peterson	Whitmer
Ettestad	McCoy	Ploybar	Wog
Garberg	McLachlin	Porter	
Gardiner	Magnuson	Rusch	
Gross	Martin	Sperry	

Those voting in the negative were :

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Nathan	Patten	Wenstrom
Miklethun			

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Eabcock	Fleckten	Van Camp	Ward

So the bill passed and the title was agreed to.

Senator Levang moved that the Senate take up the seventh order of business.

Which motion prevailed.

The committee on Delayed Bills made the following report:

Mr. President: Your committee on Delayed Bills to whom was referred:

The Bill of P. B. Garberg regarding excluding farm lands from Cities, Towns and Villages.

Have had the same under consideration and recommend that Mr. Garberg be permitted to introduce his bill subject to the will of the Senate.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Delayed Bills made the following report:

Mr. President: Your committee on Delayed Bills to whom was referred:

Two proposed bills of L. R. Baird regarding parole of inmates of Mandan Training School and the Penitentiary respectively.

Have had the same under consideration and recommend that the same be introduced subject to the approval of the Senate.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

SENATE ROLL CALL

Senate Bill No. 373. A Bill For an Act to Prevent Fraud and Deception in the Manufacture and Sale of Beverages; to Prevent Adulteration and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; to Define the Duties of the State Food Commissioner and Chemist; to Provide for the Enforcement of the Provisions of the Act and to Provide Penalties for Violations Thereof and to Repeal Existing Laws Relating Thereto.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Sperry
Baird	Ingerson	Nathan	Steel
Benson	Ka'dor	Olson, Barnes	Stevens
Bond	Kelsh	Olson, Eddy-	Storstad
Byrne	Kretschmar	Foster	Thorson
Carey	Levang	Page	Tofsrud
Eastgate	Lynch	Patten	Van Camp
Ettestad	McCoy	Peck	Ward
Fleckten	McLachlin	Peterson	Wenstrom
Garberg	Magnuson	Ployhar	Whitman
Gardiner	Martin	Porter	
Gross	Miklethun	Rusch	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Baker	Whitmer	Wog

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House of Representatives,

Bismarck, N. D.

February 19, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Chapter 117 of the Laws of North Dakota for the Year 1919, Relating to the Nomination and Election of all Elective County Officers, Judges of the Supreme and District Courts, State Superintendent of Public Instruction, and County Superintendent of Schools, without Requiring a Declaration as to Party Affiliation, and a Separate Ballot for County Officials and Extending the Law so as to Apply to all State Officials and Members of the Legislature; Changing Petition Requirement and Providing for Filling of Vacancies and for Designation of Principles Supported by Candidates for State and Legislative Office.

Which the House has amended as follows:

In the title, in line 7. strike out the word "and" and insert in lieu thereof a semicolon (;). At the end of line 8, after the word "requirement" insert a semicolon (;). In line 9, before the word "providing," strike out the word "and." In line 11, after the word "office," strike out the period and add the following: "and repealing sections 904, 905, 906, 907, 908, 909, 917, 918 and 919 of the Compiled Laws of 1913 and Chapter 117 of the Session Laws of 1919."

On page 3 of the printed bill, section 3, line 17, strike out at the end of the word "surveyors" the letter "s" and insert at the end of the word "Justice" the letter "s."

On page 4 of the printed bill, section 6, line 5, insert after the word "line," the following: "a statement." After the word "in" in the same line, strike out the comma. In section 6, line 6, strike out the word "three" and insert in lieu thereof the word "five." Strike out all of line 6 after the word "words." In line 7, strike out all of line 6 after the word "words." In line 7, strike out at the beginning of the line the letters "ters."

On page 4, Section 6, line 4, after the word "office" insert the words "and candidates for Judge of the District or Supreme Court." In line 11, after the word "Democrat" insert the following "shall not be permitted except in combination with another word or words

which shall correctly indicate the faction, within either of such parties with relation to state issues, to which the candidate belongs; provided that the words Republican and Democrat may be so used co-jointly." In line 11 strike out the words "or any combination of words that" and strike out all of lines 12, 13 and 14 of Section 6.

On page 5, strike out lines 15 to 25 inclusive, and insert in lieu thereof the following: "No such designation or indication of political principles shall be printed on the ballot following the name of any candidate for any state office or for the legislative assembly or for any other office, unless such designation or indication shall have been adopted and its use authorized by a state wide delegate convention, composed of delegates from at least two thirds of the counties of the state. The right to adopt a designation or indication of principles and to authorize its use may be delegated to a campaign committee organized by such convention; provided, that any legislative district convention, held pursuant to a call issued by any such state wide campaign committee operating under this act and authorized by such state wide convention so to do, may itself determine, or it may delegate to a district campaign committee, which it may create, the right to determine which candidate or candidates for legislative office in such district, shall have the right to use the designation or indication of principles adopted by such state wide convention or by such state wide campaign committee."

On page 5 line 28 after the word "not" strike out the words "more than sixty or."

On page 6 line 43 at the end of the word "Candidates" strike out the letter "s." In the line 43 after the word "for" strike out the words "such offices" and insert in lieu thereof "Superintendent of Public Instruction." In the same line strike out the word "their" and insert the word "the." In the same line after the word "approval" insert the words "of such candidate."

On page 7, section 7, line 16, strike out the word "three" and insert in lieu thereof the word "five."

On page 9, section 10, line 12, strike out the word "ten" and insert in lieu thereof the word "five." Add to section 10 at the end of the section, as a separate paragraph, the following:

"If any section, provision, clause, sentence or part of this Act shall be declared violative of any constitutional provision, the Act shall be deemed and held to have been enacted independent of the part so declared unconstitutional, any any operative part thereof that may remain shall, nevertheless, be given full force and effect, to the end that the ultimate purpose of the Act shall, as far as possible be accomplished."

On page 10 in Section 11, strike out the word "three" in all 6 point type lines and insert in lieu thereof the word "five."

Very respectfully,

WALTER F. CUSHING,
Chief Clerk.

The Senate took up the Eighth Order of Business.

Senator Carey moved that the Senate do not concur in the House amendments to Senate Bill No. 233 and that a Conference Committee be appointed to act with a like Committee from the House.

Which motion prevailed.

The President appointed Senators Carey, Steel and Stevens as such committee.

Senator Garberg moved that the rules be suspended and that permission be granted for the introduction of Senate Bill No. 395.

Which motion prevailed.

Senator Baird moved that the rules be suspended; that permission be granted to introduce Senate Bills 396 and 397.

Which motion prevailed.

Senator Stevens moved to amend Senate Bill 374 as follows:

In section 3 line 3, of the printed bill, after the word "substance." And any person, firm or corporation, selling such eggs within the State of North Dakota shall be deemed guilty of a misdemeanor and upon conviction thereof shall for each such offense be fined in the sum of \$10.00.

Which motion lost.

SENATE ROLL CALL

Senate Bill No. 374. A Bill for an Act to Establish a Uniform Egg Law Regulating the Handling of Eggs Within this State; Preventing the Sale and Traffic in Eggs Unfit for Human Food; Requiring Labeling and Candler; Providing for Licensees for Dealers in Eggs and for the Collection and Disposition of License Fees; Providing for Rules and Regulations and the Enforcement of the Act and Providing Penalties for Violation Thereof and Repealing Acts Relating Thereto.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays 3, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Stevens
Baird	Hamilton	Nathan	Storstad
Baker	Ingerson	Oison, Eddy-	Thorson
Benson	Kaldor	Foster	Tofsrud
Bond	Kelsh	Page	Van Camp
Byrne	Kretschmar	Peck	Ward
Gross	Levang	Peterson	Wenstrom
Eastgate	Lynch	Ployhar	Whitman
Ettestad	McCoy	Porter	Whitmer
Fleckten	McLachlin	Rusch	Wog
Garberg	Magnuson	Sperry	
Gardiner	Martin	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Miklethun	Olson. Barnes	Patten

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to.

Senator Storstad moved that Senate Bill No. 379 be placed at the foot of the Calendar which motion prevailed.

Senator Baird moved to amend Senate Bill 325 by striking out all after "A Bill" and inserting in lieu thereof the following:

For an Act to Amend and Re-enact Sections 551, 552 and 557 of the Compiled Laws of North Dakota for 1913, Governing the Practice of Certified Public Accountants in the State, and providing a Penalty for Violation of the Laws Governing Accountancy.

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

Section 1. AMENDMENT. That Section 551 of the Compiled Laws of North Dakota, for 1913 be amended and re-enacted to read as follows:

Section 551. Any person who has received from a board of accountancy heretofore created a certificate of his qualifications to practice as a public accountant, shall be known and styled a "Certified Public Accountant." And it shall be unlawful for any person or partnership, all of the members of which have not received such certificate, or a corporation to assume such title or the abbreviations C. P. A. or any other words, letters or abbreviations tending to indicate that the person, firm or corporation so using the same is a Certified Public Accountant, without first having received said certificate. Certificate shall be granted to those persons with the necessary qualifications, who shall pass the required examinations, or for whom such examinations shall be waived.

Section 2. AMENDMENT. That Section 552 of the Compiled Laws of North Dakota, for 1913, be amended and re-enacted to read as follows:

Section 552. GENERAL QUALIFICATIONS. Any person who is a citizen of the United States or has duly declared his or her intentions of becoming such citizen, (in which case he must become a citizen within one year, after the time allowed by law, or the certificate shall be revoked by the Board), more than twenty-one years of age, of good moral character and a bona-fide resident of the State, shall be deemed qualified to become a candidate for the title of a "Certified Public Accountant."

Section 3. AMENDMENT. That Section 557 of the Compiled Laws of North Dakota, for 1913, be amended and re-enacted to read as follows:

Section 557. MISCONDUCT PENALTY. Any certified Public Accountant who shall be found guilty of falsifying a report, statement, investigation or audit, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than One Hundred Dollars, or more than Five Hundred, or by imprisonment in the County Jail, for a period of not exceeding thirty days, or by both such fine and imprisonment, in the discretion of the Court.

Section 557 A. GENERAL PENALTY. Any person representing himself or herself to the Public as having received a certificate as a Certified Public Accountant, as provided for in this act, or who shall assume to practice as a Certified Public Accountant, without first having received said certificate, or if any persons having received such certificate shall hereafter lose the same, by revocation, as provided for in this act and shall continue to practice as a Certified Public Accountant, or use such title or any other title mentioned in Section 551 of this act, shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than Fifty Dollars and not exceeding Three Hundred Dollars, or by imprisonment for a period not to exceed ninety days, or by both such fine and imprisonment in the discretion of the Court.

Section 4. REPEAL. All acts or parts of acts, in so far as they conflict with the provisions of this act, are hereby repealed.

Section 5. EMERGENCY. Whereas, the Supreme Court of North Dakota recently held that the present accountancy law being Article 21, Chapter 5 compiled laws of North Dakota for 1913, contains no penalty with which to enforce the act, against persons assuming the title of Certified Public Accountant, without first receiving the necessary certificate, to practice as such and as this act is to correct such omission in the law, an emergency exists, and this act shall become effective from and after its passage and approval.

Senator Baker moved that Senate Bill No. 325 be considered re-engrossed and that it be placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 325. A Bill for an Act to Amend and Re-enact Sections 551, 552 and 557 of the Compiled Laws of North Dakota for 1913, Governing the Practice of Certified Public Accountants in the State, and Providing a Penalty for Violation of the Laws Governing Accountancy.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 47, nays none, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Sperry
Baird	Hamilton	Murphy	Steel
Baker	Ingerson	Nathan	Stevens
Benson	Kaldor	Olson, Barnes	Storstad
Bond	Kelsh	Olson, Eddy	Thorson
Byrne	Kretschmar	Foster	Tofsrud
Carey	Levang	Page	Van Camp
Eastgate	Lynch	Patten	Ward
Ettestad	Kaldor	Peck	Wenstrom
Flechten	McLachlin	Peterson	Whitman
Garberg	Magnuson	Ployhar	Whitmer
Gardiner	Martin	Byrne	Wog

Absent and not voting:

Messrs.	Messrs.
Babcock	Rusch

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Senator Baker moved to amend Senate Bill No. 277 as follows:

In line 13, of Section 6, of the printed bill, after the word "the" insert "two arbitrators shall choose."

Strike out in lines 13 and 14 "Supreme Court, upon application made to it in writing by said two arbitrators shall name."

Which motion was lost.

SENATE ROLL CALL

Senate Bill No. 277. A Bill for an Act Transferring to the Industrial Commission the Custody, Control and Management of the Property and Assets of the Home Building Association of North Dakota, for the Purpose of Liquidating and Winding Up the Business and Affairs of Said Home Building Association of North Dakota, Defining the Powers and Authority of the Industrial Commission with Reference Thereto, Defining the Rights and Liabilities of Applicants for Homes and Purchasers, and Repealing Chapter 150 of the Session Laws of North Dakota for the Year 1919, and Chapter 39 of the Special Session Laws of North Dakota for the Year 1919.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 27, nays 21, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Page	Stevens
Baird	Kelsh	Peterson	Storstad
Bond	Kretschmar	Ployhar	Thorson
Carey	Lynch	Porter	Tofsrud
Ettestad	McCoy	Rusch	Van Camp
Ettestad	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Nathan	Ward
Benson	Ingerson	Olson, Barnes	Wenstrom
Byrne	Levang	Olson, Eddy-	Whitmer
Fleckten	Magnuson	Foster	Wog
Garberg	Martin	Patten	
Gross	Miklethun	Peck	

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 232. A Bill for an Act to Amend and Re-enact Section 9637 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Prescribing of an Oath.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 29, nays 19, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Eastgate	Martin	Steel
Baird	Gardiner	Murphy	Stevens
Baker	Kaldor	Peterson	Storstad
Benson	Kelsh	Ployhar	Thorson
Bond	Kretschmar	Porter	Tofsrud
Byrne	Lynch	Rusch	Van Camp
Carey	McCoy	Sperry	Ward
			Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Ettestad	Ingerson	Nathan	Patten
Fleckten	Levang	Olson, Barnes	Peck
Garberg	McLachlin	Olson, Eddy	Wenstrom
Gross	Magnuson	Foster	Whitmer
Hamilton	Miklethun	Page	Wog

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to.

A separate roll call was demanded on the emergency clause of Senate Bill No. 232.

SENATE ROLL CALL

The question being on the final passage of the emergency clause of Senate Bill No. 232, as amended, the roll was called and there were ayes 27, nays 20, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Ward
Gardiner	Martin	Steel	Whitman
Kaldor	Murphy	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Hamilton	O'erson, Barnes	Wenstrom
Byrne	Ingerson	Olson, Eddy-	Whitmer
Ettestad	Levang	Foster	Wog
Fleckten	Magnuson	Page	
Garberg	Mikieithun	Patten	
Gross	Nathan	Peck	

Absent and not voting

Messrs.	Messrs.
Babcock	Baker

So the emergency clause was declared lost.

Senator Tofsrud moved that Senate Bill No. 365 be placed at the foot of the Calendar.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 19, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 84. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the School for the Deaf at Devils Lake, and Making Permanent Improvements and Additions Thereto.

Also,

House Bill No. 94. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the Minimum Wage, Health and Morals of Women Workers, for Salary, Postage, Office Supplies, Printing, Traveling Expenses, Hearings, Conferences, Witness Fees, Legal Fees and Office Rent.

Also,

House Bill No. 169. A Bill for an Act to Amend and Re-enact Section 988 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Disability of Electors in Marking their Ballots.

Also,

House Bill No. 180. A Bill for an Act Providing for a Tax Levy in Incorporated Villages for the Purpose of Purchasing and Maintaining Adequate Apparatus for the

Extinguishment of Fires, and Maintaining a Fire Department.

Also,

House Bill No. 205. A Bill for an Act to Repeal, Amend and Re-enact Chapter 119 of the Session Laws of 1917, Relating to Farmers Institutes.

Also,

House Bill No. 306. A Bill for an Act to Amend Section 1273 of the Compiled Laws of 1913, Relating to the Issuance of Bonds by Special School Districts and Prescribing Their Denominations and Rate of Interest.

Also,

House Bill No. 107. A Bill for an Act to Appropriate \$1,000.00 for the Payment of the Expenses to be Incurred by the North Dakota Live Stock Association as Prescribed by Section 2786 of the Compiled Laws of 1913 for North Dakota.

Also,

House Bill No. 83. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the Forestry State Normal School, at Bottineau, and Making Permanent Improvements and Additions Thereto.

Also,

House Bill No. 311. A Bill for an Act to Amend and Re-enact Section 3540 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 93, Session Laws of 1921, Relating to the Fees Paid to Newspapers for the Publication of Legal Notices.

Also,

House Bill No. 310. A Bill for an Act Directing and Empowering the State Board of Auditors to Annually Examine and Audit the Accounts, Books and Vouchers of the State Hail Insurance Department, and Workmen's Compensation Bureau, to Take Account of the Amounts and Conditions of the Assets and Liabilities of Each Department so Examined and Audited and Make Report Thereof to the Governor.

Also,

House Bill No. 278. A Bill for an Act to Amend Section 1781 of the Revised Codes of North Dakota for 1905.

Also,

House Bill No. 224. A Bill for an Act to Authorize the County Commissioners to Sell Certain Lots or Premises Bid in by the County for Delinquent Taxes Without Giving Notice of the Expiration of Redemption.

Also,

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 225 of the Session Laws of 1919 Relating to Interest to be Charged Upon Delinquent Inheritance Taxes.

Also,

House Bill No. 212. A Bill for an Act Providing for the Levying of a Tax to Create a Fund for the Purpose of Paying the Deficit in the Funds and the Indebtedness of the Home Building Association of North Dakota, and in Paying the Indebtedness, Salaries, Expenses and Expenditures Incurred by the Industrial Commission in Liquidating and Winding up the Business and Affairs of Said Association.

Which the House has passed and your favorable consideration is respectfully requested.

W. F. CUSHING,
Chief Clerk.

SENATE ROLL CALL

Senate Bill No. 348. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 152 of the Session Laws for the Year 1919 as Amended by Chapter 142 of the 1921 Session Laws Defining Certain Words and Phrases Contained in Said Chapter, and Particularly "Employment" and "Employer."

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 24, nays 22, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Nathan	Stevens
Baird	Kelsh	Ployhar	Storstad
Bond	Kretschmar	Porter	Thorson
Carey	Lynch	Rusch	Tofsrud
Eastgate	McLachlin	Sperry	Van Camp
Gardiner	Murphy	Steel	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Olson, Barnes	Peterson
Byrne	Ingerson	Olson, Eddy-	Ward
Eittestad	Levang	Foster	Wenstrom
Flekten	McCoy	Page	Wog
Garberg	Magnuson	Patten	

Absent and not voting

Messrs.	Messrs.	Messrs.
Babcock	Martin	Whitmer

So the bill failed to pass, lacking a constitutional majority.

Senator Baird moved to amend Senate Bill No. 337 as follows:

By striking out the words "and crows" and "or crows" wherever they appear in the bill.

Senator Sperry moved that further consideration of Senate Bill No. 337 be indefinitely postponed.

Which motion was lost.

Senator McLachlin moved to amend Senate Bill No. 337 as follows:

In line 2, Section 1, of the printed bill, strike out "twenty-five" and insert in lieu thereof "fifteen."

Which motion prevailed.

Senator Baird moved that the rules be suspended; that Senate Bill No. 337 be considered re-engrossed and that it be placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 337. A Bill for an Act Providing for a Bounty for the Destruction of Magpies.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 28, nays 19, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	O'son, Barnes	Ward
Baird	Merguson	Olson, Eddy-	Wenstrom
Baker	Levang	Foster	Whitman
Benson	McCoy	Page	Whitmer
Byrne	Magnuson	Steer	Wog
Fleckten	Martin	Stevens	
Garberg	Mik'ethun	Thorson	
Gross	Murphy	Van Camp	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Bond	Kaldor	Nathan	Rusch
Carey	Kelsh	Patten	Sperry
Eastgate	Kretschmar	Peck	Storstad
Fttestad	Lynch	Peterson	Tofsrud
Gardiner	McLachlin	Ployhar	

Absent and not voting:

Messrs.	Messrs.
Babcock	Porter

So the bill passed.

Senator Baird moved to amend the title of Senate Bill 337 as follows:

Place a period after word "Magpies" and strike out "and Crows."

Which motion prevailed.

So the title was agreed to.

Senator Ingerson moved the clincher motion indefinitely postponing Senate Bill 348.

Which motion prevailed.

The following bills were messaged to the House, Senate Bills Nos. 80, 245, 310, 280, 177, 250, 267, 76, 335, 373.

The courtesies of the floor were extended to Mrs. W. R. Bond of Minot; E. P. Olson of Medina; Judson La Moure, Jr., Roy Bast of Oakes; Ex-Senator H. W. Allen of Emmons county.

Senator Ployhar moved that the Senate do now recess until 10:30 A. M., February 20., 1923.

Which motion prevailed.

W. E. PARSONS,
Secretary.

FORTY-NINTH DAY AFTER RECESS AND
FIFTIETH DAYSenate Chamber,
Bismarck, North Dakota,
February 20, 1923.

The Senate re-assembled at 10:30 A. M., pursuant to recess taken, the President, Frank H. Hyland, presiding.

FIRST AND SECOND READING OF SENATE BILLS

Mr. Garberg introduced:

Senate Bill No. 395. A Bill for an Act to Amend and Re-enact Section 3969 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Section 79 of the Session Laws of North Dakota for the Year 1919, and Chapter 32 of the Session Laws of North Dakota for the Year 1921, Relating to Excluding Farm Lands from the Limits of City, Town and Villages.

Was read the first and second time and referred to the committee on Judiciary.

Mr. Baird introduced:

Senate Bill No. 396. A Bill for an Act to Amend and Re-enact Sections 10943 and 10944 of the Compiled Laws of North Dakota for the Year 1913, and Section 10948 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 233 of the Session Laws of North Dakota for the Year 1915, Relating to Indetermined Sentences of Persons Convicted of Certain Crimes, and the Discharge or paroling of Prisoners Serving Indeterminate Sentences, Abolishing the Board of Experts, and Repealing all Acts in Conflict Therewith.

Was read the first and second time and referred to the committee on State Affairs.

Mr. Baird introduced:

Senate Bill No. 397. A Bill for an Act to Amend and Re-enact Sections 11291, 11292, 11293 and 11294 of the Compiled Laws of North Dakota for 1913, Relating to Paroling Inmates of the State Training School.

Was read the first and second time and referred to the committee on State Affairs.

Mr. Whitman introduced:

Senate Bill No. 394

Was read the first and second time and referred to the committee on State Affairs.

Senator Baird introduced the following

RESOLUTION

A Resolution requiring the Workmen's Compensation Bureau to reduce premium rates and giving the Governor, State Auditor and State Treasurer certain powers with reference to premiums.

WHEREAS, There is in our State a very wide-spread complaint that the rates charged by the Workmen's Compensation Bureau for protection under many of the classifications for which protective insurance is provided by that Bureau, as compared with the rates charged by private companies for similar protection given to employees, and as compared to the cost to employers of similar protection when afforded by the employer; and

WHEREAS, The fund of \$1,182,277.11 already accumulated, the most of which is in reserve funds which are very much in excess of the current needs of the Bureau; and

WHEREAS, It is only under the greatest strain that it is possible for employers of labor to maintain full capacity operation and thus insure, to those who are dependent upon the operation of such enterprises and industries, continued employment, and

WHEREAS, Because of the serious financial depression in our midst it is contrary to good business principles to attempt to accumulate a larger surplus in any fund than that which is actually needed for current operation.

NOW, THEREFORE, BE IT ENACTED by the Legislative Assembly of the State of North Dakota: That the Workmen's Compensation Bureau shall forthwith make such reduction in all rates to all insurers now in good standing or who may become in good standing by payment of past due premium on the basis of present rates, as will result in a fifty per cent average reduction in the income from premiums charged, and to continue to operate at such reduced rates until the Workmen's Compensation Bureau's Claim Reserve is reduced to \$250,000, and the Statutory Surplus Reserve to \$125,000.00 and that when the reserve has been so reduced such increase in the rates may be made as may be authorized by the Governor, the State Treasurer and the State Auditor acting as a Board of Adjusters, in that matter, by authority hereby vested in them, and as state officials who are in close contact with the financial condition of all departments of state government.

Which was referred to the committee on Judiciary.

The committee on Warehouses and Grain Grading made the following report:

Mr. President: Your committee on Warehouses and Grain Grading to whom was referred:

Senate Bill No. 260. A Bill for an Act Providing for the Conduct of the Business of Warehousing and Providing Penalties for its Violation.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the word "A Bill" and insert the following:

For an Act Providing Regulations for the Conduct of the Business Terminal Warehouses and Providing Penalties for its Violation.

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

Section 1. Whenever a terminal warehouseman in this state shall receive grain or other fungible goods for storage, any such goods must be kept and retained by him in the identical warehouse or on the premises constituting the warehouse plant, until they are called for and delivered to the holder of the receipt issued therefor, or are removed therefrom upon the written order of the holder of such receipt.

Section 2. In the case of mingling of goods of like kinds and grades by the terminal warehouseman he must keep on hand in his said warehouse, at all times, the full amount of each kind, quality or grade of such goods represented by all outstanding storage receipts for such kind, quality and grades.

Section 3. In case any terminal warehouseman shall remove from his warehouse any such property or goods without the written consent of order of the holder of the receipt, or the presentation and surrender of such receipt (except in case of emergency to protect such goods) he shall be deemed to have converted them, and any person, firm, association or corporation receiving the same from him for any purpose shall likewise be deemed guilty of conversion, and in any action for the conversion, or to recover the possession of such goods, the person, firm, association or corporation converting the same shall be liable for the return of such goods, or for the full value thereof; and such terminal warehouseman shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in the amount of the value of the goods or property so converted.

And when so amended recommend the same do pass.

A. G. STORSTAD,
Chairman.

Senator Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Mines and Minerals made the following report:

Mr. President: Your committee on Mines and Minerals to whom was referred:

Concurrent Resolution by Messrs. Ingerson and Baird. Have had the same under consideration and recommend that the same be adopted.

S. J. ATKINS,
Chairman.

Senator Atkins 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 20, 1923.

Mr. President: I have the honor to inform you that the Speaker has appointed Messrs Jackson, Lynch and Twichell to act as a conference committee on House Bill 233.

W. F. CUSHING,
Chief Clerk.

SENATE ROLL CALL

Senate Bill No. 236. A Bill for an Act Authorizing the Cancellation, Conversion and Exchange of Bonds Issued Under and by Virtue of Chapter 128, Session Laws of 1919.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 41, nays 0, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Stevens
Baird	Hamilton	Nathan	Storstad
Baker	Ingerson	Olson, Barnes	Thorson
Benson	Ka'dor	Olson, Eddy-	Tofsrud
Bond	Kel'sh	Poster	Van Camp
Byrne	Kretschmar	Page	Ward
Carey	Levang	Patten	Wenstrom
Eastgate	Lynch	Peck	Whitman
Ettestad	McLachlin	Ployhar	Wog
Fleckten	Magnuson	Sperry	
Gardiner	Miklethun	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	McCoy	Peterson	Rusch
Carberg	Martin	Porter	Whitmer

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 380. A Bill for an Act to Provide for the Management, Operation, Control and Government of the North Dakota Mill and Elevator Association, and to Repeal All Acts in Conflict Therewith.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 26, nays 22, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Ettestad	Levang	Olson, Eddy-	Whitmer
Fleckten	Magnuson	Foster	Wog
Garberg	Martin	Patten	

Absent and not voting:

Messrs.
Babcock

So the bill failed to pass not having received the required two-thirds majority.

SENATE ROLL CALL

Senate Bill No. 289. A Bill for an Act Providing That the County Commissioners Shall Have Power to Abate Certain Assessments Levied by Boards of Irrigation Districts Upon Application of the District Board Approved by the Director of the Reclamation Service.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 40, nays 2, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Olson, Barnes	Storstad
Baird	Ingerson	Olson, Eddy-	Thorson
Baker	Kaldor	Foster	Tofsrud
Benson	Kelsh	Page	Van Camp
Bond	Kretschmar	Patten	Ward
Byrne	Levang	Peck	Wenstrom
Carey	Lynch	Ployhar	Whitman
Eastgate	McLachlin	Rusch	Wog
Ettestad	Magnuson	Sperry	
Fleckten	Murphy	Steel	
Gross	Nathan	Stevens	

Those voting in the negative were:

Messrs.	Messrs.
Gardiner	Miklethun

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	McCoy	Peterson	Whitmer
Garberg	Martin	Porter	

So the bill passed and the title was agreed to.

Senator Lynch moved to amend Senate Bill 371 as follows:

In Section 8, line 4, of the printed bill strike out "eight ounces."

Correct spelling of "insanitary" to "unsanitary" wherever it appears.

Which motion prevailed.

Senator McLachlin moved that Senate Bill 371 be considered re-engrossed and placed on its third reading and public passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 371. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Articles of Food and Drugs; for the Prevention of Adulteration and Misbranding Thereof; Requiring Labeling Thereof; Providing for Sales by Weight, Measure or Numerical Count; Providing for Fixing of Standards of Purity and Quality and Fitness for Consumption; Prescribing the Duties of the State Board of Administration and Providing for the Appointment of a State Food Commissioner and Chemist and Prescribing His Duties and Powers; Providing for the Enforcement of the Provisions of the Act; Defining Certain Offenses in Connection Therewith; Providing Penalties for Violations Thereof and Repealing Certain Acts Relating 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 ayes 39, nays 6, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Martin	Stevens
Galrd	Hamilton	Murphy	Storstad
Baker	Ingerson	Olson, Barnes	Thorson
Bond	Kaldor	Olson, Eddy-	Tofsrud
Byrne	Kelsh	Foster	Van Camp
Carey	Kretschmar	Page	Ward
Eastgate	Levang	Peck	Whitman
Ettestad	Lynch	Ployhar	Wog
Fleckten	McCoy	Rusch	
Garberg	McLachlin	Sherry	
Gardiner	Magnuson	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Nathan	Wenstrom	Whitmer
Miklethun	Patten		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Peterson	Porter

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 183. A Bill for an Act to Regulate Certain Occupations of Children in Streets and Public Places. Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 27, nays 20, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Gross	Page	Van Camp
Baker	Ingerson	Patten	Ward
Benson	Levang	Ployhar	Wenstrom
Byrne	Magnuson	Sperry	Whitman
Fleckten	Miklethun	Steel	Whitmer
Garberg	Olson, Barnes	Stevens	Wog
Gardiner	Oison, Eddy	Thorson	
	Foster		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	McCoy	Peck
Bend	Kaldor	McLachlin	Peterson
Carey	Kelsh	Martin	Rusch
Eastgate	Kretschmar	Murphy	Storstad
Ettestad	Lynch	Nathan	Tofsrud

Absent and not voting:

Messrs.	Messrs.
Babcock	Porter

So the bill passed and the title was agreed to.

Senator Gross moved that the vote by which Senate Bill No. 183 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Hamilton: Section 3 of this law gives to the child who has parents or a guardian to look after him a monopoly of the business and absolutely discriminates against the boy who has no parents, Therefore, I vote "no."

Senator Ingerson moved to amend Senate Bill 386 as follows:

Strike out Section 3 of the engrossed bill.

Which motion lost.

SENATE ROLL CALL

Senate Bill No. 386. A Bill for an Act to Amend and Re-enact Sections 16, 33, 44, 49, 56, 62, 83, 88 and 89 of Chapter 168 of the Session Laws of North Dakota for the Year 1919, Regulating the Operation of all Coal Mines in North Dakota; Providing for their Inspection; Creating the Office of Coal Mining Inspector; Fixing His Qualifications, Duties, Powers and Compensation; Providing for His Appointment; Creating a Board of Examiners; Fixing Its Powers and Compensation; Providing the Method of Appointment Thereof; Providing for the Registry, Examination and Issuing of Certificates to Certain Employers of Coal Mines.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays 1, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Steel
Baird	Hamilton	Murphy	Stevens
Baker	Ingerson	Nathan	Storstad
Benson	Kaldor	Olson, Barnes	Thorson
Ford	Kelsh	Olson, Eddy-	Van Camp
Byrne	Kretschmar	Foster	Ward
Carey	Levang	Page	Whitman
Eastgate	Lynch	Patten	Whitmer
Ettestad	McCoy	Peck	Wog
Flechten	McLachlin	Peterson	
Garberg	Magnuson	Rusch	
Gardiner	Martin	Sperry	

Those voting in the negative were:

Messrs.			
Wenstrom			
Absent and not voting:			
Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Ployhar	Porter	Tofsrud

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 342. A Bill for an Act to Amend and Re-enact Subdivision 2 of Section 1 and Section 13a of Chapter 231 of the Session Laws of 1917 as Amended by Chapter 225 of the Session Laws of 1919, and to Amend Section 2 of Chapter 125 of the Session Laws of 1921 Relating to Inheritance Taxes Upon Estates of Deceased Non-residents.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays 4, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Storstad
Baird	Hamilton	Olson, Eddy-	Thorson
Baker	Ingerson	Foster	Tofsrud
Benson	Kaldor	Page	Van Camp
Bond	Kelsh	Peck	Ward
Byrne	Kretschmar	Peterson	Whitman
Carey	Levang	Ployhar	Whitmer
Eastgate	Lynch	Rusch	Wog
Ettestad	McCoy	Sperry	
Garberg	McLachlin	Steel	
Gardiner	Magnuson	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Patten	Miklethun	Nathan	Wenstrom

Absent and not voting:

Messrs.	Messrs.
Babcock	Porter

So the bill passed and the title was agreed to.

Senator Baird moved to amend Senate Bill 297 as follows:

Strike out Section 1 of the engrossed bill, and insert in lieu thereof the following:

Section 1. That hereafter all hail insurance on growing crops written in this state shall be written by the Hail Insurance Department of the State of North Dakota and North Dakota Insurance Companies, Provided, however, that foreign insurance companies may write insurance on such property as reinsurance companies.

Which motion prevailed.

Senator Rusch moved that further consideration of Senate Bill 297 be indefinitely postponed.

A roll call was demanded.

SENATE ROLL CALL

The question being on the motion to indefinitely postpone further consideration of Senate Bill No. 297, the roll was called and there were ayes 22, nays 24, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Ployhar	Thorson
Bond	Kelsh	Rusch	Tofsrud
Carey	Lynch	Sperry	Van Camp
Eastgate	McLachlin	Steel	Whitman
Ettestad	Murphy	Stevens	
Gardiner	Peterson	Storstad	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Gross	Martin	Page
Baker	Hamilton	Miklethun	Patten
Benson	Ingerson	Nathan	Peck
Byrne	Levang	Olson, Barnes	Ward
Fleckten	McCoy	Olson, Eddy-	Wenstrom
Garberg	Magnuson	Foster	Whitmer
			Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Kretschmar	Porter

So the motion was lost.

SENATE ROLL CALL

Senate Bill No. 297. A Bill for an Act Limiting the writing and Placing of All Hail Insurance on Growing Crops in the State of North Dakota, with the State of North Dakota and North Dakota Insurance Companies.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 24, nays 22, absent and not voting 3.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Hamilton	Nathan	Ward
Baker	Ingerson	Olson, Barnes	Wenstrom
Benson	Levang	Olson, Eddy-	Whitmer
Byrne	McCoy	Poster	Wog
Fleckten	Magnuson	Page	
Garberg	Martin	Patten	
Gross	Miklethun	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Ployhar	Thorson
Bond	Kelsh	Rusch	Tofsrud
Carey	Lynch	Sperry	Van Camp
Eastgate	McLachlin	Steel	Whitman
Ettestad	Murphy	Stevens	
Gardiner	Peterson	Storstad	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Kretschmar	Porter

So the bill failed to pass having failed to secure the required constitutional majority.

Senator Rusch moved that the vote by which Senate Bill No. 297 lost, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Miklethun moved to amend Senate Bill 366 as follows:

In Section 1, line 1, after the word "maximum" insert the word "express"

In Section 2, line 3, after the word "freight" insert the words "express and"

In line 9, after the word "hereto" add the following: "Provided, that if any rate should upon hearing be shown to be confiscatory, then the Railroad Commission may fix rates in excess of the maximum rate herein provided."

Which motion prevailed.

Senator Stevens moved to further amend Senate Bill 366 as follows:

In Section 4, line 9, strike out the words "exorbitant and dishonest"

Which motion prevailed.

Senator Murphy moved that Senate Bill 366 be considered re-engrossed and placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 366. A Bill for an Act Relating to Intrastate Freight Rates in North Dakota, Fixing the Maximum Rates and Charges for Transportation of Freight Intrastate, Providing Penalties and Punishment for the Violation Thereof, and Defining the Duties and Powers of the Board of Railroad Commissioners.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 27, nays 18, absent and not voting 4.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Martin	Patten
Benson	Ingerson	Miklethun	Peck
Byrne	Kaldor	Nathan	Sperry
Ettestad	Levang	Olson, Barnes	Ward
Fleckten	Lynch	Olson, Eddy-	Wenstrom
Garberg	McLachlin	Foster	Whitmer
Gross	Magnuson	Page	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Ployhar	Tofsrud
Baird	Ke'sh	Steel	Van Camp
Bond	McCoy	Stevens	Whitman
Carey	Murphy	Storstad	
Eastgate	Peterson	Thorson	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Kretschmar	Porter	Rusch

Senator Miklethun moved to amend the title of Senate Bill 266 as follows:

In line 1, after the word "freight" insert the words "and express"

In line 3, after the word "freight" insert "and express"

Which motion prevailed.

The question being on the emergency clause of Senate Bill No. 366 a roll call was demanded. •

SENATE ROLL CALL

The question being on the emergency clause of Senate Bill No. 366, the roll was called and there were ayes 26, nays 20, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Miklethun	Peck
Benson	Ingerson	Nathan	Stevens
Byrne	Kaldor	Olson, Barnes	Ward
Ettestad	Levang	Olson, Eddy-	Wenstrom
Fleckten	McLachlin	Foster	Whitmer
Garberg	Magnuson	Page	Wog
Gross	Martin	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Peterson	Storstad
Baird	Kelsh	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Sperry	Van Camp
Eastgate	Murphy	Steer	Whitman

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Kretschmar	Rusch

So the emergency clause was declared lost.

Senator Miklethun moved that the vote by which Senate Bill No. 366 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Nathan: I really think we should carry the emergency. I think we should have the freight reduced at this time. I vote "aye."

SENATE ROLL CALL

Senate Bill No. 283. A Bill for an Act to Amend and Re-enact Sections 9868, 9869, 9870, 9871, 9872, 9873, 9874, 9875 and 9876 of the Compiled Laws of North Dakota for the Year 1913, Relating to Burglary, House Breaking and Unlawful Entering.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 41, nays 3, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Nathan	Steer
Baker	Kaldor	Olson, Barnes	Storstad
Benson	Kelsh	Olson, Eddy	Thorson
Byrne	Levang	Foster	Tofsrud
Carey	Lynch	Page	Ward
Eastgate	McCoy	Patten	Wenstrom
Ettestad	McLachlin	Peck	Whitman
Fleckten	Magnuson	Peterson	Whitmer
Garberg	Martin	Ployhar	Wog
Gross	Miklethun	Porter	
Hamilton	Murphy	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Baird	Gardiner	Kretschmar

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock Bond	Rusch	Stevens	Van Camp

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 300. A Bill for an Act to Amend and Re-enact Section 2110 of the Compiled Laws of 1913 as Amended by Chapter 221 of the Session Laws of 1913 and Chapter 119 of the Session Laws of 1921, Relating to the Taxation of Corporate Excess.

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 14, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Levang	Martin	Steel
Baird	Hamilton	Murphy	Storstad
Bond	Kaldor	Page	Thorson
Byrne	Kelsh	Peck	Tofsrud
Carey	Kretschmar	Peterson	Ward
Castgate	Lynch	Ployhar	Whitman
Ettestad	McCoy	Porter	
Gardiner	McLachlin	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Ingerson	O'son, Barnes	Wenstrom
Fleckten	Magnuson	Olson, Eddy-	Whitmer
Garberg	Miklethun	Foster	Wog
Gross	Nathan	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Rusch	Stevens	Van Camp
Benson			

So the bill passed and the title was agreed to.

Senaror Murphy moved that the Senate do now Recess until 1:30 P. M.

Which motion prevailed.

AFTER RECESS

The committee on Judiciary made the following report:

Senate Bill No. 395. A Bill for an Act to Amend and Re-enact Section 3969 of the Compiled Laws of North Dakota for the year 1913, as Amended by Chapter 79 of the Session Laws of North Dakota for the Year 1919, and Chapter 32 of the Session Laws of North Dakota

for the year 1921, relating to excluding farm lands from the limits of city, town and villages.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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 Corporation Other than Municipal to whom was referred:

Senate Bill No. 388. A Bill for an Act Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations whose Period of Duration has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations, and Providing that this Act Shall Take Effect Immediately Upon Its Passage and Approval.

Have had the same under consideration and recommend that the same do pass.

W. D. LYNCH,
Chairman.

Senator Lynch 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. 397. A Bill for an Act to Amend and Re-enact Sections 11291, 11292, 11293, and 11294 of the Compiled Laws of North Dakota for 1913, Relating to Paroling Inmates of the State Training School.

Have had the same under consideration and recommend that the same be amended as follows:

In line1, of sub-division 2 of Section 11292, strike out the word "All" at the beginning of the line and insert in lieu thereof the words "At least four;"

At the end of Section 11294, insert the following: "Section 5. Emergency. An emergency is hereby declared to exist, therefore, this Act shall be in force upon its passage and approval."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Murphy 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. 396. A Bill for an Act to Amend and Re-enact Section 10943 and 10944 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 233 of the Session Laws of North Dakota for the Year 1915, Relating to Indeterminate Sentences of Persons Convicted of Certain Crimes, and Abolishing the Board of Experts, and Repealing all Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Murphy 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. 217. A Bill for an Act to Repeal Chapter 115 of the Session Laws for the Year 1919 Relating to Flood Control Commission.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. McLACHLIN,
Chairman.

Senator McLachlin moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Mines and Minerals made the following report:

Mr. President: Your committee on Mines and Minerals to whom was referred:

Senate Bill No. 271. A Bill for an Act to Provide for Differentials on Lignite Coal Between Shipping Points in North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

S. J. ATKINS,
Chairman.

Senator Atkins moved that the report be adopted,

which motion prevailed and the report was adopted.

The committee on Highways made the following report:

Mr. President: Your Committee on Highways to whom was referred:

Senate Bill No. 45. A Bill for an Act to Amend and Re-enact Sections 6, 11, 12, 16 and 17 of Chapter 44 of the Special Session Laws of North Dakota, for the Year 1919, Relating to the Registration and Licensing of Motor Vehicles, the Creation of a State Highway Fund, the Distribution of Such Fund, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 15 of the printed bill, strike out the word "ten" and the numerals "10" and insert in lieu thereof the word "five" and the numeral "5."

And in line 16 of said Section strike out the word "thirty" and the numeral "30" and insert in lieu thereof the word "twenty" and the numeral "20."

And in line 17 of said Section strike out the word "fifteen" and the numeral "15" and insert in lieu thereof the word "ten" and the numeral "10."

And in line "21" of said Section strike out the words "above the" and insert in lieu thereof the words "the above."

And in line 26 of the said Section strike out the word "ten" and numeral "10" and insert in lieu thereof the word "five" and the numeral "5."

And in line 27 of the said Section strike out the word "not."

And in line 34 of said Section strike out the word "for" and after the word "trucks" and insert the following: "Used for commercial purposes."

And in line 35 of said Section strike out the figure "5" and insert in lieu thereof the numerals "10."

And in line 36 strike out the numerals "10" and insert in lieu thereof the numerals "15."

And in line 37 of said Section strike out the numerals "15" and insert in lieu thereof the numerals "20."

And in line 40 of said Section strike out the words "twenty-five" and insert in lieu thereof "fifty."

In Section 2 line 12 on page 3 of the printed bill, strike out the word "two" and insert in lieu thereof the word "one."

And in line 13 of said Section strike out the figures "250,000" and insert in lieu thereof "150,000."

And in Section 2 on page 4 strike out all of lines 20 to 30 inclusive.

And in Section 2 line 40 on page 4 strike out the figure "3" and insert in lieu thereof the figure "2."

And in Section 4 on page 6 of the printed bill line 15., strike out the word "eight" and also strike out the figures "2800" and insert in lieu thereof the figures "2000."

And in Section 7 on page 6 strike out all of line 3 and insert in lieu thereof the following: "passage and approval."

And when so amended recommend the same do pass.

NELS PETERSON,
Chairman.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on House Bill No. 8 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 8. A Bill for an Act to Empower all Cities having a Population in Excess of Twelve Thousand Five Hundred Inhabitants, by the Federal Census of 1920, or by any Subsequent Federal Census, to Provide for the Establishment of Districts or Zones within the Corporate Limits, and to Empower such Cities by Ordinance, to Regulate Within Such Zones or Districts, the Use or Uses of Land, the Height, the Area, the Size and the Location of Buildings, the Required Open Spaces for the Light and Ventilation of Such Buildings and the Density of Population; to Provide for a Board of Appeals, and for the Carrying Out of Such Ordinances and to Provide a Penalty for the Violation Thereof.

Have had the same under consideration and recommend that the House do concur in the Senate amendment to House Bill No. 8.

For the Senate:
H. J. RUSCH,
ROBERT BYRNE,
THEO. KALDOR,
For the House:
J. A. JARDINE,
R. H. WALKER,
JNO. W. CARR.

Senator Kaldor moved that the report of the Conference Committee be adopted, which motion prevailed, and the report was adopted.

Senator Kaldor moved that the Conference Committee appointed to act on the amendments to House Bill No. 8 be dismissed.

Which motion prevailed.

The committee on Highways made the following report:

Mr. President: Your Committee on Highways to whom was referred:

Senate Bill No. 369. A Bill for an Act to Eliminate Railroad Grade Crossings and Other Dangerous Places on State and County Highways.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after "A Bill" and insert in lieu thereof the following:

"For an Act relating to Dangerous Railroad Grade Crossings over State Highways, and Providing for the Protection of such Crossings.

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

Section 1. The Board of Railroad Commissioners of the State of North Dakota, upon written application made to it by the State Highway Commission, or of its own motion, may investigate and determine whether any railroad grade crossing over any State Highway in this state is dangerous to life and property, and may order the same protected in any manner said Board of Railroad Commissioners may find reasonable and proper, including requiring the railroad company to separate the grades.

Section 2. The Board of Railroad Commissioners shall give the railroad company interested such notice of said investigation as it deems reasonable and an opportunity to be heard before any order is made. The railroad company interested may, within thirty days after the service of a copy of such order upon it, appeal to the district court of the county wherein such crossing is situated.

Section 3. This Act is hereby declared an emergency measure and shall take effect and be in force from and after its passage and approval.

And when so amended recommend the same do pass.

NELS PETERSON,
Chairman.

Senator Peterson 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 20, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 259. A Bill for an Act to Amend and Re-enact Section 11108 of the Compiled Laws of North Dakota for the Year 1913, Relating to Board of Pardons.

House Bill No. 254. A Bill for an Act to Repeal Section 2696 of the Compiled Laws of North Dakota for the Year 1913, Relating to Live Stock Sanitary Board.

House Bill No. 258. A Bill for an Act to Amend and Re-enact Section 2671 of the Compiled Laws of North Dakota for 1913, Relating to Cruelty to Animals.

House Bill No. 257. A Bill for an Act to Repeal Section 1624 of the Compiled Laws of North Dakota for the Year 1913, Relating to Enforcement, Beverage and Sanitary Laws.

House Bill No. 263. A Bill for an Act to Repeal Section 335 of the Compiled Laws of North Dakota for 1913, Relating to Expenses, Sale of Land.

House Bill No. 74. A Bill for an Act to appropriate the Sum of Three Thousand Five Hundred Dollars (\$3,500.00) for the Retirement of Part of the Bonds Issued Against the Present Bridge Across the Red River of the North from a Point in the County of Walsh and State of North Dakota to a Point in the County of Marshall and State of Minnesota at Oslo, and That Such Appropriation be Made from the State Highway Funds.

House Bill No. 30. A Bill for an Act to appropriate the Sum of \$100,000.00, From any Moneys in the State Highway Fund, for the Purpose of Aiding in the Construction of a Bridge Across the Red River of the North, Between the City of Fargo, Cass County, North Dakota, and the City of Moorhead, Clay County, Minnesota, Under the Provisions of Chapter 73 of the Laws of North Dakota for the Year of 1919.

House Bill No. 51. A Bill for an Act to appropriate the Sum of Thirty-five Thousand (\$35,000.00) Dollars for the Purpose of Aiding the Construction of a Bridge and Approaches Across the Des Lacs Lake on the County Line Between Burke and Ward Counties in the State of North Dakota under the Provision of Chapter 73 of the Session Laws of North Dakota for the year 1919 and that such and that such Appropriation be Made from the State Highway Fund.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Whitman moved a call of the Senate.
Which motion prevailed.

Senator Miklethun moved that Senator Babcock be excused from the Call of the Senate.

Which motion prevailed.

Senator Garberg moved that the Call of the Senate be dispensed with.

Which motion prevailed.

Senator Stevens asked unanimous consent to withdraw Senate Bills 358 and 359. There being no objection the motion prevailed.

Senator Carey asked unanimous consent to withdraw Senate Bills Nos. 309 and 313. There being no objections the motion prevailed.

The committee on Banks and Banking made the following report:

Mr. President: A majority of your committee on Banks and Banking to whom was referred:

Senate Bill No. 264. A Bill for an Act to Amend and Re-enact Section 5149 of the Compiled Laws of North Dakota for 1913, Relating to the Organization of Banking Associations.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. R. BOND,
Chairman.

The Committee on Banks and Banking made the following report:

Mr. President: A minority of your committee on Banks and Banking to whom was referred:

Senate Bill No. 264. A Bill for an Act to Amend and Re-enact Section 5149 of the Compiled Laws of North Dakota for 1913, Relating to the Organization of Banking Associations.

Have had the same under consideration and recommend that the same do pass.

WALTER R. BOND,
H. J. RUSCH,
P. T. KRETSCHMAR,
PETER McLACHLIN,

Senator McLachlin moved that the minority report on Senate Bill No. 264 be adopted.

Which motion lost.

Senator Atkins moved that the majority report on Senate Bill No. 264, be adopted, which motion prevailed and Senate Bill No. 264 was indefinitely postponed.

The Committee on State Affairs made the following report:

Mr. President: A majority of your committee on State Affairs to whom was referred:

Senate Bill No. 394. A Bill for an Act Relating to the Licensing, Regulating, Supervising and Inspection of Pool and Billiard Rooms, Ball and Pin Alleys, Dance Halls, Theatres, Moving Picture Shows, Taxi Cab or Auto Livery., Places Where Soft Drinks Are Sold or Where Cigars and Tobacco Are Sold, or Public Halls Privately and Used for Public Purposes, Providing the Licensing Fees Therefor and Repealing Chapter 84 of the Session Laws of 1921 and All Acts and Parts of Acts Inconsistent Herewith.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: A minority of your committee on State Affairs to whom was referred:

Senate Bill No. 394. A Bill for an Act Relating to the Licensing, Regulating, Supervising and Inspection of Pool and Billiard Rooms, Ball and Pin Alleys, Dance Halls, Theatres, Moving Picture Shows, Taxi Cab or Auto Livery., Places Where Soft Drinks Are Sold or Where Cigars and Tobacco Are Sold, or Public Halls Privately and Used for Public Purposes, Providing the Licensing Fees Therefor and Repealing Chapter 84 of the Session Laws of 1921 and All Acts and Parts of Acts Inconsistent Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN L. MIKLETHUN,
JOHN NATHAN,
ROBERT BYRNE,
GUST WOG,
O. H. OLSON.

Senator Ployhar moved that the report of the majority of the Committee on Senate Bill 394 be adopted.

Senator Miklethun moved that the minority report be substituted for that of the majority.

Which motion lost.

The vote being on the motion of Senator Ployhar, the motion prevailed.

Senator Stevens moved that Senate Bill 156 be raised from the table, which motion prevailed.

Senator Eastgate moved that the minority report of the committee on Senate Bill 156 be adopted.

Senator Ward moved that the majority report of the Committee on Senate Bill 156 be substituted for that of the minority.

A roll call was demanded.

SENATE ROLL CALL

The question being on the motion to substitute the roll was called and there were ayes 22, nays 26, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Ettestad	Levang	Olson, Eddy-	Whitmer
Fleckten	Magnuson	Foster	Wog
Garberg	Martin	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Absent and not voting:

Messrs.
Babcock

So the motion was lost.

Senator McCoy moved that the Senate do now adjourn.

Which motion prevailed.

FIFTIETH DAY

The Senate convened at 2:00 P. M., the President Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. Gerhard Sprock.

Roll was called all senators being present with the exception of Senator Babcock.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the **Journal of the 47th day** after recess and the 48th day and recommend that the same be corrected as follows:

On page 36 strike out lines 41 and 42 and insert in lieu thereof: "House Bill No. 282, etc."

On page 49 after line 2 insert: "Senator Levang moved that the Senate take up the Seventh Order of Business, which motion prevailed."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

The Secretary read a communication from the Bismarck Trades and Labor Assembly, which was referred to the Committee on Education.

MOTIONS AND RESOLUTIONS.

Senator Atkins moved that the Concurrent Resolution introduced by Senators Ingerson and Baird be adopted.

Which motion prevailed.

Senator Benson moved that all absent Senators be excused.

Which motion prevailed.

Senator Baird moved that Senate Bill No. 307 be placed at the foot of the Calendar.

Which motion lost.

THIRD READING AND FINAL PASSAGE OF SENATE BILLS.

House Bill No. 307. A Bill for an Act to Amend and Re-enact Chapter 130 of the Session Laws of 1919 pertaining to Attorneys' Fees and Sheriffs' fees in Connection With Foreclosures conducted by advertisement.

Was read the third time.

Senator Whitman moved that further action on Senate Bill No. 307 be indefinitely postponed.

A Roll Call was demanded.

The question being on the motion to indefinitely postpone action on Senate Bill No. 307, the roll was called and there were ayes 25, nays 23, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Miklethun	Sperry
Benson	Ingerson	Nathan	Ward
Byrne	Levang	Olson, Barnes	Wenstrom
Ettestad	Lynch	Olson, Eddy-	Whitmer
Flecken	McCoy	Foster	Wog
Garberg	Magnuson	Patten	
Gross	Martin	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Page	Stevens
Baird	Kaldor	Peterson	Storstad
Bond	Kelsh	Ployhar	Thorson
Carey	Krotschmar	Porter	Tofsrud
Eastgate	McLachlin	Rusch	Van Camp
	Murphy	Steel	Whitman

Absent and not voting:

Messrs.

Babcock

So the motion prevailed.

Senator Wenstrom: For the reason that this bill would abrogate free speech, and free press, I vote "Aye."

Senator Miklethun moved that the vote by which Senate Bill No. 307 was indefinitely postponed be reconsidered and the motion be laid on the table.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 253. A Bill for an Act to Repeal Chapter 122 of the Session Laws of 1921.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 44, nays 1, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Stevens
Baird	Kaldor	Olson, Barnes	Storstad
Baker	Kelsh	Olson, Eddy-	Thorson
Benson	Kretschmar	Foster	Tofsrud
Byrne	Levang	Page	Ward
Carey	Lynch	Peck	Wenstrom
Eastgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ploybar	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	
Gross	Murphy	Steel	

Those voting in the negative were:

Messrs.

Ingerson

Absent and not voting:

Messrs.

Babcock

Messrs.

Bond

Messrs.

Patten

Messrs.

Van Camp

So the bill passed and the title was agreed to.

Senator Ingerson moved to amend Senate Bill 146 as follows:

Strike out subdivisions 11a and 11b in Section 1 of the engrossed bill.

Which motion lost.

Senator Baker moved to amend Senate Bill 146 as follows:

In sub-division (15) line 67, of the printed bill, strike out "\$200" and insert in lieu thereof "\$400."

Which motion lost.

SENATE ROLL CALL

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 2078, Compiled Laws of North Dakota for Year 1913, as Amended by Chapter 223, Session Laws of 1919, and Chapter 122, Session Laws of 1921, Relating to the Exemption of Certain Property 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 37, nays 11, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Olson, Eddy-	Sperry
Baird	Kaldor	Foster	Steel
Benson	Kelsh	Page	Stevens
Bond	Kretschmar	Patten	Storstad
Byrne	Lynch	Peck	Thorson
Carey	McCoy	Peterson	Tofsrud
Eastgate	McLachlin	Ployhar	Van Camp
Ettestad	Murphy	Porter	Ward
Garberg	Nathan	Rusch	Whitman
Gardiner			Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Ingerson	Martin	Wenstrom
Fleckten	Levang	Miklethun	Whitmer
Hamilton	Magnuson	Olson, Barnes	

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 255. A Bill for an Act to Amend and Re-enact Chapter 220 of the Laws of North Dakota for the Year 1919.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 29, nays 19, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Page	Stevens
Baird	Kelsh	Peck	Storstad
Bond	Kretschmar	Peterson	Thorson
Carey	Lynch	Ployhar	Tofsrud
Eastgate	McCoy	Porter	Van Camp
Ettestad	McLachlin	Rusch	Whitman
Gardiner	Murphy	Sperry	
Hamilton	Nathan	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Martin	Ward
Benson	Hamilton	Miklethun	Wenstrom
Byrne	Ingerson	Olson, Barnes	Whitmer
Fleckten	Kaldor	Olson, Eddy-	Wog
Garberg	Levang	Foster	
	Magnuson	Patten	

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to.

A roll call was demanded on the emergency clause of Senate Bill No. 255.

SENATE ROLL CALL

The question being on the final passage of the emergency clause of Senate Bill No. 255, the roll was called and there were ayes 29, nays 19, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peck	Storstad
Baird	Kretschmar	Peterson	Thorson
Bond	Lynch	Ployhar	Tofsrud
Carey	McCoy	Porter	Van Camp
Eastgate	McLachlin	Rusch	Whitman
Ettestad	Murphy	Sperry	
Gardiner	Nathan	Steel	
Kaldor	Page	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Martin	Patten
Benson	Hamilton	Miklethun	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Fleckten	Levang	Olson, Eddy-	Whitmer
Garberg	Magnuson	Foster	Wog

Absent and not voting:

Messrs.
Babcock

So the emergency clause was declared lost.

SENATE ROLL CALL

Senate Bill No. 346. A Bill for an Act Prohibiting the Creation of Deficits by State Officials, State Boards and Heads of State Institutions, and Prescribing a Penalty for the Violations 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 ayes 30, nays 16, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	McCoy	Peterson	Tofsrud
Byrae	Martin	Ployhar	Ward
Ettestad	Miklethun	Porter	Wenstrom
Fleckten	Nathan	Rusch	Whitman
Hamilton	Olson, Barnes	Sperry	Whitmer
Ingerson	Page	Steel	Wog
Kaldor	Patten	Storstad	
Kretschmar	Peck	Thorson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Garberg	Levang	Murphy
Bond	Gardiner	Lynch	Olson, Eddy-
Carey	Gross	McLachlin	Foster
Eastgate	Kelsh	Magnuson	Stevens
			Van Camp

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Babcock	Baird

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 108. A Bill for an Act Making an Appropriation of \$56,600.00 for the Enforcement of the Feeding Stuffs, Fertilizer, Beverage and Sanitary Inspection Laws.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 38, nays 5, absent and not voting 6.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Kelsh	Nathan	Steel
Benson	Kretschmar	Olson-Barnes	Stevens
Byrne	Levang	Olson, Eddy-	Storstad
Carey	Lynch	Foster	Thorson
Eastgate	McCoy	Page	Tofsrud
Ettestad	McLachlin	Peterson	Van Camp
Garberg	Magnuson	Ployhar	Ward
Gardiner	Martin	Porter	Wenstrom
Gross	Miklethun	Rusch	Whitman
Kaldor	Murphy	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Peck	Whitmer	Wog
Patten			

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Baird	Hamilton	Ingerson
Babcock	Bond		

So the bill passed and the title was agreed to.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 286. A Bill for an Act to Amend and Re-enact Chapter 25 of the Session Laws of the State of North Dakota for the Year 1921, Being an Act to Create, Define and Establish the Bar Association of the State of North Dakota, and Providing for the Publication of Its Proceedings and Filing Copies Thereof with the State Bar Board and State Libraries, and as Otherwise Provided and Making an Appropriation for the Expenses Connected Therewith.

Also,

Senate Bill No. 372. A Bill for an Act Providing for the Inspection of Hotels and Restaurants; Prescribing Sanitary Requirements Therefor; Providing for Certification, Payment and Disposition of Certification Fees; Providing for the Revocation of Certificates; Defining the Duties of the State Food Commissioner and Chemist with Regard to the Act; Providing for Penalties for Violation Thereof and Repealing Existing Laws Relating Thereto.

Also,

Senate Bill No. 272. A Bill for an Act Relating to the Method of Levying Tax for the Care of Patients at the Hospital for the Insane, Institution for the Feeble Minded and the State Tuberculosis Sanatorium; Providing the Method of Settlement Between County and State; Providing a Penalty for Failure to Pay; Providing a Method of Settling Disputed Claims and Repealing Sections 2572 and 2573, Compiled Laws of 1913 and All Acts or Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 389. A Bill for an Act Regulating the Reservation of Mineral Rights and Providing for the Transfer of Same.

Also,

Senate Bill No. 44. A Bill for an Act to Establish a State Highway Commission, Prescribing its Powers and Duties, Fixing the Salaries of the Commission and the Employees Thereof, Authorizing the Engagement of Employees and Repealing All Acts and All Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 73. A Bill for an Act to Amend and Re-enact Chapter 70 of the Special Session Laws of North Dakota for the Year 1919, Relating to Cutting and Removing Weeds and Grasses Along the Public Roads or Highways.

Also,

Senate Bill No. 330. A Bill for an Act to Authorize County Commissioners to Lay Out and Construct or Contract for the Construction of Highways on State Lines.

Also,

Senate Bill No. 392. A Bill for an Act to Provide a Custodian for the Property Belonging to the State of North Dakota Known as the Biological Station and Located on the Shores of Devils Lake, Ramsey County, North Dakota, and to Designate the Purposes for Which Said Property May be Used.

Also,

Senate Bill No. 390. A Bill for an Act Prohibiting the Employment of a Married Woman in any Public Office in the State of North Dakota, Whose Husband is Able-bodied and Able to Earn a Living Wage, and Providing a Penalty Therefor.

Also,

Senate Bill No. 332. A bill for an Act to Repeal Sections 685, 686, 687, 688, 689, 690, 691, 692, 693, 694 and 695 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 199 of the Session Laws of 1915, Chapter 176 of the Session Laws of 1917, and Chapter 184 of the Session Laws of 1919, Relating to the Removal of Officials by the Governor.

Also,

Senate Bill No. 345. A Bill for an Act to Amend and Re-enact Sections 2154, 2156, and 2157 of the compiled Laws of North Dakota for the Year 1913, Relating to Making of Tax Lists and Tax Bills by the County Auditor, and to Delivery of Tax Lists to the County Treasurer, and the Collection of Taxes Therein Extended by the County Treasurer.

Also,

Senate Bill No. 329. A Bill for an Act to Amend and Re-enact Section 33 of Chapter 225 of the Session Laws of 1919, Relating to Rehearings of the Determination of Inheritance Taxes, and Providing that No Report Need Be Made to the Tax Commissioner in Case of Insolvent Estates.

Also,

Senate Bill No. 257. A Bill for an Act to Limit County Road and Bridge Tax Levies; Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 364. A Joint Resolution Proposing an Amendment to the Constitution of the State of North Dakota.

Also,

Senate Bill No. 238. A Bill for an Act Appropriating Money to Reimburse the Common School Fund of the State of North Dakota for Losses Resulting from a Misappropriation of Such Fund Occurring Previous to January 1, 1917.

Also,

Senate Bill No. 225. A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, 4, 6, 7, 9, 11 and 17 of the North Dakota Grain Grading Act Adopted at the General Election Held November 7th, 1922, Declaring the Purpose of the State of North Dakota to Supervise and Regulate the Marketing of Farm Products; Preventing Unjust Discrimination, Fraud and Extortion in the Marketing of Same; Establishing a System of Grading, Weighing and Measuring Farm Products; Defining the Scope and Manner of Such Supervision and the Powers and Duties of the Persons Charged with Same; Providing for Licensing Buyers, Solicitors, and Warehouses Handling Such Farm Products; and Making an Appropriation Therefor.

Also,

Senate Bill No. 387. A Bill for an Act Designating the Sheriff of the Different Counties in the State as Inspectors and Sealers of Weights and Measures, and Giving Him Power to Appoint a Deputy Inspector; Prescribing His Powers and Duties; Defining the Standard of Weights and Measures; Prescribing Fees to be Charged for Inspection; Providing for Complaints and Penalties for its Violation; Providing for Inspectors' Compensation; Naming Custodian of State Standards and Prescribing His Duties; and Repealing Sections 2999, 3000, 3003, 3004, 3005 of the Compiled Laws of North Dakota for 1913, and Chapter 241 of the Session Laws of North Dakota for the Year 1919.

Also,

Senate Bill No. 46. A Joint Resolution for an Amendment to the Constitution of the State of North Dakota Providing for the Establishment of a State Highway Commission, for the Establishment of a System of State Highways and for the Establishment of a State Highway Fund.

Also,

Senate Bill No. 261. A Bill for an Act Re-establishing the North Dakota Mill and Elevator Association, Defining its Powers and Duties, and Providing for the Control, Management and Operation of State Owned Grain Warehouses, Elevators and Flour Mills and the Conduct of all Business Relating Thereto, Especially as Relates to the State Owned Mill and Elevator at Grand Forks and Providing for the Appointment of a Board of Managers Thereof and Repealing Chapter 152 Laws of North Dakota 1919, Entitled "An Act Declaring the Purpose of the State of North Dakota to Engage in the Business of Manufacturing and Marketing of Farm Products, and for Establishing a Warehouse, Elevator and Flour Mill System Under the Name of North Dakota Mill and Elevator Association Operated by the State, and Defining the Scope and Manner of its Operation, and the Powers and Duties of the Persons Charged with its Management; and Making an Appropriation Therefor."

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

SENATE ROLL CALL

Was read the third time.

Senate Bill No. 357. A Bill for an Act Providing for the Creation of a Commission for the Purpose of Making a Study of the Lignite Industry and Reporting to the Next Regular Session of the Legislature its Findings with Respect to methods of developing such Industry, and Providing an Appropriation for the Purpose of Defraying Necessary Expenses.

The question being on the final passage of the bill, the roll was called and there were ayes 41, nays 7, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Martin	Steel
Baird	Gross	Miklethun	Thorson
Baker	Hamilton	Murphy	Tofsrud
Benson	Ingerson	Olson-Barnes	Van Camp
Bond	Kaldor	Olson, Eddy-	Ward
Byrne	Kelsh	Foster	Wenstrom
Carey	Kretschmar	Page	Whitman
Eastgate	Levang	Patten	Whitmer
Ettestad	Lynch	Peterson	Wog
Flecken	McCoy	Ployhar	
Garberg	Magnuson	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
McLachlin	Peck	Rusch	Stevens
Nathan	Porter	Storstad	

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to.

Senator Carey moved that the Senate return to the Seventh Order of Business.

Which motion prevailed.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee on Senate Bill No. 233, a Bill for an Act to Amend and Re-enact Chapter 117 of the Laws of North Dakota for the year 1919, Relating to the Nomination and Election of all Elective County Officers, Judges of the Supreme and District Courts, State Superintendent of Public Instruction, and County Superintendent of Schools, Without Requiring a Declaration as to Party Affiliation, and a Separate Ballot for County Officials; Extending the Law so as to Apply to all State Officials and Members of the Legislature and County Official Newspapers, Changing Petition Require-

ment; Providing for Filing of Vacancies and for Designation of Principles Supported by Candidates for State and Legislative Office, and Repealing Sections 904, 905, 906, 907, 908, 909, 917, 918, and 919 of the Compiled Laws of 1913 and Chapter 117 of the Session Laws of 1919; beg leave to report as follows:

We recommend that the Senate Concur in the House Amendment.

For the Senate:

C. W. CAREY,
Chairman.

J. E. STEVENS,
ALFRED STEEL,

For the House:

A. B. JACKSON,
L. L. TWICHELL,
M. H. LYNCH.

Senator Carey moved that the report be adopted.

Which motion prevailed.

Senator Carey moved that the conference committee be discharged.

Which motion prevailed.

Senator Kretschmar moved to amend Senate Bill 88 as follows:

Page 2, line 9 of the engrossed bill, strike out "\$28,400.00" and insert in lieu thereof "\$25,000.00."

Which motion prevailed.

Senator Benson moved that the rules be suspended, that Senate Bill 88 be considered re-engrossed and placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL 'CALL

Senate Bill No. 88. A Bill for an Act Making an Appropriation of \$292,250.00 to Pay the General Maintenance, Improvements, Repairs, New Buildings, Equipment and Purchase of Live Stock, for the Experiment Station at the Agricultural College at Fargo, for the Biennium.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 39, nays 2, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Rusch
Baird	Ingerson	Murphy	Sperry
Baker	Kaldor	Nathan	Stevens
Benson	Kelsh	Olson, Barnes	Storstad
Bond	Kretschmar	Olson, Eddy-	Thorsen
Byrne	Levang	Foster	Tofsrud
Carey	Lynch	Page	Van Camp
Flechten	McLachlin	Patten	Wenstrom
Garberg	Magnuson	Ployhar	Whitman
Gardiner	Martin	Porter	Wog

Those voting in the negative were:

Messrs.	Messrs.
McCoy	Peck

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Ettestad	Peterson	Ward
Eastgate	Hamilton	Steel	Whitmer

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 82. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal School at Minot, North Dakota, and Making Permanent Improvements and Additions Thereto.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 41, nays none, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Sperry
Baird	Hamilton	Nathan	Steel
Baker	Kaldor	Olson, Barnes	Stevens
Benson	Kelsh	Olson, Eddy-	Storstad
Bond	Kretschmar	Foster	Thorsen
Byrne	Levang	Page	Tofsrud
Carey	Lynch	Patten	Wenstrom
Ettestad	McLachlin	Peck	Whitman
Flechten	Magnuson	Ployhar	Wog
Garberg	Martin	Porter	
Gardiner	Miklethun	Rusch	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Ingerson	Peterson	Ward
Eastgate	McCoy	Van Camp	Whitmer

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 157. A Bill for an Act Making an Appropriation of \$573,118.00 to Pay the General Maintenance, Improvements and Repairs, New Buildings, and Equipment of the Agricultural College, Fargo, for the Biennium.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 41, nays none, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Olson, Barnes	Stevens
Baird	Kaldor	Olson, Eddy	Storstad
Baker	Kelsh	Foster	Thorson
Bond	Kretschmar	Page	Tofsrud
Byrne	Levang	Patten	Ward
Carey	Lynch	Peck	Wenstrom
Ettestad	McLachlin	Ployhar	Whitman
Fleckten	Magnuson	Porter	Whitmer
Garberg	Miklethun	Rusch	Wog
Gardiner	Murphy	Sperry	
Gross	Nathan	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Eastgate	McCoy	Peterson
Benson	Ingerson	Martin	Van Camp

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 284. A Bill for an Act to Amend and Re-enact Sections 782, 783, 784, 787, 799, 808, 809, 810, 811 and 812 of the Compiled Laws of North Dakota for the Year 1919, as Amended by Chapter 69 of the Session Laws for the Year 1919, Relating to the Creating of a State Bar Board, Its Members, Their Term of Office, Qualifications, Compensation and Duties and Providing for the Admission of Attorneys to Practice and the Issuance of License to Practice.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 32, nays 1, absent and not voting 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Patten	Tofsrud
Baird	Kelsh	Peterson	Ward
Bond	Lynch	Ployhar	Wenstrom
Eastgate	McLachlin	Porter	Whitman
Ettestad	Miklethun	Rusch	Whitmer
Fleckten	Murphy	Sperry	Wog
Gardiner	Nathan	Steel	
Gross	Olson, Eddy	Stevens	
Hamilton	Foster	Storstad	

Those voting in the negative were:

Messrs.
Peck

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Carey	Levang	Olson, Barnes
Baker	Garberg	McCoy	Page
Benson	Ingerson	Magnuson	Thorson
Byrne	Kretschmar	Martin	Van Camp

So the bill passed and the title was agreed to.

Senator Stevens moved that the Senate do now recess for fifteen minutes.

Which motion prevailed.

AFTER RECESS.

Senator Lynch moved to Amend Senate Bill No. 379 as follows:

In Section 12, line 14, of the printed bill, strike out after the word "State" strike out "Auditor and when audited in the manner provided by law for the auditing of bills against the State of North Dakota, said Auditor" and insert in lieu thereof: "Board of Administration for the audit and approval, and when audited and approved shall be certified to the State Auditor, who"

Which motion prevailed.

Senator Lynch moved that Senate Bill 379 be considered re-engrossed and that it be placed on the calendar for third reading and final passage.

Which motion prevailed

SENATE ROLL CALL

Senate Bill No. 379. A Bill for an Act to Regulate the Sale of Petroleum Products; to Provide for the Inspection of Kerosene and Gasoline; to Provide Specifications Therefor; to Prevent Adulteration and Misbranding Thereof; to Provide for Inspection Fees, Collection and Disposition of Same; to Define the Duties of the State Food Commissioner and Chemist; to Provide for the Inspection of Lubricating and Power Oils; to Provide for the Enforcement of the Act; to Provide Penalties for the Violation Thereof and to Repeal Existing Acts Relating 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 ayes 38, nays 9, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Sperry
Baird	Kaldor	Nathan	Steel
Zenson	Kelsh	Olson, Eddy-	Stevens
Bond	Kretschmar	Foster	Storstad
Byrne	Levang	Page	Thorson
Carey	Lynch	Peck	Tofsrud
Eastgate	McCoy	Peterson	Van Camp
Garberg	McLachlin	Ployhar	Whitman
Gardiner	Magnuson	Porter	Wog
Gross	Martin	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Miklethun	Patten	Wenstrom
Fleckten	Olson, Barnes	Ward	Whitmer
Ingerson			

Absent and not voting:

Messrs.	Messrs.
Babcock	Ettestad

So the bill passed and the title was agreed to.

Senator Ingerson moved that action on Senate Bill 233 be deferred until 5:00 o'clock P. M.

Which motion lost.

Senator Ingerson moved that action on Senate Bill No. 233 be deferred until 4:55 P. M.

Which motion lost.

Senator Benson moved that the report of the conference committee on Senate Bill No. 233 be indefinitely postponed. A roll call was demanded.

SENATE ROLL CALL

The question being on the motion to indefinitely postpone further action on Senate Bill No. 233, the roll was called and there were ayes 21, nays 27, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Nathan	Ward
Benson	Hamilton	Olson, Barnes	Weststrom
Byrne	Ingerson	Olson, Eddy	Whitmer
Ettestad	Levang	Foster	Wog
Flechten	Magnuson	Patten	
Garberg	Miklethun	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Page	Stevens
Baird	Kretschmar	Peterson	Storstad
Bond	Lynch	Ployhar	Thorson
Carey	McCoy	Porter	Tofsrud
Eastgate	McLachlin	Rusch	Van Camp
Gardiner	Martin	Sperry	Whitman
Kalder	Murphy	Steel	

Absent and not voting:

Messrs.
Babcock

So the motion was lost.

SENATE ROLL CALL

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Chapter 117 of the Laws of North Dakota for the Year 1919, Relating to the Nomination and Election of all Elective County Officers, Judges of the Supreme and District Courts, State Superintendent of Public Instruction, and County Superintendent of Schools, without Requiring a Declaration as to Party Affiliation, and a Separate Ballot for County Officials and Extending the Law so as to Apply to all State Officials and Members of the Legislature; Changing Petition Requirement and Providing for Filling of Vacancies and for Designation of Principles Supported by Candidates for State and Legislative Office.

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 27, nays 21, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Page	Stevens
Baird	Kretschmar	Peterson	Storstad
Bond	Lynch	Ployhar	Thorson
Carey	McCoy	Porter	Tofsrud
Eastgate	McLachlin	Rusch	Van Camp
Gardiner	Martin	Sperry	Whitman
Kaldor	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Nathan	Peck
Benson	Hamilton	Olson, Barnes	Ward
Byrne	Ingerson	Olson, Eddy-	Wenstrom
Ettestad	Levang	Foster	Whitmer
Fleckten	Magnuson	Patten	Wog
Garberg	Miklethun		

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to.

Senator Stevens moved that the vote by which Senate Bill No. 233 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Tofsrud moved to amend Senate Bill 365 as follows:

Strike out the words July 1, 1924 wherever they appear and insert in lieu thereof "January 15, 1925."

In lines 7 and 8, Section 4, of the printed bill, strike out "2nd day of July, 1924" and insert in lieu thereof "January 15, 1925."

Which motion lost.

Senator Stevens moved that action on Senate Bill 365 be deferred until the morning of February 21.

Which motion lost.

Senator Ward moved that further consideration of Senate Bill 365 be indefinitely postponed.

A Roll Call was demanded.

SENATE ROLL CALL

The question being on the motion to indefinitely postpone further action on Senate Bill No. 365, the roll was called and there were ayes 36, nays 12, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Martin	Thorson
Baird	Hamilton	Miklethun	Van Camp
Baker	Ingerson	Nathan	Ward
Benson	Kaldor	Olson, Barnes	Wenstrom
Byrne	Kretschmar	Olson, Eddy-	Whitman
Carey	Levang	Foster	Whitmer
Eastgate	Lynch	Page	Wog
Ettestad	McCoy	Patten	
Fleckten	McLachlin	Peck	
Garberg	Magnuson	Peterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Bond	Murphy	Rusch	Stevens
Gardiner	Ployhar	Sperry	Storstad
Kelsh	Porter	Steel	Tofsrud

Absent and not voting:

Messrs.
Babcock

So the motion to postpone prevailed.

Senator Bond moved that the vote by which Senate Bill No. 365 failed to pass be reconsidered and the motion reconsider be laid on the table.

Which motion prevailed.

Senator Baird: I desire to go on record as being absolutely opposed to the Guaranty Fund law, because I believe it is fundamentally wrong, but in the light of existing circumstances I think that the seriousness of our financial condition requires that the law remain on the statute books. I vote "Aye."

Senator Baker: I vote "Aye" for the reason if this law passes and the people of North Dakota realize that they are no longer protected by the Guaranty Fund Law that the withdrawals from the Banks of North Dakota will bring such a crisis that it will wreck our whole banking institution.

Senator Garberg: I vote "Aye" on this proposition for the reason that if this bill is passed we will be compelled to pass a Constitutional Amendment and thereby burden the taxpayers of the State with a tax burden of \$8,000,000.00.

Senator Ingerson: I vote "Aye" on this because I consider the Guaranty Fund Law an insurance measure I believe that it is a measure whereby the losses in the banking business are spread over the banks of North Dakota where they belong. I think we should keep them there. Therefore I vote "Aye."

Senator Lynch: I vote "Aye" because I am not sure which one of the prophets are right.

Senator Page: I vote "Aye" on this question for the reason that I think it will be a great benefit and save a great many of the State Banks of North Dakota.

Senator Stevens: I vote "No" for the reason that I think the principle is and always was fundamentally wrong and that the longer it remains on our statute books the worse condition the people of our state will be in.

Senator Bond: I vote "Aye on this proposition because I believe the Depositors Guaranty Fund Commission is a good law. I believe it has been only the stress of the times that has put it in the shape it is.

Senator Wenstrom: I vote "Aye" on this proposition because I don't want any more banks to go broke or close at this time and I believe that this bill if it should pass would have a tendency to close a good many banks in this state.

SENATE ROLL CALL

Senate Bill No. 286. A Bill for an Act to Amend and Re-enact Chapter 25 of the Session Laws of the State of North Dakota for the Year 1921, Being an Act to Create, Define and Establish the Bar Association of the State of North Dakota, and Providing for the Publication of Its Proceedings and Filing Copies Thereof with the State Bar Board and State Libraries, and as Otherwise Provided and Making an Appropriation for the Expenses Connected Therewith.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays 3, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murbhy	Steel
Baird	Hamilton	Olson, Barnes	Stevens
Baker	Ingerson	Olson, Eddy-	Storstad
Benson	Kaldor	Foster	Thorson
Bond	Kelsh	Page	Tofsrud
Byrne	Kretschmar	Patten	Van Camp
Carey	Levang	Peterson	Ward
Eastgate	Lynch	Ployhar	Wenstrom
Ettestad	McCoy	Porter	Whitman
Garberg	McLachlin	Rusch	Whitmer
Gardiner	Magnuson	Sperry	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fleckten	Nathan	Peck

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Martin	Miklethun

So the bill passed and the title was agreed to.

FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 212. A Bill for an Act Providing for the Levying of a Tax to Create a Fund for the Purpose of Paying the Deficit in the Funds and the Indebtedness of the

Home Building Association of North Dakota, and in Paying the Indebtedness, Salaries, Expenses and Expenditures Incurred by the Industrial Commission in Liquidating and Winding up the Business and Affairs of Said Association.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 225 of the Session Laws of 1919 Relating to Interest to be Charged upon Delinquent Inheritance Taxes.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 224. A Bill for an Act to Authorize the County Commissioners to Sell Certain Lots or Premises Bid in by the County for Delinquent Taxes Without Giving Notice of the Expiration of Redemption.

Was read the first and second time and referred to the Committee on State Affairs.

House Bill No. 278. A Bill for an Act to Amend Section 1781 of the Revised Codes of North Dakota for 1905.

Was read the first and second time and referred to the Committee on Military Affairs.

House Bill No. 310. A Bill for an Act Directing and Empowering the State Board of Auditors to Annually Examine and Audit the Accounts, Books and Vouchers of the State Hail Insurance Department, and Workmen's Compensation Bureau, to Take Account of the Amounts and Conditions of the Assets and Liabilities of each Department so Examined and Audited and Make Report Thereof to the Governor.

Was read the first and second time and referred to the Committee on Ways and Means.

House Bill No. 311. A Bill for an Act to Amend and Re-enact Section 3540 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 93, Session Laws of 1921, Relating to the Fees Paid to Newspapers for the Publication of Legal Notices.

Was read the first and second time and referred to the Committee on Public Printing.

House Bill No. 83. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the Forestry State Normal School, at Bottineau, and Making Permanent Improvements and Additions Thereto.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 107. A Bill for an Act to Appropriate \$1,000.00 for the Payment of the Expenses to be Incurred by the North Dakota Live Stock Association as Prescribed by Section 2786 of the Compiled Laws of 1913 for North Dakota.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 306. A Bill for an Act to Amend Section 1273 of the Compiled Laws of 1913, Relating to the Issuance of Bonds by Special School Districts and Prescribing Their Denominations and Rate of Interest.

Was read the first and second time and referred to the Committee on Education.

House Bill No. 205. A Bill for an Act to Repeal, Amend and Re-enact Chapter 119 of the Session Laws of 1917, Relating to Farmers Institutes.

Was read the first and second time and referred to the Committee on Agriculture.

House Bill No. 180. A Bill for an Act Providing for a Tax Levy in Incorporated Villages for the Purpose of Purchasing and Maintaining Adequate Apparatus for the Extinguishment of Fires, and Maintaining a Fire Department.

Was read the first and second time and referred to the Committee on Insurance.

House Bill No. 169. A Bill for an Act to Amend and Re-enact Section 988 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Disability of Electors in Marking their Ballots.

Was read the first and second time and referred to the Committee on Elections.

House Bill No. 94. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the Minimum Wage, Health and Morals of Women Workers, for Salary, Postage, Office Supplies, Printing, Traveling Expenses, Hearings, Conferences, Witness Fees, Legal Fees and Office Rent.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 84. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the School for the Deaf at Devils Lake, and Making Permanent Improvements and Additions Thereto.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 667 of the Compiled Laws of North Dakota for the Year 1923, Relating to County Commissioners furnishing Bonds.

Was read the first and second time and referred to the Committee on Judiciary.

House Bill No. 194. A Bill for an Act Designating the Depositories of Public Funds and Fixing the Minimum Rate of Interest; Requiring Competitive Bids for Such Deposits; Providing for Publicity with Reference to Such Funds and Depositories; Prescribing Penalties for Violation of This Act; Defining Terms Used Herein, and Repealing Sections 147, 147a, 147b and Sections 370 to 374, Inclusive, Sections 1472 to 1478, Inclusive, Sections 3315 to 3329, Inclusive, of the Compiled Laws of 1913, and

Was read the first and second time and referred to the Committee on Banks and Banking.

House Bill No. 124. A Bill for an Act to appropriate the Sum of Twelve Thousand Sixty-five and 15-100 Dollars (\$12,065.15) for the Payment to Bishop Brissman & Co. of the Sum Due them for the Audit of the State Bank and State Industries, and for other Services rendered.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 238. A Bill for an Act to Amend and Re-enact Section 23 of Chapter 77 of the Session Laws of North Dakota for the Year 1921, Relating to State Hail Insurance.

Was read the first and second time and referred to the Committee on Insurance.

House Bill No. 259. A Bill for an Act to Amend and Re-enact Section 11108 of the Compiled Laws of North Dakota for the Year 1913, Relating to Board of Pardons.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 254. A Bill for an Act to Repeal Section 2696 of the Compiled Laws of North Dakota for the Year 1913, Relating to Live Stock Sanitary Board.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 258. A Bill for an Act to Amend and Re-enact Section 2671 of the Compiled Laws of North Dakota for 1913, Relating to Cruelty to Animals.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 257. A Bill for an Act to Repeal Section 1624 of the Compiled Laws of North Dakota for the Year 1913, Relating to Enforcement, Beverage and Sanitary Laws.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 263. A Bill for an Act to Repeal Section 335 of the Compiled Laws of North Dakota for 1913, Relating to Expenses, Sale of Land.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 74. A Bill for an Act to appropriate the Sum of Three Thousand Five Hundred Dollars (\$3,500.00) for the Retirement of Part of the Bonds Issued Against the Present Bridge Across the Red River of the North from a Point in the County of Walsh and State of North Dakota to a Point in the County of Marshall and State of Minnesota at Oslo, and That Such Appropriation be Made from the State Highway Funds.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 30. A Bill for an Act to appropriate the Sum of \$100,000.00, From any Moneys in the State Highway Fund, for the Purpose of Aiding in the Construction of a Bridge Across the Red River of the North, Between the City of Fargo, Cass County, North Dakota, and the City of Moorhead, Clay County, Minnesota, Under the Provisions of Chapter 73 of the Laws of North Dakota for the Year of 1919.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 51. A Bill for an Act to appropriate the Sum of **Thirty-five Thousand** (\$35,000.00) Dollars for the Purpose of Aiding the Construction of a Bridge and Approaches Across the Des Lacs Lake on the County Line Between Burke and Ward Counties in the State of North Dakota under the Provision of Chapter 73 of the Session Laws of North Dakota for the year 1919 and that such Appropriation be Made from the State Highway Fund.

Was read the first and second time and referred to the Committee on Appropriations.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, N. D.
February 20, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 8.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 325. A Bill for an Act to Amend and Re-enact Sections 551, 552 and 557 of the Compiled Laws of North Dakota for 1913, Governing the Practice of Certified Public Accountants in the state, and Providing a Penalty for Violation of the Laws Governing Accountancy.

Also,

Senate Bill No. 339. A Joint Resolution for an Amendment to the Constitution of the State of North Dakota, Providing for the Issue of Bonds for the Erection of Dormitories for the State's Educational Institutions.

Also,

Senate Bill No. 337. A Bill for an Act Providing for a Bounty for the Destruction of Magpies and Crows.

and find the same correctly re-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

The following bills were messaged to the House.

Senate Bills Nos. 374, 277, 232, 236, 289, 371, 183, 386, 342, 300, 283, 253, 146, 255, 346, 108, 357, 82, 157, 88, 284, 379, 286, 339, 325, 337.

Senator _____ moved to recess until 7:30 o'clock P. M.

Which motion prevailed.

AFTER RECESS.

Senator Lynch moved to amend Senate Bill 372 as follows:

Section 11, line 26, after the word "license" insert "under said certificate."

Which motion prevailed.

Senator Lynch moved that the rules be suspended and that Senate Bill 372 be considered re-engrossed and placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 372. A Bill for an Act Providing for the Inspection of Hotels and Restaurants; Prescribing Sanitary Requirements Therefor; Providing for Licensing, Payment and Disposition of License Fees; Providing for the Revocation of Licenses; Defining the Duties of the State Food Commissioner and Chemist with Regard to the Act; Providing for Penalties for Violation Thereof and Repealing Existing Laws Relating 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 ayes 37, nays none, absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Tofsrud
Baird	Hamilton	Nathan	Van Camp
Baker	Kador	Olson, Barnes	Ward
Penson	Kelsh	Page	Wenstrom
Bond	Kretschmar	Patten	Whitman
Carey	Lynch	Ployhar	Whitmer
Eastgate	McCoy	Sperry	Wog
Ettestad	McLachlin	Steel	
Flechten	Martin	Stevens	
Garberg	Miklethun	Thorson	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Ingerson	Olson, Eddy-	Peterson
Byrne	Levang	Foster	Porter
Gross	Magnuson	Peck	Rusch
			Storstad

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 272. A Bill for an Act Relating to the Method of Levying Tax for the Care of Patients at the Hospital for the Insane, Institution for the Feeble Minded and the State Tuberculosis Sanatorium; Providing the Method of Settlement Between County and State; Providing a Penalty for Failure to Pay; Providing a Method of Settling Disputed Claims and Repealing Sections 2572 and 2573, Compiled Laws of 1913 and All Acts or Parts of Acts in Conflict Therewith.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 38, nays none, absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Miklethun	Stevens
Baird	Gross	Murphy	Thorson
Baker	Hamilton	Nathan	Tofsrud
Benson	Kaldor	Olson, Barnes	Van Camp
Bond	Keish	Page	Ward
Carey	Kretschmar	Patten	Wenstrom
Eastgate	Levang	Peck	Whitmer
Ettestad	Lynch	Ployhar	Wog
Fleekten	McCoy	Sperry	
Garberg	Martin	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	McLachlin	Peterson	Storstad
Byrne	Magnuson	Porter	Whitman
Ingerson	Olson, Eddy-Foster	Rusch	

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

SENATE ROLL CALL

Senate Bill No. 389. A Bill for an Act Regulating the Reservation of Mineral Rights and Providing for the Transfer of Same.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 42, nays 1, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Martin	Sperry
Baird	Hamilton	Miklethun	Steel
Baker	Ingerson	Murphy	Stevens
Benson	Kaldor	Nathan	Thorson
Bond	Keish	Olson, Barnes	Tofsrud
Carey	Kretschmar	Olson, Eddy	Van Camp
Eastgate	Levang	Foster	Ward
Ettestad	Lynch	Page	Wenstrom
Fleekten	McCoy	Peck	Whitmer
Garberg	McLachlin	Ployhar	Wog
Gardiner	Magnuson	Rusch	

Those voting in the negative were:

Messrs.
Patten

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Peterson	Storstad	Whitman
Byrne	Porter		

So the bill passed and the title was agreed to.

Senator Baker moved that further consideration of Senate Bill 44 be indefinitely postponed.

A roll call was demanded.

SENATE ROLL CALL

The question being on the motion to indefinitely postpone further action on Senate Bill No. 44, the roll was called and there were ayes 20, nays 26, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Ingerson	Olson, Eddy-	Wenstrom
Benson	Levang	Foster	Whitmer
Ettestad	Magnuson	Patten	Wog
Fleckten	Martin	Rusch	
Garberg	Miklethun	Stevens	
Gross	Nathan	Ward	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Barnes	Storstad
Baird	Kelsh	Page	Thorson
Bond	Kretschmar	Peck	Tofsrud
Carey	Lynch	Ployhar	Van Camp
Eastgate	McCoy	Porter	Whitman
Gardiner	McLachlin	Sperry	
Hamilton	Murphy	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Byrne	Peterson

So the motion to postpone was lost.

Senator Baker moved to amend Senate Bill No. 44 as follows:

In Section 1, line 4, strike out "part" and insert in lieu thereof "congressional district."

Which motion lost.

Senator Baker moved to amend Senate Bill 44 as follows:

In Section 2, line 3, of the printed bill strike out "two" and insert "one."

Line 4, strike out "four" and insert "two."

Line 4, strike out "six" and insert "three."

Line 6, strike out "six" and insert "three."

Section 4, line 4, strike out "two."

Line 5, strike out "two" and insert "one;" strike out "years" and insert "year."

A Roll Call was demanded.

The question being on the motion to amend the roll was called and there were ayes 23, nays 24, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Martin	Patten
Benson	Hamilton	Miklethun	Peck
Byrne	Ingerson	Nathan	Ward
Eftestad	Levang	Olson, Barnes	Wenstrom
Fleckten	Lynch	Olson, Eady	Whitmer
Garberg	Magnuson	Foster	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Page	Stevens
Baird	Kelsh	Ployhar	Storstad
Bond	Kretschmar	Porter	Thorson
Carey	McCoy	Ruseh	Tofsrud
Eastgate	McLachlin	Sperry	Van Camp
Gardiner	Murphy	Steel	Whitman

Absent and not voting:

Messrs.	Messrs.
Babcock	Peterson

So the motion was lost.

Senator Baird moved to amend Senate Bill 44 as follows:

Strike out Section 15, and insert in lieu thereof "all acts and parts of acts in conflict herewith are hereby repealed."

Which motion prevailed.

Senator Fleckten moved to amend Senate Bill 44 as follows:

Strike out Section 13.

Which motion lost.

Senator Kelsh moved that further action on Senate Bill 44 be deferred until the chairman of the Highway Commission is present.

Which motion prevailed.

Senator Miklethun moved to amend Senate Bill No. 73 as follows:

In Section 1 of the printed bill, in line 8, after the word "highway" insert the following:

"Provided, however, that the Board of Township

Supervisors in every organized township and the Board of County Commissioners in all unorganized townships, may in their discretion determine at their respective regular meetings in June and July that one such cutting or destruction in any one year shall be sufficient and in that event such Board shall fix the time when such weeds or grasses shall be cut or destroyed."

Senator Nathan moved that further consideration of Senate Bill No. 73 be indefinitely postponed.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 330. A Bill for an Act to Authorize County Commissioners to Lay Out and Construct or Contract for the Construction of Highways on State Lines. Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Nathan	Stevens
Baird	Kaldor	Olson, Barnes	Storstad
Baker	Kelsh	Olson, Eddy	Thorson
Benson	Kretschmar	Foster	Tofsrud
Bond	Levang	Page	Van Camp
Carey	Lynch	Patten	Ward
Eastgate	McCoy	Peck	Wenstrom
Ettestad	McLachlin	Ployhar	Whitman
Fleckten	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardner	Miklethun	Sperry	
Gross	Murphy	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Byrne	Hamilton	Peterson

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 392. A Bill for an Act to Provide a Custodian for the Property Belonging to the State of North Dakota Known as the Biological Station and Located on the Shores of Devils Lake, Ramsey County, North Dakota, and to Designate the Purposes for Which Said Property May be Used.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays 2, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy	Thorson
Benson	Kelsh	Foster	Tofsrud

Messrs.	Messrs.	Messrs.	Messrs.
Bond	Kretschmar	Page	Van Camp
Byrne	Levang	Patten	Ward
Carey	Lynch	Peck	Wenstrom
Eastgate	McCoy	Ployhar	Whitman
Ettestad	McLachlin	Porter	Whitmer
Garberg	Magnuson	Rusch	Wog
Gardiner	Martin	Sperry	
Gross	Miklethun	Steel	

Those voting in the negative were:

Messrs.	Messrs.
Fleckten	Nathan

Absent and not voting:

Messrs.	Messrs.
Babcock	Peterson

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Senator Kelsh moved that further action on Senate Bill No. 390 be indefinitely postponed.

Which motion lost.

SENATE ROLL CALL

Senate Bill No. 390. A Bill for an Act Prohibiting the Employment of a Married Woman in any Public Office in the State of North Dakota, Whose Husband is Able-bodied and Able to Earn a Living Wage, 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 ayes 25, nays 22, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Levang	Olson, Eddy	Stevens
Eastgate	McCoy	Foster	Van Camp
Fleckten	McLachlin	Page	Whitman
Garberg	Magnuson	Patten	Whitmer
Gross	Martin	Peck	Wog
Hamilton	Miklethun	Rusch	
Ingerson	Nathan	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ettestad	Murphy	Thorson
Baird	Gardiner	Olson, Barnes	Tofsrud
Benson	Kaldor	Ployhar	Ward
Bond	Kelsh	Porter	Wenstrom
Byrne	Kretschmar	Steel	
Carey	Lynch	Storstad	

Absent and not voting:

Messrs.	Messrs.
Babcock	Peterson

So the bill passed and the title was agreed to.

Senator Garberg 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.

Senator Garberg moved the clincher motion on Senate Bill 390.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 332. A bill for an Act to Repeal Sections 685, 686, 687, 688, 689, 690, 691, 692, 693, 694 and 695 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 199 of the Session Laws of 1915, Chapter 176 of the Session Laws of 1917, and Chapter 184 of the Session Laws of 1919, Relating to the Removal of Officials by the Governor.

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 10, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Nathan	Steel
Baird	Gross	Olson, Barnes	Storstad
Baker	Hamilton	Olson, Eddy-	Thorson
Benson	Ingerson	Foster	Van Camp
Casey	Levang	Page	Ward
Eastgate	McCoy	Patten	Wenstrom
Ettestad	McLachlin	Ployhar	Whitman
Fleckten	Magnuson	Rusch	Whitmer
Garberg	Miklethun	Sperry	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Bond	Kretschmar	Murphy	Tofsrud
Kaldor	Lynch	Peck	
Kelsh	Martin	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Byrne	Peterson	Porter

So the bill passed and the title was agreed to.

Senator Van Camp moved that Senate Bill 349 be placed at the foot of the Calendar.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 329. A Bill for an Act to Amend and Re-enact Section 33 of Chapter 225 of the Session Laws of 1919, Relating to Rehearings of the Determination of Inheritance Taxes, and Providing that No Report Need Be Made to the Tax Commissioner in Case of Insolvent Estates.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays none, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Baird	Ingerson	Nathan	Stevens
Baker	Kaldor	Olson, Barnes	Storstad
Benson	Kelsh	Olson, Eddy-	Thorson
Bond	Kretschmar	Foster	Tofsrud
Byrne	Levang	Page	Van Camp
Carey	Lynch	Patten	Ward
Eastgate	McCoy	Peck	Wenstrom
Ettestad	McLachlin	Ployhar	Whitman
Fleckten	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

Absent and not voting

Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Peterson

So the bill passed and the title was agreed to.

Senator Gross moved to amend Senate Bill 257 as follows:

Section 1, line 2 of the engrossed bill, change "two (2)" to "one and a half (1½);"

In line 5, change "two" to "one;"

In line 15, after "primary" insert "or general."

On page 2, wherever "(two)" occurs change to "one" (1)."

Senator Thorson moved that Senate Bill 257 be placed at the foot of the Calendar.

Which motion prevailed.

Senator Kelsh moved that Senate Bill 44 be now placed on the calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL.

Senate Bill No. 44. A Bill for an Act to Establish a State Highway Commission, Prescribing its Powers and Duties, Fixing the Salaries of the Commission and the Employees Thereof, Authorizing the Engagement of Employees and Repealing All Acts and All Parts of Acts in Conflict Herewith.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 30, nays 18, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Page	Thorson
Baird	Kelsh	Peck	Tofsrud
Bond	Kretschmar	Peterson	Van Camp
Byrne	Lynch	Ployhar	Ward
Carey	McCoy	Porter	Wenstrom
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Hamilton	Olson, Barnes	Storstad	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Rusch
Benson	Ingerson	Nathan	Stevens
Ettestad	Levang	Olson, Eddy-	Whitmer
Fleckten	Magnuson	Foster	Wog
Garberg	Martin	Patten	

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to.

SENATE ROLL CALL

The question being on the final passage of the emergency clause of Senate Bill No. 44, the roll was called and there were ayes 31, nays 17, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Barnes	Steel
Baird	Kelsh	Olson, Eddy-	Storstad
Bond	Kretschmar	Foster	Thorson
Carey	Lynch	Page	Tofsrud
Eastgate	McCoy	Peterson	Van Camp
Garberg	McLachlin	Ployhar	Ward
Gardiner	Magnuson	Porter	Wenstrom
Hamilton	Murphy	Sperry	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Nathan	Whitmer
Benson	Ingerson	Patten	Wog
Byrne	Levang	Peck	
Ettestad	Martin	Rusch	
Fleckten	Miklethun	Stevens	

Absent and not voting:

Messrs.
Babcock

So the emergency clause was lost.

Senator Kelsh moved the clincher on Senate Bill No. 44.

Which motion prevailed.

SENATE ROLL CALL.

Senate Bill No. 364. A Joint Resolution Proposing an Amendment to the Constitution 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 ayes 30, nays 18, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peck	Van Camp
Baird	Kretschmar	Peterson	Ward
Baker	Lynch	Ployhar	Wenstrom
Bond	McCoy	Sperry	Whitman
Byrne	Magnuson	Rusch	
Carey	Murphy	Steel	
Garberg	Olson, Eddy-	Storstad	
Gardiner	Foster	Thorson	
Hamilton	Page	Tofsrud	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Ingerson	Miklethun	Stevens
Eastgate	Kaldor	Nathan	Whitmer
Ettestad	Levang	Olson, Barnes	Wog
Fleckten	McLachlin	Patten	
Gross	Martin	Sperry	

Absent and not voting.

Messrs.
Babcock

So the bill passed and the title was agreed to.

Senator Ward: Inasmuch as this puts it up to the people, I vote "Aye."

SENATE ROLL CALL.

Senate Bill No. 238. A Bill for an Act to Repeal the Initiated Measure Enacted by the People of the State of North Dakota in the General Election on November 2, 1920, Relating to Real Estate Mortgage Loans by the Bank of North Dakota to Actual Farmers Who are Residents 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 ayes 27, nays 21, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Miklethun	Ployhar
Benson	Ingerson	Nathan	Van Camp
Byrne	Levang	Olson, Barnes	Ward
Ettestad	Lynch	Olson, Eddy	Wenstrom
Fleckten	McLachlin	Foster	Whitman
Garberg	Magnuson	Patten	Whitmer
Gross	Martin	Peck	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Peterson	Storstad
Baird	Kelsh	Porter	Thorson
Bond	Kretschmar	Rusch	Tofsrud
Carey	McCoy	Sperry	
Eastgate	Murphy	Steel	
Gardiner	Page	Stevens	

Absent and not voting:

Messrs.

Babcock

So the bill failed to secure a Constitutional majority and therefore failed to pass.

Senator Hamilton moved that the vote by which Senate Bill No. 238 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Nathan: I want to explain my vote. I would like to see this bill pass for the simple reason it is not fair. In Goodrich there were two made and in McClusky two loans made through the Bank of North Dakota to a banker and in the next town one loan was made to a merchant, where our poor farmers used to live on the farm twenty years were refused because they claim they were not actual farmers.

SENATE ROLL CALL

Senate Bill No. 225. A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, 4, 6, 7, 9, 11 and 17 of the North Dakota Grain Grading Act Adopted at the General Election Held November 7th, 1922, Declaring the Purpose of the State of North Dakota to Supervise and Regulate the Marketing of Farm Products; Preventing Unjust Discrimination, Fraud and Extortion in the Marketing of Same; Establishing a System of Grading, Weighing and Measuring Farm Products; Defining the Scope and Manner of Such Supervision and the Powers and Duties of the Persons Charged with Same; Providing for Licensing Buyers, Solicitors, and Warehouses Handling Such Farm Products; 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 ayes 26, nays 21, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Nathan	Ward
Benson	Hamilton	Olson, Barnes	Wenstrom
Byrne	Ingerson	Olson, Eddy	Whitmer
Ettestad	Levang	Foster	Wog
Fleckten	Magnuson	Patten	
Garberg	Miklethun	Peck	

Absent and not voting:

Messrs.

Babcock

Messrs.

Martin

So the bill was declared lost not having received the required Constitutional majority.

Senator McLachlin moved that the vote by which Senate Bill No. 225 lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 387. A Bill for an Act Designating the Sheriff of the Different Counties in the State as Inspectors and Sealers of Weights and Measures, and Giving Him Power to Appoint a Deputy Inspector; Prescribing His Powers and Duties; Defining the Standard of Weights and Measures; Prescribing Fees to be Charged for Inspection; Providing for Complaints and Penalties for its Violation; Providing for Inspectors' Compensation; Naming Custodian of State Standards and Prescribing His Duties; and Repealing Sections 2999, 3000, 3003, 3004, 3005 of the Compiled Laws of North Dakota for 1913, and Chapter 241 of the Session Laws of North Dakota for the Year 1919.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 26, nays 21, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Nathan	Ward
Benson	Hamilton	Olson, Barnes	Wenstrom
Eyrne	Ingerson	Olson, Eddy-	Whitmer
Ettestad	Levang	Foster	Wog
Fleckten	Magnuson	Patten	
Garberg	Miklethun	Peck	

Absent and not voting:

Messrs.	Messrs.
Babeock	Martin

So the bill passed and the title was agreed to and the emergency clause was declared lost.

SENATE ROLL CALL

Senate Bill No. 46. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Providing for the Establishment of a State Highway Commission, for the Establishment of a System of State Highways and for the Establishment of a State Highway Fund.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 28, nays 19, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	McLachlin	Sperry
Baird	Gardiner	Magnuson	Thorson
Baker	Kaldor	Murphy	Tofsrud
Bond	Kelsh	Page	Van Camp
Byrne	Kretschmar	Peterson	Ward
Carey	Lynch	Ployhar	Wenstrom
Eastgate	McCoy	Porter	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Ingerson	Olson, Eddy-	Steel
Ettestad	Levang	Foster	Stevens
Fleckten	Miklethun	Patten	Storstad
Gross	Nathan	Peck	Whitmer
Hamilton	Olson-Barnes	Rusch	Wog

Absent and not voting:

Messrs.	Messrs.
Babcock	Martin

So the bill passed and the title was agreed to.

Senator Gross: I want to vote "No" on this. If I understand this, it is going to turn the Motor Vehicle Fund over to the Highway Commission for state roads when the people who pay that are mostly farmers who don't use the state highways.

SENATE ROLL CALL

Senate Bill No. 113. A Bill for an Act to appropriate the Sum of \$54,000.00 for the Purpose of Aiding in the Construction of a Bridge Across the Missouri River From Burleigh County to Morton County in the State of North Dakota Under the Provision of Chapter 73 of the Laws Passed at the Sixteenth Session of the Legislative Assembly of North Dakota, Approved March 5, 1919, in Addition to the Sums Appropriated by Chapter 4 of the Special Session of the Sixteenth Legislative Assembly, Approved December 12, 1919, and Chapter 6 of the Laws Passed at the Seventeenth Session of the Legislative Assembly of the State of North Dakota Approved March 9, 1921, and That Such Appropriation Be Made From the State Highway Fund.

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 12, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Olson, Barnes	Steel
Baird	Ingerson	Olson, Eddy	Stevens
Baker	Kelsh	Foster	Storstad
Bond	Kretschmar	Page	Thorson
Byrne	Levang	Peterson	Van Camp
Carey	Lynch	Ployhar	Ward
Eastgate	McCoy	Porter	Wenstrom
Garberg	McLachlin	Rusch	Whitman
Gardiner	Murphy	Sperry	Whitmer

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Hamilton	Miklethun	Peck
Ettestad	Kaldor	Nathan	Tofsrud
Fleckten	Magnuson	Patten	Wog

Absent and not voting:

Messrs.	Messrs.
Babcock	Martin

So the bill passed and the title was agreed to.

Also,

Senate Bill No. 395. A Bill for an Act to Amend and Re-enact Section 3969 of the Compiled Laws of North Dakota. No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 388. A Bill for an Act Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations whose Period of Duration has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations, and Providing that this Act Shall Take Effect Immediately Upon Its Passage and Approval.

Also,

Senate Bill No. 369. A Bill for an Act to Eliminate Railroad Grade Crossings and Other Dangerous Places on State and County Highways.

Also,

Senate Bill No. 156. A Bill for an Act to Repeal Chapter 31 of the Special Session Laws of 1919 Relating to the Purchase of Dairy Cattle by Counties.

Also,

Senate Bill No. 260. A Bill for an Act Providing for the Conduct of the Business of Warehouses and Providing Penalties for its Violation.

Also,

Senate Bill No. 45. A Bill for an Act to Amend and Re-enact Sections 6, 11, 12, 16 and 17 of Chapter 44 of the Special Session Laws of North Dakota, for the Year 1919, Relating to the Registration and Licensing of Motor Vehicles, the Creation of a State Highway Fund, the Distribution of Such Fund, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Dakota for the Year 1913, as Amended by Section 79 of the Session Laws of North Dakota for the Year 1919, and of Chapter 32 of the Session Laws of North Dakota for the Year 1921, Relating to Excluding Farm Lands from the Limits of City, Town and Villages.

Also,

Senate Bill No. 396. A Bill for an Act to Amend and Re-enact Section 10943 and 10944 of the Compiled Laws of North Dakota for the Year 1913, and Section 10948 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 233 of the Session Laws of North Dakota for the Year 1915, Relating to Indetermined Sentences of Persons Convicted of Certain Crimes, and the Discharge or Paroling of Prisoners Serving Indeterminate Sentences, Abolishing the Board of Experts, and Repealing all Acts in Conflict Therewith.

Also,

Senate Bill No. 397. A Bill for an Act to Amend and Re-enact Sections 11291, 11292, 11293 and 11294 of the Compiled Laws of North Dakota for 1913, Relating to Paroling Inmates of the State Training School.

Also,

Senate Bill No. 394. A Bill for an Act Relating to the Licensing, Regulating, Supervising and Inspection of Pool and Billiard Rooms, Ball and Pin Alleys, Dance Halls, Theatres, Moving Picture Shows, Taxi Cab or Auto Livery,, Places Where Soft Drinks Are Sold or Where Cigars and Tobacco Are Sold, or Public Halls Privately and Used for Public Purposes, Providing the Licensing Fees Therefor and Repealing Chapter 84 of the Session Laws of 1921 and All Acts and Parts of Acts Inconsistent Herewith.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Ployhar moved that Senate Bill No. 394 be placed on its third reading and final passage.

Which motion prevailed.

Senator Whitmer moved that further action on Senate Bill No. 394 be indefinitely postponed.

Senator Ployhar asked for a Call of the House.

Senator Ployhar moved that the call of the Senate be dispensed with.

Which motion prevailed.

A Roll Call was demanded.

SENATE ROLL CALL

The question being on the motion to indefinitely postpone further action on Senate Bill No. 394, the roll was called and there were ayes 18, nays 29, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Olson, Barnes	Ward
Benson	Hamilton	Olson, Eddy-	Wenstrom
Byrne	Magnuson	Foster	Whitmer
Fleckten	Miklethun	Patten	Wog
Garberg	Nathan	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Murphy	Steel
Baird	Kelsh	Page	Stevens
Bond	Kretschmar	Peterson	Storstad
Carey	Levang	Ployhar	Thorson
Eastgate	Lynch	Porter	Tofsrud
Ettestad	McCoy	Rusch	Van Camp
Gardiner	McLachlin	Sperry	Whitman
Ingerson			

Absent and not voting:

Messrs.	Messrs.
Babcock	Martin

So the motion was lost.

SENATE ROLL CALL

Senate Bill No. 394. A Bill for an Act Relating to the Licensing, Regulating, Supervising and Inspection of Pool and Billiard Rooms, Ball and Pin Alleys, Dance Halls, Theatres, Moving Picture Shows, Taxi Cab, or Auto Livery Places, Where Soft Drinks Are Sold, or Where Cigars and Tobacco Are Sold, or Public Halls Owned Privately and Used for Public Purposes, Providing the Licensing Fees Therefor and Repealing Chapter 84 of the Session Laws of 1921, and all Acts and Parts of Acts Inconsistent Herewith.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 29, nays 18, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Page	Storstad
Baird	Kelsh	Peterson	Thorson
Bond	Kretschmar	Ployhar	Tofsrud
Carey	Levang	Porter	Van Camp
Eastgate	Lynch	Rusch	Whitman
Ettestad	McCoy	Sperry	
Gardiner	McLachlin	Steel	
Ingerson	Murphy	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Olson, Barnes	Ward
Benson	Hamilton	Olson, Eddy-	Wenstrom
Byrne	Magnuson	Foster	Whitmer
Fleckten	Miklethun	Patten	Wog
Garberg	Nathan	Peck	

Absent and not voting:

Messrs.	Messrs.
Babcock	Martin

So the bill passed and the title was agreed to.

Senator Ployhar moved that the vote by which Senate Bill No. 394 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Baker: I vote "No" on this bill because I believe that the influence of those that get the revenue from this class of licensed institutions are apt to be more lax in the enforcement of the law than if we leave it under the state.

Senator Nathan: I would like to explain my vote. Two years ago when we tried to pass a measure in this chamber the gentleman from Ramsey was sitting over on the other side and said we had to get rid of the majority of Nonpartisans in the Senate, then we can do away with those moral laws. I admit the gentleman was right that time and I see they are doing away with those laws now. I vote "no."

Senator Storstad moved that Senate Bill No. 156 be placed at the head of the Calendar for third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 388. A Bill for an Act Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations whose Period of Duration has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations, and Providing that this Act Shall Take Effect Immediately Upon Its Passage and Approval.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays none, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Baird	Hamilton	Nathan	Stevens
Baker	Ingerson	Olson, Barnes	Storstad
Benson	Kaldor	Olson, Eddy-	Thorson
Bond	Kelsh	Foster	Tofsrud
Byrne	Kretschmar	Page	Van Camp
Carey	Levang	Peck	Ward
Eastgate	Lynch	Peterson	Wenstrom
Ettestad	McCoy	Ployhar	Whitman
Fleckten	McLachlin	Porter	Whitmer
Garberg	Magnuson	Rusch	Wog
Gardiner	Mikiethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babeock	Martin	Patten

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 397. A Bill for an Act to Amend and Re-enact Sections 11291, 11292, 11293 and 11294 of the Compiled Laws of North Dakota for 1913, Relating to Paroling Inmates of the State Training School.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays none, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Sperry
Baird	Hamilton	Nathan	Steel
Baker	Ingerson	Olson, Barnes	Stevens
Benson	Kador	Olson, Eddy-	Storstad
Bond	Kretschmar	Foster	Thorson
Byrne	Kelsh	Page	Tofsrud
Carey	Levang	Patten	Van Camp
Eastgate	Lynch	Peck	Ward
Ettestad	McCoy	Peterson	Wenstrom
Fleckten	McLachlin	Ployhar	Whitman
Garberg	Magnuson	Porter	Wog
Gardiner		Rusch	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babeock	Martin	Whittner

So the bill passed and the title was agreed to.

No separate roll call having been demanded, on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Senator Whitman moved to place Senate Bill No. 396 at the foot of the Calendar.

Which motion prevailed.

The courtesies of the floor were extended to Hon. Thorwald Mostad, Mrs. Thorwald Mostad, Maj. E. S. Persons, Mrs. Percy Robbins of Minot, G. A. M. Anderson of Bismarck, Hon. W. H. Allen of Braddock; J. B. Brown of Dickinson, John Anderson, J. J. Moe of Valley City; Gottlieb Geisner, John Hoag of Fredonia.

Senator Ployhar moved that the Senate recess until 10:30 A. M., February 21, 1923.

Which motion prevailed.

FIFTIETH DAY AFTER RECESS AND THE FIFTY-
FIRST DAY.

Senate Chamber,
Bismarck, North Dakota,
February 21st, 1923

The Senate reassembled at 10:30 A. M., pursuant to recess taken, the President Frank H. Hyland, presiding.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 366. A Bill for an Act Relating to Intra-state Freight Rates in North Dakota, Fixing the Maximum Rates and Charges for Transportation of Freight Intra-state, Providing Penalties and Punishment for the Violation Thereof, and Defining the Duties and Powers of the Board of Railroad Commissioners.

And find the same correctly re-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 366. A Bill for an Act Relating to Intra-state Freight Rates in North Dakota, Fixing the Maximum Rates and Charges for Transportation of Freight Intra-state, Providing Penalties and Punishment for the Violation Thereof, and Defining the Duties and Powers of the Board of Railroad Commissioners.

And find the same correctly re-engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Van Camp asked unanimous consent to withdraw Senate Bill 345. There being no objections, Senate Bill No. 345 was withdrawn.

Senator Storstad moved to amend Senate Bill 261 as follows:

Section 7 of the engrossed bill, eighth line from the bottom of page 4, strike out "and one of the members as Secretary,"

7th line from bottom of page 4 strike out word "each."

Which motion prevailed.

Senator Storstad moved to further amend Senate Bill 261 as follows:

Section 8, of the engrossed bill, fourth line from the bottom of page 6, insert after "or" insert "the."

Which motion prevailed.

Senator Murphy moved a Call of the Senate.

Which motion prevailed.

Senator Murphy moved the call of the Senate be dispensed with.

Which motion prevailed.

Senator Baird moved that Senator Babcock be excused from the call of the Senate.

Which motion prevailed.

Senator Sperry moved the previous question on Senate Bill 261.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 261. A Bill for an Act Re-establishing the North Dakota Mill and Elevator Association, Defining its Powers and Duties, and Providing for the Control, Management and Operation of State Owned Grain Warehouses, Elevators and Flour Mills and the Conduct of all Business Relating Thereto, Especially as Relates to the State Owned Mill and Elevator at Grand Forks and Providing for the Appointment of a Board of Managers Thereof and Repealing Chapter 152 Laws of North Dakota 1919. Entitled "An Act Declaring the Purpose of the State of North Dakota to Engage in the Business of Manufacturing and Marketing of Farm Products, and for Establishing a Warehouse, Elevator and Flour Mill System Under the Name of North Dakota Mill and Elevator Association Operated by the State, and Defining the Scope and Manner of its Operation, and the Powers and Duties of the Persons Charged with its Management; and Making an Appropriation Therefor."

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 26, nays 22, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.		
Atkins	Kelsh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Those voting in the negative were:

Messrs.	Messrs.		
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Ettestad	Levang	Olson, Eddy-	Whitmer
Fleckten	Magnuson	Foster	Wog
Garberg	Martin	Patten	

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to and the emergency clause was declared lost.

Senator Hamilton: I vote "no" on this proposition for the reason that this is a bill that takes away the power from the Industrial Commission and given to a new board and the Industrial Commission was created and passed on by the people.

Senator Ingerson. Chapter 151, Session Laws of 1919, authorizes the Industrial Commission to operate and control the state owned industries, including the Mill and Elevator Association.

It grants them authority without binding them with red-tape. It places upon them the responsibility necessary to make them a success. I believe this responsibility should be placed upon elected officials and they should not be allowed to shift it by appointing the Board of managers this bill would create. For these reasons I vote "no."

Senator Ward: I vote "no" for the reason that I see no advantage that they have not already in the old law, and some disadvantages.

In announcing the result of the vote on Senate Bill No. 261, the President read the following communication from the Attorney General:

February 21, 1923.

Hon. Frank H. Hyland,
Lieutenant Governor,
Bismarck, North Dakota.

Dear Sir: '

I have your request for an opinion upon the question as to whether a two-thirds vote is required under the constitution to adopt Senate Bill No. 261, being a bill for an act re-establishing the North Dakota Mill and Elevator Association, defining its powers and duties, etc. The act in question appears from its terms to be a law re-creating the North Dakota Mill and Elevator Association and repealing Chapter 152, Laws of North Dakota for 1919.

Under the constitution of North Dakota, Article 26 of the Amendments thereof, is found this provision: "No measure enacted or approved by a vote of the electors shall be repealed or amended by the Legislature, except upon an aye and nay vote upon roll call of two-thirds of all the members elected to each house."

My understanding is that Chapter 152 of the Laws of North Dakota for 1919, being the act establishing the North Dakota Mill and Elevator Association, was neither enacted by the electors nor approved by them upon referendum. Accordingly said Chapter or any part thereof may constitutionally be repealed or amended without the approval of a two-thirds majority of the Legislature.

Senate Bill No. 261, by its terms vests certain duties and powers in the Industrial Commission, being Chapter 151 of the Laws of North Dakota for 1919. Such act, however, does not by its terms purport to amend or repeal the Industrial Commission law or any part thereof, nor does it expressly or implicitly change its power and control over the North Dakota Mill and Elevator Association. Therefore, it is my opinion that there is no conflict between Senate Bill No. 261 and Chapter 151 of the Laws of North Dakota for 1919, and that there is no valid constitutional objection to the passage of Senate Bill No. 261 by a constitutional majority of the Legislature.

Very truly yours,

GEO. F. SHAFER,
Attorney General.

SENATE ROLL CALL

Senate Bill No. 260. A Bill for an Act Providing for the Conduct of the Business of Warehousing and Providing Penalties for its Violation.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 39, nays 8, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Stevens
Baird	Gross	Nathan	Storstad
Baker	Hamilton	Olson, Eddy-	Thorson
Benson	Ingerson	Foster	Tofsrud
Bond	Kaldor	Page	Van Camp
Byrne	Levang	Patten	Ward
Carey	Lynch	Peck	Wenstrom
Ettestad	Magnuson	Ployhar	Whitman
Fleckten	Martin	Porter	Whitmer
Garberg	Mikiethun	Rusch	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Eastgate	McCoy	Olson, Barnes	Sperry
Kelsh	McLachlin	Peterson	Steer

Absent and not voting

Messrs.	Messrs.
Babcock	Kretschmar

So the bill passed and the title was agreed to.

Senator Murphy moved to amend Senate Bill No. 395 by inserting after the word "into" on line 46 of the printed bill the following:

"Provided further that in cities having a population of three thousand and over according to the last federal census the findings of fact and conclusions of the City Council or the City Commission shall be conclusive upon the courts."

Which motion prevailed.

Senator Murphy moved that the rules be suspended and that Senate Bill 395 be considered re-engrossed and placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 395. A Bill for an Act to Amend and Re-enact Section 3969 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Section 79 of the Session Laws of North Dakota for the Year 1919, and Chapter 32 of the Session Laws of North Dakota for the Year 1921, Relating to Excluding Farm Lands from the Limits of City, Town and Villages.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 45, nays 3, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Sperry
Baird	Hamilton	Nathan	Steel
Baker	Ingerson	Olson-Barnes	Stevens
Benson	Kaldor	Olson, Eddy-	Thorson
Bond	Kelsh	Foster	Tofsrud
Byrne	Kretschmar	Page	Ward
Carey	Levang	Patten	Wenstrom
Eastgate	Lynch	Peck	Whitman
Ettestad	McCoy	Peterson	Whitmer
Fleckten	McLachlin	Ployhar	Wog
Garberg	Magnuson	Porter	
Gardiner	Martin	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Murphy	Storstad	Van Camp

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to.

Senator Garberg moved that the vote by which Senate Bill No. 395 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 396. A Bill for an Act to Amend and Re-enact Sections 10943 and 10944 of the Compiled Laws of North Dakota for the Year 1913, and Section 10948 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 233 of the Session Laws of North Dakota for the Year 1915, Relating to Indetermined Sentences of Persons Convicted of Certain Crimes, and the Discharge or Paroling of Prisoners Serving Indeterminate Sentences, Abolishing the Board of Experts, and Repealing all Acts in Conflict Therewith.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 47, nays 0, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Rusch
Baird	Hamilton	Murphy	Sperry
Baker	Ingerson	Nathan	Steel
Benson	Kaldor	Olson-Barnes	Storstad
Bond	Kelsh	Olson, Eddy	Thorson
Byrne	Kretschmar	Foster	Tofsrud
Carey	Levang	Page	Van Camp
Eastgate	Lynch	Patten	Ward
Ettestad	McCoy	Peck	Wenstrom
Fleckten	McLachlin	Peterson	Whitman
Garberg	Magnuson	Ployhar	Whitmer
Gardiner	Martin	Porter	Wog

Absent and not voting:

Messrs.	Messrs.
Babcock	Stevens

So the bill passed and the title was agreed to.

Senator Whitman moved that further consideration of Senate Bill No. 45 be indefinitely postponed.

Which motion prevailed.

Senator Garberg moved that the vote by which Senate Bill No. 45 was indefinitely postponed be re-considered.

Which motion prevailed.

Senator Peterson offered the following amendment to Senate Bill No. 45:

After line 16 in Section 4 on page 6 of the printed bill, add the following:

“Provided, however, during the years 1923 and 1924 no new construction work shall be entered upon or contracted for, except to the extent of carrying out any contracts in existence February 1st, 1923, but all contracts then pending shall be carried out. Nothing herein contained shall be construed as a rejection of the federal aid offered or tendered by the federal government as an inducement to states to build roads, but it shall be construed only as a declaration of inability on the part of the state to accept the benefits of such aid by actual construction of other roads than those contracted for before February 1st, 1923, during the years 1923 and 1924.”

Which motion prevailed.

Senator Rusch moved to amend Senate Bill 45 as follows:

Section 11, subdivision (1) page 3, of the printed bill, strike out \$250,000” and insert in lieu thereof “\$100,000”

Which motion lost.

Senator McLachlin moved to amend Senate Bill 45 as follows: Section 11, Line 12, page 3, of the printed bill, strike out “not to exceed two hundred fifty thousand dollars (\$250,000)” and insert in lieu thereof “a sum equal to fifty per cent of the total license fees collected shall be returned to the counties wherein it originated.”

Which motion lost.

Senator Ward moved that the rules be suspended; that Senate Bill 45 be considered re-engrossed and placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 45. A Bill for an Act to Amend and Re-enact Sections 6, 11, 12, 16 and 17 of Chapter 44 of the Special Session Laws of North Dakota, for the Year 1919, Relating to the Registration and Licensing of Motor Vehicles, the Creation of a State Highway Fund, the Distribution of Such Fund, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 24, nays 24, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson-Barnes	Storstad
Carey	Kelsh	Olson, Eddy	Ward
Eastgate	Kretschmar	Foster	Wenstrom
Fleckten	McCoy	Page	Wog
Garberg	McLachlin	Peterson	
Gardtner	Magnuson	Porter	
Gross	Miklethun	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Hamilton	Nathan	Stevens
Baker	Ingerson	Patten	Thorson
Benson	Levang	Peck	Tofsrud
Bond	Lynch	Ployhar	Van Camp
Byrne	Martin	Sperry	Whitman
Ettestad	Murphy	Steel	Whitmer

Absent and not voting:

Messrs.
Babcock

So the bill passed with the President of the Senate voting "aye" on the tie, and the title was agreed to.

Senator Nathan moved to Amend Senate Bill 369 as follows:

Section 1, line 4 of the engrossed bill, after the word "State" insert "or County."

Which motion prevailed.

Senator Wenstrom moved that the rules be suspended; that Senate Bill No. 369 be considered re-engrossed and placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 369. A Bill for an Act to Eliminate Railroad Grade Crossings and Other Dangerous Places on State and County Highways.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 36, nays 12, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Kelsh	Foster	Van Camp
Benson	Kretschmar	Page	Ward
Bond	Levang	Patten	Wenstrom
Byrne	Lynch	Peck	Whitman
Ettestad	McLachlin	Peterson	Whitmer
Fleckten	Magnuson	Ployhar	Wog
Garberg	Miklethun	Porter	
Gross	Nathan	Rusch	
Hamilton	Olson, Barnes	Storstad	
Ingerson	Olson, Eddy	Thorson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Eastgate	McCoy	Steel
Baird	Gardiner	Murphy	Stevens
Carey	Kaldor	Sperry	Tofsrud

Absent and not voting:

Messrs.	Messrs.
Babcock	Martin

So the bill passed and the title was agreed to. And no separate roll call having been demanded on the emergency clause, the bill was declared passed with the emergency clause attached thereto.

Senator Nathan moved that the vote by which Senate Bill No. 369 passed, be reconsidered and the motion to reconsider be laid on the table.

Whih motion prevailed.

SENATE ROLL CALL

Senate Bill No. 156. A Bill for an Act to Repeal Chapter 31 of the Special Session Laws of 1919 Relating to the Purchase of Dairy Cattle by Counties.

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 18, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Murphy	Stevens
Baird	Kelsh	Page	Storstad
Bond	Kretschmar	Peterson	Thorson
Carey	Levang	Ployhar	Tofsrud
Eastgate	Lynch	Porter	Van Camp
Ettestad	McCoy	Rusch	Whitman
Gardiner	McLachlin	Sperry	
Gross	Martin	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Olson, Barnes	Ward
Benson	Ingerson	Olson, Eddy-	Wenstrom
Byrne	Magnuson	Foster	Whitmer
Fleckten	Miklethun	Patten	Wog
Garberg	Nathan	Peck	

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to.

Senator Eastgate 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.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred:

Senate Resolution Requiring the Workmen's Compensation Bureau to Reduce Premium Rates and Giving the Governor, State Auditor and State Treasurer Certain Powers with reference to Premiums.

Have had the same under consideration and recommend that the same be adopted.

L. R. BAIRD,

Chairman.

Snator Baird moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Gross moved to amend Senate Bill 257 as follows:

Section 1, line 2, of the engrossed bill, change "two (2)" to "one and a half (1½)"

In line 5, change "two" to "one"

In line 15, after "primary" insert "or general"

On page 2, wherever "two" occurs change to "one,"

Which motion prevailed.

Senator Gross moved that the rules be suspended that Senate Bill 257 be considered re-engrossed and placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 257. A Bill for an Act to Limit County Road and Bridge Tax Levies; Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 36, nays 12, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Gross	Miklethun	Storstad
Baker	Hamilton	Nathan	Thorson
Benson	Ingerson	Olson, Barnes	Ward
Bond	Kaldor	Olson, Eddy-	Wenstrom
Byrne	Levang	Foster	Whitman
Carey	Lynch	Page	Whitmer
Eastgate	McCoy	Patten	Wog
Ettestad	McLachlin	Peck	
Fleckten	Magnusson	Rusch	
Garberg	Martin	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Ployhar	Stevens
Gardiner	Murphy	Porter	Tofsrud
Kelsh	Peterson	Sperry	Van Camp

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to.

Senator Baird moved that the Resolution requiring the Workmen's Compensation Bureau to reduce premium rates, as reported for adoption by the Judiciary committee, be adopted.

Senator Wenstrom moved to amend the "Resolution" concerning the Workmen's Compensation Bureau, as follows:

In the last paragraph in the first line, strike out "Enacted" and insert in lieu thereof "Resolved."

Which motion lost.

SENATE ROLL CALL

Was read the third time.

The question being on the final passage of the Resolution introduced by Senator Baird, the roll was called, and there were ayes 26, nays 21, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Nathan	Ward
Benson	Ingerson	Olson, Barnes	Wenstrom
Byrne	Levang	Olson, Eddy-	Whitmer
Ettestad	Magnusson	Foster	Wog
Fleckten	Martin	Patten	
Garberg	Miklethun	Peck	

Absent and not voting:

Messrs.

Babcock

Messrs.

Gross

So the bill passed and the title was agreed to.

Senator Benson: I want to explain my vote and have it recorded in the Journal. Believing that this Resolution has been introduced in the form of a camouflage and is intended to destroy the Workmen's Compensation Bureau, and as I am not agreeable with camouflage in any way, shape or form, therefore I am against this and vote "no."

Senator Ingerson: This Resolution to reduce the rates charged by the Workmen's Compensation Bureau is entirely unreasonable and uncalled for. Rates in North Dakota are lower than in Minnesota now. The rates are being reduced by the Bureau as fast as the experience of different industries becomes known. I therefore vote "no."

Senator Hamilton. Believing that the Compensation Bureau is more favorably looked upon now by the people of this state and other states by its successful work and that the rates are reasonable, I therefore vote "no."

Senator Fleckten:

Inasmuch as we agreed in the Committee we did not have the Journals before us and we could not determine just what changes we wanted to make it was agreed that after we got the Journals that we should, if we wanted to, make any amendments, the committee would consider any amendments we wished to make—since this has been denied us, I want to vote "no."

Senator Lynch: Believing that this reduction will not hurt the Workmen's Compensation Bureau and knowing that it doesn't affect the farmers or hurt them, and believing it will help the rest of us, I vote "aye."

Senator Whitmer: Believing that this is one of the best Compensation Laws in the United States and that this Resolution is a stiletto for the same, I vote "no."

Senator Whitman moved that the rules be suspended; that the report of the committee indefinitely postponing Senate Bill 363 be re-considered.

Which motion prevailed.

Senator Storstad moved the clincher motion on Senate Bill No. 261.

Which motion prevailed.

Senator Eastgate moved the clincher motion on Senate Bill No. 156.

Which motion prevailed.

Senator Rusch moved that the vote by which Senate Bill No. 45 was passed, be reconsidered.

Which motion lost.

Senator Wog moved that the vote by which the emergency clause on Senate Bill 255 lost be reconsidered.

Which motion prevailed.

SENATE ROLL CALL

The question being on the final passage of the emergency clause on Senate Bill No. 255, the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Stevens
Baird	Hamilton	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsch	Foster	Tofsrud
Bond	Levang	Page	Van Camp
Byrne	Lynch	Patten	Ward
Carey	McCoy	Peck	Wenstrom
Eastgate	McLachlin	Peterson	Whitman
Ettestad	Magnuson	Ployhar	Whitmer
Fleckten	Martin	Porter	Wog
Garberg	Miklethun	Rusch	
Gardiner	Murphy	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Ingerson	Kretschmar	Sperry

So the emergency clause carried.

Senator Hamilton moved the clincher motion on Senate Bill No. 369.

Which motion prevailed.

Senator Wenstrom moved the clincher motion on Senate Bill No. 255.

Which motion prevailed.

Senator Whitman moved that the vote by which Senate Bill No. 363 was indefinitely postponed be reconsidered.

Which motion prevailed.

Senator Baker moved to amend Senate Bill 363 as follows:

After the word "population" in Section 1, insert: "Provided further, the above law shall not apply in case of an emergency at which time female help may be employed 10 hours in one day and seven days in one week and not over 48 hours in one week. An emergency is defined to exist in case of sickness of more than one female employee, in which case a doctor's certificate must be furnished, for the protection of human life, banquets, conventions, celebrations, sessions of the state legislature, or where a female is employed as reporter in any of the district courts of the State of North Dakota. In case an emergency exists the proper authorities that have the enforcement of this law must be notified at once, stating full particulars and probable duration of such emergency and permission must be obtained from such authorities.

Which motion prevailed.

Senator Baker moved that the rules be suspended; that Senate Bill No. 363 be considered re-engrossed and placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 363. A Bill for an Act to Amend and Re-enact Chapter 170 of the Session Laws of North Dakota for the Year 1919, Being an Act Regulating and Fixing the Hours of Labor for Females, and Providing Penalties for the Violation Thereof.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 42, nays 3, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Baird	Hamilton	Olson, Barnes	Stevens
Baker	Kaldor	Olson, Eddy-	Storstad
Benson	Kelsh	Foster	Thorson
Bond	Kretschmar	Page	Tofsrud
Byrne	Levang	Patten	Van Camp
Carey	Lynch	Peck	Ward
Eastgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Miklethun	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Martin	Nathan	Wenstrom

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gardiner	Ingerson	Sperry

So the bill passed and the title was agreed to.

Senator Levang moved that the Senate do now adjourn.

Which motion prevailed.

FIFTY-FIRST DAY

The Senate convened at 2:00 o'clock P. M., the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. Gerhard Sprock.

Roll was called, all Senators being present with the exception of Senator Babcock.

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

Mr. President: Your committee on revision and correction of the Journal have carefully examined the Journal of the 49th day after recess and 50th day and recommend that the same be corrected as follows:

On page 9, line 47, correct the spelling of "The."

On page 10, line 10, correct spelling of "North."

On page 60, strike out lines 19 and 20 and insert in lieu thereof "the majority of Nonpartisans in the Senate, then we can do away with those moral laws. I admit the gentleman was right that time as I see they are doing away with those laws now. I vote "no."

On page 38, line 22, strike out "was lost' and insert "prevailed."

Line 24, strike out "passed" and insert in lieu thereof "failed to pass."

Line 32, strike out "no" and insert in lieu thereof "aye."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy 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. 147. A Bill for an Act Providing for the Filing of Bills of Sale and Other Transfers of Personal Property and Prescribing the Effect of Such Filing.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 62. A Bill for an Act to Amend and Re-enact Section 3476, Compiled Laws, 1913 as Amended by Chapter 13 of the Special Session Laws, 1918, Relating to the Levying of Tax to Provide for a Sinking Fund to Pay County Seed and Feed Bonds.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Insurance to whom was referred:

House Bill No. 211. A Bill for an Act to Require Insurance Companies to Make Prompt Settlement of Loss.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. J. MURPHY,
Chairman.

Senator Murphy 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. 180. A Bill for an Act Providing for a Tax Levy in Incorporated Villages for the Purpose of Purchasing and Maintaining Adequate Apparatus for the Extinguishment of Fires, and Maintaining a Fire Department.

Have had the same under consideration and recommend that the same do pass.

P. J. MURPHY,
Chairman.

Senator Murphy 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. 310. A Bill for an Act Directing and Empowering the State Board of Auditors to Annually Examine and Audit the Accounts, Books and Vouchers of the State Hail Insurance Department, State Highway Department, and Workmen's Compensation Bureau, to Take Account of the Amount and Condition of the Assets and Liabilities of Each Department so Examined and Audited and Make Report Thereof to the Governor.

Have had the same under consideration and recommend that the same do pass.

H. J. RUSCH,
Chairman.

Senator Rusch 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 21, 1923.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill 312. A Bill for an Act to Fix the Number of Senators and Representatives Which Shall Compose the Legislative Assembly of the State of North Dakota, to Define the Senatorial and Representative Districts, and to Prescribe the Number of Senators and Representatives Therein.

House Bill No. 301. A Bill for an Act to Amend and Re-enact Section 8076 of the Compiled Laws of North Dakota for the Year 1913, Relating to Foreclosures of Mortgages By Agent or Attorney and Legalizing and Validating Sales Heretofore Made Pursuant to Judgment in Foreclosures of Mortgages by Action.

House Bill No. 297. A Bill for an Act to Repeal Chapter 34 of the Session Laws of the State of North Dakota for the Year 1921, Relating to Public Utilities.

House Bill No. 105. An Act Making an Appropriation for the Current and Contingent Expenses of the State School of Science at Wahpeton, and Making Permanent Improvements and Additions Thereto.

House Bill No. 267. A Bill for an Act to Repeal Chapter 71 of the Session Laws of 1919 for North Dakota, Relating to Board of Administration.

House Bill No. 207. A Bill for an Act for an Appropriation to the Board of Auditors as Provided for in Section 369 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended and Re-enacted by the Initiated Law Approved November 2nd, 1920.

House Bill No. 104. A Bill for an Act Appropriating Five Thousand Dollars for the Biennium to the State Fair at Grand Forks for the Years 1923 and 1924, as Provided for in Section 1847 to 1859 of the Compiled Laws of North Dakota for the Year 1913.

House Bill No. 111. A Bill for an Act Making an Appropriation of Five Thousand Dollars for the Biennium to the State Fair at Fargo for the Years 1923 and 1924, as Provided for in Sections 1847 to 1859 of the Compiled Laws of North Dakota for the Year 1913.

House Bill No. 114. A Bill for an Act to Appropriate \$5,000.00 to the Missouri Slope Agricultural and Fair Association at Mandan for the Fairs to be Held in the Years 1923 and 1924, as Authorized by Sections 1860 to 1866. Both Inclusive, of the Compiled Laws of 1913 for North Dakota.

House Bill No. 92. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Training School at Mandan, North Dakota, and for Making Permanent Improvements and Additions Thereto.

House Bill No. 206. A Bill for an Act to Amend and Re-enact Chapter 6, Session Laws of 1919, as Amended by Special Session Laws of 1919, as Amended by Chapter 84 Session Laws of 1921 Relating to the Licensing, Regulating, and Supervising the Licensing and Inspection of Pool

and Billiard Rooms, Ball and Pin Alleys, Dance Halls, Theatres, Moving Picture Shows, Taxicab or Auto Liveries, Places Where Soft Drinks are Retailed or Where Cigars and Tobacco Are Sold, or Public Halls, Owned Privately and Used for Public Purposes; Providing Fees Therefor, Inspectors, Office Help and Supplies Thereof; Defining Powers and Duties and Repealing all Acts and Parts of Acts Inconsistent Therewith.

House Bill No. 215. A Bill for an Act to Amend Section 1 of Chapter 144 of the Session Laws of North Dakota for the Year of 1921, Relating to Enforcement of Payment of Premiums to the Workmen's Compensation Fund.

House Bill No. 222. A Bill for an Act Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over any Public Highway by Motor Propelled Vehicles; Defining Transportation Companies; Providing for Supervision and Regulation Thereof by the Board of Railroad Commissioners of the State of North Dakota; Providing for the Enforcement of the Provisions of this Act and for the Punishment of the Violations Thereof.

House Bill No. 66. A Bill for an Act to Appropriate the Sum of \$200,000.00, From any Moneys in the State Highway Fund, for the Purpose of Aiding in the Construction of a Bridge Across the Missouri River, Between Williams County, North Dakota and McKenzie County, North Dakota, Under the Provisions of Chapter 73 of the Laws of North Dakota for the Year 1919.

House Bill No. 239. A Bill for an Act to Amend Section 10177 of the Compiled Laws for the Year 1913 Relating to the selling and Smoking of Opium, and the Sale and Use of Other Narcotics, and by Making More Definite the Procedure in Cases of Lease Hold Premises Held under an Injunction; Providing a Means Whereby Innocent Owners may Cancel a Lease Thereof and Further Providing the Breadth of the Operation in such Injunction by Making it Personal and Apply to Clerks, Servants and Agents, and to Include any Place Within the State.

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 3296 of the Compiled Laws of North Dakota, for the Year 1913, as Amended by Chapter 49 of the Session Laws for 1921, Relating to County Commissioners Powers and Duties with Respect to Contracts Let on Competitive Bids.

House Bill No. 204. A Bill for an Act to Amend and Re-enact Section 959 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Preparation of Ballots for Constitutional Amendments and Extending the Same to Cover Initiated and Referred Measures.

House Bill No. 139. A Bill for an Act Authorizing Abatements to Purchasers of Tax Certificates on State Land.

House Bill No. 227. A Bill for an Act Providing That Purchasers at Tax Sales of Lands Upon Which the State

Has a Mortgage, Shall Take Certificates of Sale and Deeds, Subject to the Rights of the State Under its Mortgage.

House Bill No. 131. A Bill for an Act to Limit the Aggregate Amounts That May be Levied by Taxing Districts; Providing Maximum Limitations Upon the Rate in Mills Which May Be Levied by Taxing Districts; Providing a Method of Suspending Such Limitations in Certain Cases; Prescribing Penalties for Violations of This Act by County Auditors; and Repealing all Acts and Parts of Acts in Conflict With this Act.

House Bill No. 130. A Bill for an Act Providing That Public Officials of Taxing Districts Issuing Certificates of Indebtedness or Bonds Shall Advertise for Bids in Certain Cases and Providing the Procedure to Be Followed in Connection Therewith, Prescribing Penalties for the Violation of this Act, and Repealing all Acts and Parts of Acts in Conflict With this Act.

House Bill No. 129. A Bill for an Act Providing a method by which Taxing Districts May Make Short Time Borrowings and Conduct Their Current Business Upon a Cash Basis; Providing That No Warrants May be Issued in Excess of Cash on Hand; Providing for the Funding of Floating or Unfinished Indebtedness of Counties, Cities, Villages, Townships, School Districts, and Other Taxing Districts; making the County Treasurer Custodian of Sinking Funds of All Taxing Districts; Providing for the Registering of the County Auditor's Office of All Bond Issues and Certificates of Indebtedness; Prohibiting the Incurring Indebtedness in Excess of Anticipated Revenues; Making Criminal Certain Violations of This Act, and Providing Penalties Therefor, and Repealing all Acts and Parts of Acts in Conflict With this Act.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

PETITIONS AND COMMUNICATIONS

Senator Nathan presented a communication from O. P. Jordal of New Haven, New York.

Senator Ployhar moved that the communication of O. P. Jordal be not printed in the Journal.

Senator Fleckten moved as a substitute motion that the communication be printed in the Journal.

Which motion lost.

The vote being on the motion of Senator Ployhar, the motion prevailed.

The Secretary read a communication from the Chief Clerk of the House of Representatives of the State of Minnesota, which on motion of Senator Benson was referred to the committee on Warehouses and Grain Grading.

The Secretary read a communication from the Secretary of Agriculture.

Senator Baker moved that this communication be printed in the Senate Journal.

Which motion prevailed.

DEPARTMENT OF AGRICULTURE
Office of the Secretary

Washington, January 24, 1923.

Mr. Jake Eastgate,
Larimore, N. Dak.

Dear Sir:

Ever since I became Secretary of Agriculture the question of wheat grades has been under consideration. People have come here, especially from the Northwestern states, and complained of the Federal grades. I have held several open hearings and listened patiently to everything that has been said. The Committee on Agriculture in the House of Representatives also has held a number of hearings.

What I have been trying to do is to get an understanding of the whole situation, so that if any changes were made they would be for the better and not for the worse. I appointed a committee to visit the wheat-growing region of the Northwest more than a year ago. They spent two or three months there looking into the matter from all angles.

Notwithstanding all of the talk on this matter of wheat grades, I have heard from very few farmers. I am anxious to hear direct from the farmers who grow wheat and sell it. I want their opinions as to the grades. My whole purpose is to try to make sure that the grades established are such as will insure to the farmer a fair price for his wheat, according to quality, and give assurance to handlers of wheat all along the line that they are dealing with definitely known and understandable grades.

Enclosed herewith is a sheet of questions. I will appreciate it very much if you will take the time to answer these questions and return them to me within three days after the receipt of this letter. By doing this you will render me a service and wheat growers as well.

Let me take this occasion to express the hope that 1923 will be a better year for you and farmers everywhere than was 1922 or 1921. We have been going through a most serious time. Personally I have the feeling that conditions are improving. We are not out of the woods,

but I believe we are on the way, and I want to assure you that all of us here in the Department of Agriculture are helping in every way we can.

Wishing you and yours a happy and prosperous New Year, I am

Very sincerely,

HENRY C. WALLACE,
Secretary.

MOTIONS AND RESOLUTIONS

Senator Benson moved that all absent Senators be excused.

Which motion prevailed.

Senator Ployhar moved that when the Senate recess it recess until 1:30 February 22, 1923.

Which motion prevailed.

House of Representatives,
Bismarck, North Dakota,
February 20, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 201. A Bill for an Act to Amend and Re-enact Section 5608 of the Compiled Laws of the State of North Dakota for the Year 1913.

Which the House has amended as follows:

After the word "wife" in line 7 of the printed bill strike out the balance of the line.

Strike out all of lines 8, 9, and 10 and the first four words in line 11.

Strike out all of Section 2.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Baird moved that the Senate do now concur in the House amendments to Senate Bill 201.

Which motion prevailed.

THIRD READING OF SENATE BILLS SENATE ROLL CALL

Senate Bill No. 201. A Bill for an Act to Amend and Re-enact Section 5608 of the Compiled Laws of the State of North Dakota for the Year 1913.

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 44, nays 2, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Barnes	Steel
Baird	Kelsh	Olson, Eddy-	Stevens
Baker	Kretschmar	Foster	Storstad
Bond	Levang	Page	Thorsen
Byrne	Lynch	Patten	Tofsrud
Carey	McCoy	Peck	Van Camp
Eastgate	McLachlin	Peterson	Ward
Ettestad	Magnuson	Ployhar	Wenstrom
Fleckten	Martin	Porter	Whitman
Gardiner	Mikieithun	Rusch	Whitmer
Gross	Murphy	Sperry	Wog
Ingerson			

Those voting in the negative were:

Messrs.	Messrs.
Benson	Nathan

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Garberg	Hamilton

So the bill passed and the title was agreed to.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 312. A Bill for an Act to Fix the Number of Senators and Representatives Which Shall Compose the Legislative Assembly of the State of North Dakota, to Define the Senatorial and Representative Districts, and to Prescribe the Number of Senators and Representatives Therein.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 301. A Bill for an Act to Amend and Re-enact Section 8076 of the Compiled Laws of North Dakota for the Year 1913, Relating to Foreclosure of Mortgages by Agent or Attorney, and Legalizing and Validating Sales Heretofore Made Pursuant to Judgments in Foreclosures of Mortgages by Action.

Was read the first and second time and referred to the Committee on Judiciary.

House Bill No. 297. A Bill for an Act to Repeal Chapter 34 of the Session Laws of the State of North Dakota for the Year 1921, Relating to Public Utilities.

Was read the first and second time and referred to the Committee on State Affairs.

House Bill No. 105. An Act Making an Appropriation for the Current and Contingent Expenses of the State School of Science at Wahpeton, and Making Permanent Improvements and Additions Thereto.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 267. A Bill for an Act to Repeal Chapter 71 of the Session Laws of 1919 for North Dakota, Relating to Board of Administration.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 207. A Bill for an Act for an Appropriation to the Board of Auditors as Provided for in Section 369 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended and Re-enacted by the Initiated Law Approved November 2nd, 1920. Committee on Appropriations.

Was read the first and second time, and referred to the Committee on Appropriations.

House Bill No. 104. A Bill for an Act Making an Appropriation of Five Thousand Dollars for the Biennium to the State Fair at Grand Forks for the Years 1923 and 1924, as Provided for in Sections 1847 to 1859 of the Compiled Laws of North Dakota for the Year 1913.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 111. A Bill for an Act Making an Appropriation of Five Thousand Dollars for the Biennium to the State Fair at Fargo for the Year 1923, and 1924, as Provided for in Sections 1847 to 1859 of the Compiled Laws of **North Dakota** for the Year 1913.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 114. A Bill for an Act to Appropriate \$5,000.00 to the Missouri Slope Agricultural and Fair Association at Mandan for the Fairs to be Held in the Years 1923 and 1924, as Authorized by Sections 1860 to 1866, Both Inclusive, of the Compiled Laws of 1913 for North Dakota.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 92. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Training School at Mandan, North Dakota, and for Making Permanent Improvements and Additions Thereto.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 206. A Bill for an Act to Amend and Re enact Chapter 6, Session Laws of 1919, as Amended by Special Session Laws of 1919, as Amended by Chapter 84 Session Laws of 1921 Relating to the Licensing, Regulating, and Supervising the Licensing and Inspection of Pool and Billiard Rooms, Ball and Pin Alleys, Dance Halls, Theatres, Moving Picture Shows, Taxicab or Auto Liveries, Places Where Soft Drinks are Retailled or Where Cigars and Tobacco Are Sold, or Public Halls, Owned Privately and Used for Public Purposes; Providing Fees Therefor, Inspectors, Office Help and Supplies Thereof;

Defining Powers and Duties and Repealing all Acts and Parts of Acts Inconsistent Therewith.

Was read the first and second time and referred to the Committee on State Affairs.

House Bill No. 215. A Bill for an Act to Amend Section 1 of Chapter 144 of the Session Laws of North Dakota for the Year of 1921, Relating to Enforcement of Payment of Premiums to the Workmen's Compensation Fund.

Was read the first and second time and referred to the Committee on State Affairs.

House Bill No. 222. A Bill for an Act Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over any Public Highway by Motor Propelled Vehicles; Defining Transportation Companies; Providing for Supervision and Regulation Thereof by the Board of Railroad Commissioners of the State of North Dakota; Providing for the Enforcement of the Provisions of this Act and for the Punishment of the Violations Thereof.

Was read the first and second time and referred to the Committee on Highways.

House Bill No. 66. A Bill for an Act to Appropriate the Sum of \$200,00 From Any Moneys in the State Highway Fund, For the Purpose of Aiding in the Construction of a Bridge Across the Missouri River, Between Williams County, North Dakota, and McKenzie County, North Dakota, Under the Provisions of Chapter 73 of the Laws of North Dakota For the Year 1919.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 239. A Bill for an Act to Amend Section 10177 of the Compiled Laws for the Year 1913 Relating to the Selling and Smoking of Opium, and the Sale and Use of Other Narcotics, and by Making More Definite the Procedure in Cases of Lease Hold Premises Held under an Injunction; Providing a Means Whereby Innocent Owners may Cancel a Lease Thereof and Further Providing the Breadth of the Operation in such Injunction by Making it Personal and Apply to Clerks, Servants and Agents, and to Include any Place Within the State.

Was read the first and second time and referred to the Committee on State Affairs.

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 3296 of the Compiled Laws of North Dakota, for the Year 1913, as Amended by Chapter 49 of the Session Laws for 1921, Relating to County Commissioners Powers and Duties with Respect to Contracts Let on Competitive Bids.

Was read the first and second time and referred to the Committee on Counties and County Boundaries.

House Bill No. 204. A Bill for an Act to Amend and Re-enact Section 959 of the Compiled Laws of the State

of North Dakota for the Year 1913, Relating to the Preparation of Ballots for Constitutional Amendments and Extending the Same to Cover Initiated and Referred Measures.

Was read the first and second time and referred to the Committee on Judiciary.

House Bill No. 139. A Bill for an Act Authorizing Abatements to Purchasers of Tax Certificates on State Land.

Was read the first and second time and referred to the Committee on Judiciary.

House Bill No. 227. A Bill for an Act Providing That **Purchasers at Tax Sales of Lands Upon Which the State Has a Mortgage, Shall Take Certificates of Sale and Deeds, Subject to the Rights of the State Under its Mortgage.**

Was read the first and second time and referred to the Committee on Judiciary.

House Bill No. 131. A Bill for an Act to Limit the Aggregate Amounts That May be Levied by Taxing Districts; Providing Maximum Limitations Upon the Rate in Mills Which May Be Levied by Taxing Districts; Providing a Method of Suspending Such Limitations in Certain Cases; Method of Suspending Such Limitations in Certain Cases; Prescribing Penalties for Violations of This Act by County Auditors; and Repealing all Acts and Parts of Acts in Conflict With this Act.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 130. A Bill For an Act Providing That Public Officials of Taxing Districts Issuing Certificates of Indebtedness or Bonds Shall Advertise For Bids in Certain Cases and Providing the Procedure to Be Followed in Connection Therewith, Prescribing Penalties for the Violation of this Act, and Repealing all Acts and Parts of Acts in Conflict With this Act.

Was read the first and second time, and referred to the Committee on Taxes and Tax Laws.

House Bill No. 129. A Bill for an Act Providing a method by which Taxing Districts May Make Short Time Borrowings and Conduct Their Current Business Upon a Cash Basis; Providing That No Warrants May be Issued in Excess of Cash on Hand; Providing for the Funding of Floating or Unfinished Indebtedness of Counties, Cities, Villages, Townships, School Districts, and Other Taxing Districts; making the County Treasurer Custodian of **Sinking Funds of All Taxing Districts**; Providing for the Registering of the County Auditor's Office of All Bond Issues and Certificates of Indebtedness; Prohibiting the Incurring Indebtedness in Excess of Anticipated Revenues; Making Criminal Certain Violations of this Act, and Providing Penalties Therefor, and Repealing all Acts and Parts of Acts in Conflict With this Act.

Was read the first and second time, and referred to the Committee on Taxes and Tax Laws.

The following bills were messaged to the House: Senate Bills Nos. 372, 272, 389, 330, 392, 390, 332, 329, 44, 364, 387, 46, 113, 394, 388, 397, 366, 260, 395, 396, 261, 45, 369, 156, 257, 363.

The Senate did now recess to 1:30 o'clock, February 22, 1923.

FIFTY-FIRST DAY AFTER RECESS AND
FIFTY-SECOND DAY

Senate Chamber,
Bismarck, N. D.
February 22, 1923.

The Senate re-assembled at 1:30 P. M. pursuant to Recess taken, the President, Frank H. Hyland presiding.

Senator Baker moved that the Senate do now adjourn.

Which motion prevailed.

FIFTY-SECOND DAY

The Senate convened at 2:00 o'clock P. M. the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. Gerhard Sprock.

Roll was called all Senators being present with the exception of Senator Babcock.

Senator Stevens moved that the Senate do now recess for one hour in memory of the birth of George Washington.

Which motion prevailed.

The President then called, Senator L. R. Baird, Mexican Border and World War Veteran, to the chair. Senator Baird introduced Senator W. D. Lynch and L. F. Crawford who delivered short addresses on the life of George Washington.

The following war veterans were given seats at the President's desk; M. Skarison, civil war veteran and member of the G. A. R., Senators L. W. Sperry and S. J. Atkins, Spanish American and Philipino Insurrection Veterans; Senator D. H. Hamilton,, Spanish American War Veteran and member of Roosevelt's Rough Riders; Dana Wright, Spanish American War, Philipino Insurrection, Mexican Border and World War Veteran, Allan Bolton, Mexican Border and World War Veteran and A. D. McKinnon, World War Veteran.

AFTER RECESS

The President resumed the chair.

Senator McLachlin moved that the Senate do now extend its thanks to those participating in the program and to the War Veterans present by a rising vote.

Which motion prevailed.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the 50th day after recess and 51st day and recommend that the same be corrected as follows:

On page 4, line 23 correct spelling of "Association."

On page 21, line 14 correct spelling of "Senate."

And when so corrected recommend that the same be approved.

J. H. McCROY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Livestock made the following report:

Mr. President: Your Committee on Livestock to whom was referred:

House Bill No. 68. A Bill for an Act to Amend and Re-enact Chapter 36 of the Session Laws for the Year 1921, Relating to the Application of the Tuberculin Test and Eradication of Bovine Tuberculosis in Townships in Counties in North Dakota Under Direction of the State Live Stock Sanitary Board by Petition of a Majority of Freeholders in Such Townships.

Have had the same under consideration and recommend that the same be amended as follows:

In line 6, Page 2 of the engrossed bill after the first word "of" insert comma and strike out the words "violation of" and insert the word "violates."

In line 7 after the word "act" insert a comma.

In line 8 after the words "twenty-five dollars" strike out the word "or" and in lieu thereof insert the word "nor."

And when so amended recommend the same do pass.

J. E. EASTGATE,
Chairman.

Senator Eastgate moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Warehouses and Grain Grading made the following report:

Mr. President: Your committee on Warehouses and Grain Grading to whom was referred:

House Bill No. 133. A Bill for an Act to Amend and Re-enact Section 3116 of the Compiled Laws of North Dakota for the Year 1913.

Have had the same under consideration and recommend that the same do pass.

A. G. STORSTAD,
Chairman.

Senator Storstad moved that the report, which motion prevailed and the report was adopted.

The committee on State Affairs made the following report:

Mr. President: Your committee on Warehouses and Grain Grading to whom was referred:

House Bill No. 184. A Bill for an Act to Amend and Re-enact Section 3126, Compiled Laws, State of North Dakota for 1913; and Providing for a Shrinkage Allowance to Local Grain Buyers, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

A. G. STORSTAD,
Chairman.

Senator Storstad 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:

House Bill No. 151. A Bill for an Act Relating to the Insurance of Employers with the Workmen's Compensation Fund Providing for Compensation for Injuries or Death of the Employer Himself, in Cases Where the Employer has Contracted for such Protection with the Bureau, also Providing for the Basis of Premium for such Protection.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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:

House Bill No. 152. A Bill for an Act Requiring the County Superintendent of Schools of all Counties to Report Names of School District Clerks to the Workmen's Compensation Bureau

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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:

House Bill No. 59. A Bill for an Act Making it a Misdemeanor for any Person to Operate a Motor Vehicle While such Person is in an Intoxicated Condition, and Providing a Penalty for the Violation Thereof.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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:

House Bill No. 145. A Bill for an Act to Provide for the Closing and Liquidation of the Business Heretofore Conducted by the State of North Dakota in the Operation of a State Experimental Creamery; Providing for the Transfer of all Funds to the General Fund of the State Repealing Chapter 149 of the Session Laws for the Year 1919.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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:

House Bill No. 281. A Bill for an Act to Control the Possession, Sale, and Use of Pistols and Revolvers, to Provide Penalties and for Other Purposes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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:

House Bill No. 148. A Bill for an Act Providing for the Annual Reporting by County Auditor to the Workmen's Compensation Bureau of all Elective Auditors and Clerks of Political Subdivisions of the County.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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:

House Bill No. 149. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 162 of the Laws of North Dakota for the Year 1919, to Empower the Workmen's Compensation Bureau to Classify Employments, Fix Rates for Premium, Provide for Reserves and Surplus, Provide for Establishment of a System of Merit Rating, and to Provide for the Payment of Premiums Into the Workmen's Compensation Fund.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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:

House Bill No. 150. A Bill for an Act Providing for the Reporting at the Workmen's Compensation Bureau of All Contracts Involving Labor Entered Into by All Political Subdivisions of the State.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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:

House Bill No. 142. A Bill for an Act Providing for the Proper Protection of Guests in Hotels, Restaurants and Rooming Houses.

Have had the same under consideration and recommend that the same be amended as follows:

In line 4 of Section 3 of the engrossed Bill, after the word "misdemeanor" strike out the remainder of the Section and insert in lieu thereof the following:

"Section 4. EMERGENCY. This Act is hereby declared to be an emergency measure and shall be in force from and after its passage and approval."

And when so amended recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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:

Have had the same under consideration and recommend that the same do pass.

House Bill No. 153. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 162 of the Laws of North Dakota for the Year 1919, Providing for the Payment of Compensation Out of the Workmen's Compensation Fund and Providing that Compensation Shall be Paid for Injuries and Deaths from Injuries Occurring Outside the State of North Dakota Only Under Circumstances as Provided in the Act.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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:

House Bill No. 224. A Bill for an Act to authorize the County Commissioners to Sell Certain Lots or Premises Bid in by the County for Delinquent Taxes Without Giving Notice of the Expiration of Redemption.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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:

House Bill No. 275. A Bill for an Act to Provide for the Purchase by the Industrial Commission of Claims Against the Returned Soldiers' Fund and for the Financing of Such Purchase of Such Commission, and Repealing all Acts and Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 177. A Bill for an Act to Amend and Re-enact Section 6790 of the Compiled Laws of North Dakota for 1913.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD, Chairman.

Senator Baird moved that the report be adopted, which 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. 168. A Bill for an Act to Amend and Re-enact Section 6750 of the Compiled Laws of North Dakota for 1913, Relating to Standardized Form of Mortgage.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird moved that the report be adopted, which 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. 240. A Bill for an Act to Amend and Re-enact Section 667 of the Compiled Laws of North Dakota for the year 1913, Relating to County Commissioners furnishing Bonds.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird moved that the report be adopted, which 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. 108. A Bill for an Act Making an Appropriation to Provide for Compensation and Expenses of the Board of Trustees of the State Live Stock Sanitary Board.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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:

House Bill No. 305. A Bill for an Act Providing for the Issue of Bonds on the State of North Dakota in a Sum Not Exceeding Fifteen Million Dollars to be Known as "Bonds of North Dakota, Real Estate Series"; Prescribing the Terms and Stating the Purpose Thereof; Providing for a Tax and Making Other Provisions for the Payment of Interest and Principal on State Bonds, and to Carry into Effect the Provisions of This Act; and Declaring This Act to be an Emergency Measure.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 4, line 9, of the Engrossed Bill, strike out the words "shall be" and in lieu thereof insert the words "may when issued be made."

In Section 13, Line 7, of the Engrossed Bill, strike out the word "fifteen" and in lieu thereof insert the word "twenty-five."

After Section 14, insert the following "Section 15. Emergency. This act is hereby declared to be an emergency measure and shall take effect from and after its passage and approval."

In the title of the Bill, line 2, of the Engrossed Bill, after the word "exceeding" strike out the word "fifteen" and in lieu thereof insert the word "twenty-five."

And when so amended recommend the same do pass.

W. R. BOND,
Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 115. A Bill for an Act Appropriating Money for the Benefit of the North Dakota Dairymen's Association, for the Purpose of Promoting and Encouraging the Dairying Interests of the State.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 107. A Bill for an Act to Appropriate \$1,000.00 for the Payment of the Expenses to be Incurred by the North Dakota Live Stock Association as Prescribed by Section 2786 of the Compiled Laws of 1913 for North Dakota.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 101. A Bill for an Act Making an Appropriation of Eleven Hundred and Forty Dollars (\$1140.00) to Pay the Expenses of a State Board of Veterinary Medical Examiners as authorized Under Section 2711 to 2720, inclusive, of the Compiled Laws of 1913 for North Dakota.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 109. A Bill for an Act Making an Appropriation for the Use and Benefit of the North Dakota Firemen's Association for the Purpose of Promoting the Efficiency and Growth of its Different Departments, and the Holding of an Annual Tournament, According to the Rules and Regulations of Such Associations.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 265. A Bill for an Act to Repeal Section 5117 of the Compiled Laws of North Dakota for 1913, Relating to North Dakota Poultry Association.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 264. A Bill for an Act to Repeal Section 2786 of the Compiled Laws of North Dakota for 1913, Relating to North Dakota Live Stock Association.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Insurance to whom was referred:

House Bill No. 238. A Bill for an Act to Amend and Re-enact Sections 10, 21, and 23 of Chapter 77 of the Session Laws of North Dakota for the Year 1921, Relating to State Hail Insurance.

Have had the same under consideration and recommend that the same do pass.

P. J. MURPHY,
Chairman.

Senator Murphy moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 259. A Bill for an Act to Amend and Re-enact Section 11108 of the Compiled Laws of North Dakota for the Year 1913, Relating to Board of Pardons.

Have had the same under consideration and recommend that the same do pass.

P. T. Kretschmar,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 263. A Bill for an Act to Repeal Section 335 of the Compiled Laws of North Dakota for the Year 1913, Relating to Expenses, Sale of Land.

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 and re-enact Section 335 of the Compiled Laws of North Dakota for 1913 relating to Expenses of Sale and how paid.

Be it enacted by the Legislative Assembly of the State of North Dakota:

Section 1. Amendment: That Section 335 of the Compiled Laws of North Dakota for 1913 be and the same is hereby amended and re-enacted to read as follows:

"Section 335. Expenses of Sale, How Paid. The expenses of publishing notices of the sale of the University, School and all other public lands of the state shall be paid by the state treasurer upon the warrant of the state auditor out of the general or current funds of the different institutions as designated in section 333, and such expenses shall be apportioned according to the receipts credited each fund from proceeds of each and every sale. All bills for such publishing shall be verified by the publisher and approved by the board of university and school lands.

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 110. A Bill for an Act to Appropriate Sixty Thousand Dollars (\$60,000.00) to Provide Funds for the Maintenance of the North Dakota National Guard, or

State Militia, as Provided for Under Chapter 35 of the Compiled Laws of 1913 for North Dakota, and to Meet Other Requirements Prescribed by the Federal Statutes.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 258. A Bill for an Act to Amend and Re-enact Section 2671 of the Compiled Laws of North Dakota for 1913, Relating to Cruelty to Animals.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 252. A Bill for an Act to Repeal Section 1621 of the Compiled Laws of North Dakota for the Year 1913, Relating to Experiment Stations at Fargo.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 253. A Bill for an Act to Repeal Section 1623 of the Compiled Laws of North Dakota for the Year 1913, Relating to Demonstration Farms.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 266. A Bill for an Act to Repeal Chapter 38 of the Session Laws of North Dakota for the Year 1917, Relating to North Dakota Dairymen's Association.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

House Bill No. 250. A Bill for an Act to Repeal Chapter 35 of the Session Laws of North Dakota for 1915, Relating to Militia Grounds.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 268. A Bill for an Act to Repeal Section 813 of the Compiled Laws of 1913 for the State of North Dakota, Relating to Disbarment Proceedings.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 189. A Bill for an Act to Repeal Section 1574 of the Compiled Laws of North Dakota for the Year 1913, Providing an Annual Appropriation for the State Geological Survey.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 191. A Bill for an Act to Repeal Section 1571 of the Compiled Laws of North Dakota for the Year 1913.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 190. A Bill for an Act to Repeal Sections 2545 and 2546 of Article 3 of the Compiled Laws of North Dakota for the Year 1913, Providing for Relief of Needy Settlers.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 262. A Bill for an Act to Repeal Section 1661 of the Compiled Laws of North Dakota for 1913, Relating to Serum Institute.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 261. A Bill for an Act to Repeal Section 11 of Chapter 31 of the Session Laws of Special Session of 1919, Relating to Appropriation to State Dairy Commissioner.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 260. A Bill for an Act to Repeal Chapter 27 of the Session Laws of 1915, Relating to State Fish Hatchery.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 255. A Bill for an Act to Repeal Section 1839 of the Compiled Laws of 1913 of North Dakota, Relating to North Dakota's Firemen's Association.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 257. A Bill for an Act to Repeal Section 1624 of the Compiled Laws of North Dakota for the Year 1913, Relating to Enforcement, Beverage and Sanitary Laws.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 254. A Bill for an Act to Repeal Section 2696 of the Compiled Laws of North Dakota for the Year 1913, Relating to Live Stock Sanitary Board.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 251. A Bill for an Act to Repeal Sections 1631 and 1638 of the Compiled Laws of North Dakota for the Year 1913, Relating to Experiment Stations.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 269. A Bill for an Act to Repeal Chapter 16 of the Session Laws of North Dakota for the Special Session of 1919, Relating to Testing Dairy Products.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 201. A Bill for an Act to Amend and Re-enact Section 5608 of the Compiled Laws of the State of North Dakota for the Year 1913.

And find the same correctly enrolled.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Baird moved that the Special Committee appointed to prepare a program for Washington's birthday be discharged.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 22, 1923.

Mr. President: I have the honor to transmit the Concurrent Memorial resolution Introduced by M. McGauvran.

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

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 22, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 251. A Bill for an Act Establishing a Closed Season on Frogs.

Which the House has indefinitely postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 22, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 165. A Bill for an Act Amending and Re-enacting Section 1334 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 105, Session Laws of 1921, Relating to the Limit of Issue of Bonds of Common School Districts.

Senate Bill No. 115. A Bill for an Act Entitled, an Act Relating to Lophophora Williamsii or Peyote (Pellote) and Agava Americana (Commonly Known as Mescal); Prohibiting the Use of Possession Thereof, Traffic Therein, and Providing Penalties for the Violation of this Act.

Senate Bill No. 167. A Bill for an Act Amending and Re-enacting Section 1275 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Limit of Issue of Bonds of Special School Districts.

Senate Bill No. 152. A Bill for an Act Authorizing the Consolidation or Merger of Banking Associations, Regulating the Procedure and Providing for Supervision Thereof, and Providing a Limitation of Actions.

Senate Bill No. 160. A Bill for an Act to Amend and Re-enact Chapter 82, Session Laws of North Dakota for 1919, and to Empower Cities to Purchase or construct Plants, Including Gas Works for the Manufacture and Distribution of Light, Heat and Power for Municipal and Commercial Purposes, and to Assess Abutting Property in Accordance with the Benefits Thereto by Reason of Such System

of Distribution, and Providing for the Method of Such Assessment and the Collection Thereof.

Senate Bill No. 28. A Bill for an Act to Empower Cities, Villages, and Towns to Purchase, Sell, Construct, Rent, Lease, Extend, Connect, or Erect, High Tension Electric Transmission Lines and Electrical Equipment, Within and Without the Corporate Limits, and Necessary Secondary Transmission Lines and Distribution Systems Within the Corporate Limits, for the Purpose of Securing Light, Power and Electrical Energy for Municipal and Commercial use; and to Assess the Property Within the Corporate Limits, and to Provide for the Method of Such Assessment and the Collection Thereof, and to Provide for the Issuance of Bonds.

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 1104 of the Compiled Laws of the State of North Dakota for the year 1913, Relating to What Cities and Villages Shall Register Before Any General Election or Annual City Election.

Senate Bill No. 144. A Bill for an Act Relating to Deposits in Banks, Declaring Same to Be trust Funds, and Providing Penalties for Unlawful Removal of Same.

Senate Bill No. 154. A Bill for an Act to Amend and Re-enact Chapter 121, Session Laws of 1917 Relating to the Issuance of Permits for Breeding or Domestication of Certain Fur Bearing Animals.

Senate Bill No. 213. A Bill for an Act Giving the North Dakota Game and Fish Commissioner Power to Make Rules and Regulations in Addition to Those Already Provided by Law, for the Protection of the Fish in the Lakes and Rivers of North Dakota.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 22, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 172. A Bill for an Act Granting to and Imposing Upon the Board of Administration Certain Powers and Duties with Reference to the Welfare of Children and the Administration and Enforcement of Laws Relating Thereto.

Senate Bill No. 210. A Bill for an Act Providing for the Acquiring by Condemnation of Roads so Located as to Interfere with the Working of Coal or Other Mines, and Providing the Compensation to be Made Therefor.

Senate Bill No. 162. A Bill for an Act to Prevent Imposition or Fraud in the Sale or Disposition of Certain "Securities" Herein Defined by Requiring an Inspection Thereof: Providing for Such Inspection, Supervision and Regulation of the Business of any Person, Association, Partnership, or Corporation, Engaged or Intending to Engage, Whether as Principal or Agent, May be Necessary to Prevent Imposition or Fraud in the Sale or Disposition of Said Securities, and Repealing Chapter 91 of the Civil Code of the Compiled Laws of 1915.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Ployhar moved the adoption of the following Concurrent Memorial Resolution and moved that it be printed in the Journal.

Which motion prevailed.

CONCURRENT MEMORIAL RESOLUTION

WHEREAS, It has been the will of an all-wise Providence to remove from our midst our good friend and honored citizen, Ole Axvig, for forty years a resident of North Dakota; and

WHEREAS, He was for three terms a member from Cavalier County of this Legislative Assembly, and during all such times by his wise forethought and genial disposition won the kindest regard and respect of all members of this body; now, therefore,

BE IT RESOLVED, By the House of Representatives of the State of North Dakota of the Eighteenth Legislative Assembly, the Senate concurring therein, that we pause for a moment in our labors to express our sorrow for the death of Ole Axvig and to express to his family and relatives our sincere sympathy.

BE IT FURTHER RESOLVED, That the Secretary of State be, and he is hereby, directed to forward to the widow of our departed friend a properly engrossed copy of this Concurrent Memorial Resolution.

The Committee on Military Affairs made the following report:

Mr. President: Your Committee on Military Affairs to whom was referred:

House Bill No. 278. A Bill for an Act to Amend Section 1781 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 23 of the engrossed bill, after the word "annual-

ly" insert in lieu thereof the words "or as much thereof as may be necessary."

And when so amended recommend the same do pass.

L. W. SPERRY,
Chairman.

Senator Sperry 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. 282. A Bill for an Act to Amend and Re-enact Section 890 of the Compiled Laws of North Dakota for 1913, Relating to Selection, Organization, Time and Place of Meeting of County and State Central Committees of Political Parties.

Have had the same under consideration and recommend that the same do pass.

C. W. CAREY,
Chairman.

Senator Carey 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 22, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 208. A Bill for an Act Relating to County Finances; Providing That all County Officials and All Officers in Charge of any Institution, Office or Undertaking Supported in Whole or in Part by the County Shall File an Itemized Statement of Amounts Necessary for Maintenance of Such Office or Institution; Providing That the County Commissioners Shall Annually Prepare a Budget Providing for Publication of Such Budget and of the Proposed Levy; Providing for a Public Hearing in Regard to the Proposed Expenditures and Levy; Fixing a Date for Levy; Providing That All Expenditures must Conform to the Budget as Adopted, and That all Unappropriated Balances in any Fund at the End of the Fiscal Year Shall Become a Part of the General Fund; Repealing Sections 3312, 3313, and 3314, of the Compiled Laws of 1913.

Which the House has amended as follows:

On page 2, Section 2, line 1, strike out the word "Commissioners" and insert in lieu thereof the word "Auditor."

On page 4, Section 5, line 8, strike out the word "treasurer's" and insert in lieu thereof "Auditor's."

On page 5, Section 9, line 7, strike out the word "treasurer's" and insert in lieu thereof "Auditor's."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senate Bill No. 208, as amended by the House, was referred to the Committee on Taxes and Tax Laws.

The Senate returned to the Eighth Order of Business.

MOTIONS AND RESOLUTIONS

Senator Gross introduced the following:

CONCURRENT RESOLUTION

Be It Resolved by the Senate of the Eighteenth Legislative Assembly, the House of Representatives Concurring Therein:

WHEREAS, It is a fundamental principle of justice that contracting parties should share equally the results of deflation; and

WHEREAS, If the above principle of justice were enacted into law there would be no deflation; and

WHEREAS, The securities for investments represent more permanent natural values than the variable gold dollar; and

WHEREAS, Indebtedness which involves a certain number of bushels of wheat or a certain number of acres of land before deflation, should involve the same amount of the same permanent standards after deflation; and

WHEREAS, Our fluctuating standard would be made more stable if attached by definite ratios to permanent standards like bushels of wheat or bales of cotton; and

WHEREAS, The enactment of the above principles of justice into law would be of untold benefit to the people and would aid materially in re-establishing the prosperity of the country; now, therefore,

BE IT RESOLVED, That this Legislature memorialize Congress, that the foregoing principles be enacted into law, thus safeguarding inherent rights and establishing future prosperity on a more secure foundation; and

BE IT FURTHER RESOLVED, That a copy of this resolution be spread upon the Journal and that a copy be sent to each of our representatives in Congress by the Secretary of State.

Which was referred to the Committee on Judiciary.

Courtesies of the floor were extended to S. Th. Westdahl of Williston.

Senator Storstad moved that the Senate do now recess until 1:00 o'clock P. M., February 23, 1923.

Which motion prevailed.

FIFTY-SECOND DAY AFTER RECESS AND FIFTY-
THIRD DAY

Senate Chamber,
Bismarck, N. D.
February 23., 1923.

The Senate re-assembled at 1:00 P. M. Pursuant to Recess taken, the President, Frank H. Hyland presiding.

The Senate took up the sixth order of business.

REPORTS OF STANDING COMMITTEES.

The committee on Agriculture made the following report:

Mr. President: Your committee on Agriculture to whom was referred:

House Bill No. 205. A Bill for an Act to Repeal, Amend and Re-enact Chapter 119 of the Session Laws of 1917, Relating to Farmers Institutes.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the word "Repeal" in the title of the Bill and add immediately following the enacting clause:

"Section 1. AMENDMENT. Chapter 119 of the Session laws of 1917 is hereby amended and re-enacted to read as follows:

And when so amended recommend the same do pass.

R. J. GARDINER,
Chairman.

Senator Gardiner 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. 311. A Bill for an Act to Amend and Re-enact Section 3540 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 93, Session Laws of 1921, Relating to the Fees Paid to Newspapers for the Publication of Legal Notices.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything in the engrossed bill after the words "A BILL" and insert in lieu thereof the following.

"For an Act to Amend and Re-enact Section 3540 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 93 Session Laws of 1921, Relating to the Fees Paid to Newspapers for the Publication of Legal Notices.

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

Section 1. AMENDMENT. That Section 3540 of the Compiled Laws of 1913 is hereby amended and re-enacted to read as follows:

Section 3540. PAY REQUIRED. The fees to be paid to newspapers for the publication of all notices and publications that are now required or hereafter may be required by law to be published by county officers; all summons, citations, notices, orders and other processes in actions or proceedings in the supreme, district, county or justice courts of the state, which are or hereafter may be required by law to be published; all publications of every nature that are now or hereafter may be required to be published by state officers, elective or appointive; all notices of foreclosure of real estate or chattel mortgages or other liens on real estate or personal property foreclosed by advertisement; all notices required to be published by the cities, villages, townships, school districts and other political subdivisions of the state and the officers thereof; and all legal notices of whatsoever kind or character required by law to be published shall be as follows: Nine cents per counted line of nonpareil type for the first insertion and six cents per counted line of nonpareil type for each subsequent insertion, or seven cents per counted line of brevier type for the first insertion and five cents per counted line for each subsequent insertion. All tabulated matter, leader work, or work containing one column of figures shall be figured at one and one-half times the rate for straight matter on first publication, and all tabulated matter with two or more columns of figures shall be computed at double the rate for straight matter on first publication. A line shall be construed to mean twelve and one-half or thirteen ems pica in length, and all such legal notices shall be set in single column wherever possible."

Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 3. EMERGENCY. This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

OLE ETTESTAD,

Chairman.

Senator Ettestad moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Public Printing to whom was referred:

House Bill No. 193. A Bill for an Act to Amend and Re-enact Section 2189 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 256 of the Session Laws of North Dakota for the Year 1915, Relating to Publication of Delinquent Tax Lists.

Have had the same under consideration and recommend that the same do pass.

OLE ETTESTAD,

Chairman.

Senator Ettestad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Highways made the following report:

Mr. President: Your committee on Highways to whom was referred:

House Bill No. 187. A Bill for an Act to Provide for the Destruction of Weeds on Public Highways by the Owner or Occupant of Land Abutting Thereon. Specifying Method of Procedure in Case of Failure to do so and Assessment and Collection of Costs.

Have had the same under consideration and recommend that the same do pass.

NILS PETERSON,

Chairman.

Senator Petterson 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. 113. A Bill for an Act Appropriating Funds to Idemnify Owners of Animals Infected with Bovine Tuberculosis.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,

Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 267. A Bill for an Act to Repeal Chapter 71 of the Session Laws of 1919 for North Dakota Relating to Board of Administration.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 207. A Bill for an Act for an Appropriation to the Board of Auditors as Provided For in Section 369 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended and Re-enacted by the Initiated Law Approved November 2nd, 1920.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 111. A Bill for an Act Making an Appropriation of Ten Thousand Dollars for the Biennium to State Fair at Fargo for the Year 1923, and 1924, as Provided for in Sections 1847 to 1859 of the Compiled Laws of North Dakota for the Year 1913.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 80. A Bill for an act to Make Appropriation for Postage, Office Supplies, Furniture and Fixtures, Printing, Miscellaneous Expenses, Traveling Expense, Maintenance of Game Farms, Salary and Expenses of Fish Commissioner and Deputy Fish Commissioner, and Expenses and Maintenance of Fish Hatchery.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 91. A Bill for an Act to Appropriate Six Hundred Dollars to the North Dakota Poultry Association for the Biennium Period According to Section 5117 of the Compiled Laws of 1913 for the State of North Dakota.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 104. A Bill for an Act Making an Appropriation of Five Thousand Dollars for the Biennium to the State Fair at Grand Forks for the Years 1923 and 1924, as Provided for in Sections 1847 to 1859 of the Compiled Laws of North Dakota for the Year 1913.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 103. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 76. A Bill for an Act Appropriating Ten Thousand (\$10,000.00) Dollars to the Bovine Tuberculosis Fund for carrying out the provisions of Article 17—Revised Code 1913 and Amendments thereto, Relating to the Reimbursement of Owners of Tuberculous Cattle.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 139. A Bill for an Act Authorizing Abatements to Purchasers of Tax Certificates on State Land.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 271. A Bill for an Act to Amend and Re-enact Section Five of Chapter 38 of the Session Laws of 1921 Relating to the Conciliation of Controversies.

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 "Section 1," insert the word "Amendment."

On page 2 of the engrossed bill, in line 4, after the words "arising out of a," insert the word "written."

And when so amended recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 301. A Bill for an Act to Amend and Re-enact Section 8067 of the Compiled Laws of North Dakota for the Year 1913, Relating to Foreclosure of Mortgages by Agent or Attorney, and Legalizing and Validating Sales Heretofore Made Pursuant to Judgments in Foreclosures of Mortgages by Action.

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 "Section 1," insert the word "Amendment;" and in line 4 of the engrossed bill, insert the words "Section 8076. Foreclosure of real estate mortgage by agent or attorney not valid, when."

And when so amended recommend the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 204. A Bill for an Act to Amend and Re-enact Section 959 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Preparation of Ballots for Constitutional Amendments and Extending the Same to Cover Initiated and Referred Measures.

Have had the same under consideration and while your Committee are satisfied as to the constitutionality of the proposed law and the advisability of enacting this or a similar measure, we believe it should be considered in connection with other election laws and recommend that it be re-referred to the Committee on Elections.

L. R. BAIRD,
Chairman.

Senator Baird 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. 285. A Bill for an Act to Provide for the Nomination and Election of Candidates for the Offices of Presidential Electors, United States Senator, and Members of Congress; for Electing Delegates to National Party Conventions, National Committeemen and for the Apportionment and Term of Office and the Nomination and Election of Party Precinct Committeemen; to Provide for Forms of Ballots and Requirements of New Parties with Reference Thereto; and to Repeal Section 501 of the Re-

vised Code of 1899, Section 601 of the Revised Code of 1905 and Sections 857, 859, 889, 901a, 910, 912, 917, 918, 919 and 971a of the Compiled Laws of North Dakota for the Year 1913, and All Other Acts or Parts of Acts that Are in Conflict with the Provisions Hereof.

Have had the same under consideration and recommend that the same do pass.

C. W. CAREY,
Chairman.

Senator Carey moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Elections to whom was referred:

House Bill No. 169. A Bill for an Act to Amend and Re-enact Section 988 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Disability of Electors in Marking their Ballots.

Have had the same under consideration and recommend that the same do pass.

C. W. CAREY,
Chairman.

Senator Carey 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. 165. A Bill for an Act to Amend and Re-enact Chapter 58 of the Special Session of North Dakota for 1919.

Have had the same under consideration and recommend that the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson 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. 195. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 225 of the Session Laws of 1919 Relating to Interest to be Charged Upon Delinquent Inheritance Taxes.

Have had the same under consideration and recommend that the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Benson moved that the Senate do now adjourn. Which motion prevailed.

FIFTY-THIRD DAY

The Senate convened at 2:00 o'clock P. M. the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. Gerhard Sprock.

Roll was called, all Senators being present with the exception of Senator Babcock.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the 51st day after recess and 52nd day and recommend that the same be corrected as follows:

On page 3, strike out lines 40, 41, 42 and 43 and insert in lieu thereof "House Bill No. 152. Etc."

On page 24 after line 6 insert "House Bill No. 152, etc."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Senator Bond presented a resolution signed by John Kassens and nine others, residents of Minot, N. D., which was referred to the committee on Appropriations.

Senator Flekten presented a similar communication which was also referred to the same committee.

Senator Wenstrom presented a communication from the County Superintendent of Schools of Wells County, which was referred to the committee on Taxes and Tax Laws.

Senator Miklethun presented a communication from the Superintendent of Schools of Griggs County which was also referred to the committee on Taxes and Tax Laws.

The committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 165. A Bill for an Act Amending and Re-enacting Section 1334 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 105, Session Laws of 1921, Relating to the Limit of Issue of Bonds of Common School Districts.

Also,

Senate Bill No. 115. A Bill for an Act Entitled, an Act Relating to Lophophorn Williamsii or Peyote (Pellote) and Agava Americana (Commonly Known as Mescal); Prohibiting the Use of Possession Thereof, Traffic Therein, and Providing Penalties for the Violation of this Act.

Also,

Senate Bill No. 167. A Bill for an Act to Amend and Re-enacting Section 1275 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Limit of Issue of Bonds of Special School Districts.

Also,

Senate Bill No. 160. A Bill for an Act to Amend and Re-enact Chapter 82, Session Laws of North Dakota for 1919, and to Empower Cities to Purchase or construct Plants, Including Gas Works for the Manufacture and Distribution of Light, Heat and Power for Municipal and Commercial Purposes, and to Assess Abutting Property in Accordance with the Benefits Thereto by Reason of Such System of Distribution, and Providing for the Method of Such Assessment and the Collection Thereof.

Also,

Senate Bill No. 28. A Bill for an Act to Empower Cities, Villages, and Towns to Purchase, Sell, Construct, Rent, Lease, Extend, Connect, or Erect, High Tension Electric Transmission Lines and Electrical Equipment, Within and Without the Corporate Limits, and Necessary Secondary Transmission Lines and Distribution Systems Within the Corporate Limits, for the Purpose of Securing Light, Power and Electrical Energy for Municipal and Commercial Use; and to Assess the Property Within the Corporate Limits, and to Provide for the Method of Such Assessment and the Collection Thereof, and to Provide for the Issuance of Bonds.

Also,

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 1104 of the Compiled Laws of the State of North Dakota for the year 1913, Relating to What Cities and Villages Shall Register Before Any General Election or Annual City Election.

Also,

Senate Bill No. 144. A Bill for an Act Relating to Deposits in Banks or Trust Companies and Making it Unlawful to Make a Charge Against the Same Without the Consent of the Depositor.

Also,

Senate Bill No. 154. A Bill for an Act to Amend and re-enact Chapter 121, Session Laws of 1917 Relating to the Issuance of Permits for Breeding or Domestication of Certain Fur Bearing Animals.

Also,

Senate Bill No. 213. A Bill for an Act Giving the North Dakota Game and Fish Commission Power to Make Rules and Regulations in Addition to Those Already Provided by Law, for the Protection of the Fish in the Lakes and Rivers of North Dakota.

Also,

Senate Bill No. 172. A Bill for an Act Granting to and Imposing Upon the Board of Administration Certain Powers and Duties with Reference to the Welfare of Children and the Administration and Enforcement of Laws Relating Thereto.

Also,

Senate Bill No. 210. A Bill for an Act Providing for the Acquiring by Condemnation of Roads so Located as to Interfere with the Working of Coal or Other Mines, and Providing the Compensation to be Made Therefor.

Also,

Senate Bill No. 162. A Bill for an Act to Prevent Imposition or Fraud in the Sale or Disposition of Certain "Securities" Herein Defined by Requiring an Inspection Thereof: Providing for Such Inspection, Supervision and Regulation of the Business of any Person, Association, Partnership, or Corporation, Engaged or Intending to Engage, Whether as Principal or Agent, May be Necessary to Prevent Imposition or Fraud in the Sale or Disposition of Said Securities, and Repealing Chapter 91 of the Civil Code of the Compiled Laws of 1915.

And find the same correctly enrolled.

CHRIST LEVANG,

Chairman.

Senator Levang 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. 208. A Bill for an Act Relating to County Finances; Providing That all County Officials and All Officers in Charge of any Institution, Office or Undertaking Supported in Whole or in Part by the County Shall File an Itemized Statement of Amounts Necessary for Maintenance of Such Office or Institution; Providing That the

County Commissioners Shall Annually Prepare a Budget Providing for Publication of Such Budget and of the Proposed Levy; Providing for a Public Hearing in Regard to the Proposed Expenditures and Levy; Fixing a Date for Levy; Providing That All Expenditures must Conform to the Budget as Adopted, and That all Unappropriated Balances in any Fund at the End of the Fiscal Year Shall Become a Part of the General Fund; Repealing Sections 3312, 3313, and 3314, of the Compiled Laws of 1913.

Have had the same under consideration and recommend that the Senate do concur in the House Amendments.

P. O. THORSON,
Chairman.

Senator Thorson moved that the report of the Conference Committee recommending that the Senate concur in the House amendments to Senate Bill 208 be adopted.

Which motion prevailed.

Senator Thorson moved that the Conference Committee be now discharged.

Which motion prevailed.

Senator Thorson moved that the rules be suspended; that Senate Bill 208 be considered re-engrossed and placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 208. A Bill for an Act Relating to County Finances; Providing That all County Officials and All Officers in Charge of any Institution, Office or Undertaking Supported in Whole or in Part by the County Shall File an Itemized Statement of Amounts Necessary for Maintenance of Such Office or Institution; Providing That the County Commissioners Shall Annually Prepare a Budget Providing for Publication of Such Budget and of the Proposed Levy; Providing for a Public Hearing in Regard to the Proposed Expenditures and Levy; Fixing a Date for Levy; Providing That All Expenditures must Conform to the Budget as Adopted, and That all Unappropriated Balances in any Fund at the End of the Fiscal Year Shall Become a Part of the General Fund; Repealing Sections 3312, 3313, and 3314, of the Compiled Laws of 1913.

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 44, nays 0, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Olson, Eddy-	Storstad
Baird	Kretschmar	Foster	Thorson
Benson	Levang	Page	Tofsrud
Bond	Lynch	Patten	Van Camp
Carey	McCoy	Peck	Ward
Eastgate	McLachlin	Peterson	Wenstrom
Ettestad	Magnuson	Ployhar	Whitman
Garberg	Martin	Porter	Whitmer
Gardiner	Miklethun	Rusch	Wog
Gross	Murphy	Sperry	
Hamilton	Nathan	Steel	
Kaldor	Olson, Barnes	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Byrne	Fleckten	Ingerson
Baker			

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. 138. A Bill for an Act to Amend and Re-enact Chapter 95 of the Session Laws of North Dakota for 1921, Being an Act to Amend and Re-enact Section 2 of Chapter 63, Session Laws of North Dakota for 1915, Prescribing and Limiting Punishment of the Crime of Murder in the First Degree and Limiting the Time, Manner and Condition Whereby Such Person May be Pardoned.

Have had the same under consideration and recommend that the same be amended as follows:

In line 13 of Section 2 of the Engrossed Bill, after the word "person" strike out the word "was" and in the same line after the word "convicted" strike out the words "on a plea of guilty";

In line 16 of Section 2 of the Engrossed Bill, after the word "convicted" insert the words "on a plea of guilty."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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:

House Bill No. 232. A Bill for an Act Providing for the Cancellation and Destruction of Negotiable Bonds, and Interest Coupons Accompanying the Same, Heretofore or Hereafter. Issued by the State of North Dakota, in any Case Where Such Bonds have Matured and Have Been Paid, or Where Any Such Bonds Have Matured and Have Been Paid, or Where Any Such Bonds Have Become

Mutilated or Defaced in the Course of Issuing, Negotiating or Delivering the Same, or Where Such Bonds Have Been Issued and Remain Unsold; and Providing for the Re-Issue of New Bonds in Lieu of Such Unsold, Mutilated or Defaced Bonds Which Have Been Cancelled and Destroyed.

Have had the same under consideration and recommend that the same be amended as follows:

In line 8 of the title of the Engrossed Bill, after the word "Unsold" strike out the semi-colon and insert a comma, and insert the following: "or where Bonds are Re-transferred for Cancellation" insert a semicolon after the word "Cancellation."

In line 10 of the title of the Engrossed Bill, after the word "defaced" insert the words "or re-transferred."

In line 6 of Section 1 of the Engrossed Bill, after the word "same" insert the following: "Or in case any bonds of denominations of less than \$1,000.00 each have been heretofore issued and sold, and are re-transferred to the State of North Dakota for cancellation;"

In line 13 of Section 1 of the engrossed Bill, after the comma following the words "defaced bonds" insert the words "or bonds re-transferred for cancellation"

In line 30 of Section 1 of the Bill, after the word "coupons" insert the following: "or bonds re-transferred to the State for Cancellation;"

In line 37 of Section 1 of the Bill, after the word "the" strike out the word "unsold."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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:

House Bill No. 297. A Bill for an Act to Repeal Chapter 34 of the Session Laws of the State of North Dakota for the year 1921, Relating to Public Utilities.

Have had the same under consideration and recommend that the same be Indefinitely postponed.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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:

House Bill No. 215. A Bill for an Act to Amend Section 1 of Chapter 144 of the Session Laws of North Dakota for the Year of 1921, Relating to Enforcement of Payment of Premiums to the Workmen's Compensation Fund.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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:

House Bill No. 245. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 153 of the Session Laws of North Dakota for 1919, Relating to Bonds of North Dakota, Mill and Elevator Series.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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:

House Bill No. 243. A Bill for an Act Authorizing the Issue of Milling Bonds of the State of North Dakota to the Amount of one Million Dollars (\$1,000,00) and Providing for the Payment Thereof.

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 Authorizing the Issue of Milling Bonds of the State of North Dakota to the Amount of Two Million Dollars (\$2,000,000) and Providing for the Payment thereof.

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

Section 1. There are hereby authorized to be issued, from time to time, Milling Bonds of the State of North Dakota to the amount of Two Million Dollars (\$2,000,000), in denominations of One Thousand Dollars (\$1,000.00) each, becoming due not more than twenty years after date and bearing interest at the rate of not more than six (6) per centum per annum payable semi-annually. Both principal and interest of said bonds shall be payable at the office of the State Treasurer at Bismarck, North Dakota and at some bank in the City of New York, state of New

York. Said bonds shall be signed by the Governor and State Treasurer and attested by the Secretary of State, with the seal of the State affixed. The coupons evidencing the interest thereon shall be executed with the facsimile signature of the State Treasurer. The State Auditor and the Secretary of State shall endorse upon each bond a certificate showing the same to have been issued pursuant to law and within the debt limit.

Section 2. Before any bonds shall be issued the Industrial Commission shall cause an appraisal to be made of the grain and grain products parcel of the personal property of the North Dakota mill and elevator Association, and thereafter may by resolution authorize the said bonds to the extent of the value of said grain and grain products as fixed by said appraisal. The proceeds of said bonds shall be used for the sole purpose of purchasing grain for said industry, and the said grain so purchased shall at once become subject to the lien of the mortgage securing said bonds hereinafter authorized. In making appraisals, after the first, there shall first be set apart and excluded therefrom sufficient grain and grain products fully to cover prior pledges thereof under this act. The amount of grain and grain products on hand shall at all times have an appraised value equalling or exceeding the par value of the Milling bonds at any time outstanding. Copies of all appraisals, authenticated by the signatures of the appraisers, shall be filed with the State Treasurer and be attached to the said mortgage. Each appraisal shall include all grain and grain products on hand when the same is made.

Section 3. In order at all time amply to secure the said Milling Bonds there shall be made, executed and delivered to the State Treasurer and his successors in office, a first mortgage on grain and grain products owned by said North Dakota Mill and Elevator Association to the extent of an appraised value equal to the amount of such outstanding milling bonds pledging the same for the payment of said Milling bonds. The said Milling bonds and the mortgage securing the same shall be authorized by the Industrial Commission by resolution duly passed and said bonds when executed shall be delivered to the Industrial Commission for sale.

Section 4. Authority is hereby granted to said North Dakota Mill and Elevator Association to manufacture all wheat owned by it into flour, and the lien of the mortgage authorized by Section 3 of this Act shall continue on the same during the process of manufacture and remain upon the finished products. The finished product may be sold, whereupon the proceeds to the extent of the value of the raw product contained therein shall be deposited in the Bank of North Dakota and withdrawn for the sole purpose of purchasing additional grain which shall at once become pledged under the said mortgage. All such monies not used for the purchase of grain shall be and remain as a fund for the purchase or payment of the principal and interest of said Milling bonds. Every such bond and coupon must be presented for payment at the office of the

State Treasurer within six years from the date of its maturity; and no such bond or coupon shall bear interest after maturity unless payment thereof shall not be made upon due presentation for payment.

Section 5. From time to time the Industrial Commission shall, out of the earnings derived from the operation of the Association, pay to the State Treasurer such moneys as the Commission shall deem available to devote to the purpose of paying said bonds and interest. In making such payment the Commission shall file a statement with the State Treasurer specifying the purpose of such payment. When moneys shall have been so paid to the State Treasurer, he shall apply the same to their specified purpose as hereinafter directed.

Section 6. At the time of each annual meeting of the State Board of Equalization hereafter, the Industrial Commission shall deliver to said board an exact written statement of all bonds issued under the provisions of this Act outstanding at that time, including therein the dates of maturity, interest rates and all other information proper to enable the board intelligently to comply with the provisions of this Act in regard to tax levies. On the basis of such information, the State Board of Equalization shall annually levy a tax, at the time other taxes are levied, sufficient in amount to pay such interest on said bonds as will become due during the year beginning on the next ensuing first day of January, and said tax shall be collected in the same manner as other state taxes are collected. In determining, however, the amount of the tax sufficient for such purpose the Board of Equalization shall take into account whatever moneys, if any, shall then have been paid to the State Treasurer by the Industrial Commission, as provided, in this Act, for the specific purpose of paying such interest. The Board of Equalization shall apply to the State Treasurer for information as to the amount of such moneys, and he shall forthwith supply the information requested. If the amount of such moneys shall equal or exceed the amount of the interest on said bonds payable during said year beginning on the next ensuing first day of January, then no tax shall be levied by the Board of Equalization for that purpose; but if the amount of such moneys shall be less than the amount of the interest on said bonds payable during said year, then the Board of Equalization shall deduct the amount of said moneys in the possession of the treasurer from the amount of the interest so payable, and shall levy the tax herein before in this section provided for at least the difference between said amounts.

Section 7. Whenever it shall appear to the Board of Equalization from the information contained in any statement delivered to it by the Industrial Commission at any annual meeting of said Board, as provided in section 6 above, that there will mature, within a period of five years from such annual meeting, any of the bonds provided for in this Act, the Board of Equalization shall thereupon, at such annual meeting, levy a tax in an amount equal to one-fifth of the amount of the principal of such

bonds; provided, however, that in determining the amount of such tax, the Board of Equalization shall take into account whatever moneys, if any, shall have been paid to the State Treasurer by the Industrial Commission for the specific purpose of paying the principal of said bonds when due, as provided in Section 5 of this Act. The Board of Equalization shall apply to the State Treasurer for information as to the amount of such moneys and as to the times when paid to him. If the amount of such moneys paid to the treasurer since the date of the last preceding tax levy made by the Board of Equalization, shall equal or exceed one-fifth of the amount of the bonds so to mature, then such tax shall not be levied; but if the date of the last preceding tax levy shall be less than one-fifth of the amount of said bonds so to mature, then the Board of Equalization shall deduct the amount of such moneys, so paid from such one-fifth of said bonds, and shall levy the tax, hereinbefore in this section provided, for the difference. It is the intention of this section to provide that in each of the last five years before the maturity of any of said bonds, a state tax shall be levied which, together with such moneys as shall during the next preceding year have been paid to the State Treasurer, by the Industrial Commission for the purpose, shall be at least sufficient to pay one-fifth part of the principal of said bonds.

Section 8. There is hereby appropriated, all of the moneys obtained as proceeds of the taxes provided for in Sections 6 and 7 above, and all moneys paid to the State Treasurer by the Industrial Commission as specified in Section 5 above, and all moneys constituting the Mill and Elevator Bond Payment Fund, or so much thereof as may be from time to time necessary, to pay the interest and principal upon the said bonds as payments thereon shall become due; and whenever any of said bonds, or any coupons thereon being due, shall be presented for payment, the State Treasurer shall pay the same out of the fund applicable thereto. If for any reason the said fund shall, for the time being be insufficient the treasurer shall supply the deficiency out of any other available moneys of the state in his custody; but in that case he shall as soon as possible, out of the Mill and Elevator Bond Payment Fund, return the amount of such deficiency to the source whence taken.

Section 9. Delivery of the said bonds to the State Treasurer shall be deemed sufficient delivery in law, and no subsequent change in the officers signing the same shall affect their execution or standing as obligations of the State.

Section 10. An emergency is hereby declared to exist and this act shall take effect from and after its passage and approval.

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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: A majority of your committee on Taxes and Tax Laws to whom was referred:

House Bill No. 212. A Bill for an Act Providing for the Levying of a Tax to Create a Fund for the Purpose of Paying the Deficit in the Funds and the Indebtedness of the Home Building Association of North Dakota, and in Paying the Indebtedness, Salaries, Expenses and Expenditures Incurred by the Industrial Commission in Liquidating and Winding up the Business and Affairs of Said Association.

Have had the same under consideration and recommend that the same do pass.

P. O. THORSON,
Chairman.

The committee on Taxes and Tax Laws made the following report:

Mr. President: A minority of your committee on Taxes and Tax Laws to whom was referred:

House Bill No. 212. A Bill for an Act Providing for the Levying of a Tax to Create a Fund for the Purpose of Paying the Deficit in the Funds and the Indebtedness of the Home Building Association of North Dakota, and in Paying the Indebtedness, Salaries, Expenses and Expenditures Incurred by the Industrial Commission in Liquidating and Winding up the Business and Affairs of Said Association.

Have had the same under consideration and recommend that the same be indefinitely postponed.

B. F. BAKER,
OLE ETTESTAD,
A. A. PECK.

Senator Thorson moved that the majority report of the committee on House Bill 212 be adopted.

Senator Baker moved that the minority report be substituted for that of the majority.

A roll call was demanded.

SENATE ROLL CALL

The question being on the motion to substitute the minority report for that of the majority, the roll was called and there were ayes 22, nays 24, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Ettestad	Levang	Olson, Eddy	Whitmer
Fleckten	Magnuson	Foster	Wog
Garberg	Martin	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Murphy	Stevens
Baird	Kelsh	Page	Storstad
Bond	Kretschmar	Peterson	Thorson
Carey	Lynch	Rusch	Tofsrud
Eastgate	McCoy	Sperry	Van Camp
Gardiner	McLachlin	Steel	Whitman

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Ployhar	Porter

So the motion to substitute was lost.

A roll call on the adoption of the report of the majority of the committee was demanded.

SENATE ROLL CALL

The question being on the motion to adopt the majority report, the roll was called and there were ayes 26, nays 22, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Ettestad	Levang	Olson, Eddy-	Whitmer
Fleckten	Magnuson	Foster	Wog
Garberg	Martin	Patten	

Absent and not voting:

Messrs.
Babcock

So the majority report was adopted.

The committee on Elections made the following report:
Mr. President: A majority of your committee on Elections to whom was referred:

House Bill No. 231. A Bill for an Act Regulating the Signing of Recall Petitions; Preventing Fraud and Corruption and Providing Penalties for the Violation of the Provisions of this Act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. CAREY,
Chairman.

The committee on Elections made the following report:

Mr. President: A minority of your committee on Elections to whom was referred:

House Bill No. 231. A Bill for an Act Regulating the Signing of Recall Petitions; Preventing Fraud and Corruption and Providing Penalties for the Violation of the Provisions of this Act.

Have had the same under consideration and recommend that the same do pass.

JOHN L. MIKLETHUN,
JOHN W. BENSON,

Senator Carey moved that the majority report of the committee on House Bill No. 231 be adopted.

Senator Benson moved that the minority report be substituted for that of the majority.

A roll call was demanded.

SENATE ROLL CALL

The question being on the motion to substitute the minority for the majority report, the roll was called and there were ayes 23, nays 25, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Foster
Benson	Hamilton	Nathan	Page
Byrne	Ingerson	Patten	Ward
Ettestad	Levang	Peck	Wenstrom
Fieckten	Magnuson	Olson, Barnes	Whitmer
Garberg	Martin	Olson, Eddy-	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Ployhar	Thorson
Baird	Kretschmar	Porter	Tofsrud
Bond	Lynch	Rusch	Van Camp
Carey	McCoy	Sperry	Whitman
Eastgate	McLachlin	Steel	
Gardiner	Murphy	Stevens	
Kaldor	Peterson	Storstad	

Absent and not voting:

Messrs.
Babcock

So the motion was lost.

Senator Ward: I vote "aye" as I believe this is a good clean bill.

The question now being on the motion to adopt the majority report, the motion prevailed.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred:

Concurrent Resolution introduced by Mr. Gross.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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 Section 10177 of the Compiled Laws for the Year 1913 Relating to the Selling and Smoking of Opium, and the Sale and Use of Other Narcotics and by Making and Smoking of Opium, and the Sale and Use of Other Narcotics and by Making More Definite the Procedure in Cases of Lease Hold Premises Held Under an Injunction; Providing a Means Whereby Innocent Owners May Cancel a Lease Thereof and Further Providing the Breadth of the Operation in Such Injunction by Making it Personal and Apply to Clerks, Servants, and to Include any Place Within the State.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar moved that the report be adopted, which motion prevailed and the report was adopted.

MOTIONS AND RESOLUTIONS.

Senator Garberg moved that all absent Senators be excused.

Which motion prevailed.

THIRD READING OF HOUSE BILLS.

Senator Stevens moved that House Bills 59 and 142 be placed at the head of the Calendar as they were the first bills passed that were introduced by women legislators.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 59. A Bill for an Act Making it a Misdemeanor for any Person to Operate a Motor Vehicle While such Person is in an Intoxicated Condition, 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 ayes 46, nays 0, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Nathan	Steel
Baird	Kaldor	Olson, Barnes	Stevens
Baker	Kelsh	Olson, Eddy-	Storstad
Benson	Kretschmar	Fester	Thorson
Bond	Levang	Page	Tofsrud
Byrne	Lynch	Patten	Van Camp
Carey	McCoy	Peck	Ward
Ettestad	McLachlin	Peterson	Wenstrom
Fleckten	Magnuson	Ployhar	Whitman
Garberg	Martin	Porter	Whitmer
Gardiner	Miklethun	Rusch	Wog
Hamilton	Murphy	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Eastgate	Gross

So the bill passed and the title was agreed to.

Senator Ployhar moved that the vote by which House Bill No. 59 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 142. A Bill for an Act Providing for the Proper Protection of Guests in Hotels, Restaurants and Rooming Houses.

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 ayes 46, nays none, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Steel
Baird	Ingerson	Olson, Barnes	Stevens
Baker	Kaldor	Olson, Eddy-	Storstad
Benson	Kretschmar	Foster	Thorson
Bond	Levang	Page	Tofsrud
Byrne	Lynch	Patten	Van Camp
Carey	McCoy	Peck	Ward
Fleckten	McLachlin	Peterson	Wenstrom
Ettestad	Magnuson	Ployhar	Whitman
Garberg	Martin	Porter	Whitmer
Gardiner	Miklethun	Rusch	Wog
Gross	Murphy	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Babcock	Eastgate	Kelsh

So the bill passed and the title was agreed to.

Senator Fleckten moved that the vote by which House

Bill No. 142 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Stevens moved that a select committee of messengers consisting of Senators Rusch, Gardiner and McCoy be appointed to message to the House information that House Bills 59 and 142 were passed by the Senate.

Senator Murphy moved that the motion by Senator Stevens be adopted by a rising vote.

Which motion prevailed.

Senator Stevens moved that Senate do now recess subject to the call of the president.

Which motion prevailed.

AFTER RECESS.

Senator Levang moved that the Special Committee of messengers be discharged.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 35. A Bill for an Act to Amend and Re-enact Section 3521 of the Compiled Laws of North Dakota for the Year 1913, Prescribing the Rate of Mileage Allowed the Sheriff.

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 ayes 45, nays 2, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins.	Hamilton	Nathan	Steel
Baird	Ingerson	Olson, Barnes	Stevens
Baker	Kaldor	Olson, Eddy-	Storstad
Benson	Kelsh	Foster	Thorson
Bond	Kretschmar	Page	Tofsrud
Ryne	Levang	Patten	Van Camp
Carey	Lynch	Peck	Ward
Flechten	McCoy	Peterson	Whitman
Fttestad	McLachlin	Ployhar	Whitmer
Garberg	Magnuson	Porter	Wog
Gardiner	Miklethun	Rusch	
Gross	Murphy	Sperry	

Those voting in the negative were:

Messrs.	Messrs.
Martin	Wenstrom

Absent and not voting:

Messrs.	Messrs.
Babcock	Eastgate

So the bill passed and the title was agreed to.

SIGNING OF BILLS.

The Secretary announced that the President was about to sign:

House Bill No. 8. A Bill for an Act to Empower All Cities Having a Population in Excess of Five Thousand Inhabitants, by the Federal Census of 1920, or by Any Subsequent Federal Census, to Provide for the Establishment of Districts or Zones Within the Corporate Limits, and to Empower Such Cities by Ordinances, to Regulate Within Such Zones or Districts, the Use or Uses of Land, the Height, the Area, the Size and the Location of Buildings, the Required Open Spaces for the Light and Ventilation of Such Buildings and the Density of Population; to Provide for a Board of Appeals, and for the Carrying Out of Such Ordinances and to Provide a Penalty for the Violation Thereof.

Senate Bill No. 201. A Bill for an Act to Amend and Re-enact Section 5608 of the Compiled Laws of the State of North Dakota for the Year 1913.

Senate Bill No. 165. A Bill for an Act Amending and Re-enacting Section 1334 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 105, Session Laws of 1921, Relating to the Limit of Issue of Bonds of Common School Districts.

Senate Bill No. 115. A Bill for an Act Entitled, an Act in, and Providing Penalties for the Violation of this Act. Relating to *Lophophora Williamsii* or *Peyote* (*Pellote*) and *Agava Americana* (Commonly Known as *Mescal*); Prohibiting the Use or Possession Thereof, Traffic There-

Senate Bill No. 167. A Bill for an Act to Amend and Re-enacting Section 1275 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Limit of Issue of Bonds of Special School Districts.

Senate Bill No. 160. A Bill for an Act to Amend and Re-enact Chapter 82, Session Laws of North Dakota for 1919, and to Empower Cities to Purchase or construct Plants, Including Gas Works for the Manufacture and Distribution of Light, Heat and Power for Municipal and Commercial Purposes, and to Assess Abutting Property in Accordance with the Benefits hereto by Reason of Such System of Distribution, and Providing for the Method of Such Assessment and the Collection Thereof.

Senate Bill No. 28. A Bill for an Act to Empower Cities, Villages, and Towns to Purchase, Sell, Construct, Rent, Lease, Extend, Connect, or Erect, High Tension Electric Transmission Lines and Electrical Equipment, Within and Without the Corporate Limits, and Necessary Secondary Transmission Lines and Distribution Systems Within the Corporate Limits, for the Purpose of Securing Light, Power and Electrical Energy for Municipal and Commercial use; and to Assess the Property Within the Corporate Limits, and to Provide for the Method of Such Assessment and the Collection Thereof, and to Provide for the Issuance of Bonds.

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 1104 of the Compiled Laws of the State of North Dakota for the year 1913, Relating to What Cities and Villages Shall Register Before Any General Election or Annual City Election.

Senate Bill No. 144. A Bill for an Act Relating to Deposits in Banks or Trust Companies and Making it Unlawful to Make a Charge Against the Same Without the Consent of the Depositor.

Senate Bill No. 154. A Bill for an Act to Amend and Re-enact Chapter 121 Session Laws of 1917, Relating to the Issuance of Permits for Breeding or Domestication of Certain Fur Bearing Animals.

Senate Bill No. 213. A Bill for an Act Giving the North Dakota Game and Fish Commissioner Power to Make Rules and Regulations in Addition to Those Already Provided by Law, for the Protection of the Fish in the Lakes and Rivers of North Dakota.

Senate Bill No. 172. A Bill for an Act Granting to and Imposing Upon the Board of Administration Certain Powers and Duties with Reference to the Welfare of Children and the Administration and Enforcement of Laws Relating Thereto.

Senate Bill No. 162. A Bill for an Act to Prevent Imposition or Fraud in the Sale or Disposition of Certain "Securities" Herein Defined by Requiring an Inspection Thereof: Providing for Such Inspection, Supervision and Regulation of the Business of any Person, Association, Partnership, or Corporation, Engaged or Intending to Engage, Whether as Principal or Agent, May be Necessary to Prevent Imposition or Fraud in the Sale or Disposition of

Senate Bill No. 210. A Bill for an Act Providing for the Acquiring by Condemnation of Roads so Located as to Interfere with the Working of Coal or Other Mines, and Providing the Compensation to be Made Therefor.

MESSAGES FROM THE HOUSE.

House of Representatives,
Bismarck, N. D.
February 23, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 30. A Bill for an Act to Amend and Re-enact Section 4989, Compiled Laws of 1913, Relating to Filing of Statements by Mining Corporations.

Senate Bill No. 234. A Bill for an Act to Limit the Payment of Deputies, Clerks and Employees and Providing for the Recovery of State Funds So Paid in Violation of this Act.

Senate Bill No. 263. A Bill for an Act Rebating to the White Stone Hills Battlefield Grounds in Dickey County, and Vesting the Care, Custody, Control and Maintenance

Enact Section 1 of Chapter 4 of the Laws Passed by the Special Session of the Sixteenth Legislative Assembly of the Same in the State Historical Society of North Dakota, as Trustee for the State.

Senate Bill No. 3: A Bill for an Act to Amend and Repeal of the State of North Dakota, in 1919, as Amended by Chapter 5 of the Laws of North Dakota for the Year 1921, Being an Act to appropriate out of the State Highway Fund the Sum of \$35,000.00 for the Construction of a Bridge Across the Red River at Pembina, Pembina County, North Dakota, and Kittson County, Minnesota, Under the Provisions of Chapter 73 of the Laws Passed at the Legislative Assembly of North Dakota, approved March 5th, 1919.

Senate Bill No. 241. A Bill for an Act to Amend and Re-enact Section 7036 of the Compiled Laws of North Dakota for 1913, Relating to Protesting Negotiable Instruments.

Senate Bill No. 278. A Bill for an Act to Amend and Re-enact Section 3718 of the Compiled Laws of North Dakota for the Year 1913, Relating to Extension of Water Main Assessments.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 229. A Bill for an Act to Amend and Re-enact Section 2189 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Publication of Delinquent Tax List, as Amended by Chapter 256 of the Session Laws of 1915.

Senate Bill No. 200. A Bill for an Act Providing for the Recall of County Commissioners.

Senate Bill No. 287. A Bill for an Act to Amend and Re-enact Chapter 157 of the Laws of North Dakota for the Year 1917, Relating to the Penalty for Larceny of Automobiles and Motorcycles.

Senate Bill No. 310. A Bill for an Act Relating to School Finances; Providing that Each School Board or Board of Education of Any School District Shall Annually Prepare a Budget of Proposed Expenditures; Providing for Publication of Such Budget and of the Proposed Levy; Providing for a Public Hearing in Regard to the Proposed Expenditures and Levy; Fixing a Date for Levy; Providing that All Expenditures Must Conform to the Budget as Adopted, and that All Unappropriated Balances in Any Fund at the End of the Fiscal Year Shall Become a Part of the General Fund; Repealing All Acts and Parts of Acts Inconsistent With the Provisions of This Act.

Senate Bill No. 390. A Bill for an Act Prohibiting the Employment of a Married Woman in Any Public Office in the State of North Dakota, Whose Husband Is Able-bodied and Able to Earn a Living Wage, and Providing a Penalty Therefor.

Senate Bill No. 259. A Bill for an Act Relating to the Power of the Supreme Court in Civil Causes on Appeal, and the Extent of Review when Such Causes are Reversed by the Supreme Court and Remanded for a New Trial.

Senate Bill No. 244. A Bill for an Act to Amend and Re-enact Section 4799 of the Compiled Laws of the State of North Dakota for 1913, Relating to Free Passes, Franks and Special Privileges Prohibited and Exceptions.

Which the House has indefinitely postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Ingerson moved to amend House Bill No. 65 as follows:

Page 3, line 7, of the printed bill, change "said" to "this". Place a period after "state" and strike out balance of the paragraph.

Which motion lost.

Senator Ingerson moved to amend House Bill 65 as follows:

Page 5, line 11, of the engrossed bill, strike out "acceptable to said Board and" and insert in lieu thereof "of good standing."

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 65. A Bill for an Act to Amend and Re-enact Article 19 of Chapter 5 of the Political Code of the State of North Dakota Being Sections 524 to 539 Both Inclusive of the Compiled Laws of North Dakota for the Year 1913, Relative to the Practice of Optometry, Creating a State Board of Examiners in Optometry, Providing for the Registration of Optometrists, Defining and Regulating Violation of the Terms of Said Act.

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 ayes 28, nays 19, absent and not voting 2.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Ployhar	Tofsrud
Baird	Kretschmar	Porter	Van Camp
Baker	Lynch	Rusch	Ward

Messrs.	Messrs.	Messrs.	Messrs.
Bofd	McCoy	Sperry	Whitman
Carey	McLachlin	Steel	Wog
Eastgate	Murphy	Stevens	
Gardiner	Page	Storstad	
Kaldor	Peterson	Thorson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Gross	Martin	Patten
Byrne	Hamilton	Nathan	Peck
Ettestad	Ingerson	Olson, Barnes	Wenstrom
Fleckten	Levang	Olson, Eddy-	Whitmer
Garberg	Magnuson	Toster	

Absent and not voting:

Messrs.	Messrs.
Babcock	Miklethun

So the bill passed and the title was agreed to.

Senator Carey moved to amend House Bill No. 90 as follows:

Section 1, line 3, of the engrossed bill, after the word "distributed" insert "to the head of each family, as certified to him as nearly correct as possible, by the County Auditor and"

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 90. A Bill for an Act Providing When the Publicity Pamphlet Shall Be Printed, and What Matter Shall be Excluded Therefrom, and Repealing All Acts or Parts of Acts in Conflict Therewith.

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 ayes 30, nays 18, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Murphy	Stevens
Baird	Gardiner	Page	Storstad
Baker	Ingerson	Peterson	Thorson
Bond	Kaldor	Ployhar	Tofsrud
Carey	Kelsh	Porter	Van Camp
Eastgate	Kretschmar	Rusch	Whitman
Ettestad	Lynch	Sperry	
Fleckten	McLachlin	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	McCoy	Olson, Barnes	Ward
Byrne	Magnuson	Olson, Eddy	Wenstrom
Gross	Martin	Foster	Whitmer
Hamilton	Miklethun	Patten	Wog
Levang	Nathan	Peck	

Absent and not voting:

Messrs.
Babcock

SENATE ROLL CALL

House Bill No. 106. A Bill for an Act to Appropriate One Thousand and Forty Dollars (\$1,040.00) for the Payment of \$10.00 Once Each Week During the Biennium 1923, 1924, as an Aid to the Society for the Friendless Authorized Under Chapter 46 of the North Dakota 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 ayes 47, nays none, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Sperry
Baird	Ingerson	Nathan	Steel
Baker	Kaldor	Olson, Barnes	Stevens
Benson	Kelsh	Olson, Eddy-	Storstad
Bond	Kretschmar	Foster	Thorson
Byrne	Levang	Page	Tofsrud
Carey	Lynch	Patten	Van Camp
Eastgate	McCoy	Peck	Ward
Ettestad	McLachlin	Peterson	Wenstrom
Fleckten	Magnuson	Ployhar	Whitman
Gardiner	Martin	Porter	Whitmer
Gross	Miklethun	Rusch	Wog

Absent and not voting:

Messrs.	Messrs.
Babcock	Garberg

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 93. A Bill for an Act to Appropriate One Thousand Dollars to Provide Funds for the Payment of the Per Diem and Necessary Expenses of the Members of the State Board of Pardons, together with Postage, Telegrams, Telephone Tolls, Printing, and Other Necessary Expenses Incurred by Such Board as Provided for in Section 11108 of the Compiled Laws of 1913 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 ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Stevens
Baird	Ingerson	Nathan	Storstad
Baker	Kaldor	Olson, Barnes	Thorson
Benson	Kelsh	Olson, Eddy-	Tofsrud
Bond	Kretschmar	Foster	Van Camp
Byrne	Levang	Page	Ward
Carey	Lynch	Patten	Wenstrom
Eastgate	McCoy	Peck	Whitman
Ettestad	McLachlin	Peterson	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Martin	Sperry	
Gardiner	Miklethun	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Ployhar	Rusch

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 95. A Bill for an Act Making an Appropriation for the Florence Crittendon Home at Fargo, North Dakota.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Storstad
Baird	Ingerson	Olson, Barnes	Thorson
Baker	Kaldor	Olson, Eddy	Tofsrud
Benson	Kretschmar	Foster	Van Camp
Bond	Levang	Page	Ward
Byrne	Lynch	Patten	Wenstrom
Carey	McCoy	Peck	Whitman
Eastgate	McLachlin	Peterson	Whitmer
Ettestad	Magnuson	Porter	Wog
Fleckten	Martin	Sperry	
Garberg	Miklethun	Steel	
Gardiner	Murphy	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.	
Babcock	Kelsh	Ployhar	Rusch
Hamilton			

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 119. A Bill for an Act Making an Appropriation of \$63,000.00 for the Care of Insane Patients Whose Residence Can not be Determined and Whose Care Must be Borne by the State.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays none, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	
Atkins	Gardiner	Murphy	Steel
Baird	Gross	Nathan	Stevens
Baker	Kaldor	Olson, Barnes	Storstad
Benson	Kretschmar	Olson, Eddy-	Thorson
Bond	Levang	Foster	Tofsrud
Byrne	Lynch	Page	Van Camp
Carey	McCoy	Patten	Ward
Eastgate	McLachlin	Peck	Wenstrom
Ettestad	Magnuson	Peterson	Whitman
Fleckten	Martin	Porter	Whitmer
Garberg	Miklethun	Sperry	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Ingerson	Ployhar	Rusch
Hamilton	Kelsh		

So the bill passed and the title was agreed to.

Senator Baker moved to amend House Bill No. 165 as follows:

Page 1, Section 1382 of the engrossed bill, in line 17 strike out "so desired" and insert in lieu thereof "necessary"

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 1382, Article 21, Chapter Five General School Laws of the State of North Dakota, Entitled School Year and School Week Defined. Holidays.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 28, nays 18, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Flechten	Olson-Barnes	Thorson
Baird	Gardiner	Olson, Eddy-	Ward
Baker	Gross	Foster	Wenstrom
Benson	Ingerson	Peck	Whitman
Bond	Kaldor	Ployhar	Wog
Byrne	Levang	Porter	
Eastgate	Miklethun	Sperry	
Ettestad	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Carey	McLachlin	Patten	Tofsrud
Garberg	Magnuson	Peterson	Van Camp
Hamilton	Martin	Rusch	Whitmer
Lynch	Nathan	Stevens	
McCoy	Page	Storstad	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Kelsh	Kretschmar

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 161. A Bill for an Act to Amend Section 1398 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Free Text Books in Public Schools.

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 ayes 40, nays 7, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Rigerson	Olson, Eddy-	Storstad
Baker	Kaldor	Foster	Thorson
Benson	Kretschmar	Page	Tofsrud
Bond	Levang	Patten	Van Camp
Byrne	Lynch	Peterson	Ward
Eastgate	McLachlin	Ployhar	Wenstrom
Ettestad	Magnuson	Porter	Whitman
Fleckten	Miklethun	Rusch	Whitmer
Garberg	Murphy	Sperry	Wog
Gardiner	Olson, Barnes	Steel	
Gross		Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Martin	Peck
Carey	McCoy	Nathan	

Absent and not voting:

Messrs.	Messrs.
Babcock	Kelsh

So the bill passed and the title was agreed to.

Senator Baker moved that the Senate do now recess for fifteen minutes.

Which motion prevailed.

AFTER RECESS

MESSAGE FROM THE HOUSE

The following message was received from the House:

House of Representatives,
Bismarck, North Dakota,
February 23, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 2. A Bill for an Act to Provide for the Storing of Grain in Store Rooms or Granaries on Farms, the Loaning of Money on the Same and the Manner of Collecting Said Loans.

Also,

Senate Bill No. 39. A Bill for an Act to Amend and Re-enact Section 287 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 241 of the Session Laws of 1915, and as Amended by Chapter 204 of the Session Laws of 1917, and as Amended by Chapter 198 of the Session Laws of 1919, and as Amended by Chapter 108 of the Session Laws of 1921, Relating to Investment of University and School Land Funds.

Also,

Senate Bill No 119. A Bill for an Act to Amend and Re-enact Section 341 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Manner Common School Lands and Other Public Lands Shall be Leased.

Also,

Senate Bill No. 137. A Bill for an Act Making an Appropriation of \$2,000.00 for the Biennium to Defray the Expenses of Disbarment Proceedings, as Prescribed by Section 808 to 812 of the Compiled Laws of 1913 for North Dakota.

Also,

Senate Bill No. 151. A Bill for an Act to Amend Section 6295 of the Compiled Laws Relating to Trusts and Trusteeships.

Also,

Senate Bill No. 242. A Bill for an Act Amending and Re-enacting Section 1342 of the Compiled Laws of 1913 as Amended by Chapter 141 of the Session Laws of 1915 and by Chapter 206 of the Session Laws of 1917 and Section 1345 of the Compiled Laws of 1913, Relating to Compulsory School Attendance and Providing for the Enforcement Thereof.

Also,

Senate Bill No. 283. A Bill for an Act to Amend and Re-enact Sections 9868, 9869, 9870, 9871, 9872, 9873, 9874, 9875, 9876 and 9878 of the Compiled Laws of North Dakota for the Year 1913, Relating to Burglary, House Breaking and Unlawful Entering.

Also,

Senate Bill No. 342. A Bill for an Act to Amend and Re-enact Subdivision 2 of Section 1 and Section 13a of Chapter 231 of the Session Laws of 1917 as Amended by Chapter 225 of the Session Laws of 1919, and to Amend Section 2 of Chapter 125 of the Session Laws of 1921, Relating to Inheritance Taxes Upon Estates of Deceased Non-Residents.

Also,

Senate Bill No. 350. A Bill for an Act Amending and Re-enacting Section 1333 and Section 1337 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Issuance of Bonds by Common School Districts, and Declaring an Emergency.

Also,

Senate Bill No. 370. A Bill for an Act to Amend and Re-enact Section 5626 of the Compiled Laws of North Dakota for 1913.

Also,

Senate Bill No. 397. A Bill for an Act to Amend and Re-enact Sections 11291, 11292, 11293 and 11294 of the Compiled Laws of North Dakota for 1913, Relating to Paroling Inmates of the State Training School.

Which the House has indefinitely postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Bond moved that House Bills Nos. 61 and 62 be placed on the Calendar ahead of House Bill No. 63.

Which motion prevailed.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 165. A Bill for an Act Amending and Re-enacting Section 1334 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 105, Session Laws of 1921, Relating to the Limit of Issue of Bonds of Common School Districts.

Also,

Senate Bill No. 115. A Bill for an Act Entitled, an Act Relating to *Lophophora Williamsii* or Peyote (Pellote) and *Agava Americana* (Commonly Known as Mescal); Prohibiting the Use or Possession Thereof, Traffic Therein, and Providing Penalties for the Violation of This Act.

Also,

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Section 1275 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Limit of Issue of Bonds of Special School Districts.

Also,

Senate Bill No. 160. A Bill for an Act to Amend and Re-enact Chapter 82, Session Laws of North Dakota for 1919, and to Empower Cities to Purchase or construct Plants, Including Gas Works for the Manufacture and Distribution of Light, Heat and Power for Municipal and Commercial Purposes, and to Assess Abutting Property in Accordance with the Benefits hereto by Reason of Such System of Distribution, and Providing for the Method of Such Assessment and the Collection Thereof.

Also,

Senate Bill No. 28. A Bill for an Act to Empower Cities, Villages, and Towns to Purchase, Sell, Construct, Rent, Lease, Extend, Connect, or Erect, High Tension Electric Transmission Lines and Electrical Equipment, Within and Without the Corporate Limits, and Necessary Secondary Transmission Lines and Distribution Systems Within the Corporate Limits, for the Purpose of Securing Light, Power and Electrical Energy for Municipal and Commercial Use; and to Assess the Property Within the Corporate Limits, and to Provide for the Method of Such Assessment and the Collection Thereof, and to Provide for the Issuance of Bonds.

Also,

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 1104 of the Compiled Laws of the State

of North Dakota for the Year 1913, Relating to What Cities and Villages Shall Register Before Any General Election or Annual City Election.

Also,

Senate Bill No. 144. A Bill for an Act Relating to Deposits in Banks, Declaring Same to be Trust Funds, and Providing Penalties for Unlawful Removal of Same.

Also,

Senate Bill No. 154. A Bill for an Act to Amend and Re-enact Chapter 121, Session Laws of 1917 Relating to the Issuance of Permits for Breeding or Domestication of Certain Fur Bearing Animals.

Also,

Senate Bill No. 213. A Bill for an Act Giving the North Dakota Game and Fish Commissioner Power to Make Rules and Regulations in Addition to Those Already Provided by Law, for the Protection of the Fish in the Lakes and Rivers of North Dakota.

Also,

Senate Bill No. 172. A Bill for an Act Granting to and Imposing Upon the Board of Administration Certain Powers and Duties with Reference to the Welfare of Children and the Administration and Enforcement of Laws Relating Thereto.

Also,

Senate Bill No. 210. A Bill for an Act Providing for the Acquiring by Condemnation of Roads so Located as to Interfere with the Working of Coal or Other Mines, and Providing the Compensation to be Made Therefor.

Also,

Senate Bill No. 201. A Bill for an Act to Amend and Re-enact Section 5608 of the Compiled Laws of the State of North Dakota for the Year 1913.

Also,

Senate Bill No. 162. A Bill for an Act to Prevent Imposition or Fraud in the Sale or Disposition of Certain "Securities" Herein Defined by Requiring an Inspection Thereof; Providing for Such Inspection, Supervision and Regulation of the Business of Any Person, Association, Partnership, or Corporation, Engaged or Intending to Engage, Whether as Principal or Agent, May Be Necessary to Prevent Imposition or Fraud in the Sale or Disposition of Said Securities, and Repealing Chapter 91 of the Civil Code of the Compiled Laws of 1915.

Were delivered to the Governor for his approval at the hour of 4:25 o'clock P. M., February 23, 1923.

CHRIST LEVANG,
Chairman.

SENATE ROLL CALL

House Bill No. 61. A Bill for an Act to Repeal Sections 3471, 3472, 3473, 3474, 3475, 3477, 3478, 3479, 3480, 3481, 3483, 3484, 3485, 3486 and 3487, Compiled Laws, 1913, as Amended by Chapter 13 of the Special Session Laws, 1918, and as Amended by Chapter 177, Session Laws for 1919, and as Amended by Chapter 54 of the Special Session Laws, 1919, and as Amended by Chapter 54 of the Special Session Laws, 1919, Relating to the Issuance of Bonds and Warrants to Procure Seed Grain and Feed for Needy Inhabitants.

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 13, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Murphy	Stevens
Baird	Gardiner	Page	Storstad
Bond	Kaldor	Peterson	Thorson
Byrne	Kelsh	Ployhar	Tofsrud
Carey	Kretschmar	Porter	Van Camp
Eastgate	Lynch	Rusch	Whitman
Ettestad	McCoy	Sperry	
Fleckten	McLachlin	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Levang	Olson-Barnes	Ward
Benson	Magnuson	Olson, Eddy-	Wenstrom
Gross	Martin	Foster	Whitmer
Hamilton	Miklethun	Patten	Wog
Ingerson	Nathan	Peck	

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 62. A Bill for an Act to Amend and Re-enact Section 3476, Compiled Laws, 1913 as Amended by Chapter 13 of the Special Session Laws, 1918, Relating to the Levying of Tax to Provide for a Sinking Fund to Pay County Seed and Feed Bonds.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 37, nays 11, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Murphy	Steel
Baird	Kaldor	Olson, Barnes	Stevens
Bond	Kelsh	Olson, Eddy-	Storstad
Byrne	Kretschmar	Foster	Thorson

Messrs.	Messrs.	Messrs.	Messrs.
Carey	Levang	Page	Tofsrud
Eastgate	Lynch	Peterson	Van Camp
Ettestad	McCoy	Ployhar	Ward
Garberg	McLachlin	Porter	Whitman
Gardiner	Magnuson	Rusch	
Gross	Miklethun	Sperry	

Those voting in the negative were:

Messrs.			
Baker	Hamilton	Patten	Whitmer
Benson	Martin	Peck	Wog
Fleckten	Nathan	Wenstrom	
Messrs.			
Babcock			

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

House of Representatives,
Bismarck, North Dakota,
February 23, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 142.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 23, 1923.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 339. A Joint Resolution for an Amendment to the Constitution of the State of North Dakota, Providing for the Issue of Bonds for the Erection of Dormitories for the State's Educational Institutions.

Which the House has indefinitely postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Baker moved that final action on House Bill No. 63 be deferred until final action is taken on House Bill No. 176.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 176. A Bill for an Act Authorizing the Board of County Commissioners of any County in North

Dakota to Issue Funding or Refunding Bonds for the Purpose of Funding or Refunding Seed Grain or Seed and Feed Grain Indebtedness.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 48, nays none, absent and not voting 1.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Page	Van Camp
Byrne	Levang	Patten	Ward
Carey	Lynch	Peck	Wenstrom
Eastgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	
Gross	Murphy	Steel	

Absent and not voting

Messrs.
Babcock

So the bill passed and the title was agreed to.

Senator Baker moved to amend House Bill No. 63 as follows:

On page 2, line 2, of the engrossed bill, insert the word "last" before "payment," and on line 3 insert "funding or refunding" before "bonds."

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 63. A Bill for an Act to Provide for the Collection of Notes, Contracts and Indebtedness for Seed and Feed Furnished by Counties.

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 ayes 47, nays none, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Sperry
Baird	Hamilton	Nathan	Steel
Baker	Kaldor	Olson, Barnes	Stevens
Benson	Kelsh	Olson, Eddy-	Storstad
Bond	Kretschmar	Foster	Thorson
Byrne	Levang	Page	Tofsrud
Carey	Lynch	Patten	Van Camp
Eastgate	McCoy	Peck	Ward
Ettestad	McLachlin	Peterson	Wenstrom
Fleckten	Magnuson	Ployhar	Whitman
Garberg	Martin	Porter	Whitmer
Gardiner	Miklethun	Rusch	Wog

Absent and not voting

Messrs.	Messrs.
Babcock	Ingerson

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 180. A Bill for an Act Providing for a Tax Levy in Incorporated Villages for the Purpose of Purchasing and Maintaining Adequate Apparatus for the Extinguishment of Fires, and Maintaining a Fire Department.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 39, nays 6, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Magnuson	Sperry
Baird	Gardiner	Murphy	Steel
Baker	Gross	Nathan	Storstad
Benson	Ingerson	Olson, Barnes	Thorson
Bond	Kaldor	Olson, Eddy-	Van Camp
Byrne	Kelsh	Foster	Ward
Carey	Levang	Page	Wenstrom
Eastgate	Lynch	Peterson	Whitman
Ettestad	McCoy	Porter	Whitmer
Fleckten	McLachlin	Rusch	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Hamilton	Patten	Stevens	Tofsrud
Miklethun	Peck		

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Kretschmar	Martin	Ployhar

So the bill passed and the title was agreed to.

Senator Storstad moved that when the Senate recess it recess until 7:30 o'clock P. M.

Which motion was lost.

Senator Hamilton moved that when the Senate recess it recess until 10:00 o'clock A. M., February 24.

Senator Gardiner moved to amend by substituting 12:00 A. M. for 10:00 A. M.

Which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

House of Representatives,
Bismarck, North Dakota,
February 23, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 220. A Bill for an Act to Amend and Re-enact Section 3716 of the Compiled Laws of 1913 Relating to Payment of Deficiency in Special Assessments.

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 9607, and Section 9608, Compiled Laws for 1913.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 23, 1923.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 308. A Bill for an Act Authorizing the County Commissioners to Satisfy Judgments Against Sureties on Bail Bonds.

Which the House has indefinitely postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Stevens moved to amend House Bill No. 310 as follows:

In line 8, Section 1, of the engrossed bill, after the word "make" insert the words "and file a."

In line 9, Section 1, after the word "thereof" strike out the word "to" and insert the word "with"; and after the word "Governor" in line 9 add "on or before the fifteenth day of November of each year."

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 310. A Bill for an Act Directing and Empowering the State Board of Auditors to Annually Examine and Audit the Accounts, Books and Vouchers of the State Hail Insurance Department, and Workmen's Compensation Bureau, to Take Account of the Amounts and Conditions of the Assets and Liabilities of Each Department so Examined and Audited and Make Report Thereof to the Governor.

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 ayes 39, nays 7, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Baird	Hamilton	Nathan	Stevens
Baker	Kaldor	Olson, Barnes	Storstad
Bond	Kelsh	Page	Thorson
Byrne	Kretschmar	Peck	Tofsrud
Carey	Levang	Peterson	Van Camp
Peterson	Lynch	Ployhar	Ward
Ettestad	McCoy	Porter	Whitmer
Fleckten	McLachlin	Rusch	Whitmer
Ingerson	Martin	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Miklethun	Patten	Wog
Magnuson	Olson, Eddy-	Wenstrom	
	Foster		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Garberg	Ingerson

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 147. A Bill for an Act Providing for the Filing of Bills of Sale and Other Transfers of Personal Property and Prescribing the Effect of Such Filing.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 34, nays 10, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Stevens
Baird	Gross	Olson, Barnes	Storstad
Baker	Kaldor	Page	Thorson
Bond	Kelsh	Peterson	Tofsrud
Byrne	Levang	Ployhar	Van Camp
Carey	Lynch	Porter	Ward
Eastgate	McCoy	Rusch	Whitman
Ettestad	McLachlin	Sperry	
Fleckten	Miklethun	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Nathan	Patten	Whitmer
Ingerson	Olson, Eddy	Peck	Wog
Magnuson	Foster	Wenstrom	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Kretschmar	Martin
Garberg			

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 108. A Bill for an Act Making an Appropriation to Provide for Compensation and Expenses of the Board of Trustees of the State Live Stock Sanitary Board.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Olson, Barnes	Stevens
Baird	Kaldor	O'son, Eddy-	Storstad
Baker	Kelsh	Foster	Thorson
Benson	Kretschmar	Page	Tofsrud
Bond	Levang	Patten	Van Camp
Byrne	Lynch	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Ettestad	McLachlin	Ployhar	Whitman
Fleckten	Magnuson	Porter	Whitmer
Garberg	Mik'lethun	Rusch	Wog
Gardiner	Murphy	Sperry	
Gross	Nathan	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Eastgate	Hamilton	Martin

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 115. A Bill for an Act Appropriating Money for the Benefit of the North Dakota Dairymen's Association, for the Purpose of Promoting and Encouraging the Dairying Interests 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 ayes 31, nays 12, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Ployhar	Van Camp
Baird	Kretschmar	Porter	Ward
Baker	Lynch	Rusch	Wenstrom
Benson	McCoy	Sperry	Whitman
Bond	Magnuson	Steel	Whitmer
Byrne	Murphy	Stevens	
Gardiner	Olson, Eddy	Storstad	
Gross	Foster	Thorson	
Kaldor	Peterson	Tofsrud	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Ettestad	McLachlin	Nathan	Patten
Fleckten	Martin	O'son, Barnes	Peck
Ingerson	Mik'lethun	Page	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Eastgate	Hamilton	Levang
Carey	Garberg		

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 107. A Bill for an Act to Appropriate \$1,000.00 for the Payment of the Expenses to be Incurred by the North Dakota Live Stock Association as Prescribed by Section 2786 of the Compiled Laws of 1913 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 ayes 36, nays 7, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Olson, Eddy	Storstad
Baird	Kretschmar	Foster	Thorson
Baker	Lynch	Peterson	Tofsrud
Bond	McCoy	Ployhar	Van Camp
Byrne	McLachlin	Porter	Ward
Eastgate	Magnuson	Rusch	Wenstrom
Ettestad	Martin	Sperry	Whitman
Gardiner	Miklethun	Steel	Whitmer
Gross	Murphy	Stevens	Wog
Kaldor			

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Nathan	Page	Peck
Ingerson	Olson, Barnes	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Carey	Hamilton	Levang
Benson	Garberg		

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 101. A Bill for an Act Making an Appropriation of Eleven Hundred and Forty Dollars (\$1140.00) to Pay the Expenses of a State Board of Veterinary Medical Examiners as authorized Under Section 2711 to 2720, inclusive, of the Compiled Laws of 1913 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 ayes 37, nays 7, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Olson, Eddy-	Stevens
Baird	Kretschmar	Foster	Storstad
Baker	Lynch	Page	Thorson
Benson	McCoy	Patten	Tofsrud
Bond	McLachlin	Peterson	Van Camp
Byrne	Magnuson	Ployhar	Ward
Carey	Martin	Porter	Wenstrom
Eastgate	Miklethun	Rusch	Whitman
Ettestad		Steel	Whitmer
Gardiner			Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Murphy	Olson, Barnes	Sperry
Ingerson	Nathan	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Hamilton	Levang
Garberg			

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 109. A Bill for an Act Making an Appropriation for the Use and Benefit of the North Dakota Firemen's Association for the Purpose of Promoting the Efficiency and Growth of its Different Departments, and the Holding of an Annual Tournament, According to the Rules and Regulations of Such Associations.

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 10, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Eddy-	Steel
Baird	Kelsh	Foster	Stevens
Baker	Kretschmar	Page	Storstad
Bond	Lynch	Patten	Thorsen
Carey	McCoy	Peterson	Tofsrud
Eastgate	McLachlin	Ployhai	Ward
Gardiner	Magnuson	Porter	Wenstrom
Gross	Martin	Rusch	Whitman
	Murphy	Sperry	Whitmer

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Fleckten	Nathan	Wog
Byrne	Ingerson	Olson, Barnes	
Ettestad	Miklethun	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Levang	Van Camp
Garberg			

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 265. A Bill for an Act to Repeal Section 5117 of the Compiled Laws of North Dakota for 1913, Relating to North Dakota Poultry Association.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays none, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Rusch
Baird	Ingerson	Nathan	Sperry
Baker	Kaldor	Olson, Barnes	Steel
Benson	Kelsh	Olson, Eddy-	Stevens
Bond	Kretschmar	Foster	Storstad
Byrne	Lynch	Page	Thorson
Carey	McCoy	Patten	Tofsrud
Eastgate	McLachlin	Peck	Ward
Ettestad	Magnuson	Peterson	Whitman
Fleckten	Martin	Ployhar	Whitmer
Gardiner	Miklethun	Porter	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Van Camp	Wenstrom
Garberg	Levang		

So the bill passed and the title was agreed to.

Senator Nathan: I want to explain my vote. I vote for this bill—I think maybe they will attack the chicken ranch that they claim the Nonpartisan League started this last fall. I vote aye.

SENATE ROLL CALL.

House Bill No. 264. A Bill for an Act to Repeal Section 2786 of the Compiled Laws of North Dakota for 1913, Relating to North Dakota Live Stock Association.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 40, nays 4, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Bond	Kelsh	Foster	Tofsrud
Byrne	Kretschmar	Page	Van Camp
Carey	Lynch	Peterson	Ward
Eastgate	McCoy	Ployhar	Whitman
Ettestad	McLachlin	Porter	Wog
Fleckten	Magnuson	Rusch	
Garberg	Martin	Sperry	
Gardiner	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Miklethun	Patten	Peck

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Levang	Wenstrom	Whitmer
Hamilton			

So the bill passed and the title was agreed to.

SENATE ROLL CALL.

House Bill No. 259. A Bill for an Act to Amend and

Re-enact Section 11108 of the Compiled Laws of North Dakota for the Year 1913, Relating to Board of Pardons.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Steel
Baird	Kaldor	Olson, Barnes	Stevens
Baker	Kelsch	Olson, Eddy-	Babcock
Benson	Kretschmar	Foster	Thorson
Bond	Levang	Page	Tofsrud
Byrne	Lynch	Patten	Van Camp
Carey	McCoy	Peck	Ward
Eastgate	McLachlin	Peterson	Wenstrom
Ettestad	Magnuson	Ployhar	Whitman
Fleckten	Martin	Porter	Wog
Garberg	Miklethun	Rusch	
Gardiner	Murphy	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Ingerson	Whitmer

So the bill passed and the title was agreed to.

SENATE ROLL CALL.

House Bill No. 263. A Bill for an Act to Repeal Section 335 of the Compiled Laws of North Dakota for 1913, Relating to Expenses, Sale of Land.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 41, nays 4, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Barnes	Stevens
Baird	Kelsh	Olson, Eddy-	Storstad
Baker	Kretschmar	Foster	Thorson
Benson	Levang	Page	Tofsrud
Bond	Lynch	Peck	Ward
Byrne	McCoy	Peterson	Wenstrom
Carey	McLachlin	Ployhar	Whitman
Eastgate	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	
Gross	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Ettestad	Fleckten	Nathan	Patten

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Ingerson	Van Camp

So the bill passed and the title was agreed to.

SENATE ROLL CALL.

House Bill No. 110. A Bill for an Act to Appropriate Sixty Thousand Dollars (\$60,000.00) to Provide Funds for the Maintenance of the North Dakota National Guard, or State Militia, as Provided for Under Chapter 35 of the Compiled Laws of 1913 for North Dakota, and to Meet Other Requirements Prescribed by the Federal Statutes.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays 1, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Nathan	Sperry
Baird	Kelsch	Olson, Barnes	Steel
Baker	Kretschmar	Olson, Eddy-	Stevens
Benson	Levang	Foster	Storstad
Byrne	Lynch	Page	Thorson
Carey	McCoy	Patten	Tofsrud
Eastgate	McLachlin	Peck	Ward
Ettestad	Magnuson	Peterson	Wenstrom
Garberg	Martin	Ployhar	Whitman
Gardiner	Miklethun	Porter	Whitmer
Gross	Murphy	Rusch	Wog

Those voting in the negative were:

~~Messrs.~~
Flockten

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Ingerson	Van Camp
Bond			

So the bill passed and the title was agreed to.

SENATE ROLL CALL.

House Bill No. 258. A Bill for an Act to Amend and Re-enact Section 2671 of the Compiled Laws of North Dakota for 1913, Relating to Cruelty to Animals.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays 1, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Rusch
Baird	Kaldor	Nathan	Steel
Baker	Kelsch	O'son, Barnes	Stevens
Benson	Kretschmar	Olson, Eddy-	Storstad
Bond	Levang	Foster	Thorson
Byrne	Lynch	Page	Tofsrud
Carey	McCoy	Patten	Ward
Eastgate	McLachlin	Peck	Wenstrom
Ettestad	Magnuson	Peterson	Whitman
Garberg	Martin	Ployhar	Whitmer
Gardiner	Miklethun	Porter	Wog

Messrs.

Fleckten

Absent and not voting.

Messrs.

Babeock
Hamilton

Messrs.

Ingerson

Messrs.

Sperry

Messrs.

Van Camp

So the bill passed and the title was agreed to.

SENATE ROLL CALL.

House Bill No. 252. A Bill for an Act to Repeal Section 1621 of the Compiled Laws of North Dakota for the Year 1913, Relating to Experiment Station at Fargo.

Was read the third time.

The question being on the final passage of the bill the roll was called and there were ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.

Atkins
Baird
Baker
Benson
Bond
Byrne
Carey
Eastgate
Eftestad
Fleckten
Garberg
Gardiner

Messrs.

Gross
Kaldor
Kelsh
Kretschmar
Levang
Lynch
McCoy
McLachlin
Magnuson
Martin
Miklethun
Murphy

Messrs.

Nathan
Olson, Barnes
Olson, Eddy-
Foster
Page
Patten
Peck
Peterson
Ployhar
Porter
Rusch

Messrs.

Steel
Stevens
Storstad
Thorson
Tofsrud
Ward
Wenstrom
Whitman
Whitmer
Wog

Absent and not voting.

Messrs.

Babeock
Hamilton

Messrs.

Ingerson

Messrs.

Sperry

Messrs.

Van Camp

So the bill passed and the title was agreed to.

SENATE ROLL CALL.

House Bill No. 253. A Bill for an Act to Repeal Section 1623 of the Compiled Laws of North Dakota for the Year 1913, Relating to Demonstration Farms.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.

Atkins
Baird
Baker
Benson
Bond
Byrne
Carey
Eastgate

Messrs.

Gross
Kaldor
Kelsh
Kretschmar
Levang
Lynch
McCoy
McLachlin

Messrs.

Nathan
Olson, Barnes
Olson, Eddy-
Foster
Page
Patten
Peck
Peterson

Messrs.

Stevens
Storstad
Thorson
Tofsrud
Ward
Wenstrom
Whitman
Whitmer

Messrs.	Messrs.	Messrs.	Messrs.
Ettestad	Magnuson	Ployhar	Wog
Fleckten	Martin	Porter	
Garberg	Miklethun	Rusch	
Gardiner	Murphy	Steel	

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Ingerson	Sperry	Van Camp
Hamilton			

So the bill passed and the title was agreed to.

SENATE ROLL CALL.

House Bill No. 266. A Bill for an Act to Repeal Chapter 38 of the Session Laws of North Dakota for the Year 1917, Relating to North Dakota Dairymen's Association.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays 1, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Steel
Baird	Kelsh	Olson, Barnes	Stevens
Baker	Kretschmar	Olson, Eddy-	Storstad
Bond	Levang	Foster	Thorson
Byrne	Lynch	Page	Tofsrud
Carey	McCoy	Patten	Ward
Eastgate	McLachlin	Peck	Wenstrom
Ettestad	Magnuson	Peterson	Whitman
Fleckten	Martir	Ployhar	Whitmer
Garberg	Miklethun	Porter	Wog
Gardiner	Murphy	Rusch	

Those voting in the negative were:

Messrs.
Benson

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Ingerson	Sperry	Van Camp
Hamilton			

So the bill passed and the title was agreed to.

SENATE ROLL CALL.

House Bill No. 250. A Bill for an Act to Repeal Chapter 35 of the Session Laws of North Dakota for 1915, Relating to Militia Grounds.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Baird	Hamilton	Nathan	Stevens
Baker	Ingerson	Olson, Barnes	Storstad
Benson	Kaldor	Olson, Eddy-	Thorson
Bond	Kelsh	Foster	Tofsrud
Byrne	Kretschmar	Page	Ward
Carey	Lynch	Patten	Whitman
Eastgate	McCoy	Peck	Whitmer
Ettestad	McLachlin	Peterson	Wog
Fleckten	Magnuson	Ployhar	
Garberg	Martin	Porter	
Gardiner	Miklethun	Rusch	

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Sperry	Van Camp	Wenstrom
Levang			

So the bill passed and the title was agreed to

SENATE ROLL CALL.

House Bill No. 268. A Bill for an Act to Repeal Section 813 of the Compiled Laws of 1913 for the State of North Dakota, Relating to Disbarment Proceedings.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 39, nays 2, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Magnuson	Rusch
Baird	Hamilton	Miklethun	Steel
Baker	Ingerson	Murphy	Steel
Bond	Kaldor	Nathan	Storstad
Byrne	Kelsh	Olson, Barnes	Thorson
Carey	Kretschmar	Olson, Eddy-	Tofsrud
Eastgate	Levang	Foster	Ward
Ettestad	Lynch	Peck	Whitman
Garberg	McCoy	Peterson	Whitmer
Gardiner	McLachlin	Porter	Wog

Those voting in the negative were:

Messrs.	Messrs.
Benson	Fleckten

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Page	Ployhar	Van Camp
Martin	Patten	Sperry	Wenstrom

So the bill passed and the title was agreed to.

SENATE ROLL CALL.

House Bill No. 189. A Bill for an Act to Repeal Section 1574 of the Compiled Laws of North Dakota for the Year 1913, Providing an Annual Appropriation for 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 ayes 40, nays 5, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Nathan	Steel
Baird	Kaldor	Olson, Barnes	Stevens
Baker	Kelah	Olson, Eddy-	Stevens
Benson	Kretschmar	Foster	Thorson
Bond	Levang	Page	Tofsrud
Carey	Lynch	Patten	Ward
Eastgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Wog
Garberg	Magnuson	Porter	
Gardiner	Miklethun	Rusch	
Hamilton	Murphy	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Byrne	Gross	Peck	Whitmer
Fleckten			

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Martin	Van Camp	Wenstrom

So the bill passed and the title was agreed to.

Senator Byrne: For the reason that I have just received a petition from about 100 of the voters in my district asking that this be not repealed, I vote "No."

SENATE ROLL CALL.

House Bill No. 191. A Bill for an Act to Repeal Section 1571 of the Compiled Laws of North Dakota for the Year 1913.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Steel
Baird	Ingerson	Olson, Barnes	Stevens
Baker	Kaldor	Olson, Eddy-	Storstad
Benson	Kelah	Foster	Thorson
Byrne	Kretschmar	Page	Tofsrud
Carey	Levang	Patten	Ward
Eastgate	Lynch	Peck	Whitman
Ettestad	McCoy	Peterson	Whitmer
Fleckten	McLachlin	Ployhar	Wog
Garberg	Magnuson	Porter	
Gardiner	Miklethun	Rusch	
Gross	Murphy	Sperry	

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Martin	Van Camp	Wenstrom
Bond			

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 190. A Bill for an Act to Repeal Sections 2545 and 2546 of Article 3 of the Compiled Laws of North

Dakota for the Year 1913, Providing for Relief of Needy Settlers.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 31, nays 13, absent and not voting 5.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	McLachlin	Steel
Baird	Gross	Murphy	Stevens
Baker	Ingerson	Nathan	Storstad
Benson	Kaldor	Peterson	Thorson
Carey	Kelsh	Ploybar	Tofsrud
Eastgate	Kretschmar	Porter	Whitman
Ettestad	Lynch	Rusch	Whitmer
Garberg	McCoy	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Bond	Magnuson	Page	Wog
Byrne	Miklethun	Patten	
Fleckten	Olson, Barnes	Peck	
Levang	Olson, Eddy-Foster	Ward	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Martin	Van Camp	Wenstrom
Hamilton			

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 262. A Bill for an Act to Repeal Section 1661 of the Compiled Laws of North Dakota for 1913, Relating to Serum Institute.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 47, nays none, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Rusch
Baird	Hamilton	Murphy	Sperry
Baker	Ingerson	Nathan	Steel
Benson	Kaldor	Olson, Barnes	Stevens
Bond	Kelsh	Olson, Eddy-Foster	Storstad
Byrne	Kretschmar	Page	Thorson
Carey	Levang	Patten	Tofsrud
Eastgate	Lynch	Peck	Ward
Ettestad	McCoy	Peterson	Wenstrom
Fleckten	McLachlin	Ploybar	Whitman
Garberg	Magnuson	Porter	Whitman
Gardiner	Martin		Wog

Absent and not voting:

Messrs.	Messrs.
Babcock	Van Camp

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 261. A Bill for an Act to Repeal Section 11 of Chapter 31 of the Session Laws of Special Session of 1919, Relating to Appropriation to State Dairy Commissioner.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays 1, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Sperry
Baird	Ingerson	Nathan	Steel
Baker	Kaldor	Olson-Barnes	Stevens
Bond	Kelsh	Olson, Eddy-	Storstad
Byrne	Kretschmar	Foster	Thorson
Carey	Levang	Page	Tofsrud
Eastgate	Lynch	Patten	Ward
Ettestad	McCoy	Peck	Wenstrom
Fleckten	McLachlin	Peterson	Whitman
Garberg	Magnuson	Ployhar	Whitmer
Gardiner	Martin	Porter	Wog
Gross	Miklethun	Rusch	

Those voting in the negative were:

Messrs.	Messrs.
Benson	
Absent and not voting.	
essrs.	Messrs.
Babcock	Van Camp

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 260. A Bill for an Act to Repeal Chapter 27 of the Session Laws of 1915, Relating to State Fish Hatchery.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 39, nays 8, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Sperry
Baird	Ingerson	Olson, Barnes	Steel
Baker	Kaldor	Olson, Eddy-	Stevens
Bond	Kelsh	Foster	Storstad
Carey	Kretschmar	Page	Thorson
Eastgate	Levang	Patten	Tofsrud
Ettestad	Lynch	Peterson	Wenstrom
Garberg	McLachlin	Ployhar	Whitman
Gardiner	Martin	Porter	Whitmer
Gross	Miklethun	Rusch	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Fleckten	Magnuson	Peck
Byrne	McCoy	Nathan	Ward

Absent and not voting.

Messrs.	Messrs.
Babcock	Van Camp

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 255. A Bill for an Act to Repeal Section 1839 of the Compiled Laws of 1913 of North Dakota, Relating to North Dakota's Firemen's Association.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays 1, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Steel
Baird	Ingerson	Olson, Barnes	Stevens
Baker	Kaldor	Olson, Eddy-	Storstad
Penon	Kelsh	Foster	Thorsrud
Bond	Levang	Page	Tofsrud
Byrne	Lynch	Patten	Ward
Carey	McCoy	Peck	Wenstrom
Eastgate	McLachlin	Peterson	Whitman
Ettestad	Magnuson	Ployhar	Whitmer
Garberg	Martin	Porter	Wog
Gardiner	Miklethun	Rusch	
Gross	Murphy	Sperry	

Those voting in the negative were:

Messrs.
Fleckten

Absent and not voting.

Messrs.	Messrs.	Messrs.
Babcock	Kretschmar	Van Camp

So, the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 257. A Bill for an Act to Repeal Section 1624 of the Compiled Laws of North Dakota for the Year 1913, Relating to Enforcement, Beverage and Sanitary Laws.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 38, nays 9, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Martin	Sperry
Baird	Ingerson	Murphy	Steel
Baker	Kaldor	Olson, Eddy-	Stevens
Bond	Kelsh	Foster	Storstad
Carey	Kretschmar	Page	Thorsrud
Eastgate	Levang	Peck	Tofsrud
Ettestad	Lynch	Peterson	Whitman
Garberg	Magnuson	Ployhar	Whitmer
Gardiner	McCoy	Porter	Wog
Gross	McLachlin	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Miklethun	Olson, Barnes	Ward
Byrne	Nathan	Patten	Wenstrom
Fleckten			

Absent and not voting:

Messrs.	Messrs.
Babcock	Van Camp

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 254. A Bill for an Act to Repeal Section 2696 of the Compiled Laws of North Dakota for the Year 1913, Relating to Live Stock Sanitary Board.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays 4, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Sperry
Baird	Ingerson	Nathan	Steel
Baker	Kaldor	Olson, Eddy-	Stevens
Bond	Kelsh	Foster	Storstad
Byrne	Kretschmar	Page	Thorson
Carey	Levang	Patten	Tofsrud
Eastgate	Lynch	Peck	Ward
Ettestad	McCoy	Peterson	Wenstrom
Garberg	McIachlin	Ployhar	Whitman
Gardiner	Magnuson	Porter	Whitmer
Gross	Martin	Rusch	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Fleckten	Miklethun	Olson, Barnes

Absent and not voting:

Messrs.	Messrs.
Van Camp	Babcock

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 251. A Bill for an Act to Repeal Sections 1631 and 1638 of the Compiled Laws of North Dakota for the Year 1913, Relating to Experiment Station at Fargo.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays 1, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Sperry
Babcock	Ingerson	Nathan	Steel
Baird	Kaldor	Olson, Barnes	Stevens

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Kelsh	Olson, Eddy-	Storstad
Bond	Kretschmar	Foster	Thorson
Carey	Levang	Page	Tofsrud
Eastgate	Lynch	Patten	Ward
Ettestad	McCoy	Peck	Wenstrom
Fleckten	McLachlin	Peterson	Whitman
Garberg	Magnuson	Ploybar	Whitmer
Gardiner	Martin	Porter	Wog
Gross	Miklethun	Rusch	

Those voting in the negative were:

Messrs.

Byrne

Absent and not voting.

Messrs.

Babcock

Messrs.

Van Camp

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 269. A Bill for an Act to Repeal Chapter 16 of the Session Laws of North Dakota for the Special Session of 1919, Relating to Testing Dairy Products.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 39, nays 8, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Martin	Sperry
Faird	Ingerson	Miklethun	Stevens
Baker	Kaldor	Murphy	Storstad
Bond	Kelsh	Olson, Eddy-	Thorson
Byrne	Kretschmar	Foster	Tofsrud
Carey	Levang	Peterson	Ward
Eastgate	Lynch	Ploybar	Wenstrom
Ettestad	McCoy	Porter	Whitman
Garberg	McLachlin	Rusch	Whitmer
Gardiner	Magnuson	Steel	Wog
Messrs.	Messrs.	Messrs.	Messrs.
Hamilton	Benson	Olson, Barnes	Patten
Fleckten	Nathan	Page	Peck

Absent and not voting:

Messrs.

Babcock

Messrs.

Van Camp

So the bill passed and the title was agreed to.

The courtesies of the floor were extended to Mrs. O. T. Haakenson of Barton; Paul E. Meyer of Wahpeton; Rev. A. Guenther of Bismarck; E. Brockel of Washburn; E. M. Kromrey of Kramer; Ed. White of Bottineau; Judge F. T. Lembke, of Hettinger.

Senator Murphy moved that the Senate do now recess until 12 o'clock M., February 24, 1923.

Which motion prevailed.

FIFTY-THIRD DAY AFTER RECESS, AND FIFTY-
FOURTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 24, 1923.

The Senate re-assembled at 12:00 o'clock M. pursuant to recess taken, the President, Frank H. Hyland, presiding.

The Senate took up the Sixth Order of Business.

REPORTS OF STANDING COMMITTEES

The committee on Education made the following report:

Mr. President: Your committee on Education to whom was referred:

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 1178 of the Compiled Laws of 1913 Relating to the Employing Public School Teachers and the Liability of School Officers.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ALFRED STEEL,
Chairman.

Senator Steel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Education to whom was referred:

House Bill No. 226. A Bill for an Act to Amend and enact Section 1462 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Administration of Non-Resident Students to County Agricultural and Training Schools, Providing for the Payment of Tuition of Such Non-Resident Students by the County of their Residence.

Have had the same under consideration and recommend that the same be amended as follows:

On Page 1, of the Engrossed Bill, on the first line after the Enacting Clause, before the word "That" insert the following "Section 1. AMENDMENT."

On Page 1 of the engrossed bill on the fourth line after the enacting clause, after the figures "1462" insert the following "schools free to whom, Admission of non residents"

And when so amended recommend the same do pass.

ALFRED STEEL,
Chairman.

Senator Steel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Education to whom was referred:

House Bill No. 306. A Bill for an Act to Amend Section 1273 of the Compiled Laws of 1913, Relating to the Issuance of Bonds by Special School Districts and Prescribing Their Denominations and Rate of Interest.

Have had the same under consideration and recommend that the same be amended as follows:

On Page 1, of the Engrossed Bill, on the first line after the enacting clause, before the word "Section" insert the following "Section 1. AMENDMENT."

On Page 1, of the Engrossed Bill, on the third line after the Enacting Clause, strike out the following "Section 1. AMENDMENT."

And when so amended recommend the same do pass.

ALFRED STEEL,
Chairman.

Senator Steel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Education to whom was referred:

Concurrent Resolution, introduced by Mr. Ployhar.

Have had the same under consideration and recommend that the same be amended as follows:

After the words "Introduced by Mr. Ployhar" strike out the balance of the Concurrent Resolution and in lieu thereof insert the following:

"WHEREAS, the necessary expenses of maintaining our institutions of Higher Learning are mounting so rapidly that it is essential to the best interests of the State to avoid duplication of maintenance and building costs in education,

NOW, THEREFORE, BE IT RESOLVED, the House of Representatives concurring therein that the Board of Ad-

ministration is hereby directed to make and enforce such rules and regulations in the prescribing of courses of study as will avoid such duplication of effort and cost.

AND BE IT FURTHER RESOLVED, the House of Representatives concurring therein, that the Board of Administration shall prepare and submit to the next session of the legislature definite recommendations for any further legislation deemed necessary to eliminate all unnecessary duplication as well as to fix such specific standards of admission to our higher institutions of learning as will effectually remove this waste."

And when so amended recommend the same be adopted.

ALFRED STEEL,
Chairman.

Senator Steel 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. 227. A Bill for an Act Providing That Purchasers at Tax Sales of Lands Upon Which the State Has a Mortgage, Shall Take Certificates of Sale and Deeds, Subject to the Rights of the State Under Its Mortgage.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird 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. 87. A Bill for an Act Making Appropriations for the Current and Contingent Expenses of the State Penitentiary and for Making of Permanent Improvements and Additions Thereto.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 84. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the

School for the Deaf at Devils Lake, and Making Permanent Improvements and Additions Thereto:

Have had the same under consideration and recommend that the same do pass.

P .T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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:

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 3296 of the Compiled Laws of North Dakota, for the Year 1913, as Amended by Chapter 49 of the Session Laws for 1921, Relating to County Commissioners Powers and Duties with Respect to Contracts Let on Competitive Bids.

Have had the same under consideration and recommend that the same be indefinitely postponed.

RALPH INGERSON,
Chairman.

Senator Ingerson 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. 86. A Bill for an Act Making an Appropriation for Improvements and Repairs, New Buildings, Equipment and Miscellaneous for the State Hospital for the Insane at Jamestown, North Dakota.

Have had the same under consideration and recommend that the same do pass.

P .T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 123. A Bill for an Act Making an Appropriation for the Completion and Furnishing of the Liberty Memorial Building.

Have had the same under consideration and recommend that the same do pass.

P .T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 89. A Bill for an Act Making an Appropriation of One Hundred Seventy-Six Thousand Dollars for Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous for the Tuberculosis Sanatorium at Dunseith.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 132. A Bill for an Act Entitled, an Act to Appropriate Money for the Use of the Board of Railroad Commissioners Between the Following Dates, January 1st, 1923 and June 30th, 1923, and Specifying the Purpose for Which the Appropriation is Made.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 166. A Bill for an Act to Amend and Re-enact Section 8325 of the Compiled Laws of North Dakota for 1913, Relating to Actions Arising out of Personal Injury or Death Resulting from Wrongful Acts.

Have had the same under consideration and recommend that the same do pass.

L. R. BAIRD,
Chairman.

Senator Baird 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. 210. A Bill for an Act Concerning Declaratory Judgments and Decrees and to Make Uniform the Laws Relating Thereto.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. R. BAIRD,
Chairman.

Senator Baird moved that the report be adopted, which motion prevailed and the report was adopted.

The Senate took up the Tenth Order of Business.

MESSAGES FROM THE HOUSE.

House of Representatives,
Bismarck, N. D.
February 23, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 163. A Bill for an Act Permitting the Increase of the Limitation of Indebtedness of Common Special and Independent School Districts by an Additional Five Per Centum on the Assessed Value of the Taxable Property Therein, Beyond the Present Constitutional Limit of Five Per Centum, Providing a Method for Effecting Such Increase, and for Submitting the Question of Such Increase to the Electors of the School Districts at Annual or Special Elections, and Providing for Preserving a Record of Such Increase of the Limit of Indebtedness.

Which the House has amended as follows:

"First page, in fourth line from the bottom of the typewritten bill, strike out the word "now" and after the word "Constitution" in the same line insert "Prior to the amendment thereof granting a maximum debt limit of ten per cent."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, N. D.
February 23, 1923.

Mr. President: I have the honor to inform you that the House refuses to concur in the Senate Amendments to House Bill No. 35, and the Speaker has appointed Messrs McGauvran, Burkhart and Sproul to act as a conference committee.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, N. D.
February 23, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 164. A Bill for an Act to Amend and Re-enact Section 1303 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Limit of the Amount of Bonds of Independent School Districts.

Which the House has amended as follows:

In bottom line, page 1, typewritten bill, strike out the word "five" and insert the word "seven."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, N. D.
February 23, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Sections 3, 4, 6, 8, 34, 35 and 65, Chapter 161, Session Laws of 1915, and Section 27, Chapter 161, Session Laws of 1919, as Amended by Section 2, Chapter 134, Session Laws of 1919, and Section 36, Chapter 161, Session Laws of 1915 as Amended by Section 5, Chapter 134, Session Laws of 1919, and Section 46, Chapter 161, Session Laws of 1915, as Amended by Chapter 134, Session Laws of 1921 and Section 80, Chapter 161, Session Laws of 1915 as Amended by Chapter 135, Session Laws of 1919, Relating to Game and Fish.

Which the House has amended as follows:

On page 11, line 45, commencing with the word "Provided" strike out all of lines 45, 46, 47, 48, 49 and 50, and on page 12 strike out lines 51, 52, 53 and 54.

On page 12, line 15, after the numerals "1924" insert the words "until the 10th day of March 1924."

On page 13, line 32, after the numerals "1924" insert the words "until the 10th day of March 1924."

On page 15, line 39, insert the figures "\$1.50" in the blank space provided for the residents license fee.

Very respectfully,

W. E. CUSHING,
Chief Clerk.

Senator Ployhar moved that a conference committee be appointed to act with a like committee from the House for further consideration of House Bill 35.

Which motion prevailed.

The President appointed Senators Van Camp, Hamilton, and Murphy as such conference committee.

Senator Kelsh moved that the Senate do concur in the the House amendments to Senate Bill 164.

Which motion prevailed.

Senator Ployhar moved that Senate Bill 28 be recalled from the Governor.

Which motion prevailed and the Governor was requested to return Senate Bill No. 28.

Senate Bill No. 28 was returned to the Senate.

Senator Steel moved that the Senate do not concur in the House amendments to Senate Bill No. 163 and that a conference committee be appointed to act with a like committee from the House for further consideration.

Which motion prevailed.

The President appointed Senators Steel, Garberg and Kelsh as such committee.

Senator Kelsh moved that the Senate do now recess until 1:00 o'clock P. M.

Which motion prevailed.

AFTER RECESS

The Senate took up the Sixth Order of Business.

The committee on Elections made the following report:

Mr. President: Your Committee on Elections to whom was re-referred:

House Bill No. 204. A Bill for an Act to Amend and Re-enact Section 959 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Preparation of Ballots for Constitutional Amendments and Extending the Same to Cover Initiated and Referred Measures.

Have had the same under consideration and recommend that the same do pass.

C. W. CAREY,
Chairman.

Senator Carey 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. 130. A Bill for an Act Providing That Public Officials of Taxing Districts Issuing Certificates of Indebtedness or Bonds Shall Advertise for Bids in Cer-

tain Cases and Providing the Procedure to Be Followed in Connection Therewith, Prescribing Penalties for the Violation of this Act, and Repealing all Acts and Parts of Acts in Conflict With This Act.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 2, line 1 of the printed bill strike out the word "sealed."

In Section 2, Line 4 of the printed bill strike out the word "opening" and insert in lieu thereof the word "receiving."

In Section 2, line 13 of the printed bill strike out the word "opening" and insert in lieu thereof the word "receiving."

Strike out Section 3 of the printed bill and insert in lieu thereof the following:

Section 3. The notice shall specify the time and place at which bids will be received. Except in case of cities of over four thousand population or school districts of over four thousand population the notice shall specify that bids will be received at the county auditor's office on the date and at the hour specified in the notice. At the time and place specified, the governing board of the taxing district shall be represented by one of its officials or by the county auditor or some other person acting at the request of the board who shall receive competitive bids whether submitted in writing or orally. After all bids have been received, the governing board of the taxing district may act upon the same at its convenience, but within ten days after the bids have been received and the contract shall be awarded to the bidder who agrees to purchase the bonds upon the terms most favorable to the taxing district and who is financially able to comply with the terms of his bid unless the board determines to reject all bids.

And when so amended recommend the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson 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. 128. A Bill for an Act Legalizing Certain Acts of City, Village and School District Officials.

Have had the same under consideration and recommend that the same do pass.

ROBERT BYRNE,
Chairman.

Senator Byrne moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

House Bill No. 60. A Bill for an Act Prohibiting any Person from Driving or Operating a Motor Truck of More than Five Tons Carrying Capacity Upon any Public Highway, Street or Avenue in the State.

Have had the same under consideration and recommend that the same do pass.

ROBERT BYRNE,
Chairman.

Senator Byrne moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES FROM THE HOUSE.

House of Representatives,
Bismarck, North Dakota,
February 24, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 71. A Bill for an Act to Amend and Re-enact Chapter 107 of the Session Laws of North Dakota for the Year 1921, Relating to High Schools and Tuition Fees.

Senate Bill No. 173. A Bill for an Act to Authorize the Appointment of County Child Welfare Boards and to Define their Powers and Duties, and to Repeal Section 19, Chapter 177, Laws of 1919.

Senate Bill No. 317. A Bill for an Act to Amend and Re-enact Section 1003 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 6 of the Special Session Laws of 1918, Relating to the Printing of Absent Voter Ballots.

Which the House has indefinitely postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 24, 1923.

Mr. President: I have the honor to ask the return of

Senate Bill No. 342. A Bill for an Act to Amend and Re-enact Subdivision 2 of Section 1 and Section 13a of Chapter 231 of the Session Laws of 1917 as Amended by Chapter 225 of the Session Laws of 1919, and to Amend

Section 2 of Chapter 125 of the Session Laws of 1921, Relating to Inheritance Taxes Upon Estates of Deceased Non-Residents.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 24, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 243. A Bill for an Act to Safeguard the Business of Beekeeping Against Contagious and Infectious Diseases; Defining Apiaries; Providing for State Inspection Under the Direction and Control of the Commissioner of Agriculture and Labor; Prohibiting the Sale, Barter, Offer of Sale or Barter, Moving, Transportation, Shipping or Offering for Shipping or Transportation, of any Bees, Brood, Comb or Beekeeping Appliances That are Infected; Providing for the Proper Certification of Shipments into the State, and the Reporting of Such Shipments by the Purchaser or Importer; Fixing Penalties for Violation.

Which the House has amended as follows:

In Section 5, line 2, the word "breed" should be "brood."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 24, 1923.

Mr. President: I have the honor to return

Senate Bill No. 32. A Bill for an Act to Amend and Re-enact Section 4016 of the Compiled Laws of 1913 Relating to Bonded Indebtedness of Cities, and Purposes for which Incurred.

Which the House has amended as follows:

In line 11 of the printed bill after the word "a" insert the word "two-thirds" and that Section 3, Emergency Clause, be struck out and further amend by adding the words "and villages" in the second line of the title after the word "cities" and before the comma.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 24, 1923.

Mr. President: I have the honor to return

Senate Bill No. 226. A Bill for an Act to Amend and Re-enact Section 3784 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 120 of the Session Laws of North Dakota for the Year 1919, Relating to Municipal Elections in Cities.

Which the House has amended as follows:

In line 8 of the printed bill, strike out the word "eight" and insert in lieu thereof the word "nine."

In line 9 of the printed bill strike out the word "five" and insert in lieu thereof the word "seven."

In line 18 of the printed bill insert a comma after the word "shall."

In line 19 of the printed bill insert a comma after the word "held."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

SENATE ROLL CALL

Senate Bill No. 164. A Bill for an Act to Amend and Re-enact Section 1303 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Limit of the Amount of Bonds of Independent School Districts

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 none, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Baird	Hamilton	Nathan	Stevens
Baker	Ingerson	Olson, Barnes	Storstad
Benson	Kaldor	Olson, Eddy	Thorson
Bond	Kretschmar	Foster	Tofsrud
Byrne	Levang	Page	Van Camp
Eastzate	Lynch	Patten	Ward
Ettestad	McCoy	Peck	Wenstrom
Fleekten	McLachlin	Peterson	Whitman
Garberg	Magnuson	Ployhar	Whitmer
Gardiner	Miklethun	Rusch	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Kelsh	Porter	Sperry
Carey	Martin		

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 226. A Bill for an Act to Amend and enact Section 1462 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Administration of Non-Resident Students to County Agricultural and Training Schools, Providing for the Payment of Tuition of Such Non-Resident Students by the County of Their Residents.

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 33, nays 11, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Murphy	Steel
Baird	Gardiner	Nathan	Stevens
Benson	Ingerson	Olson-Barnes	Storstad
Bond	Kaldor	Olson, Eddy-	Thorson
Byrne	Kretsehmar	Foster	Tofsrud
Carey	Lynch	Page	Van Camp
Eastgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	
Fleckten	Magnuson	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Levang	Peck	Whitmer
Gross	Miklethun	Ward	Wog
Hamilton	Patten	Wenstrom	

Absent and not voting:

Messrs.	Messrs.		
Babeock	Martin	Porter	Sperry
Kelsh			

So the bill passed and the title was agreed to.

Senator Atkins moved that the Senate do now concur in the House Amendments to Senate Bill No. 32.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 32. A Bill for an Act to Amend and Re-enact Section 4016 of the Compiled Laws of 1913 Relating to Bonded Indebtedness of Cities, and Purposes for Which Incurred.

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 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Storstad
Baird	Ingerson	Olson, Barnes	Thorson
Benson	Kaldor	Olson, Eddy-	Tofsrud
Bond	Kretschmar	Foster	Van Camp

Messrs.	Messrs.	Messrs.	Messrs.
Carey	Kelsh	Miklethun	Steel
Byrne	Levang	Page	Stevens
Eastgate	Lynch	Patten	Ward
Eittestad	McCoy	Peterson	Wenstrom
Fleckten	McLachlin	Ployhar	Whitman
Garberg	Magnuson	Porter	Whitmer
Gardiner	Martin	Rusch	Wog
Gross			

Absent and not voting:

Messrs.	Messrs.	Messrs.	
Babeck	Nathan	Peck	Sperry
Baker			

So the bill passed and the title was agreed to.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 81. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs and Equipment Thereof.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1 of the Engrossed Bill in line 3, strike out the word "Twenty-eight" and insert in lieu thereof the word "Fourteen."

In item 3, strike out the figures "20,000.00" and insert in lieu thereof the figures "12,000.00."

In item 3, on Page 2, strike out the figures "4,000.00" and insert in lieu thereof the figures "2,000.00."

On page 2 after the "Total" strike out the figures "34,000.00" and insert in lieu thereof the figures "24,000.00."

On page 2, after the word "Purposes" strike out the figures "124,000.00" and insert in lieu thereof the figures "114,000.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Eastgate moved that the Senate do now concur in the House amendments to Senate Bill No. 243.

Which motion prevailed.

Senator Stevens moved that Senate Bill 155 be referred to the Committee on Game and Fish.

Which motion prevailed.

Senator Ployhar moved that the Senate do now adjourn.

Which motion prevailed.

FIFTY-FOURTH DAY.

The Senate convened at 2:00 o'clock P. M., the President, Frank H. Hyland, presiding.

Prayer by the the Chaplain, Rev. C. F. Strutz.

Roll was called, all Senators being present with the exception of Senator Babcock.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-second day after recess and the Fifty-third day and recommend that the same be corrected as follows:

Page 2, lines 39 and 40 correct spelling of "nonpareil."

Page 2, line 45 correct spelling of "column."

Page 3, line 24, correct spelling of "report."

Page 29, line 31, correct spelling of "Third."

Page 36, line 30, correct spelling of "Compensation."

Page 38, line 37,, correct spelling of "Indefinitely."

Page 52, line 32, correct spelling of "were."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 30. A Bill for an Act to Amend and Re-enact Section 4989, Compiled Laws of 1913, Relating to Filing of Statements by Mining Corporations.

Senate Bill No. 224. A Bill for an Act Relating to the Place of Payment of all State Bonds of the State of North Dakota.

Senate Bill No. 263. A Bill for an Act Relating to the White Stone Hills Battlefield Grounds in Dickey County, and Vesting the Care, Custody, Control and Maintenance of the Same in the State Historical Society of North Dakota, as Trustee for the State.

Senate Bill No. 3. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 4 of the Laws Passed by the Special Session of the Sixteenth Legislative Assembly of the State of North Dakota, in 1919, as Amended by Chapter 5 of the Laws of North Dakota for the Year 1921, Being an Act to Appropriate out of the State Highway Fund the Sum of \$35,000.00 for the Construction of a Bridge Across the Red River at Pembina, Pembina County, North Dakota, and Kittson County, Minnesota, Under the Provisions of Chapter 73 of the Laws Passed at the Legislative Assembly of North Dakota, approved March 5th, 1919.

Senate Bill No. 241. A Bill for an Act to Amend and Re-enact Section 7036 of the Compiled Laws of North Dakota for 1913, Relating to Protesting Negotiable Instruments.

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 9607, and Section 9608, Compiled Laws for 1913.

Senate Bill No. 278. A Bill for an Act to Amend and Re-enact Section 3718 of the Compiled Laws of North Dakota for the Year 1913, Relating to Extension of Water Main Assessments.

Senate Bill No. 220. A Bill for an Act to Amend and Re-enact Section 3716 of the Compiled Laws of 1913 Relating to Payment of Deficiency in Special Assessments.

Senate Bill No. 152. A Bill for an Act Authorizing the Consolidation or Merger of Banking Associations Regulating the Procedure and Providing for Supervision Thereof, and Providing a Limitation of Actions.

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Chapter 117 of the Laws of North Dakota for the Year 1919, Relating to the Nomination and Election of all Elective County Officers, Judges of the Supreme and District Courts, State Superintendent of Public Instruction, and County Superintendent of Schools, without Requiring a Declaration as to Party Affiliation, and a Separate Ballot for County Officials and Extending the Law so as to Apply to all State Officials and Members of the Legislature; Changing Petition Requirement and Providing for Filling of Vacancies and for Designation of Principles Supported by Candidates for State and Legislative Office and County Official Newspapers; repealing Sections 904, 905, 906, 907, 908, 909, 917, 918 and 919 of the Compiled Laws of 1913 and Chapter 117 of the Session Laws of 1919.

And find the same correctly enrolled.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

MOTIONS AND RESOLUTIONS

Senator Benson moved that all absent Senators be excused.

Which motion prevailed.

Senator Baird moved that House Bill No. 210 be recalled from the House.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 68. A Bill for an Act to Amend and Re-enact Chapter 36 of the Session Laws for the Year 1921, Relating to the Application of the Tuberculin Test and Eradication of Bovine Tuberculosis in Townships in Counties in North Dakota Under Direction of the State Live Stock Sanitary Board by Petition of a Majority of Freeholders in Such Townships.

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 ayes 46, nays 1, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Steel
Baird	Ingerson	Olson, Barnes	Stevens
Benson	Kaldor	Olson, Eddy-	Storstad
Bond	Kelsh	Foster	Thorson
Byrne	Kretschmar	Page	Toferud
Carey	Levang	Patten	Van Camp
Eastgate	Lynch	Peck	Watt
Ettestad	McCoy	Peterson	Wenstrom
Flechten	McLachlin	Ployhar	Whitman
Garberg	Magnuson	Porter	Whitmer
Gardiner	Miklethun	Rusch	Wog
Gross	Murphy	Sperry	

Those voting in the negative were:

Messrs.
Martin

Absent and not voting:

Messrs. Messrs.
Babcock Baker

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 133. A Bill for an Act to Amend and Re-enact Section 3116 of the Compiled Laws of North Dakota for the Year 1913.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 36, nays 10, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Olson, Eddy-	Storstad
Baird	Kelsh	Foster	Thorson
Benson	Levang	Page	Tofsrud
Bond	McCoy	Peterson	Ward
Byrne	McLachlin	Ployhar	Wenstrom
Eastgate	Magnuson	Porter	Whitmer
Fleckten	Miklethun	Rusch	Wog
Garberg	Murphy	Sperry	
Gardiner	Nathan	Steel	
Kaldor	Olson, Barnes	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Carey	Hamilton	Patten	Whitmer
Ettestad	Lynch	Peck	
Gross	Martin	Van Camp	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Baker	Kretschmar

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 243. A Bill for an Act to Safeguard the Business of Beekeeping Against Contagious and Infectious Diseases; Defining Apiaries; Providing for State Inspection Under the Direction and Control of the Commissioner of Agriculture and Labor; Prohibiting the Sale, Barter, Offer of Sale or Barter, Moving, Transportation, Shipping or Offering for Shipping or Transportation, of any Bees, Brood, Comb or Beekeeping Appliances That are Infected; Providing for the Proper Certification of Shipments into the State, and the Reporting of Such Shipments by the Purchaser or Importer; Fixing Penalties for Violation.

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 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Barnes	Storstad
Baird	Kelsh	Olson, Eddy-	Thorson
Benson	Kretschmar	Foster	Tofarud
Bond	Levang	Page	Van Camp
Byrne	Lynch	Patten	Ward
Eastgate	McCoy	Peck	Wenstrom
Ettestad	McLachlin	Peterson	Whitmer
Garberg	Magnuson	Ployhar	Whitmer
Gardiner	Martin	Porter	Wog
Gross	Miklethun	Rusch	
Hamilton	Murphy	Steel	
Ingerson	Nathan	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Carey	Fleckten	Sperry
Baker			

So the bill passed and the title was agreed to.

Senator Baird moved to amend House Bill 184 as follows:
Insert immediately after enacting clause:

“Section 1. Amendment. Section 3126 Compiled Laws, State of North Dakota for 1913 is hereby amended and re-enacted to read as follows:”

Which motion prevailed.

Senator Benson moved to further amend House Bill 184 as follows:

After word “shall” line 6 of the engrossed bill, insert “immediately after the issuance of an Inspector's or Weighmaster's Certificate.”

Which motion prevailed.

Senator Benson moved to further amend House Bill 184 as follows:

In line 17 of the engrossed bill strike out “(2) two” and insert “(4) four” in lieu thereof.

Which motion lost.

SENATE ROLL CALL

House Bill No. 151. A Bill for an Act Relating to the Insurance of Employers with the Workmen's Compensation Fund Providing for Compensation for Injuries or Death of the Employer Himself, in Cases Where the Employer has Contracted for such Protection with the Bureau, also Providing for the Basis of Premium for such Protection.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays 2, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Sperry
Baird	Ingerson	Nathan	Steel
Baker	Kaldor	Olson, Barnes	Storstad
Benson	Kelsh	Olson, Eddy	Thorson
Bond	Kretschmar	Foster	Tofsrud
Byrne	Levang	Page	Van Camp
Carey	Lynch	Patten	Ward
Ettestad	McCoy	Teck	Wenstrom
Fleckten	McLaehlin	Peterson	Whitman
Garberg	Magnuson	Ployhar	Whitmer
Gardiner	Martin	Porter	Wog
Gross	Mikethun	Rusch	

Those voting in the negative were:

Messrs.	Messrs.
Eastgate	Stevens

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 184. A Bill for an Act to Amend and Re-enact Section 3126, Compiled Laws, State of North Dakota for 1913; and Providing for a Shrinkage Allowance to Local Grain Buyers, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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 ayes 46, nays none, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Baird	Hamilton	Nathan	Stevens
Baker	Ingerson	Olson, Eddy	Storstad
Benson	Kaldor	Foster	Thorson
Bond	Kelsh	Page	Tofsrud
Byrne	Kretschmar	Patten	Van Camp
Carey	Levang	Peck	Ward
Eastgate	Lynch	Peterson	Wenstrom
Ettestad	McCoy	Ployhar	Whitman
Fleckten	McLachlin	Porter	Whitmer
Garberg	Magnuson	Rusch	Wog
Gardiner	Miklethun	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Olson, Barnes	Martin

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 152. A Bill for an Act Requiring the County Superintendent of Schools of all Counties to Report Names of School District Clerks to the Workmen's Compensation Bureau.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 26, nays 19, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Murphy	Porter
Baird	Gross	Olson, Eddy	Steel
Baker	Hamilton	Foster	Ward
Benson	Ingerson	Page	Wenstrom
Byrne	McLachlin	Patten	Whitmer
Ettestad	Magnuson	Peck	Wog
Fleckten	Miklethun	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Bond	Kelsh	Peterson	Thorson
Carey	Kretschmar	Rusch	Tofsrud
Eastgate	Levang	Sperry	Van Camp
Gardiner	Lynch	Stevens	Whitman
Kaldor	McCoy	Storstad	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Martin	Nathan	Olson, Barnes

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 145. A Bill for an Act to Provide for the Closing and Liquidation of the Business Heretofore Conducted by the State of North Dakota in the Operation of a State Experimental Creamery; Providing for the Transfer of all Funds to the General Fund of the State Repealing Chapter 149 of the Session Laws for the Year 1919.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 31, nays 14, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Murphy	Steel
Baird	Kelsh	Page	Stevens
Bond	Kretschmar	Patten	Storstad
Carney	Levang	Peterson	Thorson
Eastgate	Lynch	Ployhar	Tofsrud
Ettestad	McCoy	Porter	Van Camp
Gardiner	McLachlin	Rusch	Whitman
Ingerson	Miklethun	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Garberg	Olson, Eddy-	Wenstrom
Benson	Gross	Foster	Whitmer
Byrne	Hamilton	Peck	Wog
Fleckten	Magnuson	Ward	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Martin	Nathan	Olson, Barnes

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 148. A Bill for an Act Providing for the Annual Reporting by County Auditor, to the Workmen's Compensation Bureau of all Elective Auditors and Clerks of Political Subdivisions of the County.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 39, nays 7, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Rusch
Baird	Hamilton	Olson, Barnes	Sperry
Baker	Kaldor	Olson, Eddy-	Steel
Benson	Levang	Foster	Storstad

Messrs.	Messrs.	Messrs.	Messrs.
Lond	Lynch	Page	Thorson
Byrne	McCoy	Ployhar	Van Camp
Ettestad	McLachlin	Peck	Ward
Fieckten	Magnuson	Peterson	Wenstrom
Garberg	Miklethun	Ployhar	Whitmer
Gardiner	Murphy	Porter	Ward

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Carey	Kelsh	Stevens	Whitman
Eastgate	Kretschmar	Tofsrud	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Ingerson	Martin

So the bill passed and the title was agreed to.

Senator Ployhar moved that House Bill No. 243 be placed at the head of the Calendar for final passage.

Which motion prevailed.

Senator Ployhar moved that the reading of House Bill 243 be dispensed with.

Which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 59. A Bill for an Act Making it a Misdemeanor for any Person to Operate a Motor Vehicle While such Person is in an Intoxicated Condition, and Providing a Penalty for the Violation Thereof.

Senate Bill No. 30. A Bill for an Act to Amend and Re-enact Section 4989, Compiled Laws of 1913, Relating to Filing of Statements by Mining Corporations.

Senate Bill No. 224. A Bill for an Act Relating to the Place of Payment of all State Bonds of the State of North Dakota.

Senate Bill No. 263. A Bill for an Act Relating to the White Stone Hills Battlefield Grounds in Dickey County, and Vesting the Care, Custody, Control and Maintenance of the Same in the State Historical Society of North Dakota, as Trustee for the State.

Senate Bill No. 3. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 4 of the Laws Passed by the Special Session of the Sixteenth Legislative Assembly of the State of North Dakota, in 1919, as Amended by Chapter 5 of the Laws of North Dakota for the Year 1921, Being an Act to Appropriate out of the State Highway Fund the Sum of \$35,000.00 for the Construction of a Bridge Across the Red River at Pembina, Pembina County, North Dakota, and Kittson County, Minnesota, Under the Provisions of Chapter 73 of the Laws Passed at the Legislative Assembly of North Dakota, approved March 5th, 1919.

Senate Bill No. 241. A Bill for an Act to Amend and Re-enact Section 7036 of the Compiled Laws of North Dakota for 1913, Relating to Protesting Negotiable Instruments.

Senate Bill No. 278. A Bill for an Act to Amend and Re-enact Section 3718 of the Compiled Laws of North Dakota for the Year 1913, Relating to Extension of Water Main Assessments.

Senate Bill No. 220. A Bill for an Act to Amend and Re-enact Section 3716 of the Compiled Laws of 1913 Relating to Payment of Deficiency in Special Assessments.

Senate Bill No. 152. A Bill for an Act Authorizing the Consolidation or Merger of Banking Associations, Regulating the Procedure and Providing for Supervision Thereof, and Providing a Limitation of Actions.

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Chapter 117 of the Laws of North Dakota for the Year 1919, Relating to the Nomination and Election of all Elective County Officers, Judges of the Supreme and District Courts, State Superintendent of Public Instruction, and County Superintendent of Schools, without Requiring a Declaration as to Party Affiliation, and a Separate Ballot for County Officials and Extending the Law so as to Apply to all State Officials and Members of the Legislature; Changing Petition Requirement and Providing for Filling of Vacancies and for Designation of Principles Supported by Candidates for State and Legislative Office and County Newspapers.

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 9607, and Section 9608, Compiled Laws for 1913.

And the president signed the same in the presence of the Senate.

Senator Baker moved to Amend House Bill No. 243 as follows:

In Section 4, line 3 of the engrossed bill after the word "flour" insert "or other wheat products."

Senator Stevens moved that the Senate ask Mr. Austin, manager of the State mill and elevator, to advise with the Senate on the amendments to House Bill No. 243.

Which motion prevailed.

Senator Whitman moved that the Senate do now recess subject to the call of the President.

Which motion prevailed.

AFTER RECESS

The question being on the motion made by Senator Baker to amend House Bill No. 243.

The motion prevailed.

SENATE ROLL CALL

House Bill No. 243. A Bill for an Act Authorizing the Issue of Milling Bonds of the State of North Dakota to the Amount of one Million Dollars (\$1,000,000) and Providing for the Payment Thereof.

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 ayes 46, nays none, absent and not voting 3.

So the bill passed and the title was agreed to.

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Sperry
Baird	Hamilton	Murphy	Stevens
Baker	Ingerson	Nathan	Storstad
Benson	Kaldor	Olson, Barnes	Thorson
Bond	Kelsch	Olson, Eddy-	Tofsrud
Byrne	Kretschmar	Foster	Van Camp
Carey	Levang	Page	Ward
Eastgate	Lynch	Patten	Wenstrom
Eltestad	McCoy	Peck	Whitman
Ettekten	McLachlin	Peterson	Whitmer
Garberg	Magnuson	Ployhar	Wog
Gardiner	Martin	Rusch	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Porter	Steel

So the bill passed and the title was agreed to and the emergency clause declared carried.

MESSAGES FROM THE HOUSE

House of Representatives.
Bismarck, North Dakota,
February, 24, 1923.

Mr. President: I have the honor to return House Bill No. 210 at your request.

Very Respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives.
Bismarck, North Dakota,
February, 24, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 131. A Bill for an Act Making an Appropriation for the Reward and Apprehension of Criminals According to Chapter 200 of the Session Laws of 1917.

Senate Bill No. 138. A Bill for an Act Making an Appropriation of the Sum of \$250.00 for the Biennium, to Defray the Expenses of the State Canvassing Board.

Senate Bill No. 104. A Bill for an Act Making an Appropriation of the Sum of \$5,000.00 for the Biennium, to Pay the Expenses and Per Diem of Agents in the Arrest and Return of Fugitives from Justice as Prescribed by Section 11162 of the Compiled Laws of 1913 of North Dakota.

Senate Bill No. 101. A Bill for an Act Making an Appropriation to Provide for the Payment of Expenses and Fees of Appraisers of Inheritances, Devises, Bequests, Legacies, and Gifts, as Provided for in Section 8991 of the Compiled Laws of 1913 for North Dakota.

Senate Bill No. 102. A Bill for an Act Making an Appropriation to Provide Funds to Pay the Necessary Expenses and Reasonable Compensation to Commissioners Appointed in Actions to Release Insane Patients, Prescribed by Section 2552 of the Compiled Laws of 1913 for North Dakota.

Senate Bill No. 77. A Bill for an Act Making an Appropriation for Per Diem and Expenses of the State Budget Board as Prescribed by Chapter 61 of the Session Laws of North Dakota for 1915.

Which the House has passed unchanged .

Very Respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February, 24, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 258. A Bill for an Act Providing for the Appointment of Representatives on Behalf of the State of North Dakota to Negotiate a Compact and Agreement Between the States of North Dakota, South Dakota and Montana, and Between Said States and the United States of America, Respecting the Use and Distribution of the Waters of the Missouri River and the Rights of said States and the United States Thereto.

Senate Bill No. 295. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 211 of the Session Laws of North Dakota for 1919, Relating to Supreme Court Reporter and State Law Librarian.

Senate Bill No. 355. A Bill for an Act to Amend and Re-enact Section 375 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 227 of the Session Laws of 1915, as Amended by Chapter 21 of the Special Session Laws of 1919, Relating to the State Auditing Board, its Duties and the Membership Thereof.

Senate Bill No. 292. A Bill for an Act to Amend and Re-enact Section 2141 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by

Chapter 35, Special Session Laws of 1919; Providing for the Substitution of the State Auditor and State Tax Commissioner as Members of the State Board of Equalization Instead of the Commissioner of Insurance and Attorney General; Providing that the Tax Commissioner Shall Be Secretary Thereof Instead of the Commissioner of Insurance and Prescribing the Powers and Duties of the State Board of Equalization in Regard to the Equalization and Assessment of Property.

Senate Bill No. 381. A Bill for an act Providing for Assistant State's Attorneys in Counties With a Population exceeding thirty-five thousand.

Senate Bill No. 326. A Bill for an Act to Amend Sections 3711 of the Compiled Laws of the State of North Dakota for the Year 1913, and to Provide for Special Assessment Funds, the Issuance and Payment of Warrants.

Senate Bill No. 395. A Bill for an Act to Amend and Re-enact Section 3969 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Section 79 of the Session Laws of North Dakota for the Year 1919, and Chapter 32 of the Session Laws of North Dakota for the Year 1921, Relating to Excluding Farm Lands from the Limits of City, town and Villages.

Senate Bill No. 139. A Bill for an Act to Provide \$300.00 for the Burial Expense of Honorably Discharged Sailors, Soldiers and Marines of the United States War of the Rebellion and Erection of Headstones herefor, as Authorized by Sections 3181, 3182, 3183, and 3184 of the Compiled Laws of North Dakota for 1913.

Senate Bill No. 346. A Bill for an Act Prohibiting the Creation of Deficits by State Officials, State Boards and Heads of State Institutions, and Prescribing a Penalty for the Violation of this Act.

Senate Bill No. 110. A Bill for an Act Making an Appropriation to Defray the Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of North Dakota for the Year 1913.

Senate Bill No. 106. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors as Prescribed by Section 1038 of the Compiled Laws of 1913 for North Dakota.

Which the House has passed unchanged.

Very Respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives.
Bismarck, North Dakota,
February, 24, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 97. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Maintenance Fund of the Institute for the Feeble Minded.

Senate Bill No. 338. A Bill for an Act Appropriating Money to Reimburse the Common School Fund of the State of North Dakota for Losses Resulting From a Misappropriation of Such Fund Occurring Previous to January 1, 1917.

Senate Bill No. 140. A Bill for an Act to appropriate \$1,500.00 for the Biennium Out of Any Money in the State Treasury not otherwise Appropriated, for the Purpose of Upkeeping of Ten State Parks.

Senate Bill No. 141. A Bill for an Act to appropriate \$1,000.00 for the Biennium, to the Humane Society for Office Supplies, Printing, Office Phone, and Traveling Expense.

Senate Bill No. 300. A Bill for an Act to Amend and Re-enact Section 2110 of the Compiled Laws of 1913 as Amended by Chapter 221 of the Session Laws of 1919 and Chapter 119 of the Session Laws of 1921 Relating to the Taxation of Corporate Excess.

House Bill No. 150. A Bill for an Act Providing for the Reporting at the Workmen's Compensation Bureau of All Contracts Involving Labor Entered Into by All Political Subdivisions of the State.

Which the House has passed unchanged.

Very Respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives.
Bismarck, North Dakota,
February, 24, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 374. A Bill for an Act to Establish a Uniform Egg Law Regulating the Handling of Eggs within This State; Preventing the Sale and Traffic in Eggs Unfit for Human Food; Requiring Labeling and Candling; Providing for Licenses for Dealers in Eggs and for the Collection and Disposition of License Fees; Providing for Rules and Regulations and the Enforcement of the Act and Providing Penalties for Violations Thereof and Repealing Acts Relating Thereto.

Senate Bill No. 332. A bill for an Act to Repeal Sections 685, 686, 687, 688, 689, 690, 691, 692, 693, 694 and 695 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 199 of the Session Laws of 1915, Chapter 176 of the Session Laws of 1917, and Chapter 184 of the Session Laws of 1919, Relating to the Removal of Officials by the Governor.

Senate Bill No. 245. A Bill for an Act Relating to the Assessment of Telephone Property, Providing for a Tax on Gross Earnings of Telephone Companies in Lieu of the General Property Tax on the Property of Such Companies Used Exclusively in Connection with the Operation of their Telephone Business, and in Lieu of the Tax Upon the Shares of Stock of Such Companies; Repealing All Acts and Parts of Acts in Conflict Herewith.

Which the House has indefinitely postponed.

Very Respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Rusch moved to amend House Bill 149 as follows:

Strike out everything after "A Bill" and insert in lieu thereof the following:

"For an Act to Amend and Re-enact Section 2 of Chapter 162 of the Session Laws for the Year 1919 as Amended by Chapter 142 of the 1921 Session Laws Defining Certain Words and Phrases Contained in Said Chapter, and Particularly "Employment" and "Employer"; and Section 7 of Chapter 162 of the Laws of North Dakota for the year 1919, to empower the Workmen's Compensation Bureau to Classify Employments, fix Rates for Premium, Provide for Establishment of a System of Merit Rating, and to Provide for the Payment of Premiums into the Workmen's Compensation Fund.

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

Section 1. AMENDMENT. That Section 2 of Chapter 162 of the Session Laws for the Year 1919, as amended and re-enacted by Section 2 of Chapter 142 of the 1921 Session Laws Defining Certain Words and Phrases in said Chapter and particularly the words "Employment" and "Employer" is hereby amended and re-enacted to read as follows:

Section 2. Whenever used in this act: "Employment" includes employment by the state and all political subdivisions thereof (except professors, instructors or teachers in all educational institutions and school districts) and all public and quasi-public corporations therein, and all private employments.

"Hazardous employment" means any employment in which one or more employees are regularly employed in

the same business or in or about the same establishment, except agriculture and domestic service, and except also any employment of a common carrier by steam railroad.

"Employee" means every person engaged in a hazardous employment under any appointment, or contract of hire, or apprenticeships express or implied, oral or written including aliens, also including minors, whether lawfully or unlawfully employed, but excluding any person whose employment is both casual and not in the course of the trade, business, profession or occupation of his employer, and excluding also any executive officer of a business concern who receives a salary of more than twenty-four hundred dollars (\$2,400.00) per year.

"Employer" means the state and all political sub-divisions thereof, (except all educational institutions and school districts), all public and quasi-public corporations therein, and every person, partnership, association, and private corporation, including any public service corporation, and the legal representative of any deceased employer, or the receiver or trustee of a person, partnership, association, or corporation, carrying on a hazardous employment.

"Injury" means only an injury arising in the course of employment, including an injury caused by the willful act of a third person directed against an employee because of his employment, but shall not include injuries caused by the employee's willful intention to injure himself or to injure another. If the employer claims an exemption or forfeiture under this section the burden of proof shall be upon him.

"Partial Disability" includes disfigurement resulting from an injury such as to diminish ability to obtain employment.

"Wages" shall include the market value of board, lodging, fuel, and other advantages which can be estimated in money which the employee receives from the employer as a part of his remuneration.

"Weekly Wages" shall be computed in such a manner as is best calculated to give the average weekly earnings of the workman during the twelve months preceding his injury; provided that where, by reason of the shortness of the time during which the workman has been in the employment or the terms of the employment, it is impracticable to compute the rate or remuneration, regard may be had to the average weekly earnings which, during the twelve months previous to the injury, were being earned by a person in the same grade of employment at the same work by the employer of the injured workman, or if there is no person so employed, by a person in the same grade employed in the same class of employment and in the same district. If a workman at the time of the injury is regularly employed in a higher grade of work than formerly during the year with a larger regular wages, only such larger wages shall be taken into consideration in computing his average weekly wages.

"Child" includes step-children, adopted children, post-humous children, and acknowledged illegitimate children, but does not include married children unless dependent. "Brother" and "sister" include step-brothers and step-sisters, halfbrothers and half sisters, and brothers and sisters by adoption, but do not include married brothers nor married sisters unless dependent. All of the above terms and the term "grandchild" include only persons who at the time of the death of the deceased employee are under eighteen years of age or over that age and incapable of self-support.

"Parent" includes step-parents and parents by adoption. "Widow" includes only the decedent's wife living with or dependent for support upon him at the time of his injury. "Widower" includes only the decedent's husband dependent for support upon her at the time of her injury.

"Adopted" and "Adoption" include only legal adoption prior to the time of the injury.

Any term shall include the singular and plural and both sexes where the contest so requires.

Section 2. AMENDMENT. That Section 7 of Chapter 162 of the Laws of North Dakota for 1919 Relating to the Classification of Employments, the Fixing of Premiums and the Maintenance of Reserves and Surplus in the Workmen's Compensation Fund is hereby amended and re-enacted to read as follows:

Section 7. The Workmen's Compensation Bureau shall classify employments with respect to their degree of hazard and shall determine the risks of different classification and shall fix the rates of premium for each of said classifications sufficiently high to provide for the payment of the expenditures of the Bureau, the payment of compensation according to the schedules established by this act for the maintenance of adequate reserves and surplus by the North Dakota Workmen's Compensation Fund to the end that such fund may be kept at all times in an entirely solvent condition.

The Commission may establish a system of merit rating within any class which will tend to equitable treatment of individual employers.

It shall be the duty of the Workmen's Compensation Bureau in the exercise of the powers and discretion conferred upon it, ultimately to fix and maintain for each class of occupation, the lowest possible rates of premium consistent with the payment of the expenditures of the Bureau, the maintenance of a solvent compensation fund and the creation and maintenance of a reasonable surplus, after the payment of legitimate claims for injury and death that it may authorize to be paid from the North Dakota Workmen's Compensation Fund for the benefit of the injured and the dependents of deceased employees, and in order that said object may be accomplished, the Bureau shall observe the following requirements in classifying occupations and fixing the rates of premium for the risks of the same.

It shall keep an accurate account of the money paid in premiums by each of the several classes of occupations or industries, and the disbursements on account of injuries and death of employees thereof, and it shall also keep an account of the money received from each individual employer and the amount disbursed from the Workmen's Compensation Fund on account of injuries and death of the employees of such employer.

At least ten per cent of the money that is paid into the Workmen's Compensation Fund shall be set aside for the creation of a surplus until such surplus shall amount to the sum of fifty thousand dollars (\$50,000.00) after which time the sum of at least five per cent of all the money paid into the Workmen's Compensation Fund shall be credited to such surplus fund, until such time as, in the judgment of the Bureau, such surplus shall be sufficiently large to guarantee the Workmen's Compensation Fund from year to year.

Every employer subject to this Act, shall pay annually into the Workmen's Compensation Fund the amount of premium determined and fixed by the Workmen's Compensation Bureau for the employment or occupation of such employer, the amount of which premium to be so paid by such employer to be determined by the classification, rules and rates made and published by the Bureau; and a receipt or certificate certifying that such payment has been made shall immediately be mailed to such employer by the Bureau, which receipt or certificate, attested by the seal of the Bureau shall be a prima facie evidence of the payment of such premium. The Bureau may make provision so that premiums fall due on different dates so as to distribute the business of the Workmen's Compensation Fund as evenly as possible throughout the year.

In the event the amount of premiums collected from any employer at the beginning of any premium period is ascertained and calculated by using the estimated expenditure of wages for the period of time covered by such premium payments as a basis, an adjustment of the amount of such premium shall be made at the end of such period and the actual amount of such premium shall be determined in accordance with the amount of the actual expenditure of wages for said period.

In case a subsequent injury occurs to an employee who has sustained another injury not in the same employment the employer shall not be penalized in his premium rate for any disability in excess of the degree of incapacity which would have resulted from the later injury if the early disability or injury had not existed.

Senator Ployhar moved that further action on House Bill No. 149 be deferred until Tuesday, February 27, 1923.

Which motion prevailed.

Senator Rusch moved that the proposed amendment to House Bill No. 149 be printed in the Senate Journal.

Which motion prevailed.

Senator Ployhar moved that action on House Bills 150 and 153 be deferred until February 27, 1923, after action is taken on House Bill 149.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 224. A Bill for an Act to Authorize the County Commissioners to Sell Certain Lots or Premises Bid in by the County for Delinquent Taxes Without Giving Notice of the Expiration of Redemption.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 47, nays none, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Rusch
Baird	Hamilton	Murphy	Sperry
Baker	Ingerson	Nathan	Steel
Benson	Kaldor	Olson, Barnes	Stevens
Bond	Kelsh	Olson, Eddy-	Thorson
Byrne	Kretschmar	Foster	Tofsrud
Carey	Lavang	Page	Van Camp
Eastgate	Lynch	Patten	Ward
Etterstad	McCow	Peck	Wenstrom
Gecklen	McLachlin	Peterson	Whitman
Sarberg	Magnuson	Ployhar	Whitmer
Gardiner	Martin	Porter	Wog

Absent and not voting:

Messrs.	Messrs.
Babcock	Storstad

So the bill passed and the title was agreed to.

Senator Baird moved that action on House Bill No. 275 be deferred one legislative day.

Which motion prevailed.

The Senate returned to the Eighth Order of Business.

Senator Baird moved that the rules be suspended and that the vote by which House Bill 210 was indefinitely postponed be re-considered.

Which motion prevailed.

Senator Baird moved that House Bill 210 be placed on the Calendar in its regular order.

Which motion prevailed.

The Senate returned to the Sixteenth Order of Business.

Mr. Baird moved to amend House Bill No. 177 by adding the following:

Section 2. Any pledgor of personal property or his assignee, may redeem the same from a sale upon foreclosure of any pledge within ten days after such sale, exclusive of the day of sale, by paying or tendering to the owner of the pledge at the time of sale, his agent or attorney, or the person making the sale, the amount for which said property was sold with the costs of sale and interest at the rate of seven per centum per annum from the date of sale. The pledgor or his assignee desiring to redeem such property shall at the time of sale give written notice to the person making the sale of his desire to make such redemption; otherwise he shall be deemed to have waived his right to do so. In case such notice is served, the person making such sale shall retain the possession of the property sold until the expiration of said ten days and shall be entitled to his reasonable expenses in caring for the same. In case a part only of the property sold is redeemed the redemptioner shall pay or tender in addition to the price for which such part was sold such proportion of the costs of sale as said price bears to the entire price of all the property sold and also the reasonable expense of caring for the property redeemed and interest.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 6790 of the Compiled Laws of North Dakota for 1913.

Was read the third time.

The question being on the final passage of the bill as amended the roll was called and there were ayes 41, nays 3, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Magnuson	Rusch
Atkins	Gross	Miklethun	Sperry
Baird	Hamilton	Murphy	Stevens
Baker	Ingerson	Olson, Barnes	Storstad
Bond	Kaldor	Olson, Eddy-	Tofsrud
Byrne	Kelsh	Foster	Van Camp
Carey	Kretschmar	Page	Ward
Eastgate	Levang	Peck	Wenstrom
Ettestad	Lynch	Peterson	Whitman
Fleckten	McCoy	Ployhar	Wog
Garberg	McLachlin	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Nathan	Patten

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Steel	Thorson	Whitmer
Martin			

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 24, 1923.

Mr. President: I have the honor to inform you that the House refuses to concur in the Senate Amendments to House Bill No. 90 and the Speaker has appointed Messrs. Lynch, Frandson and Carr to act as a conference committee.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, N. D.
February 24, 1923.

Mr. President: I have the honor to inform you that the House refuses to concur in the Senate Amendments to House Bill No. 263 and the Speaker has appointed Messrs. Watt, Maddock and Rustad to act as a conference committee.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, N. D.
February 24, 1923.

Mr. President: I have the honor to ask for the return of Senate Bill No. 317 and Senate Bill No. 28.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

The President appointed as a conference committee to act with a like committee from the House Senators Van Camp, Magnuson and Thorson to further consider Senate amendments to House Bill No. 263.

The President appointed as a Conference Committee to act with a like committee from the House Senators Ettestad Ployhar and Tofsrud to further consider Senate amendments to House Bill No. 90.

Senator Carey moved that Senate Bill No. 317 be returned to the House, as requested.

Which motion prevailed.

Senator Ployhar moved that Senate Bill No. 28 be returned to the House as requested.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 168. A Bill for an Act to Amend and Re-enact Section 6750 of the Compiled Laws of North Dakota for 1913, Relating to Standardized Form of Mortgage.

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 2, absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Nathan	Storstad
Baird	Kaldor	Olson, Eddy-	Tofsrud
Baker	Kelsh	Foster	Van Camp
Benson	Kretschmar	Patten	Ward
Byrne	Levang	Peterson	Wenstrom
Carey	McCoy	Ployhar	Whitman
Ettestad	McLachlin	Sperry	Whitmer
Eastgate	Magnuson	Steer	Wog
Fleckten	Miklethun	Stevens	

Those voting in the negative were:

Messrs.	Messrs.
Lynch	Peck

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gardiner	Martin	Page
Bond	Gross	Murphy	Porter
Garberg	Hamilton	Olson, Barnes	Rusch
			Thorson

So the bill passed and the title was agreed to.

The Senate took up the Eighth Order of Business.

Senator Eastgate moved that the Senate do now recess for 15 minutes.

Senator Ward moved as a substitute motion that the smoke ordinance be dispensed with.

Which motion prevailed.

The vote being on the motion of Senator Eastgate the motion prevailed.

AFTER RECESS

SIGNING OF BILLS

The secretary announced that the President was about to sign:

House Bill No. 142. A Bill for an Act Providing for the Proper Protection of Guests in Hotels, Restaurants and Rooming Houses.

And the President signed the same in the presence of the Senate.

SENATE ROLL CALL

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 667 of the Compiled Laws of North Dakota for the Year 1913, Relating to County Commissioners Furnishing Bonds.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 38, nays 2, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Baird	Ingerson	Nathan	Stevens
Benson	Kaldor	Olson, Barnes	Thorson
Bond	Kelsh	Page	Tofsrud
Carey	Kretschmar	Peck	Van Camp
Eastgate	Levang	Peterson	Ward
Ettestad	Lynch	Ployhar	Whitman
Fleckten	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	

Those voting in the negative were:

Messrs.	Messrs.
McCoy	Patten

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Olson, Eddy-	Wenstrom
Baker	McLachlin	Foster	Whitmer
Byrne		Storstad	

So the bill passed and the title was agreed to.

Senator Bond moved that action on House Bill No. 305 be deferred one legislative day.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 238. A Bill for an Act to Amend and Re-enact Section 23 of Chapter 77 of the Session Laws of North Dakota for the Year 1921, Relating to State Hail Insurance.

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 3, absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Magnuson	Rusch
Baird	Gardiner	Miklethun	Steel
Baker	Gross	Murphy	Storstad
Benson	Ingerson	Nathan	Thorson
Bond	Kaldor	Olson, Barnes	Tofsrud
Carey	Kelsh	Page	Van Camp
Eastgate	Kretschmar	Peterson	Ward
Ettestad	Levang	Ployhar	Whitman
Fleckten	Lynch	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Patten	Peck	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock Byrne Hamilton	McCoy McLachlin Martin	Olson, Eddy- Foster Sperry	Stevens Wenstrom Whitmer

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 278. A Bill for an Act to Amend Section 1781 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 ayes 42, nays 1, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins Baird Baker Benson Bond Carey Eastgate Ettestad Fleckten Garberg Gardiner	Gross Hamilton Ingerson Kaldor Kelsh Kretschmar Levang Lynch Magnuson Martin Miklethun	Murphy Nathan Olson, Barnes Page Patten Peterson Ployhar Porter Rusch Sperry Steel	Stevens Storstad Thorson Tofsrud Ward Wenstrom Whitman Whitmer Wog

Those voting in the negative were:

Messrs.
Peck

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock Byrne	McCoy McLachlin	Olson, Eddy- Foster	Van Camp

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Garberg moved that all further action on House Bill No. 287 be indefinitely postponed.

Which motion lost.

Senator Benson moved to amend House Bill 282 as follows:

In line 26, of the printed bill after "Capitol" insert "in the House Chamber at 2:00 P. M."

Which motion lost.

SENATE ROLL CALL

House Bill No. 282. A Bill for an Act to Amend and Re-enact Section 890 of the Compiled Laws of North Dakota for 1913, Relating to Selection, Organization, Time and Place of Meeting of County and State Central Committees of Political Parties.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 26, nays 22, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Peck
Fenson	Hamilton	Nathan	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Ettestad	Levang	Olson, Eddy-	Whitmer
Fleckten	Magnuson	Foster	Wog
Garberg	Martin	Patten	

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to.

Senator Lynch moved that the vote by which Senate Bill No. 282 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Benson: I desire to vote "No" for the reason that I believe this bill is rather unworkable to the best interests of the people of this state and because I have attempted to amend the bill by stating that it should meet in the House Chamber at 2:00 o'clock P. M. and that amendment was turned down by this body. I believe for political purposes, therefore I vote "No."

Senator Hamilton: Inasmuch as this legislative body has seen fit to pass a bill that destroys both the Democratic and Republican parties this bill is useless and I therefore vote "No."

Senator Baker: I wish to vote "No" on this bill for the reason that it was one of the misfit combination bills that has to be referred to the people for final adjustment and is absolutely unfair in many ways, I therefore register my vote as "No."

MESSAGES FROM THE HOUSE.

House of Representatives,
Bismarck, N. D.
February 24, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 161.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, N. D.
February 24, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 310.

Very respectfully,

W. E. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, N. D.
February 24, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills No. 63, 65, 68, 243 and 177.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, N. D.
February 24, 1923.

Mr. President: I have the honor to transmit House Bill No. 90.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Stevens moved that House Bill No. 285 be now taken up for third reading and final passage.

Which motion prevailed.

Senator Whitman moved the previous question on House Bill No. 285.

SENATE ROLL CALL

House Bill No. 285. A Bill for an Act to Provide for the Nomination and Election of Candidates for the Offices of Presidential Electors, United States Senator, and Member of Congress; for Electing Delegates to National Committeemen and for the Apportionment and Term of Office and the Nomination and Election of Party Precinct Committeemen; for Forms of Ballots and Requirements of New Parties with Reference Thereto; and to Repeal Sections 857, 859, 889, 901a, 910, 912, 917, 918, 919 and 971a of the Compiled Laws of North Dakota for the Year 1913, and all Other Acts or Parts of Acts that Are in Conflict with the Provisions Hereof.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 27, nays 21, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Page	Stevens
Baird	Kretschmar	Peterson	Storstad
Bond	Lynch	Ployhar	Thorsen
Carey	McCoy	Porter	Tofsrud
Eastgate	McLachlin	Rusch	Van Camp
Gardiner	Martin	Sperry	Whitman
Kaldor	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Nathan	Ward
Benson	Hamilton	Olson, Barnes	Wenstrom
Byrne	Ingerson	Olson, Eddy	Whitmer
Ettestad	Levang	Foster	Wog
Fleekten	Magnuson	Patten	
Garberg	Mikieithun	Peck	

Absent and not voting

Messrs.

Babcock

So the bill passed and the title was agreed to.

Senator Carey moved that the vote by which Senate Bill No. 285 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Baker: On account of the words "John Doe" being repeated so often in the bill, I will just state that in my remarks because I expect to devote considerable time to baking all this "Doe."

SENATE ROLL CALL

House Bill No. 205. A Bill for an Act to Repeal, Amend and Re-enact Chapter 119 of the Session Laws of 1917, Relating to Farmers Institutes.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 40, nays 7, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	McLachlin	Rusch
Baird	Gardiner	Magnuson	Steel
Baker	Gross	Martin	Stevens
Benson	Ingerson	Miklethun	Storstad
Bond	Kaldor	Murphy	Thorson
Byrne	Kelsh	Olson, Barnes	Tofsrud
Carey	Kretschmar	Peterson	Van Camp
Eastgate	Levang	Page	Ward
Ettestad	Lynch	Poyhar	Whitman
Fleckten	McCoy	Porter	Whitmer

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Nathan	Patten	Sperry	Wog
Olson, Eddy-Foster	Peck	Wenstrom	

Absent and not voting:

Messrs.	Messrs.
Hamilton	Babcock

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 311. A Bill for an Act to Amend and Re-enact Section 3540 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 93, Session Laws of 1921, Relating to the Fees Paid to Newspapers for the Publication of Legal Notices.

Was read the third time.

The question being on the final passage of the bill, by the Senate the roll was called and there were ayes 47, nays 1, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Sperry
Baird	Ingerson	Nathan	Steel
Baker	Kaldor	Olson, Barnes	Stevens
Benson	Kelsh	Olson, Eddy-Foster	Storstad
Bond	Kretschmar	Foster	Thorson
Byrne	Levang	Page	Tofsrud
Carey	Lynch	Patten	Van Camp
Eastgate	McCoy	Peck	Ward
Ettestad	McLachlin	Peterson	Wenstrom
Fleckten	Magnuson	Poyhar	Whitman
Garberg	Martin	Porter	Whitmer
Gardiner	Miklethun	Rusch	Wog

Those voting in the negative were:

Messrs.
Gross

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 193. A Bill for an Act to Amend and Re-enact Section 2189 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 256 of the Session Laws of North Dakota for the Year 1915, Relating to Publication of Delinquent Tax Lists.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays 3, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Nathan	Stevens
Baird	Kaldor	Olson, Barnes	Storstad
Benson	Kelsh	Olson, Eddy-	Thorson
Bond	Kretschmar	Foster	Tofsrud
Byrne	Levang	Page	Van Camp
Carey	Lynch	Peck	Ward
Eastgate	McCoy	Peterson	Wenstrom
Ettestad	McLachlin	Ployhar	Whitmer
Fleekten	Magnuson	Porter	Whitman
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	
Hamilton	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Baker	Gross	Patten

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE.

House of Representatives,
Bismarck, North Dakota,
February 24, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 301. A Bill for an Act to Amend and Re-enact Chapter 61 of the Session Laws of 1917, Relating to the Assessment of the Capital Stock of Banks, Loan and Trust Companies and of Moneyed Capital Entering Into Competition Therewith.

Senate Bill No. 275. A Bill for an Act to Repeal Chapter 24 of the Special Session Laws of North Dakota for the Year 1919, Providing for the Issuing of Bonds of the State of North Dakota in a sum not Exceeding Two Million Dollars to be Known as "Bonds of North Dakota, Home Building Series."

Senate Bill No. 317. A Bill for an Act to Amend and Re-enact Section 1003 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 6 of the Special Session Laws of 1918, Relating to the Printing of Absent Voter Ballots.

Senate Bill No. 318. A Bill for an Act to Amend and Re-enact Section 974 of the Compiled Laws of North Dakota for 1913, Relating to the Certification of Nominations.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 24, 1923.

Mr. President: I have the honor to return

Senate Bill No. 28. A Bill for an Act to Empower Cities, Villages, and Towns to Purchase, Sell, Construct, Rent, Lease, Extend, Connect, or Erect, High Tension Electric Transmission Lines and Electrical Equipment, Within and Without the Corporate Limits, and Necessary Secondary Transmission Lines and Distribution Systems Within the Corporate Limits, for the Purpose of Securing Light, Power and Electrical Energy for Municipal and Commercial Use; and to Provide for the Method of Such Assessment and the Collection Thereof, and to Provide for the Issuance of Bonds.

Which the House has amended as follows:

On the second line from bottom of page 2 strike out the word "not."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Nathan moved that further action on House Bill No. 187 be indefinitely postponed.

Which motion was lost.

Senator Nathan moved to amend House Bill No. 187 as follows:

"Strike out Section 3."

Which motion lost.

SENATE ROLL CALL

House Bill No. 187. A Bill for an Act to Provide for the Destruction of Weeds on Public Highways by the Owner or Occupant of Land Abutting Thereon, Specify-

ing Method of Procedure in Case of Failure to Do So and Assessment and Collection of Costs.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 17, nays 30, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Martin	Page	Storstad
Hamilton	Miklethun	Peck	Tofsrud
Kaldor	Murphy	Peterson	Wenstrom
Kelsh	Olson, Eddy-	Ployhar	
Levang	Foster	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Fleckten	McLachlin	Thorson
Baird	Garberg	Magnuson	Van Camp
Baker	Gardiner	Nathan	Ward
Bond	Gross	Patten	Whitman
Byrne	Ingerson	Rusch	Whitmer
Carey	Kretschmar	Sperry	Wog
Eastgate	Lynch	Steel	
Ettestad	McCoy	Stevens	

Absent and not voting:

Messrs.	Messrs.
Babcock	Olson-Barnes

So the bill failed to pass.

Senator Nathan moved that the vote by which Senate Bill No. 187 failed to pass, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 113. A Bill for an Act Appropriating Funds to Indemnify Owners of Animals Infected with Bovine Tuberculosis.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 40, nays 3, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Miklethun	Storstad
Baird	Gross	Murphy	Thorson
Baker	Ingerson	Olson, Eddy-	Tofsrud
Benson	Kaldor	Foster	Van Camp
Bond	Kelsh	Page	Ward
Byrne	Kretschmar	Peck	Whitman
Carey	Levang	Peterson	Whitmer
Eastgate	Lynch	Ployhar	Wog
Ettestad	McCoy	Porter	
Fleckten	McLachlin	Rusch	
Garberg	Magnuson	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Sperry	Stevens	Wenstrom

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Martin	Olson, Barnes	Patten
Hamilton	Nathan		

So the bill passed and the title was agreed to.

Senator Ployhar moved that the Senate do now concur in the House amendments to Senate Bill No. 28.

Which motion prevailed.

Senator Ployhar moved that Senate Bill No. 28 now be placed on the Calendar for third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No 28. A Bill for an Act to Empower Cities, Villages, and Towns to Purchase, Sell, Construct, Rent, Lease, Extend, Connect, or erect, High Tension Electric Transmission Lines and Electrical Equipment, Within and Without the Corporate Limits, and Necessary Secondary Transmission Lines and Distribution Systems Within the Corporate Limits, for the Purpose of Securing Light, Power and Electrical Energy for Municipal and Commercial Use; and to Provide for the Method of Such Assessment and the Collection Thereof, and to Provide for the Issuance of Bonds.

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 42, nays 1, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Baird	Ingerson	Nathan	Stevens
Baker	Kaldor	Olson, Eddy	Storstad
Benson	Kelsh	Foster	Thorson
Bond	Kretschmar	Page	Tofsrud
Byrne	Levang	Peck	Van Camp
Carey	Lynch	Peterson	Ward
Ettestad	McCoy	Ployhar	Wenstrom
Flechten	McLachlin	Porter	Whitman
Garberg	Magnuson	Rusch	Wog
Gardiner	Miklethun	Sperry	

Those voting in the negative were:

Messrs.
Eastgate

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Martin	Patten	Whitman
Hamilton	Olson, Barnes		

So the bill passed and the title was agreed to.

Mr. President: Your Conference committee to whom was referred:

House Bill No. 90. A Bill for an Act Providing When the Publicity Pamphlet Shall be Printed, and What Matter Shall be Excluded Therefrom, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Have had the same under consideration and recommend that the Senate recede from its amendments thereto.

OLE ETTESTAD,
FRANK E. PLOYHAR,
O. T. TOFSRUD,

For the Senate.

M. H. LYNCH,
JNO. W. CARR,
SOREN FRANDSON,

For the House.

Senator Ettestad moved that the Conference committee report on House Bill No. 90 be adopted.

Which motion prevailed.

Senator Ettestad moved that the Conference Committee appointed to act on House Bill No. 90 be discharged.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 90. A Bill for an Act Providing When the Publicity Pamphlet Shall be Printed, and What Matter Shall be Excluded Therefrom, and Repealing All Acts or Parts of Acts in Conflict Therewith.

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 12, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardner	McLachlin	Steel
Baird	Gross	Murphy	Stevens
Baker	Hamilton	Nathan	Storstad
Bond	Kaldor	Page	Thorson
Byrne	Kelsh	Peterson	Tofsrud
Carey	Kretschmar	Ployhar	Van Camp
Eastgate	Levang	Porter	Ward
Ettestad	Lynch	Rusch	Whitmer
Garberg	McCoy	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Magnuson	Olson, Eddy-	Peck
Fleckten	Miklethun	Foster	Wenstrom
Ingerson	Olson, Barnes	Patten	Whitman
			Weg

Absent and not voting:

Messrs.

Babcock

Messrs.

Martin

So the bill passed and the title was agreed to.

The Conference Committee on House Bill No. 263 made the following report:

Mr. President: Your Conference committee on House Bill No. 263 to whom was referred:

House Bill No. 263. A Bill for an Act to Repeal Section 335 of the Compiled Laws of North Dakota for 1913, Relating to Expenses, Sale of Land.

Have had the same under consideration and recommend that the same be returned to the Senate.

P. O. THORSON,
F. VAN CAMP,
NELS MAGNUSON,
For the Senate.

WM. WATT,
WALTER MADDOCK,
THEO. RUSTAD,
For the House.

Senator Van Camp moved that the report of the Conference Committee on House Bill No. 263 be adopted. Which motion prevailed.

Senator Thorson moved that the Conference Committee appointed to act on House Bill No. 263 be discharged. Which motion prevailed.

Mr. President: The conference committee to whom was referred:

Senate Bill No. 163. A Bill for an Act Permitting the Increase of the Limitation of Indebtedness of Common Special and Independent School Districts by an Additional Five Per Centum on the Assessed Value of the Taxable Property Therein, Beyond the Present Constitutional Limit of Five Per Centum, Providing a Method for Effecting Such Increase, and for Submitting the Question of Such Increase to the Electors of the School Districts at Annual or Special Elections, and Providing for Preserving a Record of Such Increase of the Limit of Indebtedness.

Have had the same under consideration and recommend that the House recede from its amendments to said Senate Bill No. 163.

ALFRED STEEL,
T. J. KELSH,
P. B. GARBERG,
For the Senate.

P. R. TRUBSHAW,
P. G. HARRINGTON,
P. O. SATHRE,
For the House.

Senator Steel moved that the report of the Conference Committee appointed to act on Senate Bill 163 be adopted.

Which motion prevailed and the report was adopted.

Senator Steel moved that the Conference Committee appointed to act on Senate Bill No. 163 be discharged.

Which motion prevailed.

SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 30. A Bill for an Act to Amend and Re-enact Section 4989, Compiled Laws of 1913., Relating to Filing of Statements by Mining Corporations.

Also,

Senate Bill No. 224. A Bill for an Act Relating to the Place of Payment of all State Bonds of the State of North Dakota.

Also,

Senate Bill No. 263. A Bill for an Act Relating to the White Stone Hills Battlefield Grounds in Dickey County, and Vesting the Care, Custody, Control and Maintenance of the Same in the State Historical Society of North Dakota, as Trustee for the State.

Also,

Senate Bill No. 3. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 4 of the Laws Passed by the Special Session of the Sixteenth Legislative Assembly of the State of North Dakota, in 1919, as Amended by Chapter 5 of the Laws of North Dakota for the Year 1921, Being an Act to Appropriate out of the State Highway Fund the Sum of \$35,000.00 for the Construction of a Bridge Across the Red River at Pembina, Pembina County, North Dakota, and Kittson County, Minnesota, Under the Provisions of Chapter 73 of the Laws Passed at the Legislative Assembly of North Dakota, Approved March 5th, 1919.

Also,

Senate Bill No. 241. A Bill for an Act to Amend and Re-enact Section 7036 of the Compiled Laws of North Dakota for 1913, Relating to Protesting Negotiable Instruments.

Also,

Senate Bill No. 278. A Bill for an Act to Amend and Re-enact Section 3718 of the Compiled Laws of North Dakota for the Year 1913, Relating to Extension of Water Main Assessments.

Also,

Senate Bill No. 220. A Bill for an Act to Amend and Re-enact Section 3716 of the Compiled Laws of 1913 Relating to Payment of Deficiency in Special Assessments.

Also,

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 9607, and Section 9608, Compiled Laws for 1913.

Also,

Senate Bill No. 152. A Bill for an Act Authorizing the Consolidation or Merger of Banking Associations, Regulat-

ing the Procedure and Providing for Supervision Thereof, and Providing a Limitation of Actions.

Also,

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Chapter 117 of the Laws of North Dakota for the Year 1919, Relating to the Nomination and Election of all Elective County Officers, Judges of the Supreme and District Courts, State Superintendent of Public Instruction, and County Superintendent of Schools, without requiring a Declaration as to Party Affiliation, and a Separate Ballot for County Officials and Extending the Law so as to Apply to all State Officials and Members of the Legislature; Changing Petition Requirement and Providing for Filling of Vacancies and for Designation of Principles Supported by Candidates for State and Legislative Office, and Repealing Sections 904, 905, 906, 907, 908, 909, 917, 918 and 919 of the Compiled Laws of 1913 and Chapter 117 of the Session Laws of 1919.

Were delivered to the governor for his approval at the hour of 3:30 o'clock P. M. February 24, 1923.

CHRIST LEVANG,
Chairman.

MESSAGE FROM THE HOUSE.

House of Representatives,
Bismarck, North Dakota,
February 24, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 277. A Bill for an Act Transferring to the Industrial Commission the Custody, Control and Management of the Property and Assets of the Home Building Association of North Dakota, for the Purpose of Liquidating and Winding Up the Business and Affairs of Said Home Building Association of North Dakota, Defining the Powers and Authority of the Industrial Commission with Reference Thereto, Defining the Rights and Liabilities of Applicants for Homes and Purchasers, and Repealing Chapter 150 of the Session Laws of North Dakota for the Year 1919, and Chapter 39 of the Special Session Laws of North Dakota for the Year 1919.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

The courtesies of the floor were extended to Judge E. B. Goss, Mrs. E. B. Goss of Minot; Mrs. W. R. A. Ball, of St. Thomas; Mrs. Frank Plovhar of Valley City; Mrs. Sullivan of Ellendale; Marian McLachlin of Hunter; Jno. Bokwitz of Hurdsfield; Philip R. Bangs of Grand Forks; H. J. Gruschus and A. M. Thompson of Cogswell; L. R. Russell of New Rockford.

Senator Baker moved that the Senate do now recess until 8:00 P. M.

Senator Murphy moved to amend that the Senate recess until 11:00 A. M. February 26, 1923.

Which motion prevailed.

FIFTY-FOURTH DAY AFTER RECESS AND FIFTY-SIXTH DAY

Senate Chamber,
February 26, 1923.
Bismarck, North Dakota,

The Senate re-assembled at 11:00 A. M. pursuant to recess taken, the President, Frank H. Hyland, presiding.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,,
February 26, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 336. A Concurrent Resolution for an Amendment to Section 182, Article 12 of the Constitution of the State of North Dakota, as Amended by Article 31 of the Amendments Thereof, Relating to Issuing or Guaranteeing of Bonds by the State and Providing that Such Bonds in Excess of Two Million Dollars Shall be Secured by First Mortgage on Certain Classes of Property; and Providing for the Submission of this Amendment to the Voters of the State for Rejection or Approval as Provided by Section 292, as amended, of the Constitution of the State of North Dakota.

Which the House has amended as follows:

Change the word "purpose" in the second line from the bottom of page two of Engrossed bill to the word "purposes."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 319. A Bill for an Act to Amend and Re-

enact Section 973 of the Compiled Laws of North Dakota for 1913, Relating to the Filing of Certificates of Nomination.

Which the House has amended as follows:

Line 2, Section 1, strike out the word "is" and the comma at the end of said line, and insert the word "is" following the word "same" and ahead of the word "hereby."

Line 3, of Section 973, insert a comma following the word "state." Line 6, of Section 973, insert a comma following the word "Auditor."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

MESSAGE FROM THE GOVERNOR

A sealed message from the Governor was received.

Senator Kelsh moved that the Senate do now recess subject to the call of the president.

Which motion prevailed.

AFTER RECESS

The Senate took up the Sixth order of business.

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. 114. A Bill for an Act to appropriate \$5,000.00 to the Missouri Slope Agricultural and Fair Association at Mandan for the Fairs to be Held in the Years 1923 and 1924, as Authorized by Sections 1860 to 1866, Both Inclusive, of the Compiled Laws of 1913 for North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the Engrossed Bill, strike out the figures "10,000.00" and insert in lieu thereof the figures "5,000.00."

In Section 1, line 2, strike out the figures "10,000.00" and insert in lieu thereof the figures "5,000.00"

In line 4, strike out the figures "5,000.00" and insert in lieu thereof the figures "2,500.00."

In line 5, strike out the figures "5,000.00" and insert in lieu thereof the figures "2,500.00"

In line 7, after the number "1860" strike out the word "and" and insert in lieu thereof the word "to"

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 74. A Bill for an Act to appropriate the Sum of Three Thousand Five Hundred Dollars (\$3,500.00) for the Retirement of Part of the Bonds Issued Against the Present Bridge Across the Red River of the North from a Point in the County of Walsh and State of North Dakota to a Point in the County of Marshall and State of Minnesota at Oslo, and That Such Appropriation be Made from the State Highway Funds.

Have had the same under consideration and recommend that the same be amended as follows:

In title of Engrossed Bill, in line 1 after the word "to" strike out the balance of title and insert in lieu thereof the following words and figures: "amend and re-enact Section one of Chapter 4, of the Session Laws of North Dakota, as passed at the Special Session for the Year 1919, as amended and re-enacted by Chapter 5, of the laws of North Dakota for the year 1921. Being an act to appropriate out of the State Highway Fund the sum of \$3,500.00 for the retirement of part of the Bonds, issued against the present bridge, across the Red River of the North, from a point in the county of Walsh and State of North Dakota to a point on the county of Marshall and State of Minnesota, at Oslo, Minnesota, Under the provisions of Chapter 73 of the laws passed by the Sixteenth Legislative Assembly of North Dakota in the year 1919."

In line 2, Section 1 of the Engrossed Bill, after the word "of" strike out the words "the State Highway Fund" and insert in lieu thereof the words "any monies in the State Highway Fund, under paragraph 2A, of Section 11, of Chapter 44, of the laws of the Special Session of North Dakota for the year 1919.

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Highways made the following report:

Mr. President: Your committee on Highways to whom was referred:

House Bill No. 303. A Bill for an Act to Amend and Re-enact Section 1951 of the Compiled Laws of 1913 as Amended and Re-enacted by Chapter 72 of the Laws of 1919, Relating to the Construction of Bridges by County Commissioners.

Have had the same under consideration and recommend that the same do pass.

NILS PETERSON,
Chairman.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted. The Senate returned to the Fifth Order of Business.

PETITIONS AND COMMUNICATIONS

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck

R. A. Nestos, Governor

February 24, 1923.

To the Senate of the State of North Dakota:

This is to notify you that I have this day approved and filed with the Secretary of State, Senate Bill No. 233, to Amend and Re-enact Chapter 117 of the Laws of North Dakota for the year 1919, Relating to the Nomination and election of County and State Officials.

Also Senate Bill No. 224, Relating to the Place of Payment of all State Bonds of the State of North Dakota.

Also Senate Bill No. 263, Relating to the White Stone Hills Battlefield Grounds in Dickey County, and Vesting the Care, Custody, Control and Maintenance of the same in the State Historical Society of North Dakota as Trustees for the State.

Yours very truly,

R. A. NESTOS,
Governor.

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck

R. A. Nestos, Governor

February 24, 1923.

This is to notify you that I have this day approved and filed with the Secretary of State, Senate Bill No. 155, being a bill amending and re-enacting Section 1334 of the Compiled Laws of the State of North Dakota for the year 1913, as Amended by Chapter 105, Session Laws of 1921, Relating to the limit of Issue of Bonds of Common School Districts.

Also, Senate Bill No. 115, being a bill entitled, an Act Relating to Lophopora Williamsii or Peyote (Pellote) and Agave Americana (Commonly known as Mescal); Prohibiting the Use or Possession thereof, Traffic Therein, and Providing Penalties for the Violation of this Act.

Also S. B. No. 167, being a bill Amending and Re-enacting Section 1275 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Limit of Issue of Bonds of Special School Districts.

Also S. B. No. 160, To Amend and Re-enact Chapter 82, Session Laws of North Dakota for 1919, and to empower cities to purchase or construct plans, including gas works, for the manufacture and distribution of light, heat and power for municipal and commercial purposes, and to assess abutting property in accordance with the benefits thereto by reason of such system of distribution, and providing for the method of such assessment and the collection thereof.

Also S. B. No. 144, Relating to Deposits in Banks, and Trust Companies, and making it unlawful to make a charge against the same without the consent of the depositor.

Also S. B. No. 67, To Amend and Re-enact Section 1104 of the Compiled Laws of the State of North Dakota for the year 1913, relating to what cities and villages shall register before any general election or annual city election.

Also S. B. No. 154, to Amend and Re-enact Chapter 121 Session Laws of 1917 Relating to the Issuance of Permits for Breeding or Domestication of Certain Fur Bearing Animals.

Also S. B. No. 162, To prevent Imposition or Fraud in the Sale or Disposition of Securities by Requiring an Inspection thereof.

Also S. B. No. 172, Granting to and Imposing upon the Board of Administration Certain Powers and Duties with Reference to the Welfare of Children, and the Administration and Enforcement of Laws Relating Thereto.

Also S. B. No. 201, To amend and Re-enact Section 5608 of the Compiled Laws of the State of North Dakota for the year 1913.

Also S. B. No. 210, Providing for the Acquiring by Condemnation of Roads so located as to interfere with the working of Coal or Other Mines, and Providing the Compensation to be made therefor.

Also S. B. No. 213, Giving the North Dakota Game and Fish Commission Power to Make Rules and Regulations in Addition to Those Already Provided by Law, for the Protection of the Fish in the Lakes and Rivers of North Dakota.

Yours very truly,

R. A. NESTOS,
Governor.

Senator Kaldor moved that the Senate do now concur in the House Amendments to Senate Bill No. 336.

Which motion prevailed.

Senator Kaldor moved that the Rules be suspended, and that Senate Bill No. 336 be considered re-engrossed and be placed on its third reading and final passage. Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 336. A Concurrent Resolution for an Amendment to Section 182, Article 12 of the Constitution of the State of North Dakota, as Amended by Article 31 of the Amendments Thereof, Relating to Issuing or Guaranteeing of Bonds by the State and Providing that such Bonds in Excess of Two Million Dollars Shall be Secured by First Mortgage on Certain Classes of Property; and Providing for the Submission of this Amendment to the Voters of the State for Rejection or Approval as Provided by Section 292, as Amended, of the Constitution of the State of 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 ayes 35, nays none, absent and not voting 14.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Fleckten	Miklethun	Steel
Baird	Garberg	Murphy	Stevens
Baker	Gardiner	Nathan	Storstad
Benson	Ingerson	Olson, Barnes	Thorson
Bond	Kaldor	Olson, Eddy-	Tofsrud
Byrne	Kretschmar	Foster	Ward
Carey	Lavang	Patten	Whitman
Eastgate	McCoy	Rusch	Whitmer
Ettestad	McLachlin	Sperry	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Lynch	Peck	Van Camp
Gross	Magnuson	Peterson	Wenstrom
Hamilton	Martin	Ployhar	
Kelsh	Page	Porter	

So the bill passed and the title was agreed to.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 61. A Bill for an Act to Repeal Sections 3471, 3472, 3473, 3474, 3475, 3477, 3478, 3479, 3480, 3481, 3483, 3484, 3485, 3486 and 3487, Compiled Laws 1913, as Amended by Chapter 13 of the Special Session Laws, 1918, and as Amended by Chapter 177 Session Laws for 1919, and as Amended by Chapter 54 of the Special Session Laws, 1919, Relating to the Issuance of Bonds and Warrants to Procure Seed Grain and Feed for Needy Inhabitants.

House Bill No. 62. A Bill for an Act to Amend and Re-enact Section 3476, Compiled Laws, 1913 as Amended by

Chapter 13 of the Special Session Laws, 1918, Relating to the Levying of Tax to Provide for a Sinking Fund to Pay County Seed and Feed Bonds.

House Bill No. 93. A Bill for an Act to Appropriate One Thousand Dollars to Provide Funds for the Payment of the Per Diem and Necessary Expenses of the Members of the State Board of Pardons, together with Postage, Telegrams, Telephone Tolls, Printing, and Other Necessary Expenses Incurred by Such Board as Provided for in Section 11108 of the Compiled Laws of 1913 for North Dakota.

House Bill No. 95. A Bill for an Act Making an Appropriation for the Florence Crittendon Home at Fargo, North Dakota.

House Bill No. 101. A Bill for an Act Making an Appropriation of Eleven Hundred and Forty Dollars (\$1140.00) to Pay the Expenses of a State Board of Veterinary Medical Examiners as authorized Under Section 2711 to 2720, inclusive, of the Compiled Laws of 1913 for North Dakota.

House Bill No. 106. A Bill for an Act to Appropriate One Thousand and Forty Dollars (\$1,040.00) for the Payment of \$10.00 Once Each Week During the Biennium 1923, 1924, as an Aid to the Society for the Friendless Authorized Under Chapter 46 of the North Dakota Session Laws of 1911.

House Bill No. 107. A Bill for an Act to Appropriate \$1,000.00 for the Payment of the Expenses to be Incurred by the North Dakota Live Stock Association as Prescribed by Section 2786 of the Compiled Laws of 1913 for North Dakota.

House Bill No. 108. A Bill for an Act Making an Appropriation to Provide for Compensation and Expenses of the Board of Trustees of the State Live Stock Sanitary Board.

House Bill No. 109. A Bill for an Act Making an Appropriation for the Use and Benefit of the North Dakota Firemen's Association for the Purpose of Promoting the Efficiency and Growth of its Different Departments, and the Holding of an Annual Tournament, According to the Rules and Regulations of Such Associations.

House Bill No. 110. A Bill for an Act to Appropriate Sixty Thousand Dollars (\$60,000.00) to Provide Funds for the Maintenance of the North Dakota National Guard, or State Militia, as Provided for Under Chapter 35 of the Compiled Laws of 1913 for North Dakota, and to Meet Other Requirements Prescribed by the Federal Statutes.

House Bill No. 115. A Bill for an Act Appropriating Money for the Benefit of the North Dakota Dairymen's Association, for the Purpose of Promoting and Encouraging the Dairying Interests of the State.

House Bill No. 119. A Bill for an Act Making an Appropriation of \$63,000.00 for the Care of Insane Patients Whose Residence Can not be Determined and Whose Care Must be Borne by the State.

House Bill No. 147. A Bill for an Act Providing for the Filing of Bills of Sale and Other Transfers of Personal Property and Prescribing the Effect of Such Filing.

House Bill No. 176. A Bill for an Act Authorizing the Board of County Commissioners of any County in North Dakota to Issue Funding or Refunding Bonds for the Purpose of Funding or Refunding Seed Grain or Seed and Feed Grain Indebtedness.

House Bill No. 180. A Bill for an Act Providing for a Tax Levy in Incorporated Villages for the Purpose of Purchasing and Maintaining Adequate Apparatus for the Extinguishment of Fires, and Maintaining a Fire Department.

House Bill No. 189. A Bill for an Act to Repeal Section 1574 of the Compiled Laws of North Dakota for the Year 1913, Providing an Annual Appropriation for the State Geological Survey.

House Bill No. 190. A Bill for an Act to Repeal Sections 2545 and 2546 of Article 3 of the Compiled Laws of North Dakota for the Year 1913, Providing for Relief of Needy Settlers.

House Bill No. 191. A Bill for an Act to Repeal Section 1571 of the Compiled Laws of North Dakota for the Year 1913, Providing an Annual Appropriation for the Biological Stations

House Bill No. 250. A Bill for an Act to Repeal Chapter 35 of the Session Laws of North Dakota for 1915, Relating to Militia Grounds.

House Bill No. 251. A Bill for an Act to Repeal Sections 1631 and 1638 of the Compiled Laws of North Dakota for the Year 1913, Relating to Experiment Stations.

House Bill No. 252. A Bill for an Act to Repeal Section 1621 of the Compiled Laws of North Dakota for the Year 1913, Relating to Experiment Station at Fargo.

House Bill No. 253. A Bill for an Act to Repeal Section 1623 of the Compiled Laws of North Dakota for the Year 1913, Relating to Demonstration Farms.

House Bill No. 254. A Bill for an Act to Repeal Section 2696 of the Compiled Laws of North Dakota for the Year 1913, Relating to Live Stock Sanitary Board.

House Bill No. 255. A Bill for an Act to Repeal Section 1839 of the Compiled Laws of 1913 of North Dakota, Relating to North Dakota's Firemen's Association.

House Bill No. 257. A Bill for an Act to Repeal Section 1624 of the Compiled Laws of North Dakota for the Year 1913, Relating to Enforcement, Beverage and Sanitary Laws.

House Bill No. 258. A Bill for an Act to Amend and Re-enact Section 2671 of the Compiled Laws of North Dakota for 1913, Relating to Cruelty to Animals.

House Bill No. 259. A Bill for an Act to Amend and Re-enact Section 11108 of the Compiled Laws of North Dakota for the Year 1913, Relating to Board of Pardons.

House Bill No. 260. A Bill for an Act to Repeal Chapter 27 of the Session Laws of 1915, Relating to State Fish Hatchery.

House Bill No. 261. A Bill for an Act to Repeal Section 11 of Chapter 31 of the Session Laws of Special Session of 1919, Relating to Appropriation to State Dairy Commissioner.

House Bill No. 262. A Bill for an Act to Repeal Section 1661 of the Compiled Laws of North Dakota for 1913, Relating to Serum Institute.

House Bill No. 264. A Bill for an Act to Repeal Section 2786 of the Compiled Laws of North Dakota for 1913, Relating to North Dakota Live Stock Association.

House Bill No. 265. A Bill for an Act to Repeal Section 5117 of the Compiled Laws of North Dakota for 1913, Relating to North Dakota Poultry Association.

House Bill No. 266. A Bill for an Act to Repeal Chapter 38 of the Session Laws of North Dakota for the Year 1917, Relating to North Dakota Dairymen's Association.

House Bill No. 268. A Bill for an Act to Repeal Section 813 of the Compiled Laws of 1913 for the State of North Dakota, Relating to Disbarment Proceedings.

House Bill No. 269. A Bill for an Act to Repeal Chapter 16 of the Session Laws of North Dakota for the Special Session of 1919, Relating to Testing Dairy Products.

House Bill No. 63. A Bill for an Act to Provide for the Collection of Notes, Contracts and Indebtedness for Seed and Feed Furnished by Counties.

House Bill No. 65. A Bill for an Act to Amend and Re-enact Article 19 of Chapter 5 of the Political Code of the State of North Dakota Being Sections 524 to 539 Both Inclusive of the Compiled Laws of North Dakota for the Year 1913, Relative to the Practice of Optometry, Creating a State Board of Examiners in Optometry, Providing for the Registration of Optometrists, Defining and Regulating Violation of the Terms of Said Act.

House Bill No. 68. A Bill for an Act to Amend and Re-enact Chapter 36 of the Session Laws for the Year 1921, Relating to the Application of the Tuberculin Test and Eradication of Bovine Tuberculosis in Townships and Counties in North Dakota Under Direction of the State Live Stock Sanitary Board by Petition of a Majority of Freeholders in Such Townships.

House Bill No. 161. A Bill for an Act to Amend Section 1398 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Free Text Books in Public Schools.

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 1382, Article 21, Chapter Five General School Laws of the State of North Dakota, Entitled School Year and School Week Defined. Holidays.

House Bill No. 133. A Bill for an Act to Amend and Re-enact Section 3116 of the Compiled Laws of North Dakota for the Year 1913.

House Bill No. 145. A Bill for an Act to Provide for the Closing and Liquidation of the Business Heretofore Conducted by the State of North Dakota in the Operation of a State Experimental Creamery; Providing for the Transfer of all Funds to the General Fund of the State Repealing Chapter 149 of the Session Laws for the Year 1919.

House Bill No. 148. A Bill for an Act Providing for the Annual Reporting by County Auditor to the Workmen's Compensation Bureau of all Elective Auditors and Clerks of Political Subdivisions of the County.

House Bill No. 151. A Bill for an Act Relating to the Insurance of Employers with the Workmen's Compensation Fund Providing for Compensation for Injuries or Death of the Employer Himself, in Cases Where the Employer has Contracted for such Protection with the Bureau, also Providing for the Basis of Premium for such Protection.

House Bill No. 152. A Bill for an Act Requiring the County Superintendent of Schools of all Counties to Report Names of School District Clerks to the Workmen's Compensation Bureau.

House Bill No. 168. A Bill for an Act to Amend and Re-enact Section 6750 of the Compiled Laws of North Dakota for 1913, Relating to Standardized Form of Mortgage.

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 6790 of the Compiled Laws of North Dakota for 1913.

House Bill No. 224. A Bill for an Act to Authorize the County Commissioners to Sell Certain Lots or Premises Bid in by the County for Delinquent Taxes Without Giving Notice of the Expiration of Redemption.

House Bill No. 238. A Bill for an Act to Amend and Re-enact Section 23 of Chapter 77 of the Session Laws of North Dakota for the Year 1921, Relating to State Hail Insurance.

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 667 of the Compiled Laws of North Dakota for the Year 1923, Relating to County Commissioners Furnishing Bonds.

House Bill No. 243. A Bill for an Act Authorizing the Issue of Milling Bonds of the State of North Dakota to the Amount of One Million Dollars (\$1,000,000) and Providing for the Payment Thereof.

House Bill No. 282. A Bill for an Act to Amend and Re-enact Section 890 of the Compiled Laws of North Dakota for 1913, Relating to Selection, Organization, Time and Place of Meeting of County and State Central Committees of Political Parties.

House Bill No. 310. A Bill for an Act Directing and Empowering the State Board of Auditors to Annually Examine and Audit the Accounts, Books and Vouchers of the State Hail Insurance Department, State Highway Department, and Workmen's Compensation Bureau, to Take Account of the Amount and Condition of the Assets and Liabilities of Each Department so Examined and Audited and Make Report Thereof to the Governor.

And the President signed the same in the presence of the Senate.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 102. A Bill for an Act to Appropriate Ten Thousand Dollars (\$10,000.00) to Aid in the Educational Work Being Carried on by the North Dakota Anti-Tuberculosis Association, and the Prevention of the Spread of Tuberculosis More Definitely Prescribed in Chapter 7 of the Session Laws of North Dakota for 1915 for the Salary and Traveling Expenses.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 82. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal School at Minot, North Dakota, and Making Permanent Improvements and Additions Thereto.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 98. A Bill for an Act to Appropriate Twelve Thousand Five Hundred Forty-Eight and 48-100 Dollars (\$12,548.48) According to Chapter 327 of the Session Laws for the Year 1919 of the State of North Dakota for the Purpose of Stamping out Venereal Diseases.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 105. An Act Making an Appropriation for the Current and Contingent Expenses of the State School of Science at Wahpeton, and 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 3, of the Engrossed Bill strike out the figures "78,220.00" and insert in lieu thereof the figures "94,220.00"

On page 2, item 4, in line 5, strike out the figures "20,000.00" and in lieu thereof insert the figures "36,000.00."

In line 7, after the words "Grand Total" strike out the figures "78,220" and insert in lieu thereof the figures "94,220.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Van Camp moved that the rules be suspended and that the vote by which House Bill No. 263 passed be re-considered.

Which motion prevailed.

Senator Kretschmar moved that further consideration of House Bill 263 be indefinitely postponed.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to inform you that the

House refuses to concur in the Senate Amendment to House Bill No. 263.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 161. A Bill for an Act to appropriate the Sum of Five Hundred Dollars (\$500.00) or so Much Thereof as may be Necessary for the Purpose of Paying the Per Diem and Mileage of Witnesses Incurred by the Special Investigating Committee of the Senate, in Considering the Audit of the State Bank and State Industries, During the Seventeenth Legislative Assembly.

Senate Bill No. 232. A Bill for an Act to Amend and Re-enact Section 9367 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Prescribing of an Oath.

Senate Bill No. 280. A Bill for an Act to Amend and Re-enact Section 7643 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 133, of the Session Laws of 1921, Relating to Directed Verdicts.

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Section 7644 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 1 of the Session Laws for the Year 1919, (Regular Session) and Chapter 129 of the Session Laws for the Year 1921, Relating to Change of Judges in Civil and Criminal Actions in the District Court, for Prejudice or Bias of Judge Thereof; Providing for the Calling in of Another Judge of Another Judicial District, and the Payment of His Expenses, and the Discharge of Jurors Therein, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Section 160 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 18 of the Special Session Laws of North Dakota for the Year 1919. Relating to the Appointment of Regular and Special Assistant Attorneys General, and Repealing Chapter 20 of the Special Session Laws of North Dakota for the Year 1919, and All Other Acts and Parts of Acts in Conflict Therewith.

Senate Bill No. 389. A Bill for an Act Regulating the Reservation of Mineral Rights and Providing for the Transfer of Same.

Senate Bill No. 375. A Bill for an Act Validating Taxes Assessed Against Bank Stock in the Years 1919, 1920, 1921 and 1922, Authorizing Boards of County Commissioners and the Tax Commissioners to Compromise Such Taxes Upon Bank Stock for 1919, 1920, and 1921, as Have Not Been Paid, and confirming and Ratifying Such Settlements as have been Made.

Senate Bill No. 206. A Bill for an Act Providing for a Verdict in Civil Cases by Five-sixth of the Jury After Twelve Hours' Deliberation.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 302. A Bill for an Act to Impose a Gross Earnings Tax on Certain Freight Line and Car Equipment Companies Owning and Operating or Leasing and Operating over Railroad Lines Within This State for the Purpose of Raising Revenue to Defray the General Expenses of State Government; Repealing Sections 2 to 11 Inclusive, of Chapter 59, Special Session Laws of 1919 and All Other Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 299. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 62 of the Laws of North Dakota Enacted at the Special Session of 1919, and Declaring that an Emergency Exists, and that This Act Shall Become Effective Immediately Upon Its Passage and Approval.

Senate Bill No. 304. A Bill for an Act to Permit Mutual Insurance Companies to Classify Their Business by Trades, Occupations or Professions, and to Pay Dividends to Policyholders Based Upon Each Trade, Occupation or Professions Proportion of Losses Received to the Premiums Paid by Them; and Providing the Method of Determining Such Dividends.

Senate Bill No. 386. A Bill for an Act to Amend and Re-enact Sections 16, 33, 44, 49, 56, 62, 83, 88 and d89 of Chapter 168 of the Session Laws of North Dakota for the Year 1919, Regulating the Operation of all Coal Mines in North Dakota; Providing for their Inspection; Creating the Office of Coal Mining Inspector; Fixing His Qualifications, Duties, Powers and Compensation; Providing for His Appointment; Creating a Board of Examiners; Fixing Its Powers and Compensation; Providing the Method of Appointment Thereof; Providing for the Registry, Examination and Issuing of Certificates to Certain Employers of Coal Mines.

Senate Bill No. 159. A Bill for an Act Appropriating Money for the Use of War History Commission Between the Following Dates: June 30th, 1923, to July the 1st, 1925.

Senate Bill No. 122. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance Fund of the State Training School

Senate Bill 100. A Bill For an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Maintenance Fund of the School of Science at Wahpeton, N. Dak.

Senate Bill No. 96. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance of the State School for the Blind at Bathgate.

Senate Bill No. 158. A Bill for an Act Making an Appropriation of \$10,540.00 for the Purpose of Paying the General Expenses of Carrying Out the Provisions of Chapter 168 of the Session Laws of 1919, Relating to Mine Inspection.

Senate Bill No. 392. A Bill for an Act to Provide a Custodian for the Property Belonging to the State of North Dakota Known as the Biological Station and Located on the Shores of Devils Lake, Ramsey County, North Dakota, and to Designate the Purposes for Which Said Property May be Used.

Senate Bill No. 93. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Supreme Court.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 329. A Bill for an Act to Amend and Re-enact Section 33 of Chapter 225 of the Session Laws of 1919, Relating to Rehearings of the Determination of Inheritance Taxes, and Providing that No Report Need Be Made to the Tax Commissioner in Case of Insolvent Estates.

Senate Bill No. 330. A Bill for an Act to Authorize County Commissioners to Lay Out and Construct or Contract for the Construction of Highways on State Lines.

Senate Bill No. 236. A Bill for an Act Authorizing the Cancellation, Conversion and Exchange of Bonds Issued Under and by Virtue of Chapter 128, Session Laws of 1919.

Senate Bill No. 266. A Bill for an Act Providing for the Assessment of Shares of Stock in Banking Associations Organized Under the Laws of This State.

Senate Bill No. 188. A Bill for an Act Prohibiting the placing of Children, Either for Temporary or Permanent Care, in Almshouses, or in Institutions, Charitable, Penal or Reformatory, Where Delinquent Children are Kept.

Senate Bill No. 181. A Bill for an Act Providing for the Licensing and Regulation of Homes and Institutions Caring for Children and for the Repeal of Chapter 183 of the Session Laws of 1915.

Senate Bill No. 378. A Bill for an Act to Amend and Re-enact Section 7741 of the Compiled Laws of 1913 as Amended and Re-enacted by Chapter 156 of the Session Laws of 1915 Relating to Partnership Exemptions.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 89. A Bill for an Act Relating to What Shall be Carried as "Consolidated Tax Account," and Repealing Section 2274, Compiled Laws of 1913 as Amended by Chapter 253, Session Laws of 1915.

Which the House has indefinitely postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Ployhar moved that the Senate do now go into executive session.

Which motion prevailed and the Senate went into Executive session.

OPEN SESSION

The committee on Highways made the following report:

Mr. President: A majority of your committee on Highways to whom was referred:

House Bill No. 222. A Bill for an Act Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over any Public Highway by Motor Propelled Vehicles; Defining Transportation Companies; Providing for Supervision and Regulation Thereof by the Board of Railroad Commissioners of the State of North Dakota; Providing for the Enforcement of the Provisions of this Act and for the Punishment of the Violations Thereof.

Have had the same under consideration and recommend that the same do pass.

In line two of Section five strike out the word "company" and insert in lieu thereof the word "carrier."

Mr. President. A minority of your committee on Highways to whom was referred:

House Bill No. 222. A Bill for an Act Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over any Public Highway by Motor Propelled Vehicles; Defining Transportation Companies; Providing for Supervision and Regulation Thereof by the Board of Railroad Commissioners of the State of North Dakota; Providing for the Enforcement of the Provisions of this Act and for the Punishment of the Violations Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

R. W. PATTEN,
GUST WOG,

Senator Peterson moved that the majority report of the committee on House Bill 222 be adopted.

Senator Patten moved that the minority report be substituted for that of the majority.

Which motion lost.

The vote being on the motion of Senator Peterson, the motion prevailed.

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 85. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the Dickinson Normal School at Dickinson, and 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 3, of the Engrossed Bill, strike out the figures "219,200.00" and insert in lieu thereof the figures "217,900.00"

In item 1, strike out line 13.

In line 14, after the word "total" strike out the figures "129,000.00" and insert in lieu thereof the figures "127,700.00."

On page 2, line 1, after the word "Forward" strike out the figures "129,000.00" and insert in lieu thereof the figures "127,700.00."

In item 4, after the words "Grand Total" strike out the figures "219,200.00" and insert in lieu thereof the figures "217,900.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 96. A Bill for an Act Making an Appropriation of \$10,000.00 for the Current and Contingent Expenses of the State Free Employment Service Under Chapter 117, Session Laws of 1921.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted. A roll call was demanded.

SENATE ROLL CALL

The question being on the motion to adopt the report of the committee to indefinitely postpone House Bill No. 96, the roll was called and there were ayes 17, nays 29, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Page	Steel
Baird	Kretschmar	Peterson	Thorson
Bond	McCoy	Ployhar	
Carey	Martin	Porter	
Gardiner	Murphy	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Olson, Barnes	Van Camp
Benson	Ingerson	Olson, Eddy-	Ward
Byrne	Kaldor	Foster	Wenstrom
Eastgate	Levang	Patten	Whitman
Ettestad	Lynch	Rusch	Whitmer
Fleckten	McLachlin	Stevens	Wog
Garberg	Miklethun	Storstad	
Gross	Nathan	Tofsrud	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babeock	Magnuson	Peck

So the motion was lost.

Senator Rusch moved that House Bill No. 96 be reconsidered for passage, and that it be placed on the calendar.

Which motion prevailed.

The committee on Appropriations made the following report:

Mr. President: A majority of your committee on Appropriations to whom was referred:

House Bill No. 124. A Bill for an Act to appropriate the Sum of Twelve Thousand Sixty-five and 15-100 Dollars (\$12,065.15) for the Payment to Bishop Brissman & Co. of the Sum Due them for the Audit of the State Bank and State Industries, and for other Services rendered.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Mr. President: A minority of your committee on Appropriations to whom was referred:

House Bill No. 124. A Bill for an Act to appropriate the Sum of Twelve Thousand Sixty-five and 15-100 Dollars (\$12,065.15) for the Payment to Bishop Brissman & Co. of the Sum Due them for the Audit of the State Bank and State Industries, and for other Services rendered.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN W. BENSON.

Senator Kretschmar moved that the majority report of the Committee on House Bill 124 be adopted.

Senator Benson moved that the minority be substituted for that of the majority.

A roll call was demanded.

SENATE ROLL CALL

The question being on the motion to substitute the minority report for that of majority, the roll was called and there were ayes 17, nays 28, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Olson, Eddy-	Wenstrom
Benson	Ingerson	Foster	Whitmer
Byrne	Miklethum	Page	Wog
Ettestad	Nathan	Patten	
Fleckten	Olson, Barnes	Ward	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Martin	Steel
Baird	Kelsh	Murphy	Stevens
Bond	Kretschmar	Peterson	Storstad
Carey	Levang	Ployhar	Thorson
Eastgate	Lynch	Porter	Tofsrud
Garberg	McCoy	Rusch	Van Camp
Gross	McLachlin	Sperry	Whitman

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Gardiner	Babcock	Magnuson	Peck

So the motion to substitute was lost.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 92. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Training School at Mandan, North Dakota, 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 3, of the Engrossed bill strike out the figures "290,710.00" and insert in lieu thereof the figures "326,510.00".

On page 2, in item 3, below line 1, insert the following words and figures "Girls Cottage \$30,000.00."

In line 3, strike out the figures "19,200.00" and insert in lieu thereof the figures "25,000.00."

In line 4, after the word "total" strike out the figures "82,200.00" and insert in lieu thereof "118,000.00."

On page 3, item 5, line 6, strike out the figures "290,710.00" and insert in lieu thereof the figures "326,510.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Carey moved that the Senate do now concur in the House amendments to Senate Bill No. 319.

Which motion prevailed.

Senator Carey moved that the rules be suspended that Senate Bill 319 be considered re-engrossed and placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 319: A Bill for an Act to Amend and Re-enact Section 973 of the Compiled Laws of North Dakota for 1913, Relating to the Filing of Certificates of Nomination.

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 37, nays 7, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Stevens
Baird	Ingerson	Olson, Eddy	Storstad
Baker	Kaldor	Foster	Thorson
Byrne	Kelsh	Page	Tofarud
Bond	Kretschmar	Peterson	Van Camp
Carey	Levang	Ployhar	Ward
Eastgate	Lynch	Porter	Whitman
Ettestad	McCoy	Rusch	Whitmer
Fleckten	McLachlin	Sperry	
Gardiner	Martin	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Miklethun	Olson, Barnes	Wog
Hamilton	Nathan	Wenstrom	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Magnuson	Patten	Peck
Garberg			

So the bill passed and the title was agreed to.

Senator Whitman moved that the Senate do now concur in the House amendments to Senate Bill 363.

Which motion prevailed.

Senator Whitman moved that the rules be suspended; that Senate Bill No. 363 be considered re-engrossed and placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 363. A Bill for an Act to Amend and Re-enact Chapter 170 of the Session Laws of North Dakota for the Year 1919, Being an Act Regulating and Fixing the Hours of Labor for Females, and Providing Penalties 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 ayes 38, nays 5, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Nathan	Stevens
Baird	Gross	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofarud
Bond	Kretschmar	Page	Van Camp
Carey	Levang	Peterson	Ward
Eastgate	Lynch	Ployhar	Whitman
Ettestad	McCoy	Porter	Whitmer
Fleckten	McLachlin	Rusch	Wog
Garberg	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Martin	Patten	Sperry	Wenstrom
Miklethun			

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Magnuson	Peck
Byrne	Ingerson		

So the bill passed and the title was agreed to.

Senator Carey moved that the Senate do now adjourn.

Which motion prevailed.

FIFTY-SIXTH DAY

The Senate convened at 2:00 P. M. the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. C. F. STRUTZ.

Roll was called, all Senators being present with the exception of Senators Babcock and Magnuson.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the 53rd day after recess and 54th day and recommend that the same be corrected as follows:

On page 7, line 46, strike out "senate" and insert in lieu thereof "House."

On page 7 strike out lines 50 and 51.

On page 8 strike out line 2.

On page 32, line 47, strike out "Mr. Stark" and insert in lieu thereof "Senator Baird."

On page 44, line 28, strike out "passed and the title was agreed to" and insert in lieu thereof "failed to pass."

On page 44, line 30 strike out "passed" and insert in lieu thereof "failed to pass"

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 28. A Bill for an Act to Empower Cities, Villages, and Towns to Purchase, Sell, Construct, Rent, Lease, Extend, Connect, or Erect, High Tension Electric Transmission Lines and Electrical Equipment, Within and Without the Corporate Limits, and Necessary Secondary Transmission Lines and Distribution Systems Within the Corporate Limits, for the Purpose of Securing Light, Power and Electrical Energy for Municipal and Commercial Use; and to Assess the Property Within the Corporate Limits, and to Provide for the Method of Such Assessment and the Collection Thereof, and to Provide for the Issuance of Bonds.

Were delivered to the governor for his approval at the hour of 11:30 o'clock P. M. February 26, 1923.

CHRIST LEVANG,
Chairman.

A RESOLUTION

Whereas, there is pending, legislation that would materially affect the income of the schools of the state;

And Whereas, we believe that the education of our children is one of the great fundamentals of life:

Be It Resolved, that we hereby record ourselves as unalterably opposed to any legislation that will result in a lessened financial income for our schools, and a consequent crippling of these most important institutions;

And Be It Further Resolved, that we ask you and your fellow legislators to use every rightful influence to prevent the final passage of such harmful legislation.

Respectfully submitted,

CARRIE MAY SEED,
416 3rd Ave. S. E. Minot.
And Eight Others.

Referred to Committee on Education.

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

R. A. Nestos, Governor

February 26, 1923.

To the Senate of the State of North Dakota:

This is to notify you that I have this day approved and filed with the Secretary of State, Senate Bill No. 28, to Empower Cities, Villages, and Towns to Purchase, Sell, Construct, Rent, Lease, Extend, Connect, or Erect, High Tension Electric Transmission Lines and Electrical Equipment, Within and Without the Corporate Limits, and necessary Secondary Transmission Lines and Distribution Systems within the Corporate Limits, for the purpose of securing Light, Power and Electrical Energy for Municipal and Commercial Use; and to assess the property within the Corporate Limits, and to Provide for the Method of such assessment and the Collection Thereof, and to Provide for the Issuance of Bonds.

Also Senate Bill No. 30, to Amend and Re-enact Section 4989, Compiled Laws of 1913, Relating to Filing of statements by Mining Corporations.

Also Senate Bill No. 182. To Amend and Re-enact Section 9607, and Section 9608, Compiled Laws for 1913.

Also Senate Bill No. 220, to Amend and Re-enact Section 3716 of the Compiled Laws of 1913, Relating to Payment of Deficiency in Special Assessments.

Also Senate Bill No. 241, To Amend and Re-enact Section 7036 of the Compiled Laws of North Dakota for 1913, Relating to Protesting Negotiable Instruments.

Also Senate Bill No. 278, To Amend and Re-enact Section 3718 of the Compiled Laws of North Dakota for the Year 1913 Relating to Extension of Water Main Assessments.

Yours very truly,

R. A. NESTOS,
Governor.

MOTIONS AND RESOLUTIONS

Senator Stevens moved that the Senate do concur in the House Amendments to Senate Bill 155.

Which motion prevailed.

Senator Stevens moved that the rules be suspended; that the reading of Senate Bill 155 be dispensed with and that it be placed on the calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Sections 3, 4, 6, 8, 34, 35 and 65, Chapter 161, Session Laws of 1915, and Section 27, Chapter 161, Session Laws of 1919, as Amended by Section 2, Chapter 134, Session Laws of 1919, and Section 36, Chapter 161, Session Laws of 1915 as Amended by Section 5, Chapter 134, Session Laws of 1919, and Section 46, Chapter 161, Session Laws of 1915, as Amended by Chapter 134, Session Laws 1921 and Section 80, Chapter 161, Session Laws of 1915 as Amended by Chapter 135, Session Laws of 1919, Relating to Game and Fish.

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 1, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Stevens
Baird	Hamilton	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Byrne	Kretschmar	Page	Van Camp
Carey	Levang	Patten	Ward
Eastgate	Lynch	Peterson	Wenstrom
Ettestad	McCoy	Ployhar	Whitman
Fleckten	McLachlin	Porter	Whitmer
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	
	Murphy	Steel	

Those voting in the negative were:

Messrs.
Ingerson

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Magnusen	Peck	Wog
Bond			

So the bill passed and the title was agreed to.

Senator Stevens moved that the Senate do not concur in the House Amendments to Senate Bill 176.

Which motion prevailed.

Senator Stevens moved that a Conference Committee be appointed to act with a like committee from the House to further consider House Amendments to Senate Bill No. 176.

Which motion prevailed.

The President appointed as such committee Senators Baird, Baker and Stevens.

The Secretary read the following

CONCURRENT RESOLUTION

Introduced by Senator Nathan

WHEREAS, the initiated measure passed by the people November 2nd, 1920, provides, "that the Bank of North Dakota shall make real estate loans only to actual farmers who are residents of the state," and

WHEREAS, This provision is capable of various constructions and it is desirable that a clear construction be made as to its intent and meaning,

NOW, THEREFORE BE IT RESOLVED, By the Senate of the Eighteenth Legislative Assembly, the House of Representatives concurring therein, that it is the sense of this Assembly that all persons, residents of this state, whose greatest source of support is derived from the products of land of which they are the owners of record, are eligible to receive a loan from the Bank of North Dakota.

BE IT FURTHER RESOLVED, That it is the sense of the Legislative Assembly that no arbitrary ruling should be made by the Industrial Commission, the Manager of the Bank of North Dakota or the Manager of the Farm Loan Department of the Bank of North Dakota, as to the nature of the products to be produced on the farms of this state as a condition to be met by an applicant before a loan is granted.

Which was referred to the committee on State Affairs.

The Secretary read the following:

CONCURRENT RESOLUTION

Introduced by Senator Rusch

Be It Resolved by the Senate of the State of North Dakota, the House of Representatives concurring therein, that

Whereas, There is a wide-spread feeling among the people of the state that the affairs of the different departments of government, and of the educational and penal institutions, are not properly co-ordinated, efficiently organized or economically administered, and

Whereas; It is well known that large private concerns commonly apply to the organization of their affairs the services of men expert in such matters, and it is known that there are efficiency experts in regard to the organizing and conducting of business affairs of states,

• Now, Therefore, Be it Resolved that the Governor, at his convenience, investigate or cause an investigation to be made, to determine whether there are skillful and reliable concerns specializing in the work of co-ordinating and organizing the business of states, and their institutions, in the interest of economy and efficiency, and whether it seems advisable for the State of North Dakota to procure the advice and assistance of some such persons or concerns in re-organizing the public business of this state, and

Be it Further Resolved, that the Governor report to the next Legislative Assembly the results of his investigations, together with any recommendations he may have to make with reference thereto.

Which was referred to the Committee on State Affairs.

Senator Olson (of Eddy) moved that all absent Senators be excused.

Which motion prevailed.

Senator Baker moved that the Senate do concur in the House amendments to Senate Bill No. 177.

Which motion prevailed.

Senator Baker moved that the rules be suspended; that Senate Bill 177 be considered re-engrossed and placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 177. A Bill for an Act Amending and Repealing Chapter 153, Laws of 1909, the Same Being Sections 1404 to 1414 Inclusive, Compiled Laws for 1913, Regulating the Employment of Child Labor and to Provide for the Enforcement Thereof, and to Prescribe Penalties for Violations of the 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 ayes 33, nays 6, absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Miklethun	Steer
Baird	Gardiner	Murphy	Thorson
Baker	Gross	Nathan	Tofsrud
Benson	Ingerson	O'son, Barnes	Ward
Bond	Kaldor	Olson, Eddy-	Wenstrom
Byrne	Kelsh	Foster	Whitman
Carey	Kretschmar	Page	Whitmer
Eastgate	McCoy	Patten	
Fleckten	McLachlin	Peterson	

Those voting in the negative were:

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Ettestad	Porter	Stevens	Storstad
Lynch	Rusch		

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Magnuson	Ployhar	Wog
Hamilton	Martin	Sperry	
Levang	Peck	Van Camp	

So the bill passed and the title was agreed to.

Senator Kelsh moved that the Senate do now concur in the House Amendments to Senate Bill No. 211.

Which motion prevailed.

Senator Kelsh moved that the rules be suspended; that Senate Bill No. 211 be considered re-engrossed and that it be placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 211. A Bill for an Act to Amend and Re-enact Section 3451, Compiled Laws of North Dakota, Relating to County Bonds, rate of interest and Mode of Issue.

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 39, nays none, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Miklethun	Porter
Baird	Gardiner	Murnphy	Rusch
Baker	Ingerson	Nathan	Steel
Benson	Kaldor	Olson-Barnes	Stevens
Bond	Kelsh	Olson, Eddy-	Storstad
Byrne	Kretschmar	Foster	Thorson
Casey	Levang	Page	Tofarud
Eastgate	Lynch	Patten	Ward
Ettestad	McCoy	Peterson	Wenstrom
Fleckten	McLachlin	Ployhar	Whitman

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Magnuson	Sperry	Wog
Gross	Martin	Van Camp	
Hamilton	Peck	Whitmer	

So the bill passed and the title was agreed to.

Senator Kretschmar moved that the Senate do concur in the House amendments to Senate Bill 135.

Which motion prevailed.

Senator Kretschmar moved that the rules be suspended that Senate Bill No. 135 be considered re-ingrossed and placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 135. A Bill for an Act Making an Appropriation to pay the Burial Expenses of Inmates of the Penitentiary and Reform School as Provided for Under Section 11302 of the Compiled Laws of 1913 for 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 ayes 39, nays 1, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardner	Miklethun	Porter
Baird	Gross	Murphy	Rusch
Baker	Ingerson	Nathan	Steel
Benson	Kaldor	Olson, Barnes	Stevens
Bond	Kelsh	Olson, Eddy-	Storstad
Byrne	Kretschmar	Foster	Thorson
Carey	Levang	Page	Tofsrud
Eastgate	Lynch	Patten	Ward
Ettestad	McCoy	Peterson	Wenstrom
Garberg	McLachlin	Ployhar	Whitman

Those voting in the negative were:

Messrs.
Fleckten

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Martin	Sperry	Whitmer
Hamilton	Peck	Van Camp	Wog
Magnuson			

So the bill passed and the time was agreed to.

Senator Baker moved that the Senate do now concur in the House Amendments to Senate Bill 178.

Which motion prevailed.

Senator Baker moved that the rules be suspended; that Senate Bill 178 be considered re-engrossed and placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 178. A Bill for an Act Relating to the Bringing of Children into the State, or Taking Children Therefrom, for Placement in Family Home; for the Licensing or Regulation of Persons and Corporations Engaged in that Work; and for the Repeal of Sections 5107 and 5103, Compiled Laws for 1913.

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 none, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardner	Nathan	Stevens
Baird	Gross	Olson, Barnes	Storstad
Baker	Ingerson	Olson, Eddy	Thorson
Benson	Kaldor	Foster	Tofsrud
Bond	Kelsh	Page	Ward
Byrne	Levang	Patten	Wenstrom
Carey	Lynch	Peterson	Whitman
Eastgate	McCoy	Ployhar	Whitmer
Fleckten	McLachlin	Porter	Wog
Ettestad	Miklethun	Rusch	
Garberg	Murphy	Steel	

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babeock	Kretschmar	Martin	Sperry
Hamilton	Magnuson	Peck	Van Camp

So the bill passed and the title was agreed to.

Senator Gardiner moved that the Senate do now concur in the House amendments to Joint Resolution, Senate Bill No. 207.

Which motion prevailed.

Senator Gardiner moved that the rules be suspended; that it be considered re-engrossed and placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 207. Joint Resolution: Whereas, both the Popular and the Authenticated Editions of the 1919 Session Laws have been exhausted; and Whereas, there is a great demand for this publication of Session Laws, by the people of our own state, as well as people of neighboring states, because of their peculiar importance.

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 none, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Gross	Olson, Barnes	Stevens
Atkins	Ingerson	Olson, Eddy-	Storstad
Baker	Kaldor	Foster	Thorson
Benson	Keish	Page	Tofsrud
Bond	Levang	Patten	Ward
Byrne	Lynch	Peterson	Wenstrom
Carey	McLachlin	Ployhar	Whitman
Eastgate	Martin	Porter	Whitmer
Ettestad	Miklethun	Rusoh	Wog
Fleckten	Murphy	Sperry	
Gardiner	Nathan	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babeock	Hamilton	McCoy	Peck
Garberg	Kretschmar	Magnuson	Van Camp

So the bill passed and the title was agreed to.

Senator Sperry moved that the rules be suspended; that the committee report indefinitely postponing House Bill No. 172 be reconsidered.

Which motion was lost.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 88. A Bill for an Act Making an Appropriation for Maintenance, Improvements, and Repairs, and Equipment for the Institution of the Feeble-Minded at Grafton.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, item 2, line 3 after the words "Power House" strike out the figures "6,000.00" and insert in lieu thereof the figures "2,000.00." Below the words "Floor for Cow Barn" insert the following words and figures, "Antiseptic Tank 5,000.00."

"Root Cellar \$2,000.00."

On page 2 in miscellaneous item, below the word "interest" insert the following words and figures "Deficit to Dormitory B, 7,500.00."

After the word "total" strike out the figures "179,900.00" and insert in lieu thereof the figures "188,400.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Baird moved that action on House Bill No. 275 be deferred one more legislative day.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 267. A Bill for an Act to Repeal Section 11 of Chapter 71 of the Session Laws of 1919 for North Dakota, Relating to Board of Administration.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays none, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Baird	Hamilton	Nathan	Stevens
Baker	Ingerson	Olson, Barnes	Sterstad
Benson	Kaldor	Olson, Eddy-	Thorson
Bond	Kelsch	Foster	Tofsrud
Byrne	Kretschmar	Page	Van Camp
Carey	Levang	Patten	Ward
Eastgate	Lynch	Peterson	Wenstrom
Eklestad	McCoy	Ployhar	Whitman
Fleckten	McLachlin	Porter	Whitmer
Ganberg	Martin	Rusch	Wog
Gardiner	Mikiethum	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Magnuson	Peck

So the bill passed and the title was agreed to.

Senator Page moved that action be deferred on House Bill 305 one legislative day.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 207. A Bill for an Act for an Appropriation to the Board of Auditors as Provided for in Section 359 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended and Re-enacted by the Initiated Law Approved November 2nd, 1920.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Sperry
Baker	Ingerson	Nathan	Steel
Benson	Kalder	Olson, Barnes	Stevens
Byrne	Kelsh	Olson, Eddy-	Storstad
Carey	Kretschmar	Foster	Thorson
Eastgate	Levang	Page	Tofarud
Ettestad	Lynch	Patten	Van Camp
Flechten	McCoy	Peterson	Ward
Garbarz	McLachlin	Ployhar	Wenstrom
Gardner	Martin	Porter	Whitman
Gross	Miklethun	Rusch	Whitmer
			Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Bond	Magnuson	Peck
Baird			

So the bill passed and the title was agreed to.

Senator Benson moved to amend House Bill No. 111 as follows:

In the title of the engrossed bill strike out "ten thousand" and insert in lieu thereof "five thousand."

In the body of the bill strike out "\$10,000.00." and insert in lieu thereof "\$5,000.00."

Senator Whitman moved a Call of the Senate.

Which motion prevailed.

Senator Hamilton moved that Senators Babcock, Magnuson and Peck be excused from the Call of the Senate.

Which motion prevailed.

Senator Benson moved that the Call of the Senate be dispensed with.

Which motion prevailed.

The question being upon the motion to amend House Bill No. 111, a roll call was demanded.

SENATE ROLL CALL

The question being on the motion to amend House Bill No. 311 the roll was called and there were ayes 17, nays 28, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Page	Ward
Benson	Hamilton	Patten	Wog
Byrne	Ingerson	Porter	
Ettestad	Nathan	Steel	
Fleckten	Olson, Barnes	Tofsrud	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Olson, Eddy-	Thorson
Baird	Kretschmar	Foster	Van Camp
Bond	Levang	Peterson	Wenstrom
Carey	Lynch	Ployhar	Whitman
Eastgate	McCoy	Rusch	Whitmer
Garberg	McLachlin	Sperry	
Gardiner	Martin	Stevens	
Kaldor	Murphy	Storstad	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babeock	Magnuson	Miklethun	Peck

So the motion was lost.

SENATE ROLL CALL

House Bill No. 111. A Bill for an Act Making an Appropriation of Five Thousand Dollars for the Biennium to the State Fair at Fargo for the Year 1923, and 1924, as Provided for in Sections 1847 to 1859 of the Compiled Laws of North Dakota for the Year 1913.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 29, nays 17, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Martin	Storstad
Baird	Ingerson	Murphy	Thorson
Bond	Kaldor	Olson, Eddy-	Van Camp
Byrne	Kelsh	Foster	Wenstrom
Carey	Levang	Ployhar	Whitman
Eastgate	Lynch	Rusch	Whitmer
Garberg	McCoy	Sperry	
Gardiner	McLachlin	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Kretschmar	Patten	Ward
Benson	Miklethun	Peterson	Wog
Ettestad	Nathan	Porter	
Fleckten	Olson, Barnes	Steel	
Gross	Page	Tofsrud	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Magnuson	Peck

So the bill passed and the title was agreed to.

Senator Rusch moved that the vote by which House Bill No. 111 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Gross moved that the Concurrent Resolution concerning the deflation in prices be moved to the head of the Calendar.

Which motion prevailed.

Was read the third time.

SENATE ROLL CALL

The question being on the final passage of the Concurrent Resolution introduced by Senator Gross, the roll was called and there were ayes 23, nays 21, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Nathan	Ward
Benson	Hamilton	Olson, Barnes	Wenstrom
Byrne	Ingerson	Olson, Eddy-	Whitmer
Ettestad	Levang	Foater	Wog
Fleckten	McCoy	Page	
Garberg	Martin	Patten	
	Miklethun	Peterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Ployhar	Storstad
Baird	Kretschmar	Porter	Thorson
Bond	Lynch	Rusch	Tofsrud
Eastgate	McLachlin	Steel	Van Camp
Gardiner	Murphy	Stevens	Whitman
Kaldor			

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Magnuson	Peck	Sperry
Carey			

So the resolution was adopted.

Senator Fleckten: Believing that Senator Gross has stated what he believed to be the facts and I had some experience along the same line as Senator Gross, and I believe he has presented this case fairly and thoroughly, but it is unfortunate that a lot of people cannot see the point before they have faced the actual hard facts that a lot of us agriculturalists have faced in the past, I therefore vote "Aye."

Senator Hamilton: To cure an injustice there must always be a beginning, I am frank to say that I do not know whether this will cure, but I do know it is a

start to cure an injustice from which every line of business in this state has suffered. I vote "Aye."

Senator Stevens: Inasmuch as this problem is easy of solution to my mind because there can be no such thing as deflation unless there has been an inflation. I vote "No."

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to return

Senate Bill No. 176. A Bill for an Act Providing for the Care and Treatment of Indigent, Crippled or Deformed Children.

Which the House has amended as follows:

Add to the end of the bill "nothing in this Act shall be construed as limiting the right of a parent or guardian to determine what treatment shall be provided for a child or the agency to be employed for that purpose."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senate Bill No. 135. A Bill for an Act Making an Appropriation to pay the Burial Expenses of Inmates of the Penitentiary and Reform School as Provided for Under Section 11302 of the Compiled Laws of 1913 for North Dakota.

Which the House has amended as follows:

After the word "and" in second line of title strike out the word "reform" and insert in lieu thereof "State Training;" also in Section one, in line 5 strike out the word "reform" and insert in lieu thereof "State Training."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senate Bill No. 211. A Bill for an Act to Amend and Re-enact Section 3541, Compiled Laws of North Dakota, Relating to County Bonds, Rate of Interest and Mode of Issue.

Which the House has amended as follows:

Strike out of Senate engrossed bill the following:

"Provided that funding or refunding bonds for the purpose of funding or refunding seed grain or seed and feed grain indebtedness may be issued in installment

serial bonds payable in from two to five years from the date thereof."

Strike out in the engrossed bill the following: "and that portion of this article relating to the issuance of funding and refunding bonds shall be printed on the back of each bond."

Insert at the end of the Engrossed bill: "Provided that funding or refunding bonds for the purposes of funding or refunding seed grain or seed and feed grain indebtedness may be issued in installment serial bonds as by law provided."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to return Senate Bill No. 177. A Bill for an Act Amending, Re-enacting and Repealing Chapter 153, Laws of 1909, the Same Being Sections 1404 to 1414 Inclusive, Compiled Laws for 1913, Regulating the Employment of Child Labor and to Provide for the Enforcement Thereof, and to Prescribe Penalties for Violations of the Act.

Which the House has amended as follows:

On engrossed bill in line 2, page 3, insert comma after the word "days."

In line three insert a comma after the word hire.

In line six page three insert the word "the" ahead of the word "age."

In line one, page nine after the word "shall" insert a comma and in line two after the word "mail" insert a comma.

In line eight section eight, engrossed bill, change the word "hours" to "hour."

On page nine engrossed bill fifth line from bottom of the page strike out the word "or" and insert the word "and."

On page ten, section nine, engrossed bill beginning line three section nine, strike out the words "in their several towns and cities" and insert in lieu thereof the words "within their several jurisdictions."

In line one, page 13, engrossed bill strike out the word "bureau" and insert the word "board." Second line same page in the Second line from the end of section 12, strike out "bureau" and insert the word

"board." In line one, page fourteen change the word "section" to "sections."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to return

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Sections 3, 4, 6, 8, 34, 35 and 65, Chapter 161, Session Laws of 1915, and Section 27, Chapter 161, Session Laws of 1919, as Amended by Section 2, Chapter 134, Session Laws of 1919, and Section 36, Chapter 161, Session Laws of 1915 as Amended by Section 5, Chapter 134, Session Laws of 1919, and Section 46, Chapter 161, Session Laws of 1915, as Amended by Chapter 134, Session Laws 1921 and Section 80, Chapter 161, Session Laws of 1915 as Amended by Chapter 135, Session Laws of 1919, Relating to Game and Fish.

Which the House has amended as follows:

On page 11, line 45, commencing with the word "Provided," strike out all of lines 45, 46, 47, 48, 49 and 50; and lines 51, 52, 53 and 54 on page 12.

On page 12, line 15, after the numerals 1924, insert the words "until the 10th day of March 1924."

On page 13, line 32, after the numerals 1924, insert the words "until the 10th day of March 1924,"

On page 15, line 39, insert the figures "\$1.50" in the blank space provided for the resident license fee.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to return

Senate Bill No. 363. A Bill for an Act to Amend and Re-enact Chapter 170 of the Session Laws of North Dakota for the Year 1919, Being an Act Regulating and Fixing the Hours of Labor for Females, and Providing Penalties for the Violation Thereof.

Which the House has amended as follows:

In line 3, Section 1, of the Engrossed bill ahead of the word "telegraph" insert "telephone or."

In line 5 of the engrossed bill change the word "ten" and the numerals "10" to the words "eight and one-half" and the numerals "8½."

Strike out period after word "authorities" on line 2 of page 2 on engrossed bill and add the words "as soon as possible."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senate Bill No. 319. A Bill for an Act to Amend and Re-enact Section 973 of the Compiled Laws of North Dakota for 1913, Relating to the Filing of Certificates of Nomination.

Which the House has amended as follows:

Line 2, Section 1, strike out the word "is" and the comma at the end of said line, and insert the word "is" following the word "same" and ahead of the word "hereby."

Line 3, of Section 973, insert a comma following the word "state."

Line 6, of Section 973, insert a comma following the word "auditor."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to return

Senate Bill No. 178. A Bill for an Act Relating to the Bringing of Children into the State, or Taking Children Therefrom, for Placement in Family Home; for the Licensing or Regulation of Persons and Corporations Engaged in that Work; and for the Repeal of Sections 5107 and 5108, Compiled Laws for 1913.

Which the House has amended as follows:

By supplying Section 1, line 8, of the original bill, after the word "into" the following words; "the State who."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to return

Senate Bill No. 207. Joint Resolution: Whereas, both the Popular and the Authenticated Editions of the 1919 Session Laws have been exhausted; and Whereas, there is a great demand for this publication of Session Laws, by the people of our own state, as well as people of neighboring states, because of their peculiar importance.

Which the House has amended as follows:

After the word "copies" in line 9 in the original bill insert "250 copies which shall be of the popular edition and 250 copies of the permanent edition."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Stevens moved a call of the Senate.

Which motion prevailed.

Senator Rusch moved that the smoke ordinance be suspended for the balance of the afternoon.

Which motion prevailed.

Senator Murphy moved that the call of the Senate be dispensed with.

Which motion prevailed.

Senator Stevens moved a re-call of the vote on House Bill No. 80.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 80. A Bill for an act to Make Appropriation for Postage, Office Supplies, Furniture and Fixtures, Printing, Miscellaneous Expenses, Traveling Expense, Maintenance of Game Farms, Salary and Expenses of Fish Commissioner and Deputy Fish Commissioner, and Expenses and Maintenance of Fish Hatchery.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 31, nays 15, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Ployhar	Van Camp
Baird	Kretschmar	Porter	Ward
Bond	Lynch	Rusch	Wenstrom
Byrne	McCoy	Sperry	Whitman
Carey	Martin	Steel	Whitmer
Eastgate	Murphy	Stevens	
Garberg	Olson, Eddy-	Storstad	
Gardiner	Foster	Thorson	
Hamilton	Page	Tofsrud	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	McLachlin	Peterson
Benson	Ingerson	Miklethun	Patten
Ettestad	Kaldor	Nathan	Wog
Fleckten	Levang	Olson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Magnuson	Peck

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 91. A Bill for an Act to Appropriate Six Hundred Dollars to the North Dakota Poultry Association for the Biennium Period According to Section 5117 of the Compiled Laws of 1913 for 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 ayes 41, nays 4, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Stevens
Baird	Hamilton	Murphy	Storstad
Baker	Ingerson	Olson, Barnes	Thorson
Benson	Kaldor	Olson, Eddy-	Tofsrud
Bond	Kelsh	Foster	Van Camp
Byrne	Kretschmar	Page	Ward
Carey	Levang	Peterson	Wenstrom
Eastgate	Lynch	Ployhar	Whitman
Ettestad	McCoy	Porter	Whitmer
Garberg	McLachlin	Sperry	
Gardiner	Martin	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Nathan	Patten	Wog

Absent and not voting:

Babcock	Magnuson	Peck	Rusch
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So the bill passed and the title was agreed to.

Senator Benson moved to amend House Bill 104 as follows: In the title and body of the bill strike out "\$10,000.00" wherever it appears and insert in lieu thereof "\$5,000.00."

A Roll call was demanded.

SENATE ROLL CALL

The question being on the motion to amend House Bill No. 104, the roll was called and there were ayes 16, nays 29, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Nathan	Tofsrud
Benson	Hamilton	Olson, Barnes	Ward
Ettestad	Ingerson	Page	Wenstrom
Fleckten	Miklethum	Patten	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Olson, Eddy-	Stevens
Baird	Kretschmar	Fcster	Storstad
Bond	Levang	Peterson	Thorson
Carey	Lynch	Ployhar	Van Camp
Eastgate	McCoy	Porter	Whitman
Garberg	McLachlin	Rusch	Whitmer
Gardiner	Martin	Sperry	
Kaldor	Murphy	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Byrne	Magnuson	Peck

So the motion was lost

Senator Fleckten moved to amend House Bill No. 104 as follows:

In line 3 of the engrossed bill strike out "general maintenance and"

Which motion lost.

Senator Fleckten: I vote "no" because I understand this money was to go for premiums only and not for maintenance of the grounds, and for that reason I vote "no"

SENATE ROLL CALL

House Bill No. 104. A Bill for an Act Making an Appropriation of Five Thousand Dollars for the Biennium to the State Fair at Grand Forks for the Years 1923 and 1924, as Provided for in Sections 1847 to 1859 of the Compiled Laws of North Dakota for the Year 1913.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 27, nays 18, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Martin	Sperry
Baird	Kelsh	Murphy	Stevens
Bond	Kretschmar	Olson, Eddy	Storstad
Carey	Levang	Foster	Thorson
Eastgate	Lynch	Peterson	Van Camp
Garberg	McCoy	Ployhar	Whitman
Gardiner	McLachlin	Rusch	Whitmer

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Page	Ward
Benson	Ingerson	Patten	Wenstrom
Ettestad	Miklethun	Porter	Wog
Fleckten	Nathan	Steel	
Gross	Olson, Barnes	Tofsrud	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Byrne	Magnuson	Peck

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 103. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 40, nays 6, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Storstad
Baird	Hamilton	Olson, Barnes	Thorson
Baker	Ingerson	Olson, Eddy-	Tofsrud
Benson	Kaldor	Foster	Van Camp
Bond	Kelsh	Peterson	Ward
Byrne	Kretschmar	Ployhar	Wenstrom
Carey	Lynch	Porter	Whitman
Eastgate	McCoy	Rusch	Whitmer
Ettestad	McLachlin	Sperry	
Garberg	Martin	Steel	
Gardiner	Miklethun	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Nathan	Patten	Wog
Levang	Page		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Magnuson	Peck

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 76. A Bill for an Act Appropriating Ten Thousand (\$10,000.00) Dollars to the Bovine Tuberculosis Fund for carrying out the provisions of Article 17—Revised Code 1913 and Amendments thereto, Relating to the Reimbursement of Owners of Tuberculous Cattle.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Olson, Barnes	Storstad
Baird	Kaldor	Olson, Eddy-	Thorson
Baker	Kelsh	Foster	Tofsrud
Denson	Kretschmar	Page	Van Camp
Bond	Levang	Patten	Ward
Byrne	Lynch	Peterson	Wenstrom
Carey	McCoy	Ployhar	Whitman
Eastgate	McLachlin	Porter	Whitmer
Ettestad	Martin	Rusch	Wog
Fleckten	Miklethun	Sperry	
Gardiner	Murphy	Steel	
Gross	Nathan	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Magnuson	Peck
Garberg			

So the bill passed and the title was agreed to and the emergency clause was declared carried.

SENATE ROLL CALL

House Bill No. 139. A Bill for an Act Authorizing Abate-ments to Purchasers of Tax Certificates on State Land.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Storstad
Baird	Ingerson	Olson, Barnes	Thorson
Baker	Kaldor	Olson, Eddy	Tofsrud
Benson	Kelsh	Foster	Van Camp
Bond	Kretschmar	Page	Ward
Byrne	Levang	Patten	Wenstrom
Carey	Lynch	Peterson	Whitman
Eastgate	McCoy	Porter	Whitmer
Ettestad	McLachlin	Rusch	Wog
Fleckten	Martin	Sperry	
Garberg	Miklethun	Steel	
Gardiner	Murphy	Stevens	

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Magnuson	Peck	Ployhar
Hamilton			

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Wenstrom moved that further consideration of House Bill 271 be indefinitely postponed.

Which motion lost.

Senator Stevens moved to amend House Bill 271 as follows:

In line 6, on page 2, of the engrossed bill, after the word "chambers" insert "or any justice of the peace having jurisdiction."

Which motion lost.

SENATE ROLL CALL

House Bill No. 271. A Bill for an Act to Amend and Re-enact Section Five of Chapter 38 of the Session Laws of 1921 Relating to the Conciliation of Controversies.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 21, nays 24, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Ployhar	Thorson
Baird	Lynch	Porter	Van Camp
Carey	McLachlin	Rusch	Whitman
Gardiner	Murphy	Steel	
Kaldor	Olson, Barnes	Stevens	
Kelsh	Page	Storstad	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Garberg	Martin	Peterson
Benson	Gross	Miklethun	Sperry
Byrne	Hamilton	Nathan	Tofsrud
Eastgate	Ingerson	Olson, Eddy-	Ward
Ettestad	Levang	Foster	Wenstrom
Fleckten	McCoy	Patten	Whitmer
			Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Bond	Magnuson	Peck

So the bill failed to pass.

Senator Fleckten moved that the vote by which House Bill No. 271 failed to pass be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Miklethun moved that the Senate recess for 20 minutes.

Which motion lost.

SENATE ROLL CALL

House Bill No. 301. A Bill for an Act to Amend and Re-enact Section 8067 of the Compiled Laws of North Dakota for the Year 1913, Relating to Foreclosure of Mortgages by Agent or Attorney, and Legalizing and Validating Sales Heretofore Made Pursuant to Judgments in Foreclosures of Mortgages by Action.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 29, nays 13, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Eddy-	Sperry
Baird	Kelsh	Foster	Steel
Bond	Kretschmar	Page	Stevens
Carey	Lynch	Peterson	Storstad
Eastgate	McCoy	Ployhar	Thorson
Ettestad	McLachlin	Porter	Tofsrud
Garberg	Murphy	Rusch	Van Camp
Gardiner			Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Levang	Nathan	Wenstrom
Fleckten	Martin	Olson, Barnes	Whitmer
Hamilton	Miklethun	Ward	Wog
Ingerson			

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Byrne	Magnuson	Peck
Benson	Gross	Patten	

So the bill passed and the title was agreed to, and the emergency clause was declared lost.

Senator Kelsh moved that action on House Bill 169 be deferred one legislative day.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 165. A Bill for an Act to Amend and Re-enact Chapter 58 of the Special Session of North Dakota for 1919.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 41, nays 1, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Sperry
Baird	Hamilton	Nathan	Steel
Baker	Ingerson	Olson, Barnes	Storstad
Benson	Kaldor	Olson, Eddy	Thorson
Bond	Kelsh	Foster	Tofsrud
Byrne	Kretschmar	Page	Van Camp
Carey	Levang	Patten	Ward
Eastgate	Lynch	Peterson	Whitman
Ettestad	McCoy	Ployhar	Wog
Fleckten	McLachlin	Porter	
Garberg	Miklethun	Rusch	

Those voting in the negative were:

Messrs.
Martin

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Magnuson	Stevens	Whitmer
Gross	Peck	Wenstrom	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

SENATE ROLL CALL

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 225 of the Session Laws of 1919 Relating to Interest to be Charged Upon Delinquent Inheritance Taxes.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 38, nays 1, absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Steel
Baird	Ingerson	Nathan	Storstad
Baker.	Kaldor	Olson, Barnes	Thorson
Benson	Kelsh	Olson, Eddy-	Tofsrud
Byrne	Kretschmar	Foster	Van Camp
Carey	Levang	Peterson	Ward
Eastgate	Lynch	Ployhar	Wenstrom
Ettestad	McCoy	Porter	Whitman
Eastgate	McIachlin	Rusch	Wog
Eastgate	Miklethun	Sperry	

Those voting in the negative were:

Messrs.
Patten

Absent and not voting

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Page	Whitmer
Bond	Magnuson	Peck	
Gross	Martin	Stevens	

So the bill passed and the title was agreed to.

Senator Baird moved that further consideration of House Bill No. 138 be deferred one Legislative day.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 31. A Bill for an Act to Amend and Re-enact Section 62 of the Compiled Laws of 1913, Relating to Legislative Journals.

Senate Bill No. 371. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Ar-

articles of Food and Drugs; for the Prevention of Adulteration and Misbranding Thereof; Requiring Labeling Thereof; Providing for Sales by Weight, Measure or Numerical Count; Providing for Fixing of Standards of Purity and Quality and Fitness for Consumption; Prescribing the Duties of the State Board of Administration and Providing for the Appointment of a State Food Commissioner and Chemist and Prescribing His Duties and Powers; Providing for the Enforcement of the Provisions of the Act; Defining Certain Offenses in Connection Therewith; Providing Penalties for Violations Thereof and Repealing Certain Acts Relating Thereto.

Senate Bill No. 372. A Bill for an Act Providing for the Inspection of Hotels and Restaurants; Prescribing Sanitary Requirements Therefor; Providing for Licensing, Payment and Disposition of License Fees; Providing for the Revocation of Licenses; Defining the Duties of the State Food Commissioner and Chemist with Regard to the Act; Providing for Penalties for Violation Thereof and Repealing Existing Laws Relating Thereto.

Senate Bill No. 373. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Beverages; to Prevent Adulteration and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; to Define the Duties of the State Food Commissioner and Chemist; to Provide for the Enforcement of the Provisions of the Act and to Provide Penalties for Violations Thereof and to Repeal Existing Laws Relating Thereto.

Senate Bill No. 379. A Bill for an Act to Regulate the Sale of Petroleum Products; to Provide for the Inspection of Kerosene and Gasoline; to Provide Specifications Therefor; to Prevent Adulteration and Misbranding Thereof; to Provide for Inspection Fees, Collection and Disposition of Same; to Define the Duties of the State Food Commissioner and Chemist; to Provide for the Inspection of Lubricating and Power Oils; to Provide for the Enforcement of the Act; to Provide Penalties for the Violation Thereof and to Repeal Existing Acts Relating Thereto.

Senate Bill No. 394. A Bill for an Act Relating to the Licensing, Regulating, Supervising and Inspection of Pool and Billiard Rooms, Ball and Pin Alleys, Dance Halls, Theatres, Moving Picture Shows, Taxi Cab or Auto Livery, Places Where Soft Drinks Are Sold or Where Cigars and Tobacco Are Sold, or Public Halls Owned Privately and Used for Public Purposes, Providing the Licensing Fees Therefor and Repealing Chapter 84 of the Session Laws of 1921, and All Acts and Parts of Acts Inconsistent Herewith.

Which the House has indefinitely postponed.

Very respectfully,

W. F. CUSHING,

Chief Clerk.

SENATE ROLL CALL

House Bill No. 232. A Bill for an Act Providing for the Cancellation and Destruction of Negotiable Bonds, and Interest Coupons Accompanying the Same, Heretofore or Hereafter. Issued by the State of North Dakota, in any Case Where Such Bonds have Matured and Have Been Paid, or Where Any Such Bonds Have Matured and Have Been Paid, or Where Any Such Bonds Have Become

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 7, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Olson, Barnes	Stevens
Baird	Gross	Page	Thorson
Baker	Kaldor	Peterson	Tofsrud
Bond	Kelsh	Ployhar	Van Camp
Byrne	Lynch	Porter	Ward
Carey	McCoy	Rusch	Whitman
Eastgate	Martin	Sperry	Whitmer
Ettestad	Miklethun	Steel	Wog
Garberg	Murphy	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	McLachlin	Olson, Eddy-	Patten
Hamilton	Nathan	Foster	Wenstrom

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babeock	Ingerson	Levang	Peck
Fleckten	Kretschmar	Magnuson	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Ployhar moved that action on House Bill No. 215 be deferred one more legislative day.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 245. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 153 of the Session Laws of North Dakota for 1919, Relating to Bonds of North Dakota, Mill and Elevator Series.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays none, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Steel
Baird	Ingerson	Nathan	Stevens
Baker	Kaldor	Olson, Barnes	Storstad
Benson	Kelsh	Olson, Barnes	Thorson

Messrs.	Messrs.	Messrs.	Messrs.
Bond	Kretschmar	Foster	Tofsrud
Byrne	Levang	Peck	Van Camp
Carey	Lynch	Patten	Ward
Eastgate	McCoy	Ployhar	Wenstrom
Ettestad	McLachlin	Porter	Whitmer
Garberg	Martrn	Rustad	Wog
Gardiner	Miklethun	Sperry	

Absent and not voting :

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Peck	Peterson
Fleckten	Magnuson		

So the bill passed and the title was agreed to.

The Senate took up the Eighth Order of Business.

Senator Porter asked unanimous consent to introduce a Concurrent Resolution.

There being no objections, the Concurrent Resolution was introduced and the Secretary read the following

CONCURRENT RESOLUTION

Introduced by Mr. Porter.

BE IT RESOLVED, By the Senate of the Eighteenth Legislative Assembly, the House of Representatives Concurring therein:

WHEREAS: It has been made to appear to the Legislative Assembly of the State of North Dakota, that Martin Tabert, a young man of about twenty-two years of age, a respected, respectable and law-abiding citizen of the State left his home in the fall of 1921 on a lawful and proper undertaking, which in the month of December of said year took him within the county of Leon in the state of Florida;

And, that on the 15th day of said month he was arrested in said county for a violation of some penal statute or regulation of the State of Florida, prescribing conditions or circumstances under which it was unlawful to ride upon a railroad train;

And, that he was thereupon summarily convicted of such offense and sentenced to pay a fine of twenty five dollars or be imprisoned for a period of three months, and that being unable to pay such fine immediately, he was committed to the custody of the sheriff of said county, to wit J. R. Jones.

That, thereupon under the provisions of some statute or regulation of the State of Florida he was leased as a prisoner to the Putnam Lumber Company, to work for it as a convict at Clara, Florida, and was almost immediately surrendered into its possession or custody.

That immediately upon his conviction as aforesaid he did communicate with his parents by telegraph asking for funds with which to pay his fine as aforesaid, and almost immediately his parents did forward to him by telegraph,

in the care of said sheriff, more than sufficient funds to pay said fine, but said sheriff did not accept said message of remittance of said money, but caused the same to be returned to the senders without reporting any reason therefor, or disclosing anything with reference to the whereabouts of said Tabert.

That thereupon and on the 21st day of December, 1921, the parents of said Martin Tabert did by registered letter send to him, in the care of said sheriff more than sufficient money with which to pay said fine, and said letter came into the hands of the said sheriff within a few days; that thereupon said sheriff did indorse on said letter a statement to the effect that said Tabert had gone away, and directed said letter to be returned to the sender, without in any way disclosing the facts with reference to the condition or whereabouts of said Tabert.

That on or about the first day of February, 1922, said Tabert died while in the custody of said Putnam Lumber Company, and from careful investigation made by relatives and friends of said Tabert, and officials of the State of North Dakota, the results of which have been laid before the legislative assembly, together with correspondence and affidavits it is convinced that said Tabert died as the direct and proximate result of physical abuse and torture inflicted upon him by said Putnam Lumber Company, and its employes, and more particularly by one T. W. Higginbotham, and it is further believed;

That such abuse occurred after the money intended for the payment of said fine had come into the hands of said sheriff and should have been devoted to the purpose of releasing said Tabert, and that said sheriff by connivance and conspiracy with the said lumber company purposely refrained from either forwarding said money to said Tabert, or communicating to the senders thereof the facts as to his then custody or whereabouts, and that he purposely so indorsed said letter and caused it to be returned to the senders, to lead them to believe that he had been released from custody and prevent them from obtaining his release, and it is further believed;

That a corrupt understanding and agreement existed between said sheriff and said lumber company to the effect that the sheriff should endeavor to obtain the arrest and conviction of men for pretended or petty offenses, to the end that when convicted they might be leased to said Lumber Company, and that for each convict so obtained from the custody of said sheriff he should receive a cash compensation, and that said Tabert was a victim of such conspiracy. It is further believed;

That while the legislative assembly is convinced by the showing made to it of the substantial accuracy of the facts heretofore set forth, the State of Florida is in no manner party to the great wrong and that as represented by its legislature it will feel the same sense of indignation as is felt by the State of North Dakota represented by its legislature, and that it will to the utmost of its ability de-

sire to redress the wrong done to the citizen of a sister state, and make impossible the commission of such abuses in the future.

BE IT THEREFORE RESOLVED (by the Senate of the State of North Dakota the House of Representatives concurring, that the legislature of the Commonwealth of Florida is hereby memorialized and requested by the legislature of the Commonwealth of North Dakota, to cause a full investigation to be made of the circumstances surrounding the conviction, leasing and death of said Martin Tabert and to cause such action to be taken as will most surely and expeditiously lead to the punishment of all parties concerned therein.

BE IT FURTHER RESOLVED: The State of North Dakota in a spirit of comity and friendship extends its greeting from the furthestmost side of the Union to the State of Florida, and requests that such recognition as this communication shall receive be transmitted to the Governor of the State, this assembly being about to adjourn.

BE IT FURTHER RESOLVED that an engrossed copy hereof, attested by the presiding officers of the Senate and House of Representatives be transmitted by the Secretary of the State, to each house of the legislature of the State of Florida.

Which was referred to the Committee on Federal Relations.

Senator Porter moved that the Concurrent Resolution be printed in the Journal.

Which motion prevailed.

Senator Baird moved that the vote by which House Bill 138 was laid over one legislative day be reconsidered.

Which motion prevailed.

Senator Baird moved that House Bill 138 be placed on the Calendar for third reading and final passage.

Which motion prevailed.

Senator Baird moved to amend House Bill 138 by substituting the following amendments in place of those adopted on the committee report:

On page 2, line 1, of the engrossed bill after the word "person" strike out the word "was" and in the same line after the word "convicted" strike out the words "on a plea of guilty."

On page 2 line 4, after the word "person." strike out the word "convicted" and insert in lieu thereof the words "was convicted on a plea of guilty and."

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 138. A Bill for an Act to Amend and Re-enact Chapter 95 of the Session Laws of North Dakota for 1921, Being an Act to Amend and Re-enact Section 2 of Chapter 63, Session Laws of North Dakota for 1915, Prescribing and Limiting Punishment of the Crime of Murder in the First Degree and Limiting the Time, Manner and Condition Whereby Such Person May be Pardoned.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 45, nays 1, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Stevens
Baird	Hamilton	Nathan	Storstad
Baker	Ingerson	Olson, Barnes	Thorson
Benson	Kalder	Olson, Eddy-	Tofsrud
Bond	Kelsh	Foster	Van Camp
Byrne	Kretschmar	Patten	Ward
Carey	Levang	Peterson	Wenstrom
Eastgate	Lynch	Ployhar	Whitman
Ettestad	McCoy	Porter	Whitmer
Fleckten	McLachlin	Rusch	Wog
Garberg	Martin	Sperry	
Gardiner	Miklethun	Steel	

Those voting in the negative were:

Messrs.

Page

Absent and not voting:

Messrs.	Messrs.
Babcock	Peck
Magnuson	

So the bill passed and the title was agreed to.

Senator Baker moved to amend House Bill 212 as follows:

In line 3, section 1, of the engrossed bill strike out "tenth" and insert in lieu thereof "twentieth."
Which motion prevailed.

SENATE ROLL CALL

House Bill No. 212. A Bill for an Act Providing for the Levying of a Tax to Create a Fund for the Purpose of Paying the Deficit in the Funds and the Indebtedness of the Home Building Association of North Dakota, and in Paying the Indebtedness, Salaries, Expenses and Expenditures Incurred by the Industrial Commission in Liquidating and Winding up the Business and Affairs of Said Association.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 29, nays 17, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsch	Page	Storstad
Baird	Kretschmar	Peterson	Thorson
Bond	Lynch	Ployhar	Tofsrud
Carey	McCoy	Porter	Van Camp
Eastgate	McLachlin	Rusch	Whitman
Ettestad	Martin	Sperry	
Gardiner	Murphy	Steel	
Kaldor	Olson, Eddy-	Stevens	
	Foster		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Nathan	Whitmer
Benson	Hamilton	Olson, Barnes	Wog
Byrne	Ingerson	Patten	
Fleckten	Levang	Ward	
Garberg	Miklethun	Wenstrom	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Magnuson	Peck

So the bill passed and the title was agreed to.

Senator Olson (of Barnes) moved to amend House Bill 239 as follows:

After the word "heroin" in the next to the last line from the bottom of the first page of the engrossed bill insert "and tobacco."

Which motion lost.

SENATE ROLL CALL

House Bill No. 239. A Bill for an Act to Amend Section 10177 of the Compiled Laws for the Year 1913 Relating to the Selling and Smoking of Opium, and the Sale and Use of Other Narcotics and by Making and Smoking of Opium, and the Sale and Use of Other Narcotics and by Making More Definite the Procedure in Cases of Lease Hold Premises Held Under an Injunction; Providing a Means Whereby Innocent Owners May Cancel a Lease Thereof and Further Providing the Breadth of the Operation in Such Injunction by Making it Personal and Apply to Clerks, Servants, and to Include any Place Within the State.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 42, nays none, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Miklethun	Sperry
Baird	Gross	Murphy	Steel
Baker	Hamilton	Olson-Barnes	Storstad
Benson	Ingerson	Olson, Eddy-	Thorson
Bond	Kaldor	Foster	Tofsrud
Byrne	Kelsch	Page	Van Camp
Carey	Kretschmar	Patten	Ward
Eastgate	Levang	Peterson	Wenstrom
Ettestad	Lynch	Ployhar	Whitman
Fleckten	McCoy	Porter	Wog
Garberg	McLachlin	Rusch	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Martin	Peck	Whitmer
Magnuson	Nathan	Stevens	

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Fleckten moved that the vote by which House Bill No. 239 passed, be reconseered and the motion to reconsider be laid on the table.

Which motion prevailed.

The courtesies of the floor were extended to Martin Scheufele of Merricourt; Melvin Lee of Valley City; Geo. B. Keenon of Minneapolis; Rev. J. J. Dalton of Valley City; P. M. Clark of Kenmare; Mr. and Mrs. C. F. Young of La Moure; Jacob Dockder, J. J. Dockder of Martin; Hon. W. E. Purcell of Wahpeton; Mr. and Mrs. F. B. Streeter, Mr. and Mrs. E. D. Fogle of Linton.

Senator Storstad moved that the Senate do now recess until 12:00 M., February 27, 1923.

Which motion prevailed.

W. E. PARSONS,
Secretary.

FIFTY-SIXTH DAY AFTER RECESS AND FIFTY-
SEVENTH DAY

Senate Chamber,
Bismarck, North Dakota.
February 27, 1923.

The Senate re-assembled at 12:00 M. pursuant to recess taken, the President Frank H. Hyland, Presiding.

The Senate took up the Eighth Order of Business.

Senator Kretschmar moved that the rules be suspended; that the committee report reconsidering House Bill 132 for indefinite postponement, be reconsidered.

Which motion prevailed.

Senator Kretschmar moved that House Bill No. 132 be recalled from the House.

Which motion prevailed.

Senator Sperry moved that the rules be suspended; that the Committee report recommending House Bill 172 for indefinite postponement be reconsidered.

Which motion prevailed.

Senator Sperry moved that House Bill No. 172 be recalled from the House.

Which motion prevailed.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 208. A Bill for an Act Relating to County Finances; Providing That all County Officials and All Officers in Charge of any Institution, Office or Undertaking Supported in Whole or in Part by the County Shall File an Itemized Statement of Amounts Necessary for Maintenance of Such Office or Institution; Providing That the County Commissioners Shall Annually Prepare a Budget Providing for Publication of Such Budget and of the Proposed Levy; Providing for a Public Hearing in Regard to the Proposed Expenditures and Levy; Fixing a Date for

Levy; Providing That All Expenditures must Conform to the Budget as Adopted, and That all Unappropriated Balances in any Fund at the End of the Fiscal Year Shall Become a Part of the General Fund; Repealing Sections 3312, 3313, and 3314, of the Compiled Laws of 1913.

Also,

Senate Bill No. 32. A Bill for an Act to Amend and Re-enact Section 4016 of the Compiled Laws of 1913 Relating Bonded Indebtedness of Cities, and Purposes for Which Incurred.

Also,

Senate Bill No. 258. A Bill for an Act Providing for the Appointment of Representatives on Behalf of the State of North Dakota to Negotiate a Compact and Agreement Between the States of North Dakota, South Dakota and Montana, and Between said States and the United States of America, Respecting the Use and Distribution of the Waters of the Missouri River and the Rights of said States and the United States Thereto.

Also,

Senate Bill No. 243. A Bill for an Act to Safeguard the Business of Beekeeping Against Contagious and Infectious Diseases; Defining Apiaries; Providing for State Inspection Under the Direction and Control of the Commissioner of Agriculture and Labor; Prohibiting the Sale, Barter, Offer of Sale or Barter, Moving, Transportation, Shipping or Offering for Shipping or Transportation, of any Bees, Brood, Comb or Beekeeping Appliances That are Infected; Providing for the Proper Certification of Shipments into the State, and the Reporting of Such Shipments by the Purchaser or Importer; Fixing Penalties for Violation.

Also,

Senate Bill No. 295. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 211 of the Session Laws of North Dakota for 1919, Relating to Supreme Court Reporter and State Law Librarian.

Also,

Senate Bill No. 355. A Bill for an Act to Amend and Re-enact Section 375 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 227 of the Session Laws of 1915, as Amended by Chapter 21 of the Special Session Laws of 1919, Relating to the State Auditing Board, Its Duties and the Membership Thereof.

Also,

Senate Bill No. 292. A Bill for an Act to Amend and Re-enact Section 2141 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Chapter 35, Special Session Laws of 1919; Providing for the Substitution of the State Auditor and State Tax Commissioner as Members of the State Board of Equalization Instead of

the Commissioner of Insurance and Attorney General; Providing that the Tax Commissioner Shall be Secretary Thereof Instead of the Commissioner of Insurance and Prescribing the Powers and Duties of the State Board of Equalization in regard to the Equalization and Assessment of Property.

Also,

Senate Bill No. 381. A Bill for an Act Providing for Assistant States Attorneys in Counties with a Population Exceeding Thirty-five Thousand.

Also,

Senate Bill No. 326. A Bill for an Act to Amend Sections 3711 of the Compiled Laws of the State of North Dakota for the Year 1913, and to Provide for Special Assessment Funds, the Issuance and Payments of Warrants.

Also,

Senate Bill No. 395. A Bill for an Act to Amend and Re-enact Section 3969 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Section 79 of the Session Laws of North Dakota for the Year 1919, and Chapter 32 of the Session Laws of North Dakota for the Year 1921, Relating to Excluding Farm Lands from the Limits of City, Town and Villages.

Also,

Senate Bill No. 139. A Bill for an Act to Provide \$300.00 for the Burial Expense of Honorably Discharged Sailors, Soldiers and Marines of the United States War of the Rebellion and Erection of Headstones Therefor, as Authorized by Sections 3181, 3182, 3183, and 3184 of the Compiled Laws of North Dakota for 1913.

Also,

Senate Bill No. 346. A Bill for an Act Prohibiting the Creation of Deficits by State Officials, State Boards and Heads of State Institutions, and Prescribing a Penalty for the Violations of this Act.

Also,

Senate Bill No. 106. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors as Prescribed by Section 1038 of the Compiled Laws of 1913 for North Dakota.

Also,

Senate Bill No. 110. A Bill for an Act Making an Appropriation to Defray the Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of North Dakota for the Year 1913.

Also,

Senate Bill No. 131. A Bill for an Act Making an Appro-

priation for the Reward and Apprehension of Criminals according to Chapter 200 of the Session Laws of 1917.

Also,

Senate Bill No. 138. A Bill for an Act Making an Appropriation of the Sum of \$250.00 for the Biennium, to Defray the Expenses of the State Canvassing Board.

Also,

Senate Bill No. 104. A Bill for an Act Making an Appropriation of the Sum of \$5,000.00 for the Biennium, to Pay the Expenses and Per Diem of Agents in the Arrest and Return of Fugitives from Justice as Prescribed by Section 11162 of the Compiled Laws of 1913 of North Dakota.

Also,

Senate Bill No. 101. A Bill for an Act Making an Appropriation to Provide for the Payment of Expenses and Fees of Appraisers of Inheritance, Devises, Bequests, Legacies, and Gifts, as Provided for in Section 8991 of the Compiled Laws of 1913 for North Dakota.

Also,

Senate Bill No. 102. A Bill for an Act Making an Appropriation to provide Funds to Pay the Necessary Expenses and Reasonable Compensation to Commissioners Appointed in Actions to Release Insane Patients Prescribed by Section 2552 of the Compiled Laws of 1913 for North Dakota.

Also,

Senate Bill No. 77. A Bill for an Act Making an Appropriation for Per Diem and Expenses of the State Budget Board as Prescribed by Chapter 61 of the Session Laws of North Dakota for 1915.

Also,

Senate Bill No. 97. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Maintenance Fund of the Institute for the Feeble Minded.

Also,

Senate Bill No. 338. A Bill for an Act Appropriating Money to Reimburse the Common School Fund of the State of North Dakota for Losses Resulting From a Misappropriation of Such Fund Occurring Previous to January 1, 1917.

Also,

Senate Bill No. 140. A Bill for an Act to appropriate \$1,500.00 for the Biennium Out of Any Money in the State Treasury not otherwise Appropriated, for the Purpose of Upkeeping of Ten State Parks.

Also,

Senate Bill No. 141. A Bill for an Act to appropriate

\$1,000.00 for the Biennium, to the Humane Society for Office Supplies, Printing, Office Phone, and Traveling Expense.

Also,

Senate Bill No. 300. A Bill for an Act to Amend and Re-enact Section 2110 of the Compiled Laws of 1913 as Amended by Chapter 221 of the Session Laws of 1913 and Chapter 119 of the Session Laws of 1921, Relating to the Taxation of Corporate Excess.

Also,

Senate Bill No. 150. A Bill for an Act to Repeal Chapter 222 of the Session Laws of the State of North Dakota for the Year 1919, Being an Act Providing for a Tax on Shares of Stock and Bonds of Corporations Organized or Doing Business in this State.

Also,

Senate Bill No. 301. A Bill for an Act to Amend and Re-enact Chapter 61 of the Session Laws of 1917 Relating to the Assessment of the Capital Stock of Banks, Loan and Trust Companies and of Moneyed Capital Entering Into Competition Therewith.

Also,

Senate Bill No. 275. A Bill for an Act to Repeal Chapter 24 of the Special Session Laws of North Dakota for the Year 1919, Providing for the Issuance of Bonds of the State of North Dakota in a Sum Not Exceeding Two Million Dollars to be Known as "Bonds of North Dakota, Home Building Series."

Also,

Senate Bill No. 317. A Bill for an Act to Amend and Re-enact Section 1003 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 6 of the Special Session Laws of 1918, Relating to the Printing of Absent Voter Ballots.

Also,

Senate Bill No. 318. A Bill for an Act to Amend and Re-enact Section 974 of the Compiled Laws of North Dakota for 1913, Relating to the Certification of Nominations.

Also,

Senate Bill No. 226. A Bill for an Act to Amend and Re-enact Section 3784 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 120 of the Session Laws of North Dakota for the Year 1919, Relating to Municipal Elections in Cities.

Also,

Senate Bill No. 164. A Bill for an Act to Amend and

Re-enact Section 1303 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Limit of the Amount of Bonds of Independent School Districts.

Also,

Senate Bill No. 277. A Bill for an Act Transferring to the Industrial Commission the Custody, Control and Management of the Property and Assets of the Home Building Association of North Dakota, for the Purpose of Liquidating and Winding Up the Business and Affairs of Said Home Building Association of North Dakota, Defining the Powers and Authority of the Industrial Commission with Reference Thereto, Defining the Rights and Liabilities of Applicants for Homes and Purchasers, and Repealing Chapter 150 of the Session Laws of North Dakota for the Year 1919, and Chapter 39 of the Special Session Laws of North Dakota for the Year 1919.

And find the same correctly engrossed.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to inform you that the House refuses to concur in the Senate Amendments to Senate Bill No. 176, and the Speaker has appointed Messrs. Sproul, Bryans and Jackson to act as a conference committee.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 301.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to inform you that the

House has concurred in the Senate Amendment to House Bill No. 232.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 212.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 278.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 205.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 183. A Bill for an Act Regulating Certain Occupations of Children in Streets and Public Places.

Senate Bill No. 364. A Joint Resolution Proposing an Amendment to the Constitution of the State of North Dakota.

Which the House has indefinitely postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 94. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance Fund of the State Normal School at Dickinson.

Senate Bill No. 83. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal School at Mayville and Making Permanent Improvements and Additions Thereto.

Senate Bill No. 81. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal and Industrial School at Ellendale, and Making Permanent Improvements and Additions Thereto.

Senate Bill No. 87. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the Traveling Expenses and Propagation of Game Departments of the State Game and Fish Board.

Senate Bill No. 142. A Bill for an Act Making an Appropriation of the Sum of \$25,000.00 for the Biennium, which is known as a Miscellaneous Refund.

Senate Bill No. 125. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Miscellaneous Refunds of the State.

Senate Bill No. 163. A Bill for an Act Permitting the Increase of the Limitation of Indebtedness of Common Special and Independent School Districts by an Additional Five Per Centum on the Assessed Value of the Taxable Property Therein, Beyond the Present Constitutional Limit of Five Per Centum, Providing a Method for Effecting Such Increase, and for Submitting the Question of Such Increase to the Electors of the School Districts at Annual or Special Elections, and Providing for Preserving a Record of Such Increase of the Limit of Indebtedness.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

REPORTS OF STANDING COMMITTEES

The committee on State Affairs made the following report:

Mr. President: Your committee on State Affairs to whom was referred:

House Bill No. 206. A Bill for an Act to Amend and Re-enact Chapter 6, Session Laws of 1919, as Amended by Special Session Laws of 1919, as Amended by Chapter 84 Session Laws of 1921 Relating to the Licensing, Regulating, and Supervising the Licensing and Inspection of Pool and Billiard Rooms, Ball and Pin Alleys, Dance Halls, Theatres, Moving Picture Shows, Taxicab or Auto Liveries, Places Where Soft Drinks are Retailled or Where Cigars and Tobacco Are Sold, or Public Halls, Owned Privately and Used for Public Purposes; Providing Fees Therefor, Inspectors, Office Help and Supplies Thereof; Defining Powers and Duties and Repealing all Acts and Parts of Acts Inconsistent Therewith.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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:

House Bill No. 156. A Bill for an Act to Prohibit the Keeping Open, Running or Permitting the Running of Any Place for Public Dancing on the First Day of the Week, Commonly Called the Sabbath, and Providing a Penalty Therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar 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. 201. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 61 of the Session Laws of North Dakota for 1915.

Have had the same under consideration and recommend that the same do pass.

H. J. RUSCH,
Chairman.

Senator Rusch moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Federal Relations made the following report:

Mr. President: Your committee on Federal Relations to whom was referred:

The Concurrent Resolution introduced by Mr. Porter relating to the Whipping and Killing of the North Dakota Youth in Florida.

Have had the same under consideration and recommend that the same be adopted.

JOHN W. BENSON,
Chairman.

Senator Benson 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:

A Concurrent Resolution, introduced by Senator Rusch, Pertaining to the Application of Expert Accounting Systems to Affairs of State.

Have had the same under consideration and recommend that the same be adopted.

FRANK E. PLOYHAR,
Chairman.

Senator Ployhar moved that the report be adopted, which motion prevailed and the report was adopted.

SIGNING OF BILLS.

The Secretary announced that the President was about to sign:

Senate Bill No. 208. A Bill for an Act Relating to County Finances; Providing That all County Officials and All Officers in Charge of any Institution, Office or Undertaking Supported in Whole or in Part by the County Shall File an Itemized Statement of Amounts Necessary for Maintenance of Such Office or Institution; Providing That the County Commissioners Shall Annually Prepare a Budget Providing for Publication of Such Budget and of the Proposed Levy; Providing for a Public Hearing in Regard to the Proposed Expenditures and Levy; Fixing a Date for Levy; Providing That All Expenditures must Conform to the Budget as Adopted, and That all Unappropriated Balances in any Fund at the End of the Fiscal Year Shall Become a Part of the General Fund; Repealing Sections 3312, 3313, and 3314, of the Compiled Laws of 1913.

Senate Bill No. 32. A Bill for an Act to Amend and Re-enact Section 4016 of the Compiled Laws of 1913 Relating

to Bonded Indebtedness of Cities, and Purposes for Which Incurred.

Senate Bill No. 258. A Bill for an Act Providing for the Appointment of Representatives on Behalf of the State of North Dakota to Negotiate a Compact and Agreement Between the States of North Dakota, South Dakota and Montana, and Between said States and the United States of America, Respecting the Use and Distribution of the Waters of the Missouri River and the Rights of said States and the United States Thereto.

Senate Bill No. 243. A Bill for an Act to Safeguard the Business of Beekeeping Against Contagious and Infectious Diseases; Defining Apiaries; Providing for State Inspection Under the Direction and Control of the Commissioner of Agriculture and Labor; Prohibiting the Sale, Barter, Offer of Sale or Barter, Moving, Transportation, Shipping or Offering for Shipping or Transportation, of any Bees, Brood, Comb or Beekeeping Appliances That are Infected; Providing for the Proper Certification of Shipments into the State, and the Reporting of Such Shipments by the Purchaser or Importer; Fixing Penalties for Violation.

Senate Bill No. 295. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 211 of the Session Laws of North Dakota for 1919, Relating to Supreme Court Reporter and State Law Librarian.

Senate Bill No. 355. A Bill for an Act to Amend and Re-enact Section 375 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 227 of the Session Laws of 1915, as Amended by Chapter 21 of the Special Session Laws of 1919, Relating to the State Auditing Board, Its Duties and the Membership Thereof.

Senate Bill No. 292. A Bill for an Act to Amend and Re-enact Section 2141 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Chapter 35, Special Session Laws of 1919; Providing for the Substitution of the State Auditor and State Tax Commissioner as Members of the State Board of Equalization Instead of the Commissioner of Insurance and Attorney General; Providing that the Tax Commissioner Shall Be Secretary Thereof Instead of the Commissioner of Insurance and Prescribing the Powers and Duties of the State Board of Equalization in Regard to the Equalization and Assessment of Property.

Senate Bill No. 381. A Bill for an Act Providing for Assistant States Attorneys in Counties with a Population Exceeding Thirty-five Thousand.

Senate Bill No. 326. A Bill for an Act to Amend Sections 3711 of the Compiled Laws of the State of North Dakota for the Year 1913, and to Provide for Special Assessment Funds, the Issuance and Payments of Warrants.

Senate Bill No. 395. A Bill for an Act to Amend and Re-enact Section 3969 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Section 79 of

the Session Laws of North Dakota for the Year 1919, and of Chapter 32 of the Session Laws of North Dakota for the Year 1921, Relating to Excluding Farm Lands from the Limits of City, Town and Villages.

Senate Bill No. 139. A Bill for an Act to Provide \$300.00 for the Burial Expense of Honorably Discharged Sailors, Soldiers and Marines of the United States War of the Rebellion and Erection of Headstones Therefor, as Authorized by Sections 3181, 3182, 3183, and 3184 of the Compiled Laws of North Dakota for 1913.

Senate Bill No. 346. A Bill for an Act Prohibiting the Creation of Deficits by State Officials, State Boards and Heads of State Institutions, and Prescribing a Penalty for the Violation of This Act.

Senate Bill No. 106. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors as Prescribed by Section 1038 of the Compiled Laws of 1913 for North Dakota.

Senate Bill No. 110. A Bill for an Act Making an Appropriation to Defray the Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of North Dakota for the Year 1913.

Senate Bill No. 131. A Bill for an Act Making an Appropriation for the Reward and Apprehension of Criminals According to Chapter 200 of the Session Laws of 1917.

Senate Bill No. 104. A Bill for an Act Making an Appropriation of the Sum of \$5,000.00 for the Biennium, to Pay the Expenses and Per Diem of Agents in the Arrest and Return of Fugitives from Justice as Prescribed by Section 11162 of the Compiled Laws of 1913 of North Dakota.

Senate Bill No. 101. A Bill for an Act Making an Appropriation to Provide for the Payment of Expenses and Fees of Appraisers of Inheritances, Devises, Bequests, Legacies, and Gifts, as Provided for in Section 8991 of the Compiled Laws of 1913 for North Dakota.

Senate Bill No. 102. A Bill for an Act Making an Appropriation to provide Funds to Pay the Necessary Expenses and Reasonable Compensation to Commissioners Appointed in Actions to Release Insane Patients Prescribed by Section 2552 of the Compiled Laws of 1913 for North Dakota.

Senate Bill No. 77. A Bill for an Act Making an Appropriation for Per Diem and Expenses of the State Budget Board as Prescribed by Chapter 61 of the Session Laws of North Dakota for 1915.

Senate Bill No. 97. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Maintenance Fund of the Institute for the Feeble Minded.

Senate Bill No. 338. A Bill for an Act Appropriating Money to Reimburse the Common School Fund of the State of North Dakota for Losses Resulting from a Misappropriation of Such Fund Occurring Previous to January 1, 1917.

Senate Bill No. 140. A Bill for an Act to Appropriate \$1,500.00 for the Biennium Out of Any Money in the State Treasury not otherwise Appropriated, for the Purpose of Upkeeping of Ten State Parks.

Senate Bill No. 141. A Bill for an Act to Appropriate \$1,000.00 for the Biennium, to the Humane Society for Office Supplies, Printing, Office Phone, and Traveling Expense.

Senate Bill No. 300. A Bill for an Act to Amend and Re-enact Section 2110 of the Compiled Laws of 1913 as Amended by Chapter 221 of the Session Laws of 1919 and Chapter 119 of the Session Laws of 1921 Relating to the Taxation of Corporate Excess.

Senate Bill No. 150. A Bill for an Act to Repeal Chapter 222 of the Session Laws of the State of North Dakota for the Year 1919, Being an Act Providing for a Tax on Shares of Stock and Bonds of Corporations Organized or Doing Business in this State.

Senate Bill No. 301. A Bill for an Act to Amend and Re-enact Chapter 61 of the Session Laws of 1917 Relating to the Assessment of the Capital Stock of Banks, Loan and Trust Companies and of Moneyed Capital Entering into Competition Therewith.

House Bill No. 275. A Bill for an Act to Provide for the Purchase by the Industrial Commission of Claims Against the Returned Soldiers' Fund and for the Financing of Such Purchase of Such Commission, and Repealing all Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 317. A Bill for an Act to Amend and Re-enact Section 1093 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 6 of the Special Session Laws of 1918, Relating to the Printing of Absent Voter Ballots.

Senate Bill No. 318. A Bill for an Act to Amend and Re-enact Section 974 of the Compiled Laws of North Dakota for 1913, Relating to the Certification of Nominations.

Senate Bill No. 226. A Bill for an Act to Amend and Re-enact Section 3784 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 126 of the Session Laws of North Dakota for the Year 1919, Relating to Municipal Elections in Cities.

Senate Bill No. 164. A Bill for an Act to Amend and Re-enact Section 1303 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Limit of the Amount of Bonds of Independent School Districts.

Senate Bill No. 277. A Bill for an Act Transferring to the Industrial Commission the Custody, Control and Management of the Property and Assets of the Home Building Association of North Dakota, for the Purpose of Liquidating and Winding Up the Business and Affairs of Said Home Building Association of North Dakota, Defining the Powers and Authority of the Industrial Commission with

Reference Thereto, Defining the Rights and Liabilities of Applicants for Homes and Purchasers, and Repealing Chapter 150 of the Session Laws of North Dakota for the Year 1919, and Chapter 39 of the Special Session Laws of North Dakota for the Year 1919.

And the President signed the same in the presence of the Senate.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to request the return of:

Senate Bill No. 379. A Bill for an Act to Regulate the Sale of Petroleum Products; to Provide for the Inspection of Kerosene and Gasoline; to Provide Specifications Therefor; to Prevent Adulteration and Misbranding Thereof; to Provide for Inspection Fees, Collection and Disposition of Same; to Define the Duties of the State Food Commissioner and Chemist; to Provide for the Inspection of Lubricating and Power Oils; to Provide for the Enforcement of the Act; to Provide Penalties for the Violation Thereof and to Repeal Existing Acts Relating Thereto.

Senate Bill No. 373. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Beverages; to Prevent Adulteration and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; to Define the Duties of the State Food Commissioner and Chemist; to Provide for the Enforcement of the Provisions of the Act and to Provide Penalties for Violations Thereof and to Repeal Existing Laws Relating Thereto.

Senate Bill No. 371. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Articles of Food and Drugs; for the Prevention of Adulteration and Misbranding Thereof; Requiring Labeling Thereof; Providing for Sales by Weight, Measure or Numerical Count; Providing for Fixing of Standards of Purity and Quality and Fitness of Consumption; Prescribing the Duties of the State Board of Administration and Providing for the Appointment of a State Food Commissioner and Chemist and Prescribing His Duties and Powers; Providing for the Enforcement of the Provisions of the Act; Defining Certain Offenses in Connection Therewith; Providing Penalties for Violations Thereof and Repealing Certain Acts Relating Thereto.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to inform you that the House refuses to concur in the Senate Amendments to House Bill No. 311, and the Speaker has appointed Messrs. Twichell, Mrs. Craig and Starke to act as a conference committee.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Rusch moved that the request of the House for the return of House Bills 379, 373 and 371 be complied with.

Which motion prevailed.

The President appointed Senators Ettestad, Ployhar and Porter as a Conference Committee to act with a like committee from the House to further consider Senate amendments to House Bill 311.

Senator Whitman moved that smoking be permitted for the next thirty minutes.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, N. D.
February 27, 1923.

Mr. President: I have the honor to return

Senate Bill No. 212. A Bill for an Act to Amend and Re-enact Section 3890 of the Compiled Laws of 1913, Relating to Publishing of Village Treasurer's Reports and Prescribing the Form Thereof.

Which the House has amended as follows:

In the engrossed bill, page 2, line 8, after the word "the" strike out words "rate of, price and one half."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator McLachlin moved that the Senate do now concur in the House Amendments to Senate Bill 212.

Which motion prevailed.

Senator McLachlin moved that Senate Bill 212, as amended by the House, be now considered re-engrossed and placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 212. A Bill for an Act to Amend and Re-enact Section 3890 of the Compiled Laws of 1913, Relating to Publishing of Village Treasurer's Reports and Prescribing the Form 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 ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Olson, Barnes	Storstad
Baird	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Levang	Page	Van Camp
Byrne	Lynch	Patten	Ward
Carey	McCoy	Peck	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Whitmer
Fleckten	Martin	Rusch	Wog
Garberg	Miklethun	Sperry	
Gardiner	Murphy	Steel	
Gross	Nathan	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Kretschmar	Peterson
Baker			

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 27, 1923.

Mr. President: I have the honor to return

Senate Bill No. 85. A Bill for an Act Making an Appropriation for the General Expenses of the Department of Motor Vehicle Registration.

Which the House has amended as follows:

Of the printed bill:

In line four strike out the figures "\$93,250.00" and insert in lieu thereof the figures "\$86,150.00."

In line 22, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$1,500.00."

In line 23, strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$2,000.00."

In line 29, strike out the figures "\$93,250.00" and insert in lieu thereof the figures "\$86,150.00."

In Section one, after the word "appropriated" insert

the following "to the department of the Motor Vehicle Registration Department for the expenses thereof."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Rusch moved that the Senate do now concur in the House Amendments to Senate Bill 85.

Which motion prevailed.

Senator Rusch moved that Senate Bill 85 as amended by the House be considered re-engrossed and placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 85. A Bill for an Act Making an Appropriation for the General Expenses of the Department of Motor Vehicle Registration.

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 46, nays none, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Sperry
Baird	Ingrerson	Nathan	Steel
Baker	Ka'dor	Olson-Barnes	Stevens
Penson	Kelsh	Olson, Eddy-	Thorsen
Bond	Kretschmar	Foster	Tofsrud
Byrne	Levang	Page	Van Camp
Eastgate	Lynch	Patten	Ward
Eittestad	McCoy	Peck	Wenstrom
Fleckten	McLachlin	Peterson	Whitman
Garberg	Magnuson	Ployhar	Whitmer
Gardiner	Martin	Porter	Wog
Gross	Miklethun	Rusch	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Eabcock	Carey	Storstad

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

House of Representatives,
Bismarck, North Dakota.
February 27, 1923:

Mr. President: I have the honor to return

Senate Bill No. 84. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State School for the Blind at Bathgate, and Making Permanent Improvements and Additions Thereto.

Which the House has amended as follows:

In line three strike out the figures "\$30,400.00" and insert in lieu thereof the figures "\$35,200.00."

In line seven strike out the figures "\$25,600.00" and insert in lieu thereof the figures "\$28,000.00."

On line eleven add the following: "Aid to graduates attending advanced schools "\$2,400.00."

In line 12, strike out the figures "\$30,400.00" and insert the figures "\$35,200.00."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Van Camp moved that the Senate do now concur in the House Amendments to Senate Bill 84.

Which motion prevailed.

Senator Porter moved that all Senate Bills amended by the House, be considered re-engrossed and that they may be placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 84. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State School for the Blind at Bathgate, and Making Permanent Improvements and Additions Thereto.

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 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Steel
Baird	Kaldor	Olson, Barnes	Stevens
Baker	Kelsh	Olson, Eddy-	Thorson
Benson	Kretschmar	Foster	Tofsrud
Bond	Levang	Page	Van Camp
Byrne	Lynch	Patten	Ward
Eastgate	McCoy	Peck	Wenstrom
Eltestad	McLachlin	Peterson	Whitman
Fleckten	Magnuson	Ployhar	Whitmer
Garberg	Martin	Porter	Wog
Gardiner	Miklethun	Rusch	
Gross	Murphy	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Carey	Ingerson	Storstad

So the bill passed and the title was agreed to.

House of Representatives,
Bismarck, North Dakota.
February 27, 1923.

Mr. President: I have the honor to return

Senate Bill No. 112. A Bill for an Act Making an Appropriation of \$22,230.00 for the Purpose of Paying Salary, Clerk Hire and General Expense of the State Historical Society.

Which the House has amended as follows:

In line one of the title strike out the figures "22,230.00" and insert in lieu thereof the figures "\$20,710.00."

In line three strike out the figures "\$22,230.00" and insert in lieu thereof the figures "\$20,710.00."

Strike out all of line eight and insert in lieu thereof the following: "Librarian and Cataloguer, \$3,600.00."

In line 22, strike out the figures "\$700.00" and insert in lieu thereof the figures "\$380.00."

In line 25, strike out the figures "\$1200.00" and insert in lieu thereof the figures "\$1000.00."

In line 45, strike out the figures "\$22,230.00" and insert in lieu thereof the figures "\$20,710.00."

Strike out all of lines 17, 18, 20, 21, 23, 24, 26, 27, 29, 30, 32, 33, 35, 36, 37, 42 and 43.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Ployhar moved that the Senate do now concur in the House amendments to Senate Bill No. 112.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 112. A Bill for an Act Making an Appropriation of \$20,630.00 for the Purpose of Paying Salary, Clerk Hire and General Expense of the State Historical Society.

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 47, nays none, absent and not voting 2.

Those voting in the affirmative were:

Messrs.

Atkins
Baker
Baird
Benson
Bond
Byrne
Carey
Eastgate
Ettestad
Fleckten
Garberg
Gardiner

Messrs.

Gross
Hamilton
Ingerson
Kaldor
Kelsh
Kretschmar
Levang
Lynch
McCoy
McLachlin
Magnuson
Miklethun

Messrs.

Murphy
Nathan
Olson, Barnes
Olson, Eddy-
Foster
Page
Patten
Peck
Peterson
Ployhar
Porter
Rusch

Messrs.

Sperry
Steel
Storstad
Thorson
Tofsrud
Van Camp
Ward
Wenstrom
Whitman
Whitmer
Wog
Stevens

Absent and not voting:

Messrs.

Babcock

Messrs.

Martin

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota.
February 27, 1923.

Mr. President: I have the honor to return

Senate Bill No. 133. A Bill for an Act Making an Appropriation for the General Expense of the State Live Stock Sanitary Board.

Which the House has amended as follows:

In line three of the printed bill strike out the figures "\$2,350.00" and insert in lieu thereof the figures "\$29,750.00."

In line 24 strike out the figures "\$20,000.00" and insert in lieu thereof the figures "\$18,000.00."

In line 28 strike out the figures "\$32,350.00" and insert in lieu thereof the figures "\$29,750.00."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Kretschmar moved that the Senate do now concur in the House amendments to Senate Bill No. 133.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 133. A Bill for an Act Making an Appropriation for the General Expense of the State Live Stock Sanitary Board.

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 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Barnes	Stevens
Baird	Kelsh	Olson, Eddy-	Storstad
Benson	Kretschmar	Foster	Thorson
Bond	Levang	Page	Tofsrud
Syrac	Lynch	Patten	Van Camp
Swrey	McCoy	Peck	Ward
Eastgate	McLachlin	Peterson	Wenstrom
Ettestad	Magnuson	Ployhar	Whitman
Fleekten	Martin	Porter	Whitmer
Garberg	Miklethun	Rusch	Wog
Gardiner	Murphy	Sperry	
Gross	Nathan	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Baker	Hamilton	Ingerson

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota.
February 27, 1923.

Mr. President: I have the honor to return

Senate Bill No. 316. A Bill for an Act to Amend and Re-enact Section 7625 of the Compiled Laws of North Dakota for 1913, Relating to a Trial Jury in Civil Cases.

Which the House has amended as follows:

"Section 2. Emergency. This Act is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota.
February 27, 1923.

Mr. President: I have the honor to return

Senate Bill No. 21. A Bill for an Act to Amend and Re-enact Chapter 224, Laws of North Dakota for the Year 1919, as Amended by Chapter 60, Special Session Laws of 1919; an Act for the Purpose of Raising Revenue to Defray the General Expenses of the State Government by Providing for a Tax on the Incomes of Individuals, Fiduciaries, Corporations, Joint Stock Companies or Associations and Insurance Companies in the State of North Dakota; Graduating Incomes for the Purpose of Taxation; Providing for Exemptions and Deductions in Certain Cases; Describing a method of Levying and Collecting Said Tax; Prescribing Penalties for Nonconformance with the Provisions of this Act, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Which the House has amended as follows:

In Section 21, of the printed bill, line 11, strike out the word "two" and insert in lieu thereof the word "three."

In Section 21, line 15 of the printed bill after the word "incapacitated" insert the following: "Provided that exemptions may be claimed for children over the age of eighteen years and under the age of twenty-one years, that are dependent upon the taxpayer for support and are attending educational institutions."

That in Section 23, line 5 of the printed bill, the words "profits and income" be stricken out.

That in section 23, line 9 of the printed bill, the figures "\$300" be stricken out and the figures "\$600" be inserted in lieu thereof.

That in Section 27, line 14 of the printed bill that the Senate amendment reading "no part of the net income of which insures to the benefit of any private stockholder or individual" be stricken out and that a period be inserted after the word "purpose."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Baird moved that the Senate do now concur in the House amendments to Senate Bill 316.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 316. A Bill for an Act to Amend and Re-enact Section 7625 of the Compiled Laws of North Dakota for 1913, Relating to a Trial Jury in Civil Cases.

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 46, nays none, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Steel
Baird	Hamilton	Olson, Barnes	Stevens
Faker	Kaldor	Olson, Eddy-	Storstad
Benson	Kelsh	Foster	Thorson
Bond	Kretschmar	Page	Tofsrud
Byrne	Lynch	Patten	Van Camp
Carey	McCoy	Peck	Ward
Eastgate	McLachlin	Peterson	Wenstrom
Eftestad	Magnuson	Ployhar	Whitman
Fleekten	Martin	Porter	Whitmer
Garberg	Miklethum	Rusch	Wog
Gardiner	Murphy	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Ingerson	Levang

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Thorson moved that the Senate do not concur in the House amendments to Senate Bill No. 21.

Which motion prevailed.

Senator Thorson moved that a Conference Committee

of three be appointed to act with a like committee from the House to further consider Senate Bill 21.

Which motion prevailed.

The President appointed Senators Thorson, Ettestad and Storstad as such committee.

House of Representatives,
Bismarck, North Dakota.
February 27, 1923.

Mr. President: I have the honor to return

“Senate Bill No. 347. A Concurrent Resolution to Amend and Re-enact Section 173 of Article 10 of the Constitution of the State of North Dakota Providing for the Election of County Officials.

Which the House has amended as follows:

Line 6 of Section 173, strike out the word “of” and insert in lieu thereof the word “in.”

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Ployhar moved that the Senate do now concur in the House Amendments to Senate Bill 347.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 347. A Joint Resolution to Amend and Re-enact Section 173 of Article 10 of the Constitution of the State of North Dakota Providing for the Election of County Officials.

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 48, nays none, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Page	Van Camp
Byrne	Levang	Patten	Ward
Carey	Lynch	Peck	Wenstrom
Castgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	
Gross	Murphy	Steel	

Absent and not voting:

Messrs.

Babcock

So the bill passed and the title was agreed to.

House of Representatives,
Bismarck, North Dakota,
February 26, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 170. A Bill for an Act Making an Appropriation to provide for the Payment of an Existing Deficit Incurred by the Flood Control Commission.

Which the House had amended as follows: Strike out the period after the word "deficit" in line four of Section one of the engrossed bill and add the words "incurred by the Flood Control Commission."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Kretschmar moved that the Senate do now concur in the House amendments to Senate Bill No. 170.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 170. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred by the Flood Control Commission.

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 46, nays none, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Sperry
Baker	Hamilton	Nathan	Steel
Baird	Kaldor	Olson, Barnes	Stevens
Benson	Kelsh	Olson, Eddy-	Storstad
Bond	Kretschmar	Foster	Thorson
Byrne	Levang	Page	Tofsrud
Carey	Lynch	Patten	Van Camp
Eastgate	McCoy	Peck	Ward
Ettestad	McLachlin	Peterson	Wenstrom
Fleckten	Magnuson	Ployhar	Whitman
Garberg	Marin	Porter	Whitmer
Gardiner	Miklethun	Rusch	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Ingerson	Wog

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES

A majority of the committee on Banks and Banking made the following report:

Mr. President: A majority of your committee on Banks and Banking to whom was referred:

House Bill No. 194. A Bill for an Act Designating the Depositories of Public Funds and Fixing the Minimum Rate of Interest; Requiring Competitive Bids for Such Deposits; Providing for Publicity with Reference to Such Funds and Depositories; Prescribing Penalties for Violation of this Act; Defining Terms used Herein, and Repealing Sections 147, 147a, 147b and Sections 370 to 374, Inclusive, Sections 1472 to 1478, Inclusive, Sections 3315 to 3329, Inclusive, of the Compiled Laws of 1913, and Chapter 59 Session Laws of 1915 and Chapter 56 Session Laws of 1921.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 6, Line 6, of the Engrossed Bill after the word "county" when it appears the first time insert the following "qualified as depositories"

In Section 8, line 24, of the Engrossed Bill, after the figures "(2%)" insert the following "or over three per cent (3%)"

In Section 8, line 25 of the Engrossed Bill, after the figures "(4%)" insert the following "or over six per cent (6%)"

In Section 10, line 16, of the Engrossed Bill, after the word "cent" insert the following "or over three per cent"

In Section 10, line 17, of the Engrossed Bill, after the word "cent" insert the following "or over six per cent"

In Section 13, line 3, of the Engrossed Bill, after the figures "(2%)" insert the following "or over three per cent (3%)"

In Section 13, line 4, of the Engrossed Bill, after the figures "(4%)" insert the following "or over six per cent (6%)"

And when so amended recommend the same do pass.

W. R. BOND,
Chairman.

Mr. President: A minority of your committee on Banks and Banking to whom was referred:

House Bill No. 194. A Bill for an Act Designating the Depositories of Public Funds and Fixing the Minimum Rate of Interest; Requiring Competitive Bids for Such Deposits; Providing for Publicity with Reference to Such Funds and Depositories; Prescribing Penalties for Violation of This Act; Defining Terms Used Herein, and Repealing Sections 147, 147a, 147b and Sections 370 to 374, Inclusive, Sections 1472 to 1488, Inclusive, Sections 3315 to 3329, Inclusive, of the Compiled Laws of 1913, and Chapter 50 Session Laws of 1915 and Chapter 56 Session Laws of 1921.

Have had the same under consideration and recommend that the same be indefinitely postponed.

RALPH INGERSON,
B. F. BAKER ,
JOHN L. MIKLETHUN,

Senator Bond moved that the majority report of the committee on House Bill No. 194 be adopted.

Senator Baker moved that the minority report be substituted for that of the majority.

Which motion lost.

The vote being on the motion of Senator Bond, the motion prevailed.

The committee on Apportionment made the following report:

Mr. President: Your committee on Apportionment to whom was referred:

House Bill No. 213. A Bill for an Act to Amend and Re-enact Section 1889 of the Compiled Laws of North Dakota for the Year 1913, Relating to the State Census, and When to be Taken.

Have had the same under consideration and recommend that the same be amended as follows:

In line 6 of Section 1 of the Engrossed bill insert the word "city" and a comma (,) between the words "county" and "Village"

And when so amended recommend the same do pass.

T. J. KELSH,
Chairman.

Senator Kelsh moved that the report of the committee Amending House Bill 213 be adopted.

Senator Baker moved a substitute motion that further consideration of House Bill 213 be indefinitely postponed. Which motion prevailed.

The committee on Apportionment made the following report:

Mr. President: A majority of your committee on Apportionment to whom was referred:

House Bill No. 312. A Bill for an Act to Fix the Number of Senators and Representatives Which Shall Compose the Legislative Assembly of the State of North Dakota, to Define the Senatorial and Representative Districts, and to Prescribe the Number of Senators and Representatives Therein.

Have had the same under consideration and recommend that the same be amended as follows:

On page six, line 27, of the Engrossed bill strike out the letter "u" in the word Barbuerg."

And when so amended recommend the same do pass.

Mr. President: A minority of your committee on Apportionment to whom was referred:

House Bill 312. A Bill for an Act to Fix the Number of Senators and Representatives Which Shall Compose the Legislative Assembly of the State of North Dakota, to Define the Senatorial and Representative Districts, and to Prescribe the Number of Senators and Representatives Therein.

Have had the same under consideration and recommend that the same be indefinitely postponed.

T. J. KELSH,

Chairman.

Senator Kelsh moved that the majority report of the committee on House Bill No. 312 be adopted.

Senator Byrne moved to substitute the minority report for that of the majority.

Which motion lost.

The vote being on the motion of Senator Kelsh, the motion prevailed.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred:

House Bill No. 97. A Bill for an Act Making an Appropriation of the sum of \$18,000.00 for the Purpose of Carrying out the Provisions of Chapter 119 of the Session Laws of North Dakota for the year 1917, Relating to Farmers' Institutes.

Have had the same under consideration and recommend that the same be amended as follows:

In title of Engrossed Bill, strike out the figures "12,000.00" and insert in lieu thereof the figures "10,000.00"

In Section 1, line 3, strike out the figures "12,000.00" and insert in lieu thereof the figures "10,000.00"

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,

Chairman.

Senator Kretschmar 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. 94. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the Minimum Wage, Health and Morals of Women Workers, for Salary, Postage, Office Supplies, Printing, Traveling Expenses, Hearings, Conferences, Witness Fees, Legal Fees and Office Rent.

Have had the same under consideration and recommend that the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Baird moved that the Senate do now adjourn. Which motion prevailed.

FIFTY-SEVENTH DAY.

The Senate convened at 2:00 P. M., the President, Frank H. Hyland, presiding.

Prayer by Rev. C. F. Strutz.

Roll was called, all Senators being present with the exception of Senator Babcock.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the 54th day after recess and 56th day and recommend that the same be corrected as follows:

On page 1, line 6, strike out "24" and insert in lieu thereof "26."

On page 2, line 17, correct spelling of "Kelsh."

On page 6, line 19, correct spelling of "third."

On page 22, line 25, strike out "fifth" and insert "sixth."

On page 26, line 11, correct spelling of "therefore."

On page 26, line 35, correct spelling of "departments."

On page 27, line 3, correct spelling of "next."

On page 28, line 39, strike out "178" and insert in lieu thereof "135."

On page 50, line 25, correct spelling of "proximate."

On page 50, line 39, correct spelling of "released."

And when so amended recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck

R. A. Nestos, Governor

February 27, 1923.

To the Senate of the State of North Dakota:

This is to notify you that I have this day approved and filed with the Secretary of State, Senate Bill No. 152, authorizing the consolidation or merger of banking associations, regulating the procedure and providing for supervision thereof, and providing a limitation of actions.

Very truly yours,

R. A. NESTOS,
Governor.

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck

R. A. Nestos, Governor

February 27, 1923.

To the Senate of the State of North Dakota:

This is to notify you that I have this day approved and filed with the Secretary of State,

Senate Bill No. 3: A Bill for an Act to Amend and Re-enact Section 1 of Chapter 4 of the Laws Passed by the Special Session of the Sixteenth Legislative Assembly of the State of North Dakota, in 1919, as Amended by Chapter 5 of the Laws of North Dakota for the Year 1921, Being an Act to appropriate out of the State Highway Fund the Sum of \$35,000.00 for the Construction of a Bridge Across the Red River at Pembina, Pembina County, North Dakota, and Kittson County, Minnesota, Under the Provisions of Chapter 73 of the Laws Passed at the Legislative Assembly of North Dakota, approved March 5th, 1919.

Very truly yours,

R. A. NESTOS,
Governor.

REPORTS OF STANDING COMMITTEES

The committee on State Affairs made the following report:

Mr. President. A majority of your committee on State Affairs to whom was referred:

A Concurrent Resolution, Introduced by Senator Nathan, Pertaining to Arbitrary Rulings in the Farm Loan Department of the Bank of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,
Chairman.

Mr. President: A minority of your committee on State Affairs to whom was referred:

A Concurrent Resolution Introduced by Senator Nathan, Pertaining to Arbitrary Rulings in the Farm Loan Department of the Bank of North Dakota.

Have had the same under consideration and recommend that the same be adopted.

JOHN NATHAN,
JOHN L. MIKLETHUN,
RALPH INGERSON,

Senator Ployhar moved that the majority report of the Committee on the Concurrent Resolution introduced by Senator Nathan, concerning real estate loans to farmers be adopted.

Senator Benson moved that the minority report be substituted for that of the majority.

A Roll Call was demanded.

Senator Wenstrom moved a Call of the Senate.

Senator Wenstrom moved that all absent Senators be excused.

Which motion prevailed.

Senator Wenstrom moved that the Call of the Senate be dispensed with.

Which motion prevailed.

SENATE ROLL CALL

The question being on the motion to adopt the minority report on Senator Nathan's resolution the roll was called and there were ayes 23, nays 25, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Martin	Patten
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Ettestad	Levang	Olson, Eddy-	Whitmer
Fleckten	Magnuson	Foster	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	
Kelsh	Peterson	Strstad	

Absent and not voting:

Messrs.
Babcock

So the motion to adopt the minority report was lost.

Senator Bond: I believe in diversified farming, especially in the western part of the State, and I wish to commend the Farm Loan Department for the rule they have enforced. I vote "No."

Senator Garberg. Having confidence in the Farm Loan Department I wish to allow them some discretion in the making of these loans, and for that reason I vote "Aye."

Senator Ingerson: I believe in diversified banking; I believe in the Better Banking Movement; to be run by the farmers instead of a better farming movement that is run by the bankers; so I vote "Aye" on this Resolution.

Senator Wenstrom: I would like to explain my vote, for the reason that I believe \$6000 would amply pay for this audit and all that would be required if proper vouchers would be furnished. I vote "Aye."

The question being on the motion to adopt the report of the majority of the Committee on State Affairs, the motion prevailed.

Senator Rusch moved that the Concurrent Resolution pertaining to the application of expert accounting systems to affairs of state be adopted.

Which motion prevailed.

Senator Porter moved that the Concurrent Resolution relating to the whipping and killing of the North Dakota youth be adopted.

Which motion prevailed.

THIRD READING OF HOUSE BILLS

Senator Murphy moved a Call of the Senate.

Which motion prevailed.

Senator Murphy moved that the Call of the Senate be dispensed with.

Which motion prevailed.

Senator Bond moved to amend House Bill No. 305 as follows:

In the engrossed bill, Section 4 on line 7, after the word "Act" change the semi-colon to a period and strike out the balance of the line, and all of lines 8, 9, 10, 11 and a part of line 12, to the word "they."

Which motion prevailed.

Senator Page moved to amend House Bill No. 305 as follows:

On page 5, Section 7, line 1, after the word "such" substitute the word "assignment" for "delivery."

Which motion prevailed.

In Section 9, line 14, page 8 after the word "act" insert, "or he may require the Bank of North Dakota to substitute new mortgages therefor as provided in Section 10 of this act."

In Section 9, page 7, strike out line 29 after the word foreclosure and 30 to the word "legal" and insert the word "all" before the word "legal" and insert the word "which" on page 8 before the word "shall" in line one.

Amendment to Section 14. After the word "paid" in Line 8 thereof, strike out the remainder of the section and insert in lieu thereof the following: "Provided, however, that in case any section or clause of this act shall be declared by the courts to be inoperative, the remainder thereof shall nevertheless be in full force and effect."

Add Section 15. Emergency: "Whereas, the Bank of North Dakota is about to prepare a new amortization table and it is desirable that the period of amortization be made approximately thirty years, now, therefore an emergency is hereby declared to exist, and this act shall take effect and be in force from and after March 31, 1923."

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 305. A Bill for an Act Providing for the Issue of Bonds on the State of North Dakota in a Sum Not Exceeding Fifteen Million Dollars to be Known as "Bonds of North Dakota, Real Estate Series": Prescribing the Terms and Stating the Purpose Thereof; Providing for a Tax and Making Other Provisions for the Payment of Interest and Principal on State Bonds, and to Carry Into Effect the Provisions of this Act; and Declaring This Act to be an Emergency Measure.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 48, nays none, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Page	Van Camp
Byrne	Levang	Patten	Ward
Carey	Lynch	Peck	Wenstrom
Eastgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Whitmer
Flekten	Magnuson	Porter	Wog
Garberg	Martin	Ruach	
Gardiner	Miklethun	Sperry	
Gross	Murphy	Steel	

Messrs.

Babeock

So the bill passed and the title was agreed to.

Senator Kretschmar moved that the Appropriation bills be placed on the head of the Calendar.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 87. A Bill for an Act Making Appropriations for the Current and Contingent Expenses of the State Penitentiary and for Making of Permanent Improvements and Additions Thereto.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays none, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Rusch
Baird	Hamilton	Murphy	Sperry
Baker	Ingerson	Nathan	Stevens
Benson	Kaldor	Olson, Barnes	Storstad
Byrne	Kelsh	Olson, Eddy-	Thorson
Carey	Kretschmar	Foster	Tofsrud
Eastgate	Levang	Page	Van Camp
Ettestad	Lynch	Peck	Ward
Flekten	McCoy	Peterson	Wenstrom
Garberg	McLachlin	Ployhar	Whitman
Gardiner	Martin	Porter	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babeock	Magnuson	Steel	Whitmer
Bond	Patten		

So the bill passed and the title was agreed to.

The Senate took up the Sixth Order of Business.

REPORTS OF STANDING COMMITTEES

The Committee on Counties made the following report:

Mr. President: The minority of your committee on Counties to whom was referred:

House Bill No. 228. A Bill for an Act to Provide for the Consolidation of Counties, or Portions Thereof into a New County; Organization Thereof and Disposal of Any Portions of Such Counties Not Included Therein.

Have had the same under consideration and recommend that the same do pass.

JOHN MIKLETHUN,
J. E. FLECKTEN,
P. B. GARBERG,

Mr. President: The majority of your committee on Counties to whom was referred:

House Bill No. 228. A Bill for an Act to Provide for the Consolidation of Counties, or Portions Thereof into a New County; Organization Thereof and Disposal of Any Portions of Such Counties Not Included Therein.

Have had the same under consideration and recommend that the same be indefinitely postponed.

RALPH INGERSON,
Chairman.

Senator Ingerson moved that the minority report of the Committee on House Bill 228 be adopted.

Senator Baker moved to substitute the majority report for that of the minority.

Which motion prevailed, and House Bill 228 was indefinitely postponed.

SENATE ROLL CALL

House Bill No. 84. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the School for the Deaf at Devils Lake, and Making Permanent Improvements and Additions Thereto.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 42, nays none, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Nathan	Sperry
Baird	Gross	Olson, Barnes	Steel
Baker	Kaldor	Olson, Eddy-	Storstad
Benson	Kelsh	Foster	Thorson
Bond	Kretschmar	Page	Tofsrud
Byrne	Levang	Patten	Ward
Carey	Lynch	Peck	Wenstrom
Eastgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Murphy	Rusch	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Ingerson	Miklethun	Van Camp
Hamilton	Martin	Stevens	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 86. A Bill for an Act Making an Appropriation for Improvements and Repairs, New Buildings, Equipment and Miscellaneous for the State Hospital for the Insane at Jamestown, North Dakota.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 37, nays none, absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Barnes	Sperry
Benson	Kelsh	Olson, Eddy-	Steel
Bond	Kretschmar	Foster	Storstad
Byrne	Levang	Page	Thorson
Carey	Lynch	Patten	Tofsrud
Ettestad	McCoy	Peck	Ward
Fleekten	McLachlin	Peterson	Whitmer
Garberg	Magnuson	Ployhar	Wog
Gardiner	Murphy	Porter	
Gross	Nathan	Rusch	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Eastgate	Martin	Van Camp
Baird	Hamilton	Miklethun	Wenstrom
Baker	Ingerson	Stevens	Whitman

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 123. A Bill for an Act Making an Appropriation for the Completion and Furnishing of the Liberty Memorial Building.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 29, nays 8, absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Magnuson	Porter
Baird	Gardiner	Murphy	Sperry
Benson	Gross	Nathan	Stevens
Bond	Kaldor	Olson, Barnes	Thorson
Byrne	Kelsh	Olson, Eddy	Ward
Carey	Kretschmar	Foster	Whitmer
Ettestad	Lynch	Page	
Fleekten	McCoy	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
McLachlin	Peck	Rusch	Tofsrud
Miklethun	Peterson	Storstad	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Martin	Van Camp
Baker	Ingerson	Patten	Wenstrom
Eastgate	Levang	Steel	Whitman

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 89. A Bill for an Act Making an Appropriation of One Hundred Seventy-Six Thousand Dollars for Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous for the Tuberculosis Sanitarium at Dunseith.

Was read the third time.

The question being on the final pasage of the bill, the roll was called and there were ayes 37, nays none, absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Barnes	Stevens
Baird	Kelsh	Olson, Eddy-	Storstad
Benson	Kretschmar	Foster	Thorson
Bond	Lynch	Page	Tofsrud
Carey	McCoy	Peck	Ward
Ettestad	McLachlin	Peterson	Wenstrom
Fleckten	Magnuson	Ployhar	Whitman
Garberg	Miklethun	Porter	Wog
Gardiner	Murphy	Rusch	
Gross	Nathan	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Eastgate	Levang	Steel
Baker	Hamilton	Martin	Van Camp
Byrne	Ingerson	Patten	Whitmer

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 81. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs and Equipment Thereof.

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 ayes 37, nays 1, absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Eddy-	Stevens
Baird	Kelsh	Foster	Storstad
Benson	Kretschmar	Page	Thorson
Bond	Lynch	Peck	Tofsrud
Carey	McCoy	Peterson	Ward
Ettestad	Magnuson	Ployhar	Wenstrom
Fleckten	Miklethun	Porter	Whitman
Garberg	Murphy	Rusch	Wog
Gardiner	Nathan	Sperry	
Gross	Olson, Barnes	Steel	

Those voting in the negative were:

Messrs.
McLachlin

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Eastgate	Levang	Van Camp
Baker	Hamilton	Martin	Whitmer
Byrne	Ingerson	Patten	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 102. A Bill for an Act to Appropriate Ten Thousand Dollars (\$10,000.00) to Aid in the Educational Work being carried on by the North Dakota Anti-Tuberculosis Association, and the Prevention of the Spread of Tuberculosis More Definitely Prescribed in Chapter 7 of the Session 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 ayes 34, nays 5, absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Barnes	Stevens
Baird	Kelsh	Olson, Eddy-	Storstad
Benson	Kretschmar	Foster	Thorson
Bond	Lynch	Page	Tofsrud
Carey	McCoy	Peck	Ward
Fleckten	Magnuson	Peterson	Wenstrom
Garberg	Martin	Ployhar	Whitmer
Gardiner	Miklethun	Porter	Wog
Gross	Murphy	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messr.
Ettestad	Nathan	Rusch	Whitman
McLachlin			

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babeock	Eastgate	Levang	Van Camp
Baker	Hamilton	Patten	
Byrne	Ingerson	Steel	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 74. A Bill for an Act to Appropriate the Sum of Three Thousand Five Hundred Dollars (\$3,500.00) for the Retirement of Part of the Bonds Issued Against the Present Bridge Across the Red River of the North from a Point in the County of Walsh and State of North Dakota to a Point in the County of Marshall and State of Minnesota at Oslo, and That Such Appropriation be Made from the State Highway Funds.

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 ayes 37, nays 3, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Olson, Eddy-	Storstad
Baird	Kretschmar	Foster	Thorson
Baker	Lynch	Page	Tofsrud
Benson	McCoy	Peck	Van Camp
Bond	McLachlin	Peterson	Ward
Byrne	Magnuson	Ployhar	Wenstrom
Carey	Martin	Porter	Whitmer
Ettestad	Miklethun	Rusch	Wog
Garberg	Murphy	Sperry	
Gardiner	Olson-Barnes	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Eastgate	Fleckten	Nathan

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Ingerson	Levang	Steel
Gross	Kaldor	Patten	Whitman
Hamilton			

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 82. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal School at Minot, North Dakota, and 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 ayes 41, nays none, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Nathan	Stevens
Balrd	Gross	Olson, Barnes	Storstad
Baker	Ingerson	Olson, Eddy-	Thorson
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Page	Van Camp
Byrne	Lynch	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitmer
Ettestad	Magnuson	Porter	Wog
Fleckten	Miklethun	Rusch	
Garberg	Murphy	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Kaldor	Martin	Steel
Hamilton	Levang	Patten	Whitman

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 98. A Bill for an Act to appropriate Twelve Thousand Five Hundred Forty-Eight and 48-100 Dollars (\$12,548.48) According to Chapter 327 of the Session Laws for the Year 1919 of the State of North Dakota for the Purpose of Stamping out Venereal Diseases.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 40, nays 1, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Stevens
Baird	Ingerson	Olson, Barnes	Storstad
Baker	Kelsh	Olson, Eddy-	Thorson
Benson	Kretschmar	Foster	Tofsrud
Byrne	Levang	Page	Van Camp
Carey	Lynch	Peck	Ward
Eastgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Wog
Fleckten	Martin	Porter	
Garberg	Miklethun	Rusch	
Gardiner	Murphy	Sperry	

Those voting in the negative were:

Messrs.
Whitmer

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Magnuson	Steel
Bond	Kaldor	Patten	Wenstrom

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 105. An Act Making an Appropriation for the Current and Contingent Expenses of the State School of Science at Wahpeton, and Making Permanent Improvements and Additions Thereto.

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 ayes 37, nays 1, absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Rusch
Baird	Gross	Nathan	Sperry
Benson	Ingerson	Olson, Barnes	Stevens
Bond	Kelsh	Olson, Eddy	Storstad
Byrne	Kretschmar	Foster	Thorson
Carey	Lynch	Page	Tofsrud
Eastgate	McCoy	Peck	Ward
Ettestad	McLachlin	Peterson	Whitmer
Garberg	Martin	Ployhar	Wog
	Miklethun	Porter	

Those voting in the negative were:

Messrs.
Fleckten

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Kaldor	Patten	Wenstrom
Baker	Levang	Steel	Whitman
Hamilton	Magnuson	Van Camp	

So the bill passed and the title was agreed to.

Senator Rusch moved a Call of the Senate.

Which motion prevailed.

Senator Rusch moved that the Call of the Senate be dispensed with.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 96. A Bill for an Act Making an Appropriation of \$10,000.00 for the Current and Contingent Expenses of the State Free Employment Service Under Chapter 117, Session Laws of 1921.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 39, nays 7, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Porter
Baird	Hamilton	Murphy	Rusch
Baker	Ingerson	Nathan	Sperry
Benson	Kaldor	Olson-Barnes	Steel
Bond	Kretschmar	Olson, Eddy	Stevens
Byrne	Levang	Foster	Storstad
Carey	Lynch	Patten	Tofsrud
Eastgate	McCoy	Peck	Ward
Fleekten	McLachlin	Peterson	Wenstrom
Garberg	Martin	Ployhar	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Ettestad	Kelsh	Thorson	Wog
Gardiner	Page	Whitmer	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Magnuson	Van Camp

So the bill passed and the title was agreed to.

Senator Benson moved to amend House Bill 124 as follows:

In title and body of the engrossed bill, strike out "\$12,065.15" and insert in lieu thereof "\$6,000."

A roll call was demanded.

SENATE ROLL CALL

The question being on the motion to amend House Bill No. 124, the roll was called and there were ayes 22, nays 26, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Nathan	Peck
Benson	Hamilton	Olson, Barnes	Ward
Byrne	Ingerson	Olson, Eddy	Wenstrom
Ettestad	Levang	Foster	Whitmer
Fleekten	Magnuson	Page	Wog
Garberg	Miklethun	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Martin	Steel	
Kaldor	Murphy	Stevens	

Absent and not voting:

Messrs.
Babcock

So the motion was lost.

Senator Baker moved to amend House Bill 124 as follows:

In line 4, of the printed bill, Section 1, after "\$12,-065.15" insert "to be used by the state auditing board;"

In the same line after "Co." insert "upon vouchers when vouchers are produced for such work."

A roll call was demanded.

SENATE ROLL CALL

The question being on the motion to amend House Bill No. 124, the roll was called and there were ayes 23, nays 25, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Patten
Benson	Hamilton	Nathan	Peck
Collie	Ingerson	Olson, Barnes	Ward
Ettestad	Levang	Olson, Eddy	Westrom
Flechten	Magnuson	Foster	Whitmer
Garberg	Martin	Page	Weg

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Ployhar	Thorson
Baird	Kretschmar	Porter	Tofsrud
Bond	Lynch	Rusch	Van Camp
Carey	McCoy	Sperry	Whitman
Eastgate	McLachlin	Steel	
Gardiner	Murphy	Stevens	
Kaldor	Peterson	Storstad	

Absent and not voting:

Messrs.
Babcock

So the motion was lost.

SENATE ROLL CALL

House Bill No. 124. A Bill for an Act to appropriate the Sum of Twelve Thousand Sixty-five and 15-100 Dollars (\$12,065.15) for the Payment to Bishop Brissman & Co. of the Sum Due them for the Audit of the State Bank and State Industries, and for other Services rendered.

Was read the third time.

The question being on the final passage of the bill,

the roll was called and there were ayes 26, nays 22, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Peterson	Storstad
Baird	Kelsh	Ployhar	Thorson
Bond	Kretschmar	Porter	Tofsrud
Carey	Lynch	Rusch	Van Camp
Eastgate	McCoy	Sperry	Whitman
Garberg	McLachlin	Steel	
Gardiner	Murphy	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Nathan	Peck
Benson	Ingerson	Olson, Barnes	Ward
Byrne	Ievang	Olson, Eddy	Wenstrom
Ettestad	Magnuson	Foster	Whitmer
Fleckten	Martin	Page	Wog
Gross	Miklethun	Patten	

Absent and not voting:

Messrs.
Babeock

So the bill passed and the title was agreed to.

Senator Baker: I vote "No" on this bill for the reason that there have been no vouchers put on file; that the bill is not correct; the amounts are not in accordance with the amounts in the contract on file in the Secretary of State's office; there is no record of the money collected, for which this was originally paid; that we do not owe Bishop, Brissman Co. one cent today and there are receipts given by them in full filed with the audit board, saying that they were paid in full and that we do not owe this amount of money, therefore I vote "No."

Senator Benson: For the reason as quoted by the Senator from Renville, I vote "No."

Senator Fleckten: For the same reason explained by the Senator from Renville, I want to go on record as being against throwing away the public's money without knowing just where this money has been spent, I vote "No."

Senator Hamilton: For the reason that I do not believe any state money should be paid out without vouchers, or a record sent in by the State Auditor for that purpose, I vote "No."

Senator McLachlin: Because I am absolutely satisfied that the State of North Dakota has never paid this bill, I vote "Aye."

Senator Stevens: I vote "Aye" for the reason that I think it is the best investment North Dakota has ever

made. It is bread cast upon the waters and returned to us with many blessings.

Senator Ward: Everything seems to settle on precedent these days and I would hate to see this precedent established. I vote "No."

Senator Carey moved that the vote by which House Bill No. 124 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota.
February 27, 1923.

Mr. President: I have the honor to inform you that the Speaker has appointed Messrs. Jardine, Elmer and Quade to act as a conference committee on S. B. No. 21.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota.
February 27, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 138.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota.
February 27, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 44. A Bill for an Act to Establish a State Highway Commission, Prescribing its Powers and Duties. Fixing the Salaries of the Commission and the Employees Thereof, Authorizing the Engagement of Employees and Repealing All Acts and All Parts of Acts in Conflict Herewith.

Senate Bill No. 45. A Bill for an Act to Amend and Re-enact Sections 6, 11, 12, 16 and 17 of Chapter 44 of the

Special Session Laws of North Dakota, for the Year 1919, Relating to the Registration and Licensing of Motor Vehicles, the Creation of a State Highway Fund, the Distribution of Such Fund, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 46. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Providing for the Establishment of a State Highway Commission, for the Establishment of a System of State Highways and for the Establishment of a State Highway Fund.

Senate Bill No. 174. A Bill for an Act Providing for Juvenile Courts, Defining Their Powers over Dependent, Neglected and Delinquent Children and Over Persons Contributing to Such Neglect, Dependency or delinquency, and for the Repeal of Sections 11402 to 11428, Inclusive, Compiled Laws for 1913, and Chapter 179, Laws of 1915, and Chapter 8, Laws of 1921.

Senate Bill No. 216. A Bill for an Act Regulating the Standard Provisions of Accident Insurance Policies Issued Within the State, and Providing a Penalty for Violation Thereof.

Senate Bill No. 366. A Bill for an Act Relating to Intra-state Freight Rates in North Dakota, Fixing the Maximum Rates and Charges for Transportation of Freight Intra-state, Providing Penalties and Punishment for the Violation Thereof, and Defining the Duties and Powers of the Board of Railroad Commissioners.

Which the House has indefinitely postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota.
February 27, 1923.

Mr. President: I have the honor to return herewith the following bills:

House Bill No. 132. A Bill for an Act Entitled, An Act to Appropriate Money for the Use of the Board of Railroad Commissioners Between the Following Dates, January 1st, 1923 and June 30th, 1923, and Specifying the Purpose for Which the Appropriation is Made.

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 3296 of the Compiled Laws of North Dakota, for the Year 1913, as Amended by Chapter 49 of the Session Laws for 1921, Relating to County Commissioners

Powers and Duties with Respect to Contracts Let on Competitive Bids.

As per your request.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

SENATE ROLL CALL

House Bill No. 92. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Training School at Mandan, North Dakota, 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 by the Senate, the roll was called and there were ayes 47, nays none, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Sperry
Baird	Hamilton	Murphy	Steel
Baker	Ingerson	Nathan	Stevens
Benson	Kaldor	Olson, Barnes	Storstad
Bond	Kelsh	Olson, Eddy-	Thorson
Byrne	Kretschmar	Foster	Tofsrud
Carey	Levang	Page	Van Camp
Eastgate	Lynch	Patten	Ward
Ettestad	McCoy	Peck	Wenstrom
Fleckten	McLachlin	Peterson	Whitman
Garberg	Magnuson	Porter	Whitmer
Gardiner	Martin	Rusch	Wog

Absent and not voting:

Messrs.	Messrs.
Babcock	Ployhar

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 85. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the Dickinson Normal School at Dickinson, and Making Permanent Improvements and Additions Thereto.

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 ayes 42, nays none, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Steel
Baird	Hamilton	Olson-Barnes	Stevens
Baker	Ingerson	Olson, Eddy-	Storstad
Benson	Kaldor	Foster	Thorson
Bond	Kretschmar	Page	Tofsrud
Byrne	Lynch	Patten	Van Camp
Carey	McCoy	Peck	Ward
Eastgate	McLachlin	Peterson	Whitman
Fleckten	Martin	Porter	Whitmer
Garberg	Miklethun	Rusch	Wog
Gardiner	Murphy	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Kelsh	Magnuson	Wenstrom
Ettestad	Levang	Ployhar	

So the bill passed and the title was agreed to.

SENATE ROLL CALL.

House Bill No. 88. A Bill for an Act Making an Appropriation for Maintenance, Improvements, and Repairs, and Equipment for the Institution of the Feeble-Minded at Grafton.

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 ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Olson, Eddy	Storstad
Baird	Hamilton	Foster	Thorson
Baker	Kaldor	Page	Tofsrud
Benson	Kretschmar	Patten	Van Camp
Bond	Lynch	Peck	Ward
Byrne	McCoy	Peterson	Wenstrom
Carey	McLachlin	Ployhar	Whitman
Eastgate	Martin	Porter	Whitmer
Ettestad	Miklethun	Rusch	Wog
Fleckten	Murphy	Sperry	
Garberg	Nathan	Steel	
Gardiner	Olson, Barnes	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Kelsh	Levang	Magnuson
Ingerson			

So the bill passed and the title was agreed to.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Sections 3, 4, 5, 8, 34, 35 and 65, Chapter 161, Session Laws of 1915, and Section 27, Chapter 161, Session Laws of 1919, and Section 36, Chapter 161, Session Laws of 1915 as Amended by Section 5, Chapter 134, Session Laws of 1919, and Section 46, Chapter 161, Session Laws of 1915 as Amended by Chapter 134, Session Laws of 1919 and as Amended by Chapter 68, Session Laws of 1921 and Section 80 Chapter 161, Session Laws of 1915 as Amended by Chapter 135, Session Laws of 1919, Relating to Game and Fish.

Also,

Senate Bill No. 329. A Bill for an Act to Amend and Re-enact Section 33 of Chapter 225 of the Session Laws of 1919 Relating to Rehearings of the Determination of Inheritance Taxes, and Providing that No Report Need Be Made to the Tax Commissioner in Case of Insolvent Estates.

Also,

Senate Bill No. 207. Joint Resolution: Whereas, both the Popular and the Authenticated Editions of the 1919 Session Laws have been exhausted; and Whereas, there is a great demand for this publication of Session Laws, by the people of our own state, as well as people of neighboring states, because of their peculiar importance.

Also,

Senate Bill No. 178. A Bill for an Act Relating to the Bringing of Children into the State, or Taking Children Therefrom, for Placement in Family Home, for the Licensing or Regulation of Persons and Corporations Engaged in that Work; and for the Repeal of Sections 5107, and 5108, Compiled Laws for 1913.

Also,

Senate Bill No. 330. A Bill for an Act to Authorize County Commissioners to Lay Out and Construct or Contract for the Construction of Highways on State Lines.

Also,

Senate Bill No. 236. A Bill for an Act Authorizing the Cancellation, Conversion and Exchange of Bonds Issued Under and by Virtue of Chapter 128, Session Laws of 1919.

Also,

Senate Bill No. 266. A Bill for An Act Providing for the Assessment of Shares of Stock in Banking Associations Organized Under the Laws of this State.

Also,

Senate Bill No. 188. A Bill for an Act Prohibiting the placing of Children, Either for Temporary or Permanent Care, in Almshouses, or in Institutions, Charitable, Penal or Reformatory, Where Delinquent Children are Kept.

Also,

Senate Bill No. 181. A Bill for an Act Providing for the Licensing and Regulation of Homes and Institutions Caring for Children and for the Repeal of Chapter 183 of the Session Laws of 1915.

Also,

Senate Bill No. 378. A Bill for an Act to Amend and Re-enact Section 7741 of the Compiled Laws of 1913 as Amended and Re-enacted by Chapter 156 of the Session Laws of 1915, Relating to Partnership Exemptions.

Also,

Senate Bill No. 302. A Bill for an Act to Impose a Gross Earnings Tax on Certain Freight Line and Car Equipment Companies Owning and Operating or Leasing and Operating Over Railroad Lines Within This State for the Purpose of Raising Revenue to Defray the General Expenses of State Government; Repealing Sections 2 to 11 Inclusive, of Chapter 59, Special Session Laws of 1919 and All Other Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 299. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 62 of the Laws of North Dakota Enacted at the Special Session of 1919, and Declaring that an Emergency Exists, and that This Act Shall Become Effective Immediately Upon Its Passage and Approval.

Also,

Senate Bill No. 304. A Bill for an Act to permit Mutual Insurance Companies to Classify Their Business by Trades, Occupations or Professions, and to Pay Dividends to Policyholders Based Upon Each Trade, Occupation or Profession's Proportion of Losses Received to the Premiums Paid by Them; and Providing the Method of Determining Such Dividends.

Also,

Senate Bill No. 386. A Bill for an Act to Amend and Re-enact Sections 16, 33, 44, 49, 56, 62, 83, 88 and 89 of Chapter 168 of the Session Laws of North Dakota for the Year 1919, Regulating the Operation of All Coal Mines in North Dakota; Providing for Their Inspection; Creating the Office of Coal Mining Inspector; Fixing His Qualifications,

Duties, Powers and Compensation; Providing for His Appointment; Creating a Board of Examiners; Fixing Its Powers and Compensation; Providing the Method of Appointment Thereof; Providing for the Registry, Examination and Issuing of Certificates to Certain Employees of Coal Mines.

Also,

Senate Bill No. 159. A Bill for an Act Appropriating Money for the Use of War History Commission Between the Following Dates: June 30th, 1923, to July the 1st, 1925.

Also,

Senate Bill No. 159. A Bill for an Act Appropriating Money for the Use of War History Commission Between the Following Dates: June 30th, 1923, to July the 1st, 1925.

Also,

Senate Bill No. 122. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance Fund of the State Training School.

Also,

Senate Bill 100. A Bill For an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Maintenance Fund of the School of Science at Wahpeton, N. Dak.

Also,

Senate Bill No. 96. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance of the State School for the Blind at Bathgate.

Also,

Senate Bill No. 158. A Bill for an Act Making an Appropriation of \$9,999.00 for the Purpose of Paying the General Expenses of Carrying Out the Provisions of Chapter 168 of the Session Laws of 1919, Relating to Mine Inspection.

Also,

Senate Bill No. 392. A Bill for an Act to Provide a Custodian for the property belonging to the State of North Dakota Known as the Biological Station and Located on the Shores of Devils Lake, Ramsey County, North Dakota, and to Designate the Purposes for Which Said Property May Be Used.

Also,

Senate Bill No. 93. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Supreme Court.

Also,

Senate Bill No. 161. A Bill for an Act to Appropriate the Sum of Five Hundred Dollars (\$500.00) or so Much

Thereof as may be Necessary for the Purpose of Paying the Per Diem and Mileage of Witnesses Incurred by the Special Investigating Committee of the Senate, in Considering the Audit of the State Bank and State Industries, During the Seventeenth Legislative Assembly.

Also,

Senate Bill No. 232. A Bill for an Act to Amend and Re-enact Section 9367 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Prescribing of an Oath.

Also,

Senate Bill No. 280. A Bill for an Act to Amend and Re-enact Section 7643 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 133, of the Session Laws of 1921, Relating to Directed Verdicts.

Also,

Senate Bill No. 206. A Bill for an Act Providing for a Verdict in Civil Cases by Five-Sixths of the Jury After Twelve Hours Deliberation.

Also,

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact 7644 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 1 of the Session Laws for the year 1919, (Regular Session) and Chapter 129 of the Session Laws for the Year 1921, Relating to Change of Judges in Civil and Criminal Actions in the District Court, for Prejudice or Bias of Judge Thereof; Providing for the Calling of Another Judge of Another Judicial District, and the Payment of his Expenses, and the Discharge of Jurors Therein, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Section 160 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 18 of the Special Session Laws of North Dakota for the Year 1919, Relating to the Appointment of Regular and Special Assistant Attorneys General, and Repealing Chapter 20 of the Special Session Laws of North Dakota for the Year 1919, and All Other Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 389. A Bill for an Act Regulating the Reservation of Mineral Rights and Providing for the Transfer of Same.

Also,

Senate Bill No. 211. A Bill for an Act to Amend and Re-enact Section 3451, Compiled Laws of North Dakota, Re-

lating to County Bonds, rate of Interest and Mode of Issue.

Also,

Senate Bill No. 135. A Bill for an Act Making an Appropriation to pay the Burial Expenses of Inmates of the Penitentiary and Reform School as Provided for Under Section 11302 of the Compiled Laws of 1913 for North Dakota.

Also,

Senate Bill No. 375. A Bill for an Act Validating Taxes Assessed Against Bank Stocks in the Years 1919, 1920, 1921 and 1922, Authorizing Boards of County Commissioners and the Tax Commissioners to Compromise Such Taxes Upon Bank Stock for 1919, 1920, and 1921, as Have Not Been Paid, and Confirming and Ratifying Such Settlements as Have Been Made.

Also,

Senate Bill No. 319. A Bill for an Act to Amend and Re-enact Section 973 of the Compiled Laws of North Dakota for 1913, Relating to the Filing of Certificates of Nomination.

Also,

Senate Bill No. 363. A Bill for an Act to Amend and Re-enact Chapter 170 of the Session Laws of North Dakota for the Year 1919, Being an Act Regulating and Fixing the Hours of Labor for Females, and Providing Penalties for the Violation Thereof.

Also,

Senate Bill No. 177. A Bill for an Act Amending and Repealing Chapter 153, Laws of 1909, the Same Being Sections 1404 to 1414 Inclusive, Compiled Laws for 1913, Regulating the Employment of Child Labor and to Provide for the Enforcement Thereof, and to Prescribe Penalties for Violations of the Act.

And find the same correctly enrolled.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 76. A Bill for an Act Appropriating Ten Thousand (\$10,000.00) Dollars to the Bovine Tuberculosis Fund for Carrying out the Provisions of Article 17—Revised Code 1913 and Amendments Thereto, Relating to the Reimbursement of Owners of Tuberculous Cattle.

House Bill No. 80. A Bill for an Act to Make Appropriation for Postage, Office Supplies, Furniture and Fixtures, Printing, Miscellaneous Expenses, Traveling Expense,

Maintenance of Game Farms, Salary and Expenses of Fish Commissioner and Deputy Fish Commissioner, and Expenses and Maintenance of Fish Hatchery.

House Bill No. 90. A Bill for an Act Providing When the Publicity Pamphlet Shall Be Printed, and What Matter Shall be Excluded Therefrom, and Repealing All Acts or Parts of Acts in Conflict Therewith.

House Bill No. 91. A Bill for an Act to Appropriate Six Hundred Dollars to the North Dakota Poultry Association for the Biennium Period According to Section 5117 of the Compiled Laws of 1913 for the State of North Dakota.

House Bill No. 103. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

House Bill No. 104. A Bill for an Act Appropriating Five Thousand Dollars for the Biennium to the State Fair at Grand Forks for the Years 1923 and 1924, as Provided for in Section 1847 to 1859 of the Compiled Laws of North Dakota for the Year 1913.

House Bill No. 111. A Bill for an Act Making an Appropriation of Five Thousand Dollars for the Biennium to the State Fair at Fargo for the Years 1923 and 1924, as Provided for in Sections 1847 to 1859 of the Compiled Laws of North Dakota for the Year 1913.

House Bill No. 113. A Bill for an Act Appropriating Funds to Indemnify Owners of Animals Infected with Bovine Tuberculosis.

House Bill No. 139. A Bill for an Act Authorizing Abatements to Purchasers of Tax Certificates on State Land.

House Bill No. 165. A Bill for an Act to Amend and Re-enact Chapter 58 of the Special Session of North Dakota for 1919.

House Bill No. 193. A Bill for an Act to Amend and Re-enact Section 2189 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 258 of the Session Laws of North Dakota for the Year 1915, Relating to Publication of Delinquent Tax Lists.

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 225 of the Session Laws of 1919 Relating to Interest to be Charged Upon Delinquent Inheritance Taxes.

House Bill No. 205. A Bill for an Act to Repeal, Amend and Re-enact Chapter 119 of the Session Laws of 1917, Relating to Farmers Institutes.

House Bill No. 207. A Bill for an Act for an Appropriation to the Board of Auditors as Provided for in Section 369 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended and Re-enacted by the Initiated Law Approved November 2nd, 1920.

House Bill No. 212. A Bill for an Act Providing for the Levying of a Tax to Create a Fund for the Purpose of Paying the Deficit in the Funds and the Indebtedness of the Home Building Association of North Dakota, and in Paying the Indebtedness, Salaries, Expenses and Expenditures Incurred by the Industrial Commission in Liquidating and Winding up the Business and Affairs of Said Association.

House Bill No. 232. A Bill for an Act Providing for the Cancellation and Destruction of Negotiable Bonds and Interest Coupons Accompanying the Same, Heretofore, or Hereafter Issued by the State of North Dakota, in Any Case Where Such Bonds Have Matured and Have Been Paid, or Where Any Such Bonds Have Become Mutilated or Defaced in the Course of Issuing, Negotiating or Delivering the Same, or Where Such Bonds Have Been Issued and Remain Unsold; and Providing for the Re-Issue of New Bonds in Lieu of Such Unsold, Mutilated or Defaced Bonds Which Have Been Cancelled and Destroyed.

House Bill No. 239. A Bill for an Act to Amend Section 10177 of the Compiled Laws for the Year 1913 Relating to the Selling and Smoking of Opium, and the Sale and Use of other Narcotics, and by Making More Definite the Procedure in Cases of Lease Hold Premises Held Under an Injunction; Providing a Means Whereby Innocent Owners May Cancel a Lease Thereof and Further Providing the Breadth of the Operation in Such Injunction by Making it Personal and Apply to Clerks, Servants and Agents, and to Include any Place Within the State.

House Bill No. 245. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 153 of the Session Laws of North Dakota for 1919, Relating to Bonds of North Dakota Mill and Elevator Series.

House Bill No. 267. A Bill for an Act to Repeal Chapter 71 of the Session Laws of 1919 for North Dakota Relating to Board of Administration.

House Bill No. 278. A Bill for an Act to Amend Section 1781 of the Revised Codes of North Dakota for 1905.

House Bill No. 285. A Bill for an Act to Provide for the Nomination and Election of Candidates for the Offices of Presidential Electors, United States Senator, and Member of Congress; for Electing Delegates to National Party Conventions, National Committeemen and for the Apportionment and Term of Office and the Nomination and Election of Party Precinct Committeemen; for Forms of Ballots and Requirements of New Parties with Reference Thereto; and to Repeal Sections 857, 859, 901a, 910, 912, 917, 918, 919 and 971a of the Compiled Laws of North Dakota for the Year 1913, and All Other Acts or Parts of Acts That Are in Conflict with the Provisions Hereof.

House Bill No. 301. A Bill For an Act to Amend and Re-enact Section 8076 of the Compiled Laws of North

Dakota for the Year 1913, Relating to Foreclosure of Mortgages by Agent or Attorney, and Legalizing and Validating Sales Heretofore Made Pursuant to Judgments in Foreclosures of Mortgages by Action.

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Sections 3, 4, 6, 8, 34, 35 and 65, Chapter 161, Session Laws of 1915, and Section 27, Chapter 161, Session Laws of 1919, as Amended by Section 2, Chapter 134, Session Laws of 1919, and Section 36, Chapter 161, Session Laws of 1915 as Amended by Section 5, Chapter 134, Session Laws of 1919, and Section 46, Chapter 161, Session Laws of 1915, as Amended by Chapter 134, Session Laws 1921 and Section 80, Chapter 161, Session Laws of 1915 as Amended by Chapter 135, Session Laws of 1919, Relating to Game and Fish.

Senate Bill No. 329. A Bill for an Act to Amend and Re-enact Section 33 of Chapter 225 of the Session Laws of 1919, Relating to Rehearings of the Determination of Inheritance Taxes, and Providing that No Report Need Be Made to the Tax Commissioner in Case of Insolvent Estates.

Senate Bill No. 207. Joint Resolution: Whereas, both the Popular and the Authenticated Editions of the 1919 Session Laws have been exhausted; and Whereas, there is a great demand for this publication of Session Laws, by the people of our own state, as well as people of neighboring states, because of their peculiar importance.

Senate Bill No. 178. A Bill for an Act Relating to the Bringing of Children into the State, or Taking Children Therefrom, for Placement in Family Home; for the Licensing or Regulation of Persons and Corporations Engaged in that Work; and for the Repeal of Sections 5107 and 5108, Compiled Laws for 1913.

Senate Bill No. 330. A Bill for an Act to Authorize County Commissioners to Lay Out and Construct or Contract for the Construction of Highways on State Lines.

Senate Bill No. 236. A Bill for an Act Authorizing the Cancellation, Conversion and Exchange of Bonds Issued Under and by Virtue of Chapter 128, Session Laws of 1919.

Senate Bill No. 266. A Bill for an Act Providing for the Assessment of Shares of Stock in Banking Associations Organized Under the Laws of This State.

Senate Bill No. 188. A Bill for an Act Prohibiting the placing of Children, Either for Temporary or Permanent Care, in Almshouses, or in Institutions, Charitable, Penal or Reformatory, Where Delinquent Children are Kept.

Senate Bill No. 181. A Bill for an Act Providing for the Licensing and Regulation of Homes and Institutions Caring for Children and for the Repeal of Chapter 183 of the Session Laws of 1915.

Senate Bill No. 378. A Bill for an Act to Amend and Re-enact Section 7741 of the Compiled Laws of 1913 as Amended and Re-enacted by Chapter 156 of the Session Laws of 1915 Relating to Partnership Exemptions.

Senate Bill No. 302. A Bill for an Act to Impose a Gross Earnings Tax on Certain Freight Line and Car Equipment Companies Owning and Operating or Leasing and Operating Over Railroad Lines Within This State for the Purpose of Raising Revenue to Defray the General Expenses of State Government; Repealing Sections 2 to 11 Inclusive, of Chapter 59. Special Session Laws of 1919 and all Other Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 299. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 62 of the Laws of North Dakota Enacted at the Special Session of 1919, and Declaring that an Emergency Exists, and that This Act Shall Become Effective Immediately Upon Its Passage and Approval.

Senate Bill No. 304. A Bill for an Act to Permit Mutual Insurance Companies to Classify Their Business by Trades, Occupations or Professions, and to Pay Dividends to Policyholders Based Upon Each Trade, Occupation or Profession's Proportion of Losses Received to the Premiums Paid by Them; and Providing the Method of Determining Such Dividends.

Senate Bill No. 386. A Bill for an Act to Amend and Re-enact Sections 16, 33, 44, 49, 56, 62, 83, 88 and 89 of Chapter 168 of the Session Laws of North Dakota for the Year 1919, Regulating the Operation of All Coal Mines in North Dakota; Providing for their Inspection; Creating the Office of Coal Mining Inspector; Fixing His Qualifications, Duties, Powers and Compensation; Providing for His Appointment; Creating a Board of Examiners; Fixing its Power and Compensation; Providing the Method of Appointment Thereof; Providing for the Registry, Examination and Issuing of Certificates to Certain Employees of Coal Mines.

Senate Bill No. 159. A Bill for an Act Appropriating Money for the Use of War History Commission Between the Following Dates: June 30th, 1923, to July 1st, 1923.

Senate Bill No. 122. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance Fund of the State Training School.

Senate Bill No. 100. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Maintenance Fund of the School of Science at Wahpeton, N. Dak.

Senate Bill No. 96. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance of the State School for the Blind at Bathgate.

Senate Bill No. 158. A Bill for an Act Making an Appro-

priation of \$10,540.00 for the Purpose of Paying the General Expenses of Carrying Out the Provisions of Chapter 168 of the Session Laws of 1919, Relating to Mine Inspection.

Senate Bill No. 392. A Bill for an Act to Provide a Custodian for the Property Belonging to the State of North Dakota Known as the Biological Station and Located on the Shores of Devils Lake, Ramsey County, North Dakota, and to Designate the Purposes for Which Said Property May be Used.

Senate Bill No. 93. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Supreme Court.

Senate Bill No. 161. A Bill for an Act to Appropriate the Sum of Five Hundred Dollars (\$500.00) or so Much Thereof as may be Necessary for the Purpose of Paying the Per Diem and Mileage of Witnesses Incurred by the Special Investigating Committee of the Senate, in Considering the Audit of the State Bank and State Industries, During the Seventeenth Legislative Assembly.

Senate Bill No. 232. A Bill for an Act to Amend and Re-enact Section 9367 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Prescribing of an Oath.

Senate Bill No. 280. A Bill for an Act to Amend and Re-enact Section 7643 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 133, of the Session Laws of 1921, Relating to Directed Verdicts.

Senate Bill No. 206. A Bill for an Act Providing for a Verdict in Civil Cases by Five-sixths of the Jury After Twelve Hours Deliberation.

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact 7644 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 1 of the Session Laws for the year 1919, (Regular Session) and Chapter 129 of the Session Laws for the Year 1921, Relating to Change of Judges in Civil and Criminal Actions in the District Court, for Prejudice or Bias of Judge Thereof; Providing for the Calling of Another Judge of Another Judicial District, and the Payment of his Expenses, and the Discharge of Jurors Therein, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Section 160 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 18 of the Special Session Laws of North Dakota for the Year 1919, Relating to the Appointment of Regular and Special Assistant Attorneys General, and Repealing Chapter 20 of the Special Session Laws of North Dakota for the Year 1919, and All Other Acts and Parts of Acts in Conflict Therewith.

Senate Bill No. 389. A Bill for an Act Regulating the Reservation of Mineral Rights and Providing for the Transfer of Same.

Senate Bill No. 211. A Bill for an Act to Amend and Re-enact Section 3451, Compiled Laws of North Dakota, Relating to County Bonds, rate of Interest and Mode of Issue.

Senate Bill No. 135. A Bill for an Act Making an Appropriation to Pay the Burial Expenses of Inmates of the Penitentiary and Reform School as Provided for Under Section 11302 of the Compiled Laws of 1913 for North Dakota.

Senate Bill No. 375. A Bill for an Act Validating Taxes Assessed Against Bank Stocks in the Years 1919, 1920, 1921 and 1922, Authorizing Boards of County Commissioners and the Tax Commissioners to Compromise Such Taxes Upon Bank Stock for 1919, 1920 and 1921, as Have Not Been Paid, and Confirming and Ratifying Such Settlements as Have Been Made.

Senate Bill No. 319. A Bill for an Act to Amend and Re-enact Section 973 of the Compiled Laws of North Dakota for 1913. Relating to the Filing of Certificates of Nomination.

Senate Bill No. 363. A Bill for an Act to Amend and Re-enact Chapter 170 of the Session Laws of North Dakota for the Year 1919, Being an Act Regulating and Fixing the Hours of Labor for Females, and Providing Penalties for the Violation Thereof.

Senate Bill No. 177. A Bill for an Act, Regulating the Employment of Child Labor and to Provide for the Enforcement Thereof, and to Prescribe Penalties for Violations of the Act and Repealing Chapter 153, Laws of 1909, the same being section 1404 to 1414 inclusive Compiled Laws for 1913.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Chapter 95 of the Session Laws of North Dakota for 1921, being an Act to Amend and Re-enact Section 2 of Chapter 63, Session Laws of North Dakota for 1915, Prescribing and Limiting Punishment of the Crime of Murder in the First Degree and Limiting the Time, Manner and Condition Whereby Such Person May be Pardoned.

And the President signed the same in the presence of the Senate.

A recess of ten minutes was taken.

AFTER RECESS

SENATE ROLL CALL

House Bill No. 275. A Bill for an Act to Provide for the Purchase by the Industrial Commission of Claims Against the Returned Soldiers' Fund and for the Financing of Such Purchase by Such Commission, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 45, nays none, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Olson, Barnes	Stevens
Baird	Kaldor	Olson, Eddy-	Storstad
Baker	Kelsh	Foster	Thorson
Benson	Kretschmar	Page	Tofsrud
Bond	Levang	Patten	Van Camp
Byrne	Lynch	Peck	Ward
Carey	McCoy	Peterson	Wenstrom
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Martfn	Porter	Whitmer
Fleckten	Miklethun	Rusch	Wog
Gardiner	Murphy	Sperry	
Gross	Nathan	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Hamilton	Magnuson

So the bill passed and the title was agreed to and the emergency clause was declared carried.

SENATE ROLL CALL

House Bill No. 150. A Bill for an Act Providing for the Reporting at the Workmen's Compensation Bureau of All Contracts Involving Labor Entered Into by All Political Subdivisions 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 ayes 29, nays 18, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Martin	Steel
Baird	Gross	Miklethun	Thorson
Baker	Hamilton	Nathan	Ward
Benson	Ingerson	Olson, Barnes	Wenstrom
Byrne	Levang	Olson, Eddy-	Whitmer
Carey	Lynch	Foster	Wog
Ettestad	McCoy	Patten	
Fleckten	McLachlin	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Bond	Kretschmar	Porter	Tofsrud
Eastgate	Murphy	Rusch	Van Camp
Gardiner	Page	Sperry	Whitman
Kaldor	Peck	Stevens	
Kelsh	Peterson	Storstad	

Absent and not voting:

Messrs.	Messrs.
Babcock	Magnuson

So the bill passed and the title was agreed to.

Senator Wenstrom moved that the vote by which House Bill No. 150 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Rusch moved to amend House Bill No. 149 as shown in the Senate Journal of February 24 on pages 28, 29, 30 and 31.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 149. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 162 of the Laws of North Dakota for the Year 1919, to Empower the Workmen's Compensation Bureau to Classify Employments, Fix Rates for Premium, Provide for Reserves and Surplus, Provide for Establishment of a System of Merit Rating, and to Provide for the Payment of Premiums Into the Workmen's Compensation Fund.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 35, nays 11, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	McLachlin	Steel
Baird	Gross	Miklethun	Stevens
Baker	Hamilton	Murphy	Storstad
Benson	Ingerson	Page	Thorson
Bond	Kaldor	Peterson	Tofsrud
Byrne	Kelsh	Ployhar	Whitman
Carey	Kretschmar	Porter	Whitmer
Eastgate	Lynch	Rusch	
Ettestad	McCoy	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Fleckten	Martin	Olson, Eddy-	Peck
Garberg	Nathan	Foster	Wenstrom
Levang	Olson, Barnes	Patten	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Magnuson	Ward

So the bill passed and the title was agreed to.

Senator Rusch moved that the vote by which Senate Bill No. 149 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Ployhar moved that action on House Bill No. 153 be deferred one legislative day.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 215. A Bill for an Act to Amend Section 1 of Chapter 144 of the Session Laws of North Dakota for the Year of 1921, Relating to Enforcement of Payment of Premiums to the Workmen's Compensation Fund.

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 12, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Hamilton	Olson, Barnes	Storstad
Baker	Ingerson	Olson, Eddy-	Thorson
Benson	Kaldor	Foster	Van Camp
Bond	Levang	Patten	Wenstrom
Byrne	Lynch	Peck	Whitmer
Ettestad	McCoy	Ployhar	Wog
Fleckten	McLachlin	Rusch	
Garberg	Martin	Sperry	
Gross	Miklethun	Steel	
	Nathan	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Porter
Carey	Kelsh	Page	Tofsrud
Eastgate	Kretschmar	Peterson	Whitman

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Ward	Magnuson

So the bill passed and the title was agreed to.

Senator Ployhar moved that the amendment to House Bill No. 149 be not re-printed in the Journal.

Which motion prevailed.

Senator Kelsh moved that further consideration of House Bill No. 169 be indefinitely postponed.

A roll call was demanded.

SENATE ROLL CALL

The question being on the motion to postpone further action on House Bill No. 169, the roll was called and there were ayes 19, nays 27, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	McCoy	Porter	Thorson
Bond	McLachlin	Rusch	Tofsrud
Gardiner	Murphy	Sperry	Van Camp
Kaldor	Peterson	Steel	Whitman
Kelsh	Ployhar	Storstad	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Fleckten	Lynch	Page
Baker	Garberg	Martin	Patten
Benson	Gross	Miklethun	Peck
Byrne	Hamilton	Nathan	Stevens
Carey	Ingerson	Olson, Barnes	Wenstrom
Eastgate	Kretschmar	Olson, Eddy	Whitmer
Ettestad	Levang	Foster	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Magnuson	Ward

So the motion was lost.

MESSAGE FROM THE HOUSE

The following message was received from the House:

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 136. A Bill for an Act to Provide a State Contingency Fund to be Placed at the Disposal of the State Emergency Commission to be Used as Provided by Chapter 26 and 152 of the Session Laws of North Dakota for 1915; and Making an Appropriation of \$50,000.00 which Shall be Known as the State Contingency Fund.

Also,

Senate Bill No. 82. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Teachers' College at Valley City, and Making Permanent Improvements and Additions Thereto.

Also,

Senate Bill No. 268. A Bill for an Act to Amend and Re-enact Chapter 7660, of the Compiled Laws of the State of North Dakota, for the Year 1913, as Amended by Chapter 7660, of the Compiled Laws of the State of North Dakota, for the Year 1913, as Amended by Chapter 131, of the Session Laws of 1921, Relating to Causes for a New Trial in Civil Actions.

Also,

Senate Bill No. 240. A Bill for an Act Relating to Redemption from Mortgage foreclosure or Execution Sales and Providing for a Redemptioner Making a Credit on His Claim Against the Debtor as a Part of the Redemption.

Also,

Senate Bill No. 179. A Bill for an Act Relating to the Placement of Children in Family Homes for Temporary or Permanent Care, and Providing for the Licensing and Regulation of Persons or Corporations Engaged in that Work, and for the Repeal of Chapter 183 of the Session Laws for 1915.

Also,

Senate Bill No. 189. A Bill for an Act Concerning the Transfer of Rights in Children and for the Repeal of Chapter 77 of the Laws of 1919.

Also,

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Sections 4444 and 4446 of the Compiled Laws of North Dakota for 1913, Relating to the Adoption of Minor Children.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Storstad moved to amend House Bill No. 169 by striking out Section 988 and inserting in lieu thereof the following:

"Section 988. IN CASE OF DISABILITY OF ELECTOR. Any voter, who declares to the judges of election or when it appears to the judges of election that by blindness, or other physical disability, he is unable to mark his ballot, shall, upon request, receive assistance of two of the election officers in the marking thereof, who shall be chosen from different political parties, and such officers shall give no information regarding the same. The judges may in their discretion require such declaration of disability to be made by the voter under oath and they are authorized to administer such oath. No elector, other than one who by blindness or other physical disability is unable to mark his ballot, shall divulge to any one within the polling place the name of any candidate for whom he intends to vote, or ask or receive the assistance of any person within the polling place in the preparation of his ballot. Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof be punished by a fine of not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars, or by imprisonment not less than thirty days nor more than ninety days in the county jail or by both such fine and imprisonment."

Senator Garberg moved to amend the amendment as follows:

In line 3 of the offered amendment, preceding the word "blindness" insert "mental or physical."

Which motion was lost.

A roll call was demanded.

SENATE ROLL CALL

The question being on the motion to amend House Bill No. 169, the roll was called and there were ayes 11, nays 25, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Eastgate	Lynch	Page	Rusch
Kaldor	McLachlin	Ployhar	Van Camp
Keish	Murphy	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Mik'ethun	Steel
Baird	Gardiner	Nathan	Stevens
Baker	Gross	O'son, Barnes	Storstad
Benson	Hamilton	Olson, Eddy-	Thorson
Bond	Ingerson	Foster	Tofsrud
Byrne	Kretschmar	Patten	Wenstrom
Carey	Levang	Peck	Whitmer
Ettestad	McCoy	Peterson	Whitmer
Fleckten	Martin	Sperry	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Magnuson	Ward

So the motion was lost.

Senator Lynch: I vote "aye" because I think that the citizen who is interested can learn to mark his ballot before he goes to the polls, if he is capable of reading and writing.

SENATE ROLL CALL

House Bill No. 169. A Bill for an Act to Amend and Re-enact Section 988 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Disability of Electors in Marking Their Ballots.

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 21, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Gardiner	Miklethun	Stevens
Baker	Gross	Nathan	Tofsrud
Benson	Hamilton	Olson, Barnes	Wenstrom
Byrne	Ingerson	Olson, Eddy-	Whitmer
Eitestad	Kretschmar	Foster	Wog
Fleckten	Levang	Patten	
Garberg	Martin	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Lynch	Ployhar	Thorson
Bond	McCoy	Porter	Van Camp
Carey	McLachlin	Rusch	Whitman
Eastgate	Murphy	Sperry	
Kaldor	Page	Steel	
Kelsh	Peterson	Storstad	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Magnuson	Ward

So the bill passed and the title was agreed to.

Senator Fleckten moved that the vote by which House Bill No. 169 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Whitmer moved that House Bill No. 114 be amended by striking out the first four amendments offered by the Senate committee.

Which motion was lost.

SENATE ROLL CALL

House Bill No. 114. A Bill for an Act to Appropriate \$5,000.00 to the Missouri Slope Agricultural and Fair Association at Mandan for the Fairs to be Held in the Years 1923

and 1924, as Authorized by Sections 1860 to 1866. Both Inclusive, of the Compiled Laws of 1913 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 ayes 40, nays 7, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	McCoy	Ployhar
Baird	Gardiner	McLachlin	Rusch
Baker	Gross	Martin	Sperry
Benson	Hamilton	Murphy	Stevens
Bond	Ingerson	Magnuson	Storstad
Byrne	Kaldor	Olson, Eddy-	Thorson
Carey	Kelsh	Foster	Van Camp
Eastgate	Kretschmar	Patten	Wenstrom
Ettestad	Levang	Peck	Whitman
Fleckten	Lynch	Peterson	Whitmer
			Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Miklethun	Page	Steel	Tofsrud
Nathan	Porter		
Olson, Barnes			

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Ward	

So the bill passed and the title was agreed to.

Senator Page: I think these gentlemen from the west are perfectly justified in thinking they have just as much right to the same appropriations that the people in the Red River Valley have gotten, but I don't think any of them should have an appropriation and I vote "no."

Senator Kretschmar moved that the committee report indefinitely postponing House Bill No. 132 be reconsidered.

Which motion prevailed.

Senator Kretschmar moved that House Bill No. 132 be placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 132. A Bill for an Act Entitled, An Act to Appropriate Money for the Use of the Board of Railroad Commissioners Between the Following Dates, January 1st, 1923 and June 30th, 1923, and Specifying the Purpose for Which the Appropriation is Made.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays none, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Porter
Baird	Hamilton	Murphy	Rusch
Baker	Ingerson	Nathan	Sperry
Benson	Kaldor	Olson, Barnes	Steel
Byrne	Kelsh	Olson, Eddy-	Stevens
Carey	Kretschmar	Foster	Storstad
Eastgate	Levang	Page	Thorson
Ettestad	Lynch	Patten	Tofarud
Fleckten	McCoy	Peck	Wenstrom
Garborg	McLachlin	Peterson	Whitman
Gardiner	Martiz	Ployhar	Whitmer

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Magnuson	Ward	Wog
Bond	Van Camp		

So the bill passed and the title was agreed to.

Senator Baird moved that the conference committee appointed to act on Senate Bill No. 176 be discharged, as the conference committee cannot agree.

Which motion prevailed.

Senator Wenstrom moved the clincher motion on House Bill Nos. 132 and 215.

Which motion prevailed.

Senator Sperry moved that the committee report indefinitely postponing House Bill No. 172 be reconsidered.

Which motion prevailed.

Senator Sperry moved to amend House Bill No. 172 as follows:

In line 3 of the engrossed bill, strike out "purpose" and insert in lieu thereof "purchase."

In line 4, strike out "stationery" and insert in lieu thereof "election" between "and" and "supplies."

Which motion prevailed.

Senator Sperry moved that House Bill No. 172, as amended, be considered re-engrossed and placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 3296 of the Compiled Laws of North Dakota, for the Year 1913, as Amended by Chapter 49 of the Session Laws for 1921, Relating to County Commissioners Powers and Duties with Respect to Contracts Let on Competitive Bids.

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 ayes 43, nays none, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Rusch
Baird	Hamilton	Murphy	Sperry
Bond	Ingerson	Nathan	Steel
Baker	Kaldor	Olson, Barnes	Stevens
Benson	Kelsh	Olson, Eddy-	Storstad
Byrne	Kretschmar	Foster	Thorson
Carey	Levang	Page	Tofsrud
Eastgate	Lynch	Patten	Van Camp
Ettestad	McCoy	Peck	Wenstrom
Fleckten	McLachlin	Peterson	Whitman
Garberg	Martin	Ployhar	Whitmer
Gardiner		Porter	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Martin	Rusch	Ward
Magnuson	Peck		

So the bill passed and the title was agreed to.

Senator Hamilton moved that the President appoint a committee of three to wait on the Board of Administration in an effort to get the chains lengthened on the ceiling lights in the Senate chamber.

Which motion prevailed.

The President appointed Senators Hamilton, Kaldor and McCoy as such committee.

The courtesies of the floor were extended to Mrs. M. J. Eitreim, Mrs. Gorman Anderson of Bismarck; B. E. Groom of Langdon; O. B. Herigstad of Minot; Albert Jacobsen; Ole Christenson of Coteau; O. E. Blanding of Harvey; Dorothy Blanding, C. E. Thomas of Bismarck; A. C. Lawson of Kenmare; Nels Nelson of Norma; J. E. Pfeifer, R. O. Bryant of Amidon; H. Ingvaldson of Fessenden, and O. A. Refling of Drake.

Senator Carey moved that the Senate do now recess until 12:00 M. February 28, 1923.

Which motion prevailed.

W. E. PARSONS,
Secretary.

FIFTY-SEVENTH DAY AFTER RECESS AND
FIFTY-EIGHTH DAY

Senate Chambers,
Bismarck, N. D.
February 28, 1923.

The Senate re-assembled at 12 M., pursuant to recess taken, the President, Frank H. Hyland, presiding.

The Senate took up the tenth order of business.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 27, 1923.

Mr. President: I have the honor to return

Senate Bill No. 387. A Bill for an Act Designating the Sheriff of the Different Counties in the State as Inspectors and Sealers of Weights and Measures, and Giving Him Power to Appoint a Deputy Inspector; Prescribing His Powers and Duties; Defining the Standard of Weights and Measures; Prescribing Fees to be Charged for Inspection; Providing for Complaints and Penalties for its Violation; Providing for Inspectors' Compensation; Naming Custodian of State Standards and Prescribing His Duties; and Repealing Sections 2999, 3000, 3003, 3004, 3005 of the Compiled Laws of North Dakota for 1913 and Chapter 241 of the Session Laws of North Dakota for the Year 1919.

Which the House has amended as follows:

In lines one and two, page 4, in the engrossed bill, strike out all of line one and the words "to the inspector" in line two.

On page eight on line 4 of the engrossed bill after the word "state" insert a comma.

Add Section 12. "An Emergency is hereby declared to exist and this act shall be in full force and effect

immediately after its passage and approval."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota.
February 27, 1923.

Mr. President: I have the honor to return

Senate Bill No. 369. A Bill for an Act to Eliminate Railroad Grade Crossings and Other Dangerous Places on State and County Highways.

Which the House has amended as follows:

Strike out Section I of the engrossed bill and insert:

"Section 1. The Board of Railroad Commissioners of the State of North Dakota upon written application made to it by the State Highway Commission, the Board of County Commissioners of any County, the Board of Supervisors of any Township or upon its own motion shall investigate and determine whether any railroad grade crossing over any state, county or township highway in the state is dangerous to life and property, and may order the same protected in any manner said Board of Railroad Commissioners may find reasonable and proper, including requiring the railroad company to separate the grades."

Very respectfully,

W. F. CUSHING,,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota.
February 28, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 81.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota.
February 27, 1923.

Mr. President: I have the honor to inform you that the Speaker has appointed Messrs. Jardine, Elmer and Quade to act as a conference committee on Senate Bill 21.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota.
February 27, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 85.

Very respectfully,
W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota.
February 28, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 74.

Very respectfully,
W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota.
February 27, 1923.

Mr. President: I have the honor to inform you that the House refuses to concur in the Senate amendments to House Bill No. 88 and the Speaker has appointed Messrs. Watt, Arduser and Ellingson to act as a conference committee.

Very respectfully,
W. F. CUSHING,
Chief Clerk.

The president appointed Senators Murphy, Martin and Kelsh as a conference committee to act with a like committee from the House for further consideration of House Bill No. 88.

Senator Kaldor moved that the Senate do now concur in the House Amendments to Senate Bill 387.
Which motion prevailed.

House of Representatives,
Bismarck, North Dakota,
February 28, 1923.

Mr. President: I have the honor to return

Senate Bill No. 185. A Bill for an Act to Amend and re-enact Chapter 185 of the Session Laws of 1915, Relating to the Support of Needy Women who are the Mothers of and Who are Compelled to Support one or More Children Under Sixteen Years of Age.

Which the House has amended as follows:

In section 2, second line, after the word "court" insert the following: "only with the approval of the County Commissioners."

On page 3, Section 4, line 3, after the word "person" strike out the remainder of the line; also strike out the first five words in line 4.

Strike out all of Section 5.

Renumber Section 6 to read Section 5.

On page 5, first line at top of page, after the word "Act" insert the words "and approved by the Board of County Commissioners."

Renumber Section 7 to read Section 6.

Section 7, line 13, strike out all of the line after the word "notice," and the first four words in line 13 preceding the word "interested." Section 6, preceding the word "interested," insert the word "any" as the first word in the sentence.

On page 5, Section 6, in line 17, strike out the words "County Court's action" and insert in lieu thereof the words "action of the County Court or the Board of County Commissioners."

On page 5, renumber Section 8 to read Section 7.

On page 6, renumber Section 9 to read Section 8.

On page 6, renumber Section 10 to read Section 9.

In the Senate engrossed bill reverse Sections 10 and 9.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Baird moved that the Senate do not concur in the House amendments to Senate Bill 185.

Which motion prevailed.

Senatr Baird moved that a conference committee of three be appointed to act with a like committee from the House to further consider Senate Bill No. 185.

Which motion prevailed.

The president appointed Senators Baird, Baker and Stevens as such committee.

House of Representatives,
Bismarck, North Dakota,
February 28, 1923.

Mr. President: I have the honor to return

Senate Bill No. 196. A Bill for an Act to Provide an Appropriation for the Eradication of the Barberry Bushes.

Which the House has amended as follows:

In line three, strike out the words and figures

\$25,000.00 and insert in lieu thereof the words and figures "\$15,000.00."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Thorson moved that the Senate do now concur in the House amendments to Senate Bill No. 196.

Which motion prevailed.

House of Representatives,
Bismarck, North Dakota,
February 27, 1923.

Senate Bill No. 286. A Bill for an Act to Amend and Re-enact Chapter 25 of the Session Laws of the State of North Dakota for the Year 1921, Being an Act to Create, Define and Establish the Bar Association of the State of North Dakota, and Providing for the Publication of Its Proceedings, and Filing Copies Thereof with the State Bar Board and State Libraries, and as Otherwise Provided and Making an Appropriation for the Expenses Connected Therewith.

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Section 5109 and 5110 of the Compiled Laws for 1913.

Senate Bill No. 184. A Bill for an Act Defining and Regulating Maternity hospitals and for the Repeal of Chapter 183 of the Session Laws of 1915.

Senate Bill No. 192. A Bill for an Act Relating to Indecent Liberties.

Senate Bill No. 187. A Bill for an Act Relating to Children Born out of Wedlock and to Make Uniform the Law with Reference Thereto, and for the Repeal of Sections 10483 to 10500 Inclusive, Compiled Laws of 1913, and Chapter 70. Laws of 1917.

Senate Bill No. 396. A Bill for an Act to Amend and Re-enact Sections 10943 and 10944 of the Compiled Laws of North Dakota for the Year 1913, and Section 10948 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 233 of the Session Laws of North Dakota for the Year 1915, Relating to Indetermined Sentences of Persons Convicted of Certain Crimes, and the Discharge or Paroling of Prisoners Serving Indeterminate Sentences, Abolishing the Board of Experts, and Repealing all Acts in Conflict Therewith.

Senate Bill No. 190. A Bill for an Act Providing for the Exclusion of Spectators from the Trial of Minors.

Senate Bill No. 180. A Bill for an Act Relating to the Powers of Certain Societies for the Care and Placement of Dependent Children, and to Amend and Re-enact Sections 5100 and 5101, Compiled Laws for 1913.

Senate Bill No. 15. A Bill for an Act to Transfer Money From the Hail Insurance Fund to the Hail Insurance Operating Fund for the Purpose of Paying the Unpaid Bills Incurred by the Hail Insurance Department During the Year Beginning January 1, 1922, and Ending December 31, 1922.

Senate Bill No. 199. A Bill for an Act Making an Appropriation for the Use of the Board of Administration in Administering Child Welfare Laws.

Senate Bill No. 113. A Bill for an Act to appropriate the Sum of \$54,000.00 for the Purpose of Aiding in the Construction of a Bridge Across the Missouri River From Burleigh County to Morton County in the State of North Dakota Under the Provision of Chapter 73 of the Laws Passed at the Sixteenth Session of the Legislative Assembly of North Dakota, Approved March 5, 1919, in Addition to the Sums Appropriated by Chapter 4 of the Special Session of the Sixteenth Legislative Assembly, Approved December 12, 1919, and Chapter 6 of the Laws Passed at the Seventeenth Session of the Legislative Assembly of the State of North Dakota Approved March 9, 1921, and That Such Appropriation Be Made From the State Highway Fund.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 28, 1923.

Mr. President: I have the honor to return

Senate Bill No. 103. A Bill for an Act Making an Appropriation of \$30,950.00 for the Purpose of Carrying Out the Provisions of Chapter 115 of the Session Laws of 1921 Relating to Vocational Education and Vocational Rehabilitation.

Which the House has amended as follows:

In line two of the title after the word "of" and before the word chapter add the following: "Chapter 203 of Session Laws of 1919 and."

In line four after the word "of" and before the word "Chapter" insert the following: "Chapter 203 of Session Laws of 1919 and."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 28, 1923.

Mr. President: I have the honor to return

Senate Bill No. 337. A Bill for an Act Providing a Bounty for the Destruction of Magpies and Crows.

Which the House has amended as follows:

In line 2 of the engrossed bill strike out the word "25" and insert in lieu thereof "15."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 28, 1923.

Mr. President: I have the honor to return

Senate Bill No. 344. A Bill for an Act to Amend and Re-enact Section 3294 of the Compiled Laws of the State of North Dakota for 1913, Relating to the Erection, Repair and Maintenance of Buildings.

Which the House has amended as follows:

Insert the word "purchase" after the word the in line 7, Section one of the engrossed bill.

Also make same correction in line 3 of title.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 28, 1923.

Mr. President: I have the honor to return

Senate Bill No. 288. A Bill for an Act Providing for a Tax Upon Reserves of Coal and Minerals, Providing for the Obtaining of Tax Titles to Such Reserves When Taxes Thereon Remain Unpaid and Repealing Section 2119, Section 2120 and Section 2121, Compiled Laws of 1913,

Which the House has amended as follows:

In section 3, page 3, line 4 of the Engrossed Bill, insert the word "Description" after the word "each." In the same line strike out the word "them" and insert in lieu thereof the word "land."

Also, in line 5 of Section 3, after the word "acre" insert comma.

In line 3 of Section 6, after the word "section" insert comma.

In line 4 of Section 6, after the word "first" insert comma.

In first line of page 6, after word "official" insert the word "and."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 28, 1923.

Mr. President: I have the honor to return

Senate Bill No. 311. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 242, Session Laws of North Dakota for the year 1919, Relating to State Bounty on Wolves and Coyotes.

Which the House has amended as follows:

In line 4, of Section 1 of the engrossed bill, strike out the word "eight" and insert in lieu thereof the word "six."

In line 4, Section 1, change the word "six" to "four."

In line 5, Section 1, strike out the word "female" and insert the word "mature."

Strike out all of line 5, Section 1 after the word "coyote," and the words "or coyote" in line 6 of the same section.

In line 6, Section 1, strike out the word "killed" and insert in lieu thereof the words "delivered to the County Auditor."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Baird moved that the Senate do now concur in the House amendments to Senate Bill No. 288.

Which motion prevailed.

Senator Whitmer moved that the Senate do now concur in the House amendments to Senate Bill No. 337.

Which motion prevailed.

Senator Baird moved that the Senate do now concur in the House amendments to Senate Bill No. 103.

Which motion prevailed.

Senator Miklethun moved that the Senate do now concur in the House amendments to Senate Bill 344.

Which motion prevailed.

Senator Whitmer moved that a Conference Committee of three be appointed to act with a like committee from the House to further consider Senate Bill No. 337.

Which motion prevailed.

The President appointed as such committee Senators Whitmer, Sperry, Ward .

Senator Whitmer moved that the Senate do not concur in the House Amendments to Senate Bill 311.

Which motion prevailed.

Senator Whitmer moved that a Conference Committee of three be appointed to act with a like committee from the House to further consider Senate Bill 311.

Which motion prevailed.

The President Appointed Senators Whitmer, Sperry and Ward.

Senator Whitmer moved that the Senate do not concur in the House amendments to Senate Bill 337.

Which motion prevailed.

Senator Hamilton moved that the Senate do now concur in the House Amendments to Senate Bill No. 369.

Which motion prevailed.

Senator Sperry moved that the Senate do not accept the Journal as of February 27, 1923, and that a request be made for reprinting of same.

Which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 74. A Bill for an Act to appropriate the Sum of Three Thousand Five Hundred Dollars (\$3,500.00) for the Retirement of Part of the Bonds Issued Against the Present Bridge Across the Red River of the North from a Point in the County of Walsh and State of North Dakota to a Point in the County of Marshall and State of Minnesota at Oslo, and That Such Appropriation be Made from the State Highway Funds.

House Bill No. 81. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs and Equipment Thereof.

House Bill No. 82. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal School at Minot, North Dakota, and Making Permanent Improvements and Additions Thereto.

House Bill No. 84. A Bill for an Act Appropriating for the Current and Contingent Expenses of the School for the Deaf at Devils Lake, and Making Permanent Improvements and Additions Thereto.

House Bill No. 85. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the Dickinson Normal School at Dickinson, and Making Permanent Improvements and Additions Thereto.

House Bill No. 86. A Bill for an Act Making an Appropriation for Improvements and Repairs, New Buildings, Equipment and Miscellaneous for the State Hospital for the Insane at Jamestown, North Dakota.

House Bill No. 87. A Bill for an Act Making Appropriations for the Current and Contingent Expenses of the State Penitentiary and for making of permanent improvements and Additions Thereto.

House Bill No. 89. A Bill for an Act Making an Appropriation of One Hundred Seventy-Six Thousand Dollars for Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous for the Tuberculosis Sanitarium at Dunseith.

House Bill No. 96. A Bill for an Act Making an Appropriation of \$10,000.00 for the Current and Contingent Expenses of the State Free Employment Service Under Chapter 117, Session Laws of 1921.

House Bill No. 98. A Bill for an Act to appropriate Twelve Thousand Five Hundred Forty-Eight and 47-100 Dollars (\$12,548.48) According to Chapter 327 of the Session Laws for the Year 1919 of the State of North Dakota for the Purpose of Stamping out Venereal Diseases.

House Bill No. 102. A Bill for an Act to appropriate Ten Thousand Dollars (\$10,000.00) to Aid in the Educational Work being carried on by the North Dakota Anti-Tuberculosis Association, and the Prevention of the Spread of Tuberculosis More Definitely Prescribed in Chapter 7 of the Session Laws of North Dakota.

House Bill No. 123. A Bill for an Act Making an Appropriation for the Completion and Furnishing of the Liberty Memorial Building.

House Bill No. 124. A Bill for an Act to appropriate the Sum of Twelve Thousand Sixty-five and 15-100 Dollars (\$12,065.15) for the Payment to Bishop Brissman & Co. of the Sum Due them for the Audit of the State Bank and State Industries, and for other Services rendered.

And the President signed the same in the presence of the Senate.

The Senate took up the Sixth Order of Business.

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. 112. A Bill for an Act to appropriate \$3,450.00 for the Payment of the Per Diem and Expenses of the Board of Experts; and the Salary, and Other Expenses of the Field Officer to be Incurred Under Chapter 233 of the Session Laws of North Dakota for 1915, for the Biennial Period.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 279. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit Incurred in the State Fire Marshal's Department.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 3, of the Engrossed Bill, strike out the figures "200.00" and insert in lieu thereof the figures "500.00."

In line 6, strike out the figures "200.00" and insert in lieu thereof the figures "500.00."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar 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. 118. A Bill for an Act to appropriate the Sum of Fourteen Thousand Six Hundred and Eighty-six and 41-100 Dollars (\$14,686.41), or so Much Thereof as May Be Needed for the Purpose of Paying the Per Diem and Expenses of Employees, the Per Diem and Mileage of Witnesses and Expenses for Printing and Supplies, Incurred by the Special Audit Committee Appointed by the House of Representatives of the Seventeenth Legislative Assembly of the State of North Dakota, in Considering the Audit of and Investigating the State Bank and State Industries as Authorized and Directed by Said House of Representatives.

Have had the same under consideration and recommend that the same be amended as follows:

In title of the Engrossed Bill, in line 1, after the word "of" strike out balance of line, also all of line 2, and insert the following words and figures "Ten Thousand, Nine Hundred and Fifty Three Dollars and 65-100 (10,953.65)".

In Section 1, line 3, after the word "of" strike out the balance of line. Strike out all of line 4, up to the word "or" and insert in lieu thereof the following words and figures "Ten Thousand, Nine Hundred and Fifty Three Dollars and 65-100 (\$10,953.65)".

On Page 3 in line 3, strike out the figures "1,232.76" and insert in lieu thereof the figures "1,000.00."

In line 9, strike out the figures "1,700.00" and insert in lieu thereof the figures "1,200.00."

In line 11, strike out the figures "4,000.00" and insert in lieu thereof the figures "2,500.00."

In line 12 strike out the figures "4,000.00" and insert in lieu thereof the figures "2,500.00".

On Page 4, in line 10, after the word "total" strike out the figures "14,686.41" and insert in lieu thereof the figures "10,953.65."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,

Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Ployhar moved that the Senate go into executive session.

Which motion prevailed.

OPEN SESSION SENATE ROLL CALL

Senate Bill No. 369. A Bill for an Act to Eliminate Railroad Grade Crossings and Other Dangerous Places on State and County Highways.

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 none, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Murphy	Stevens
Baird	Kaldor	Nathan	Storstad
Baker	Kelsh	Olson, Barnes	Thorson
Benson	Kretschmar	Olson, Eddy-	Tofsrud
Bond	Levang	Foster	Van Camp
Carey	Lynch	Page	Wenstrom
Eastgate	McCoy	Peck	Whitman
Ettestad	McLachlin	Peterson	Wog
Garberg	Magnuson	Ployhar	
Gardiner	Martin	Porter	
Hamilton	Miklethun	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Fleckten	Patten	Sperry
Byrne	Gross	Rusch	Ward
			Whitmer

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 288. A Bill for an Act Providing for a Tax Upon Reserves of Coal and Minerals, Providing for the Obtaining of Tax Titles to Such Reserves When Taxes Thereon Remain Unpaid and Repealing Section 2119, Section 2120 and Section 2121, Compiled Laws of 1913, and All Acts and Parts of Acts in Conflict with 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 ayes 38, nays none, absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Martin	Porter
Baird	Kaldor	Murphy	Rusch
Baker	Kelsh	Nathan	Steel
Benson	Kretschmar	Olson, Barnes	Stevens
Bond	Levang	Olson, Eddy-	Storstad
Carey	Lynch	Foster	Thorson
Eastgate	McCoy	Page	Tofsrud
Garberg	McLachlin	Peck	Whitman
Gardiner	Magnuson	Peterson	Wog
Hamilton	Miklethun	Ployhar	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Fleckten	Sperry	Wenstrom
Byrne	Gross	Van Camp	Whitmer
Ettestad	Patten	Ward	

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 344. A Bill for an Act to Amend and Re-enact Section 3294 of the Compiled Laws of the State of North Dakota for 1913, Relating to the Erection, Repair and Maintenance of Buildings.

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 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Nathan	Storstad
Baird	Kaldor	Olson, Barnes	Thorson
Benson	Kelsh	Olson, Eddy	Tofsrud
Bond	Kretschmar	Foster	Van Camp

Messrs.	Messrs.	Messrs.	Messrs.
Byrne	Levang	Page	Ward
Carey	Lynch	Peck	Wenstrom
Eastgate	McCoy	Peterson	Whitman
Ettestad	McLachlin	Ployhar	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Steel	
Hamilton	Murphy	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Patten	Sperry
Baker			

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 196. A Bill for an Act to Provide an Appropriation for the Eradication of the Barberrry Bushes.

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 37, nays 7, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Storstad
Baird	Iverson	Nathan	Thorson
Baker	Kaldor	Olson-Barnes	Tofsrud
Benson	Kelsh	Olson, Eddy-	Var Camp
Bond	Kretschmar	Foster	Ward
Byrne	Levang	Page	Wenstrom
Carey	Lynch	Patten	Whitman
Eastgate	McCoy	Peck	Whitmer
Fleckten	McLachlin	Peterson	Wog
Garberg	Magnuson	Porter	
Gardiner	Martin	Steel	
Gross	Miklethun	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Ployhar	Rusch	Sperry
Ettestad			

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 103. A Bill for an Act Making an Appropriation of \$30,950.00 for the purpose of carrying out the Provisions of Chapter 115 of the Session Laws of 1921 Relating to Vocational Education and Vocational Rehabilitation.

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 none, absent and not voting 6.

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Steel
Baird	Ingerson	Nathan	Stevens
Benson	Kaldor	Olson, Barnes	Storstad
Bond	Kelsh	Olson, Eddy-	Thorson
Byrne	Kretschmar	Foster	Tofsrud
Carey	Levang	Page	Van Camp
Eastgate	Lynch	Patten	Ward
Ettestad	McCoy	Peck	Wenstrom
Fleckten	McLachlin	Peterson	Whitman
Garberg	Magnuson	Ployhar	Whitmer
Gardiner	Martin	Porter	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Rusch	Sperry
Baker	Miklethun		

So the bill passed and the title was agreed to.

Senator Carey moved that the Senate do now adjourn.

Which motion prevailed.

FIFTY-EIGHTH DAY

The Senate convened at 2:00 P. M. the President Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. C. F. Strutz.

Roll was called all Senators being present with the exception of Senator Babcock.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the 56th day after recess and 57th day and recommend that the same be corrected as follows:

On page 2, line 1, change "House" to "Senate."

On page 6, line 1, change "House" to "Senate"

On page 34, correct roll call on House Bill No. 84 to show Stevens voting yes.

On page 45, lines 29 to 50 inclusive, and page 46, lines 2 to 11 inclusive should be placed between lines 24 and 25, page 42.

On page 64 correct roll call on House Bill No. 114, as follows:

SENATE ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	McCoy	Ployhar
Baird	Gardiner	McLachlin	Rusch
Baker	Gross	Magnuson	Sperry
Benson	Hamilton	Martin	Stevens
Bond	Ingerson	Murphy	Storstad
Byrne	Kaldor	Olson, Eddy-	Thorson
Carey	Kelsh	Foster	Van Camp
Eastgate	Kretschmar	Patten	Wenstrom
Ettestad	Levang	Peck	Whitman
Fleckten	Lynch	Peterson	Whitmer
			Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Miklethun	Olson, Barnes	Porter	Tofarud
Nathan	Page	Steel	

Absent and not voting:

Messrs.	Messrs.
Babcock	Ward

On page 66 correct roll call on House Bill No. 172, as follows:

SENATE ROLL CALL

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Miklethun	Sperry
Eaird	Gross	Murphy	Steel
Baker	Hamilton	Nathan	Stevens
Benson	Ingerson	Olson, Barnes	Storstad
Bond	Kaldor	Olson, Eddy	Thorson
Byrne	Kelsh	Foster	Tofarud
Carey	Kretschmar	Page	Van Camp
Eastgate	Levang	Patten	Wenstrom
Ettestad	Lynch	Peterson	Whitman
Fleckten	McCoy	Ployhar	Whitmer
Garberg	McLachlin	Porter	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Martin	Rusch	Ward
Magnuson	Peck		

And when so amended recommend that same be approved.

J. H. MCCOY,
Chairman.

The Secretary read a communication from Henry T. Johnson, which, on motion, was referred to the committee on Indian Affairs.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 163. A Bill for an Act Permitting the Increase of the Limitation of Indebtedness of Common Special and Independent School Districts by an Additional Five Per Centum on the Assessed Value of the Taxable Property Therein, Beyond the Present Constitutional Limit of Five Per Centum, Providing a Method for Effecting Such Increase, and for Submitting the Question of Such Increase to the Electors of the School Districts at Annual or Special Elections, and Providing for Preserving a Record of Such Increase of the Limit of Indebtedness.

Also,

Senate Bill No. 212. A Bill for an Act to Amend and Re-enact Section 3890 of the Compiled Laws of 1913,

Relating to Publishing of Village Treasurer's Reports and Prescribing the Form Thereof.

Also,

Senate Bill No. 85. A Bill for an Act Making an Appropriation for the General Expenses of the Department of Motor Vehicle Registration.

Also,

Senate Bill No. 84. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State School for the Blind at Bathgate, and Making Permanent Improvements and Additions Thereto.

Also,

Senate Bill No. 112. A Bill for an Act Making an Appropriation of \$20,710.00 for the Purpose of Paying Salary, Clerk Hire and General Expense of the State Historical Society.

Also,

Senate Bill No. 133. A Bill for an Act Making an Appropriation for the General Expense of the State Live Stock Sanitary Board.

Also,

Senate Bill No. 316. A Bill for an Act to Amend and Re-enact Section 7625 of the Compiled Laws of North Dakota for 1913, Relating to a Trial Jury in Civil Cases.

Also,

Senate Bill No. 347. A Concurrent Resolution to Amend and Re-enact Section 173 of Article 10 of the Constitution of the State of North Dakota Providing for the Election of County Officials.

Also,

Senate Bill No. 170. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred by the Flood Control Commission.

Also,

Senate Bill No. 94. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance Fund of the State Normal School at Dickinson.

Also,

Senate Bill No. 83. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal School at Mayville and Making Permanent Improvements and Additions Thereto.

Also,

Senate Bill No. 81. A Bill for an Act Making an Appropriation for the Current and Contingent Expense of the State Normal and Industrial School at Ellendale and Making Permanent Improvements and Additions Thereto.

Also,

Senate Bill No. 87. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the Traveling Expenses and Propagation of Game Departments of the State Game and Fish Board.

Also,

Senate Bill No. 142. A Bill for an Act Making an Appropriation of the Sum of \$25,000.00 for the Biennium, which is known as a Miscellaneous Refund.

Also,

Senate Bill No. 125. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Miscellaneous Refunds of the State.

Also,

Senate Bill No. 136. A Bill for an Act to Provide a State Contingency Fund to be Placed at the Disposal of the State Emergency Commission to be Used as Provided by Chapter 28 and 152 of the Session Laws of North Dakota for 1915; and Making an Appropriation of \$40,000.00 which Shall be known as the State Contingency Fund.

Also,

Senate Bill No. 82. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Teachers' College at Valley City, and Making Permanent Improvements and Additions Thereto.

Also,

Senate Bill No. 268: A Bill for an Act to Amend and Re-enact Chapter 7660, of the Compiled Laws of the State of North Dakota, for the Year 1913, as Amended by Chapter 131, of the Session Laws of 1921, Relating to Causes for a New Trial in Civil Actions.

Also,

Senate Bill No. 240. A Bill for an Act Relating to Redemption from Mortgage foreclosure or Execution Sales and Providing for a Redemptioner Making a Credit on His Claim Against the Debtor as a Part of the Redemption.

Also,

Senate Bill No. 179. A Bill for an Act Relating to the Placement of Children in Family Homes for Temporary or Permanent Care, and Providing for the Licensing and Regulation of Persons or Corporations Engaged in that Work, and for the Repeal of Chapter 183 of the Session Laws for 1915.

Also,

Senate Bill No. 189. A Bill for an Act Concerning the Transfer of Rights in Children and for the Repeal of Chapter 77 of the Laws of 1919.

Also,

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Sections 4444 and 4446 of the Compiled Laws of North Dakota for 1913, Relating to the Adoption of Minor Children.

Also,

Senate Bill No. 336. A Joint Resolution for an Amendment to Section 182, Article 12 of the Constitution of the State of North Dakota, as Amended by Article 31 of the Amendments Thereof, Relating to Issuing or Guaranteeing of Bonds by the State and Providing that such Bonds in Excess of Two Million Dollars Shall be Secured by First Mortgage on Certain Classes of Property; and Providing for the Submission of this Amendment to the Voters of the State for Rejection or Approval as Provided by Section 292, as Amended, of the Constitution of the State of North Dakota.

And find the same correctly enrolled.

CHRIST LEVANG,
Chairman.

Senator Levang 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. 83. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the Forestry State Normal School, at Bottineau, and Making Permanent Improvements and Additions Thereto.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the Engrossed Bill, strike out the words "Forestry State Normal" and insert in lieu thereof the words "North Dakota School of Forestry."

In Section 1, line 6, of the Engrossed Bill, strike out the words "Forestry State Normal School" and insert the words "North Dakota School of Forestry."

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,
Chairman.

Senator Kretschmar moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Sperry begs leave to report that the recommendations of the Special Committee appointed to meet with

the Board of Administration relative to lighting fixtures in the Senate chamber have been received and will be complied with.

Senator Sperry moved that the Special Committee appointed to confer with the Board of Administration regarding lighting fixtures in the Senate chamber be discharged.

Which motion prevailed.

MOTIONS AND RESOLUTIONS

Senator Ployhar moved that the rules be suspended; that the report of the committee indefinitely postponing House Bill 156, be reconsidered.

Which motion lost.

Senator Martin moved that all absent Senators be excused.

Which motion prevailed.

Senator Ingerson moved that further consideration of Senate Bill 387 be indefinitely postponed.

Which motion lost.

SENATE ROLL CALL

Senate Bill No. 387. A Bill for an Act Designating the Sheriff of the Different Counties in the State as Inspectors and Sealers of Weights and Measures, and Giving Him Power to Appoint a Deputy Inspector; Prescribing His Powers and Duties; Defining the Standard of Weights and Measures; Prescribing Fees to be Charged for Inspection; Providing for Complaints and Penalties for its Violation; Providing for Inspectors' Compensation; Naming Custodian of State Standards and Prescribing His Duties; and Repealing Sections 2999, 3000, 3003, 3004, 3005, of the Compiled Laws of North Dakota for 1913, and Chapter 241 of the Session Laws of North Dakota for the Year 1919.

Was read the third time.

he question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes 28, nays 17, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Nathan	Steel
Baird	Kelsh	Page	Stevens
Bond	Kretschmar	Peterson	Storstad
Carey	Lynch	Ployhar	Thorson
Eastgate	McCoy	Porter	Tofsrud
Gardiner	McLachlin	Rusch	Van Camp
Hamilton	Murphy	Sperry	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Garberg	Olson, Barnes	Ward
Benson	Ingerson	Olson, Eddy-	Whitmer
Byrne	Levang	Foster	Wog
Ettestad	Martin	Patten	
Flecken	Miklethun	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Magnuson	Wenstrom

So the bill passed and the title was agreed to and the emergency clause was declared lost.

Senator Kelsh moved that the vote by which Senate Bill No. 387 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Baker moved that the report of the conference committee on Senate Bill No. 176 be reconsidered.

Which motion prevailed.

Senator Baker moved that the vote by which the Conference Committee on Senate Bill No. 176 was discharged be re-considered.

Which motion prevailed.

Senator Baker moved that the vote by which the Conference Committee report on Senate Bill No. 21 was adopted be re-considered.

Which motion prevailed.

THIRD READING OF HOUSE BILLS
SENATE ROLL CALL

House Bill No. 153. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 162 of the Laws of North Dakota for the Year 1919, Providing for the Payment of Compensation Out of the Workmen's Compensation Fund and Providing that Compensation Shall be Paid for Injuries and Deaths from Injuries Occurring Outside the State of North Dakota only Under Circumstances as Provided in the Act.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 41, nays none, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Eddy-	Storstad
Baird	Kelsh	Foster	Thorson
Benson	Kretschmar	Page	Tofsrud
Bond	Levang	Patten	Van Camp
Byrne	McCoy	Peck	Ward
Carey	McLachlin	Peterson	Wenstrom
Eastgate	Martin	Ployhar	Whitman
Ettestad	Miklethun	Porter	Whitmer
Garberg	Murphy	Sperry	Weg
Gardiner	Nathan	Steel	
Ingerson	Olson, Barnes	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Fleckten	Hamilton	Magnuson
Baker	Gross	Lynch	Busch

So the bill passed and the title was agreed to.

SIGNING OF BILLS.

The Secretary announced that the President was about to sign:

Senate Bill No. 347. A Bill for a Concurrent Resolution to Amend and Re-enact Section 173 of Article 10 of the Constitution of the State of North Dakota Providing for the Election of County Officials.

Senate Bill No. 212. A Bill for an Act to Amend and Re-enact Section 3890 of the Compiled Laws of 1913, Relating to Publishing of Village Treasurer's Reports and Prescribing the Form Thereof.

Senate Bill No. 163. A Bill for an Act Permitting the Increase of the Limitation of Indebtedness of Common Special and Independent School Districts by an Additional Five Per Centum on the Assessed Value of the Taxable Property Therein, Beyond the Present Constitutional Limit of Five Per Centum, Providing a Method for Effecting Such Increase, and For Submitting the Question of Such Increase to the Electors of the School Districts at Annual or Special Elections, and Providing for Preserving a Record of Such Increase of the Limit of Indebtedness.

Senate Bill No. 85. A Bill for an Act Making an Appropriation for the General Expenses of the Department of Motor Vehicle Registration.

Senate Bill No. 84. A Bill for an Act making an Appropriation for the Current and Contingent Expenses of the State School for the Blind at Bathgate, and Making Permanent Improvements and Additions Thereto.

Senate Bill No. 112. A Bill for an Act Making an Appropriation of \$22,230.00 for the Purpose of Paying Salary, Clerkhire and General Expense of the State Historical Society.

Senate Bill No. 133. A Bill for an Act Making an Appropriation for the General Expense of the State Live Stock Sanitary Board.

Senate Bill No. 316. A Bill for an Act to Amend and Re-enact Section 7625 of the Compiled Laws of North Dakota for 1913, Relating to a Trial Jury in Civil Cases.

Senate Bill No. 170. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred by the Flood Control Commission.

Senate Bill No. 94. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance Fund of the State Normal School at Dickinson.

Senate Bill No. 83. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal School at Mayville and Making Permanent Improvements and Additions Thereto.

Senate Bill No. 81. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal and Industrial School at Ellendale, and Making Permanent Improvements and Additions Thereto.

Senate Bill No. 87. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the Traveling Expenses and Propagation of Game Departments of the State Game and Fish Board.

Senate Bill No. 142. A Bill for an Act Making an Appropriation of the Sum of \$25,000.00 for the Biennium, which is known as a Miscellaneous Refund.

Senate Bill No. 125. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Miscellaneous Refunds of the State.

Senate Bill No. 136. A Bill for an Act to Provide a State Contingency Fund to be Placed at the Disposal of the State Emergency Commission to be Used as Provided by Chapter 26 and 152 of the Session Laws of North Dakota for 1915; and Making an Appropriation of \$50,000.00 which Shall be Known as the State Contingency Fund.

Senate Bill No. 82. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Teachers' College at Valley City, and Making Permanent Improvements and Additions Thereto.

Senate Bill No. 268. A Bill for an Act to Amend and Re-enact Chapter 7660 of the Compiled Laws of the State of North Dakota, for the Year 1913, as Amended by Chapter 7660 of the Compiled Laws of the State of North Dakota, for the Year 1913, as Amended by Chapter 131, of the Session Laws of 1921, Relating to Causes for a New Trial in Civil Actions.

Senate Bill No. 240. A Bill for an Act Relating to Redemption from Mortgage foreclosure or Execution Sales for the Year 1913, Relating to Foreclosures of Mortgages By Agent or Attorney and Legalizing and Validating Sales Heretofore Made Pursuant to Judgment in Foreclosures of Mortgages by Action.

Senate Bill No. 179. A Bill for an Act Relating to the Placement of Children in Family Homes for Temporary or Permanent Care, and Providing for the Licensing and Regulation of Persons or Corporations Engaged in the Work, and for the Repeal of Chapter 183 of the Session Laws for 1915.

Senate Bill No. 189. A Bill for an Act Concerning the Transfer of Rights in Children and for the Repeal of Chapter 77 of the Laws of 1919.

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Sections 4444 and 4446 of the Compiled Laws of North Dakota for 1913, Relating to the Adoption of Minor Children.

Senate Bill No. 336. Concurrent Resolution for an Amendment to Section 182, Article 12 of the Constitution of the State of North Dakota, as Amended by Article 31 of the Amendments Thereof, Relating to Issuing or Guaranteeing of Bonds by the State and Providing that Such Bonds in Excess of Two Million Dollars Shall Be Secured by First Mortgage on Certain Classes of Property; and Providing for the Submission of This Amendment to the Voters of the State for Rejection or Approval as Provided by Section 202, as Amended, of the Constitution of the State of North Dakota.

And the President signed the same in the presence of the Senate.

SENATE ROLL CALL

House Bill No. 226. A Bill for an Act to Amend and enact Section 1462 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Administration of Non-Resident Students to County Agricultural and Training Schools, Providing for the Payment of Tuition of Such Non-Resident Students by the County of their Residence.

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 ayes 38, nays 5, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardner	Nathan	Steel
Baird	Ingerson	Olson, Barnes	Stevens
Baker	Kaldor	Olson, Eddy-	Storstad
Benson	Kelsh	Foster	Thorson
Bond	Levang	Page	Tofsrud
Byrne	Lynch	Peterson	Van Camp
Eastgate	McLachlin	Ployhar	Ward
Ettestad	Magnuson	Porter	Whitman
Fleckten	Martin	Rusch	Wog
Garberg	Miklethun	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Carey	Patten	Peck	Whitmer
McCoy			

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Murphy	Wenstrom
Gross	Kretschmar		

So the bill passed and the title was agreed to.

Senator Ingerson moved to amend House Bill 306 as follows:

In Section 1, line 5, of the engrossed bill, strike out "7" and insert in lieu thereof "6".

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 306. A Bill for an Act to Amend Section 1273 of the Compiled Laws of 1913, Relating to the Issuance of Bonds by Special School Districts and Prescribing Their Denominations and Rate of Interest.

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 ayes 42, nays 3, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Ingerson	Olson-Barnes	Steel
Baker	Kaldor	Olson, Eddy-	Stevens
Benson	Kretschmar	Foster	Storstad
Bond	Levang	Page	Thorson
Byrne	Lynch	Patten	Tofsrud
Carey	McCoy	Peck	Van Camp
Eastgate	McLachlin	Peterson	Ward
Ettestad	Magnuson	Ployhar	Wenstrom
Fleckten	Martin	Porter	Whitman
Garberg	Nathan	Rusch	Whitmer
Gardiner		Sperry	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kelah	Miklethun

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Hamilton	Murphy

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 166. A Bill for an Act to Amend and Re-enact Section 8325 of the Compiled Laws of North Dakota for 1913, Relating to Actions Arising out of Personal Injury or Death Resulting from Wrongful Acts.

Was read the third time.

The question being on the final passage of the bill the roll was called and there were ayes 42, nays 3, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Hamilton	Olson, Barnes	Steel
Baker	Ingerson	Olson, Eddy-	Stevens
Benson	Kaldor	Foster	Storstad
Bond	Keish	Page	Thorson
Byrne	Levang	Patten	Tofsrud
Carey	Lynch	Peck	Ward
Eastgate	McCoy	Peterson	Wenstrom
Ettestad	McLachlin	Ployhar	Whitmer
Fleckten	Magnuson	Porter	Wog
Garberg	Martin	Rusch	Whitman
Gardiner	Miklethun	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Nathan

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Murphy	Van Camp

So the bill passed and the title was agreed to.

Senator Ingerson moved that further consideration of House Bill No. 204 be indefinitely postponed.

Which motion lost.

SENATE ROLL CALL

House Bill No. 204. A Bill for an Act to Amend and Re-enact Section 959 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Preparation of Ballots for Constitutional Amendments and Extending the Same to Cover Initiated and Referred Measures.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 27, nays 20, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Page	Stevens
Baird	Kretschmar	Peterson	Storstad
Fond	Lynch	Poyhar	Thorson
Carey	McCoy	Porter	Tofsrud
Eastgate	McLachlin	Rusch	Van Camp
Gardiner	Martin	Sperry	Whitman
Kaldor	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Olson, Barnes	Wenstrom
Benson	Ingerson	Olson, Eddy-	Whitmer
Byrne	Levang	Foster	Wog
Ettestad	Maenuson	Patten	
Fleckten	Miklethun	Peck	
Garberg	Nathan	Ward	

Absent and not voting.

Messrs.	Messrs.
Babcock	Gross

So the bill passed and the title was agreed to.

Senator Murphy moved that House Bill 128 be placed at the foot of the Calendar.

Which motion prevailed.

Senator Ward moved that further action on House Bill No. 60 be indefinitely postponed.

Which motion prevailed.

Senato Miklethun moved the Clincher motion on House Bill No. 60.

Which motion prevailed.

Senator Kelsh moved that House Bill No. 312 be advanced to the head of the Calendar.

Which motion prevailed.

Senator Kelsh moved that the amendments as submitted by the Committee to House Bill 312 be stricken out.

Which motion prevailed.

Senator Byrne moved to amend House Bill No. 312 as follows:

In line 3 of page 1 of the engrossed bill strike out the words "forty-nine" and insert in lieu thereof the word "fifty."

In sub-division 41 of the engrossed bill change the word "counties" to "county;" strike out the words "and McKenzie;" and strike out the word "five" and insert in lieu thereof the word "three."

At the end of Section 1, add the numerals "50" in parenthesis, and the following: "The fiftieth district shall consist of the county of McKenzie and shall be entitled to one senator and two representatives."

A roll call was demanded.

SENATE ROLL CALL

The question being on the motion made by Senator Byrne to amend H. B. No. 312, the roll was called and there were ayes 22, nays 26, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingerson	O'ison, Barnes	Wenstrom
Eitestad	Levang	Olson, Eddy	Whitmer
Fleckten	Magnuson	Foster	Wog
Garberg	Martin	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Absent and not voting:

Messrs.
Babcock

So the motion was lost.

Senator Kelsh moved to amend House Bill 312 as follows:

After the enacting clause of the engrossed bill insert:

"Section 1. AMENDMENT. That Section 44 of the Compiled Laws of North Dakota for the year 1913 as amended and re-enacted by Chapter 4 of the Session Laws of North Dakota for the year 1915, as amended and re-enacted by Chapter 2 of the Session Laws of North Dakota for the year 1917 be and the same is hereby amended and re-enacted to read as follows:"

Which motion prevailed.

Senator Nathan moved the following amendments to House Bill No. 312 in sub-division 35 of the engrossed bill, strike out the words "Kidder and;"

Change the word "three" to "one."

In sub-division 26 after the word "Emmons" insert the words "and Kidder;"

Change the word "two" to "four."

A roll call was demanded.

SENATE ROLL CALL

The question being on the motion to amend House Bill No. 312, offered by Senator Nathan, the roll was called and there were ayes 22, nays 26, absent and not voting one.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Ettestad	Levang	Olson, Eddy-	Whitmer
Fleekten	Magnuson	Foster	Wog
Garberg	Martin	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Storstad
Baird	Kretschmar	Poyhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Absent and not voting:

Messrs.

Babcock

So the motion to amend was lost.

Senator Ingerson moved to amend House Bill 312 as follows:

Strike out sub-division (2) of the Engrossed bill and insert in lieu thereof the following:

(2) "The second district shall consist of the city of Kenmare and that portion of Ward county situated and being in townships 151, 152, 153, 154, 155, 156 and 157 of Ranges 84, 85, 86 and 87; township 158 of range 87; townships 159 and 160 of ranges 87, 88 and 89; and township 161 of range 88; and shall be entitled to one Senator and two Representatives."

Strike out sub-division (29) and insert in lieu thereof the following:

(29) The twenty-ninth district shall consist of the city of Minot, and that portion of the county of Ward situated and being in townships 151, 152, 153, 154, 155, 156 and 157

of Ranges 81, 82 and 83; and shall be entitled to one Senator and two Representatives."

Which motion was lost.

SENATE ROLL CALL

The question being on the motion to amend offered by Senator Ingerson, the roll was called and there were ayes 22, nays 26, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Ettestad	Levang	Olson, Eddy	Whitmer
Fleckten	Magnuson	Foster	Wog
Garberg	Martin	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Absent and not voting:

Messrs.
Babcock

So the motion to amend was lost.

Senator Benson moved that further action on House Bill 312 be indefinitely postponed.

A Roll Call was demanded.

SENATE ROLL CALL

The question being on the motion to indefinitely postpone further action on House Bill No. 312, the roll was called and there were ayes 22, nays 26, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Ettestad	Levang	Olson, Eddy	Whitmer
Fleckten	Magnuson	Foster	Wog
Garberg	Martin	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Absent and not voting:

Messrs.
Babcock

So the motion to postpone was lost.

Senator Benson moved that further action on House Bill 312 be deferred one legislative day.

A Roll Call was demanded.

SENATE ROLL CALL

The question being on the motion to defer action on House Bill No. 312 one day, the roll was called and there were ayes 19, nays 29, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Ward
Benson	Hamilton	Nathan	Wenstrom
Byrne	Ingerson	Olson, Barnes	Whitmer
Ettestad	Levang	Patten	Wog
Tleckten	Martin	Peck	

Those voting in the negative were:

Atkins	Kelsch	Olson, Eddy-	Steel
Baird	Kretschmar	Foster	Stevens
Bond	Lynch	Page	Storstad
Carey	McCoy	Peterson	Thorson
Eastgate	McLachlin	Ployhar	Tofsrud
Garberg	Magnuson	Porter	Van Camp
Gardiner	Murphy	Rusch	Whitman
Kaldor		Sperry	

Absent and not voting:

Messrs.

Babcock

So the motion to defer was lost.

Senator Nathan moved that House Bill 312 be placed at the foot of the Calendar.

Which motion was lost.

Senator Whitman moved the previous question on House Bill 312.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 312. A Bill for an Act to Fix the Number of Senators and Representatives Which Shall Compose the Legislative Assembly of the State of North Dakota, to Define the Senatorial and Representative Districts, and to Prescribe the Number of Senators and Representatives Therein.

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 ayes 26, nays 22, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsch	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Ettestad	Levang	Olson, Eddy-	Whitmer
Fleckten	Magnuson	Foster	Wog
Garberg	Martin	Patten	

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to.

Senator Baker: I wish to vote "No" on this bill for the reason that it is not based on the just proportion of votes; that it is only based upon the proportion of those that may be in the prevailing party in power, in an attempt to bolster up that party so that they may hold power in the succeeding election, even if they couldn't bolster as many votes as they have in this election; that it is simply an attempt to perpetuate the I. V. A. in control of the political government of North Dakota irrespective of merit, reason or justice, that every attempt that has been made on this floor to amend this on a strictly population proposition as the law contemplates has been voted down by the opposition in every case. For that reason I vote "No."

Senator Byrne: Believing, as I do, that there can be no justification of a bill which says that 7,000 voters in one part of the state are to be represented in this legislative body by two senators, while 8,000 voters in another portion of the state are entitled to but one, and for the further reason that this provision, is by implication, a violation of one of the fundamental principles upon which our republic was founded, the violation of which was the subject under discussion at the world's most famous Tea Party, I vote No.

Senator Eastgate: If I was just representing one district I might look at this different, but as I come here to work for the whole of North Dakota at large, and feeling that this is one of the measures that will do that purpose, therefore I vote "aye."

Senator Ettestad: As for legislating me out of office, that is probably one of the fairest propositions that has been done under this bill, but under Section 29 of the Constitution it says that when it is divided it shall be divided as equally as possible according to the population that is represented and I don't believe it has been done under this law. Therefore I vote "No."

Senator Fleckten: Believing that this is a glaring imposition, that the I. V. A. are putting on the people of the State of North Dakota, I vote "No."

Senator Hamilton: As this bill is drawn to re-district this state for political purposes only and is a violation of the Constitution, I vote "No."

Senator Ingerson: Although this bill is so flattering indeed to the political organization to which I belong I do not favor flattery as a means of attracting support. Therefore, I vote "No."

Senator Nathan: For the reason that I believe it is too easy for Sheridan county to defeat the I. V. A. s in any election by including Kidder county, I vote "No."

Senator Ward: It has been asked if we could find the word "Nonpartisan" in this bill, we fail to find it; but I see stamped over it I. V. A. between every line. Therefore, I vote "No."

Senator Kelsh moved to amend House Bill 312 as follows:

Amend title of engrossed bill to read:

For an Act to Amend and Re-enact Section 44 of the Compiled Laws of North Dakota for the year 1913, as amended and re-enacted by Chapter 4 of the Session Laws of North Dakota for the year 1915 as amended and re-enacted by Chapter 2 of the Session Laws of North Dakota for the year 1917, relating to Legislative apportionment.

Senator Benson moved that further consideration of the amendment offered by Senator Kelsh be laid on the table.

Which motion lost.

The question being on the motion to amend H. B. No. 312.

The motion prevailed.

Senator Garberg moved the clincher motion on House Bill No. 312.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 28, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 56. A Bill for an Act Providing for the Acceptance of the Provisions of the Sheppard-Towner Act; Making an Appropriation to Meet the Allotments of the Sheppard-Towner Act; Authorizing State Department of Health to Accept Funds for Infant and Maternal Hygiene Work.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 28, 1923.

Mr. President: I have the honor to request the return of Senate Bill No. 89.

Very respectfully,
W. F. CUSHING,
Chief Clerk.
House of Representatives,
Bismarck, North Dakota,
February 28, 1923.

Mr. President: I have the honor to return herewith the following bills:

House Bill No. 35. A Bill for an Act to Amend and Re-enact Section 3521 of the Compiled Laws of North Dakota for the Year 1913, Prescribing the Rate of Mileage Allowed the Sheriff.

Which the House has repassed as amended in conference.

Very respectfully,
W. F. CUSHING,
Chief Clerk.
House of Representatives,
Bismarck, North Dakota,
February 28, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 172.

Very respectfully,
W. F. CUSHING,
Chief Clerk.
House of Representatives,
Bismarck, North Dakota,
February 28, 1923.

Mr. President: I have the honor to ask the return of Senate Bill 176.

Very respectfully,
W. F. CUSHING,
Chief Clerk.
House of Representatives,
Bismarck, North Dakota,
February 28, 1923.

Mr. President: I have the honor to inform you that the House refuses to concur in the Senate amendments to House Bill No. 305 and the Speaker has appointed Messrs. Carr, Vogel and Ehr to act as a conference committee.

Very respectfully,
W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 28, 1923.

Mr. President: I have the honor to inform you that the House refuses to concur in the Senate amendments to House Bill No. 92 and the Speaker has appointed Messrs. Watt, Opland and Kelly to act as a conference committee.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

The committee on Conference on House Bill 35 made the following report:

Mr. Speaker: Your committee on Conference to whom was referred:

House Bill No. 35. A Bill for an Act to Amend and Re-enact Section 3521 of the Compiled Laws of North Dakota for the Year 1913, Prescribing the Rate of Mileage Allowed the Sheriff.

Have had the same under consideration and beg leave to advise you that the Senate Conference Committee has agreed to recommend that the Senate recede from the Senate amendments, and that your Joint Conference Committee recommend that said Bill be amended to read as follows in the body of the bill:

Section 3521. MILEAGE. In addition to the salary prescribed by the preceding section the Sheriff or his deputy or deputies shall be allowed twenty cents per mile for each and every mile actually and necessarily traveled in the performance of any of their official duties when such travel is by motor vehicle or by team; and that the Sheriff or his deputy or deputies shall be allowed ten cents per mile for each and every mile actually and necessarily so traveled by rail; provided, however, that in lieu of such mileage any Sheriff shall be allowed actual expenses only in travel outside of the state on official business.

F. VAN CAMP,
P. J. MURPHY,
D. H. HAMILTON,

For the Senate.

JOSEPH McGAUVRAN,
R. M. SPROUL,
J. H. BURKHART.

For the House.

Senator Van Camp moved that the report of the Conference Committee on House Bill No. 35 be adopted. Which motion prevailed.

Senator Van Camp moved that House Bill No. 35 be considered re-engrossed and be placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 35. A bill for an Act to Amend and reenact Section 3521 of the Compiled Laws of North Dakota for the Year 1913 Prescribing the Rate of Mileage Allowed the Sheriff.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Sperry
Baird	Gross	Nathan	Steel
Baker	Hamilton	Olson-Barnes	Stevens
Benson	Kaldor	Olson, Eddy-	Storstad
Bond	Kretschmar	Foster	Thorsen
Byrne	Levang	Page	Tofsrud
Carey	Lynch	Peck	Van Camp
Eastgate	McCoy	Peterson	Ward
Ettestad	McLachlin	Ployhar	Wenstrom
Fleckten	Magnuson	Porter	Whitman
Garberg	Miklethun	Rusch	Whitmer
			Wog

Absent and not voting

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Kelsh	Martin	Patten
Ingerson			

So the bill passed and the title was agreed to.

The conference committee appointed on Senate Bill No. 176 reported that it recommend that the Senate do not concur with House amendments to Senate Bill No. 176.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 28, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 352. A Bill for an Act to Amend and Re-enact Section 9235 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Sabbath Breaking.

Senate Bill No. 92. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit incurred by the Board of Railroad Commissioners.

Senate Bill No. 175. A Bill for an Act Providing for the Examination, Commitment, Care and Maintenance, Release

and Discharge of Persons Alleged or Found to be Feeble-Minded.

Which the House has indefinitely postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 28, 1923.

Mr. President: I have the honor to inform you that the House refuses to concur in the Senate amendments to House Bill No. 114 and the Speaker has appointed Messrs. Peters, Fredrickson and Bollinger to act as a conference committee.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Bismarck, North Dakota,
February 28, 1923.

Mr. President: I have the honor to inform you that the Speaker has appointed Messrs. Kelly, Oberg and Anderson of Burleigh to act as a conference committee. on Senate Bill 311 and Senate Bill 337.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Bismarck, North Dakota,
February 28, 1923.

Mr. President: I have the honor to inform you that the Speaker has appointed Messrs. Starke, Jardine, and Sathre of Steele to act as a conference committee on Senate Bill 185.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

The President appointed as a Conference Committee to act with a like committee from the House, to further consider House Bill 114, Senators Sperry, Magnuson, and Steel.

The President appointed Senators Kretschmar, Ingerson, and Murphy as a Conference Committee to act with a like committee from the House to further consider House Bill 92.

Senator Thorson moved that the request of the House be complied with and Senate Bill 89 be returned.

Which motion prevailed.

Senator Wenstrom moved that the request of the House be complied with and Senate Bill 176 be returned.

Which motion prevailed.

The President appointed Senators Bond, Miklethun and Page, as a Conference Committee to act with a like committee from the House to further consider House Bill 305.

Senator Wentsrom moved that the Senate do now recess subject to the call of the president.

Which motion prevailed.

AFTER RECESS.

SENATE COMMITTEE ON ENROLLMENT AND EN-GROSSMENT

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 177. A Bill for an Act Amending and Repealing Chapter 153, Laws of 1909, the Same Being Sections 1404 to 1414 Inclusive, Compiled Laws for 1913, Regulating the employment of Child Labor and to Provide for the Enforcement Thereof, and to Prescribe Penalties for Violations of the Act.

Also,

Senate Bill No. 363. A Bill for an Act to Amend and Re-enact Chapter 170 of the Session Laws of North Dakota for the Year 1919, Being an Act Regulating and Fixing the Hours of Labor for Females, and Providing Penalties for the Violation Thereof.

Also,

Senate Bill No. 319. A Bill for an Act to Amend and Re-enact Section 973 of the Compiled Laws of North Dakota for 1913, Relating to the Filing of Certificates of Nomination.

Also,

Senate Bill No. 375. A Bill for an Act Validating Taxes Assessed Against Bank Stock in the Years 1919, 1920, 1921 and 1922, Authorizing Boards of County Commissioners and the Tax Commissioners to Compromise Such Taxes Upon Bank Stock for 1919, 1920 and 1921, as Have Not Been Paid, and Confirming and Ratifying Such Settlements as Have Been Made.

Also,

Senate Bill No. 135. A Bill for an Act Making an Appropriation to pay the Burial Expenses of Inmates of the Penitentiary and Reform School as Provided for Under Section 11302 of the Compiled Laws of 1913 for North Dakota.

Also,

Senate Bill No. 211. A Bill for an Act to Amend and

Re-enact Section 3541, Compiled Laws of North Dakota, Relating to County Bonds, rate of Interest and Note of Issue.

Also,

Senate Bill No. 389. A Bill for an Act Regulating the Reservation of Mineral Rights and Providing for the Transfer of Same.

Also,

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Section 160 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 18 of the Special Session Laws of North Dakota for the Year 1919. Relating to the Appointment of Regular and Special Assistant Attorneys General, and Repealing Chapter 20 of the Special Session Laws of North Dakota for the Year 1919, and All Other Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Section 7644 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 1 of the Session Laws for the Year 1919, (Regular Session)and Chapter Change of Judges in Civil and Criminal Actions in the District Court, for Prejudice or Bias of Judge Thereof; Providing for the Calling in of Another Judge of Another Judicial District, and the Payment of His Expenses, and the Discharge of Jurors Therein, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 206. A Bill for an Act Providing for a Verdict in Civil Cases by Five-sixth of the Jury After Twelve Hours' Deliberation.

Also,

Senate Bill No. 280. A Bill for an Act to Amend and Re-enact Section 7643 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 133, of the Session Laws of 1921, Relating to Directed Verdicts.

Also,

Senate Bill No. 232. A Bill for an Act to Amend and Re-enact Section 9367 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Prescribing of an Oath.

Also,

Senate Bill No. 161. A Bill for an Act to Appropriate the Sum of Five Hundred Dollars (\$500.00) or so Much Thereof as may be Necessary for the Purpose of Paying the Per Diem and Mileage of Witnesses Incurred by the

Special Investigating Committee of the Senate, in Considering the Audit of the State Bank and State Industries, During the Seventeenth Legislative Assembly.

Also,

Senate Bill No. 93. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Supreme Court.

Also,

Senate Bill No. 392. A Bill for an Act to Provide a Custodian for the Property Belonging to the State of North Dakota Known as the Biological Station and Located on the Shores of Devils Lake, Ramsey County, North Dakota, and to Designate the Purposes for Which Said Property May be Used.

Also,

Senate Bill No. 158. A Bill for an Act Making an Appropriation of \$10,540.00 for the Purpose of Paying the General Expenses of Carrying Out the Provisions of Chapter 168 of the Session Laws of 1919, Relating to Mine Inspection.

Also,

Senate Bill No. 96. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance of the State School for the Blind at Bathgate.

Also,

Senate Bill 100. A Bill For an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Maintenance Fund of, the School of Science at Wahpeton, N. Dak.

Also,

Senate Bill No. 122. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance Fund of the State Training School

Also,

Senate Bill No. 159. A Bill for an Act Appropriating Money for the Use of War History Commission Between the Following Dates: June 30th, 1923, to July the 1st, 1925.

Also,

Senate Bill No. 386. A Bill for an Act to Amend and Re-enact Sections 16, 33, 44, 49, 56, 62, 83, 88 and 89 of Chapter 168 of the Session Laws of North Dakota for the Year 1919, Regulating the Operation of All Coal Mines in North Dakota; Providing for Their Inspection; Creating the Office of Coal Mining Inspector; Fixing His Qualifications, Duties, Powers and Compensation; Providing for His Appointment; Creating a Board of Examiners; Fixing Its Powers and Compensation; Providing the Method of Appointment Thereof; Providing for the Registry, Examination and Issuing of Certificates to Certain Employees of Coal Mines.

Also,

Senate Bill No. 304. A Bill for an Act to Permit Mutual Insurance Companies to Classify Their Business by Trades, Occupations or Professions, and to Pay Dividends to Policyholders Based Upon Each Trade, Occupation or Profession's Proportion of Losses Received to the Premiums Paid by Them; and Providing the Method of Determining Such Dividends.

Also,

Senate Bill No. 299. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 62 of the Laws of North Dakota Enacted at the Special Session of 1919, and Declaring that an Emergency Exists, and That This Act Shall Become Effective Immediately Upon its Passage and Approval.

Also,

Senate Bill No. 302. A Bill for an Act to Impose a Gross Earnings Tax on Certain Freight Line and Car Equipment Companies Owning and Operating or Leasing and Operating Over Railroad Lines Within this State for the Purpose of Raising Revenue to Defray the General Expenses of State Government; Repealing Sections 2 to 11 Inclusive, of Chapter 59, Special Session Laws of 1919 and all Other Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 378. A Bill for an Act to Amend and Re-enact Section 7741 of the Compiled Laws of 1913 as Amended and Re-enacted by Chapter 156 of the Session Laws of 1915 Relating to Partnership Exemptions.

Also,

Senate Bill No. 181. A Bill for an Act Providing for the Licensing and Regulation of Homes and Institutions Caring for Children and for the Repeal of Chapter 183 of the Session Laws of 1915.

Also,

Senate Bill No. 188. A Bill for an Act Prohibiting the placing of Children, Either for Temporary or Permanent Care, in Almshouses, or in Institutions, Charitable, Penal or Reformatory, Where Delinquent Children are Kept.

Also,

Senate Bill No. 266. A Bill for an Act Providing for the Assessment of Shares of Stock in Banking Associations Organized Under the Laws of This State.

Also,

Senate Bill No. 330. A Bill for an Act to Authorize County Commissioners to Lay Out and Construct or Contract for the Construction of Highways on State Lines.

Also,

Senate Bill No. 236. A Bill for an Act Authorizing the Cancellation, Conversion and Exchange of Bonds Issued Under and by Virtue of Chapter 128, Session Laws of 1919.

Also,

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Sections 3, 4, 6, 8, 34, 35 and 65, Chapter 161, Session Laws of 1915, and Section 27, Chapter 161, Session Laws of 1915, as Amended by Section 2, Chapter 134, Session Laws of 1919, and Section 36, Chapter 161, Session Laws of 1915, as Amended by Section 5, Chapter 134, Session Laws of 1919, and Section 46, Chapter 161, Session Laws of 1915 as Amended by Chapter 134, Session Laws of 1919 and as Amended by Chapter 68, Session Laws of 1921 and Section 80 Chapter 161, Session Laws of 1915 as Amended by Chapter 135, Session Laws of 1919, Relating to Game and Fish.

Also,

Senate Bill No. 178. A Bill for an Act Relating to the Bringing of Children into the State, or Taking Children Therefrom for Placement in Family Homes, for the Licensing or Regulation of Persons and Corporations Engaged in that Work; and for the Repeal of Sections 5107 and 5108, Compiled Laws for 1913.

Also,

Senate Bill No. 207. Joint Resolution: Whereas, both the Popular and the Authenticated Editions of the 1919 Session Laws Have Been Exhausted; and Whereas, There is a Great Demand for This Publication of Session Laws, by the People of Our Own State,, as Well as People of Neighboring States, Because of their Peculiar Importance.

Also,

Senate Bill No. 329. A Bill for an Act to Amend and Re-enact Section 33 of Chapter 225 of the Session Laws of 1919, Relating to Rehearings of the Determination of Inheritance Taxes, and Providing that No Report Need Be Made to the Tax Commissioner in Case of Insolvent Estates.

Were delivered to the governor for his approval at the

hour of 2:30 o'clock P. M. February 28, 1923.

CHRIST LEVANG,
Chairman.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 208. A Bill for an Act relating to County Finances; Providing that all County Officials and All Officers in Charge of any Institution, Office or Undertaking Supported in Whole or in Part by the County Shall File an Itemized Statement of Amounts Necessary for Maintenance of Such Office or Institution; Providing That the County Commissioners Shall Annually Prepare a Budget Providing for Publication of Such Budget and of the Proposed Levy; Providing for a Public Hearing in Regard to the Proposed Expenditures and Levy; Fixing a Date for Levy; Providing that all Expenditures must Conform to the Budget as Adopted, and That all Unappropriated Balances in any Fund at the End of the Fiscal Year Shall Become a Part of the General Fund; Repealing Sections 3312, 3313, and 3314, of the Compiled Laws of 1913.

Also,

Senate Bill No. 317. A Bill for an Act to Amend and Re-enact Section 1003 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 6 of the Special Session Laws of 1918, Relating to the Printing of Absent Voter Ballots.

Also,

Senate Bill No. 277. A Bill for an Act Transferring to the Industrial Commission the Custody, Control and Management of the Property and Assets of the Home Building Association of North Dakota, for the Purpose of Liquidating and Winding Up the Business and Affairs of Said Home Building Association of North Dakota, Defining the Powers and Authority of the Industrial Commission with Reference Thereto, Defining the Rights and Liabilities of Applicants for Homes and Purchasers, and Repealing Chapter 150 of the Session Laws of North Dakota for the Year 1919, and Chapter 39 of the Special Session Laws of North Dakota for the Year 1919.

Also,

Senate Bill No. 295: A Bill for an Act to Amend and Re-enact Section 8 of Chapter 211 of the Session Laws of North Dakota for 1919, Relating to Supreme Court Reporter and State Law Librarian.

Also,

Senate Bill No. 355. A Bill for an Act to Amend and Re-enact Section 375 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 227 of the Session Laws of 1915, as Amended by Chapter 21 of the Spe-

clai Session Laws of 1919, Relating to the State Auditing Board, its Duties and the Membership Thereof.

Also,

Senate Bill No. 243. A Bill for an Act to Safeguard the Business of Beekeeping Against Contagious and Infectious Diseases; Defining Apiaries; Providing for State Inspection Under the Direction and Control of the Commissioner of Agriculture and Labor; Prohibiting the Sale, Barter, Offer of Sale or Barter, Moving, Transportation, Shipping or Offering for Shipping or Transportation, of any Bees, Brood, Comb or Beekeeping Appliances That are Infected; Providing for the Proper Certification of Shipments into the State, and the Reporting of Such Shipments by the Purchaser or Importer; Fixing Penalties for Violation.

Also,

Senate Bill No. 32. A Bill for an Act to Amend and Re-enact Section 4016 of the Compiled Laws of 1913 Relating to Bonded Indebtedness of Cities, and Purposes for which Incurred.

Also,

Senate Bill No. 164. A Bill for an Act to Amend and Re-enact Section 1303 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Limit of the Amount of Bonds of Independent School Districts

Also,

Senate Bill No. 226. A Bill for an Act to Amend and Re-enact Section 3784 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 120 of the Session Laws of North Dakota for the Year 1919, Relating to Municipal Elections in Cities.

Also,

Senate Bill No. 258. A Bill for an Act Providing for the Appointment of Representatives on Behalf of the State of North Dakota to Negotiate a Compact and Agreement Between the States of North Dakota, South Dakota and Montana, and Between said States and the United States of America, Respecting the Use and Distribution of the Waters of the Missouri River and the Rights of Said States and the United States Thereto.

Also,

Senate Bill No. 301. A Bill for an Act to Amend and Re-enact Chapter 61 of the Session Laws of 1917 Relating to the Assessment of the Capital Stock of Banks, Loan and Trust Companies and of Moneyed Capital Entering Into Competition Therewith.

Also,

Senate Bill No. 292. A Bill for an Act to Amend and Re-enact Section 2141 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Chapter 35, Special Session Laws of 1919; Providing for the Substitution of the State Auditor and State Tax Commissioner as Members of the State Board of Equalization Instead of the Commissioner of Insurance and Attorney General; Providing that the Tax Commissioner Shall Be Secretary Thereof Instead of the Commissioner of Insurance and Prescribing the Powers and Duties of the State

Board of Equalization in Regard to the Equalization and Assessment of Property.

Also,

Senate Bill No. 381. A Bill for an Act Providing for Assistant States Attorneys in Counties with a Population Exceeding Thirty-five Thousand.

Also,

Senate Bill No. 275. A Bill for an Act to Repeal Chapter 24 of the Special Session Laws of North Dakota for the Year 1919, Providing for the Issuance of Bonds of the State of North Dakota in a Sum Not Exceeding Two Million Dollars to be Known as "Bonds of North Dakota, Home Building Series."

Also,

Senate Bill No. 326. A Bill for an Act to Amend Sections 3711 of the Compiled Laws of the State of North Dakota for the Year 1913, and to Provide for Special Assessment Funds, the Issuance and Payments of Warrants.

Also,

Senate Bill No. 395. A Bill for an Act to Amend and Re-enact Section 3969 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 79 of the Session Laws of North Dakota for the Year 1919, and Chapter 32 of the Session Laws of North Dakota for the Year 1921, Relating to Excluding Farm Lands from the Limits of City, Town and Villages.

Also,

Senate Bill No. 139. A Bill for an Act to Provide \$300.00 for the Burial Expense of Honorably Discharged Sailors, Soldiers and Marines of the United States War of the Rebellion and Erection of Headstones therefor, as Authorized by Sections 3181, 3182, 3183 and 3184 of the Compiled Laws of North Dakota for 1913.

Also,

Senate Bill No. 346. A Bill for an Act Prohibiting the Creation of Deficits by State Officials, State Boards and Heads of State Institutions, and Prescribing a Penalty for the Violations of this Act.

Also,

Senate Bill No. 106. A Bill for an Act Making an Appropriation to Pay the Expenses And Per Diem of Presidential Electors as Prescribed by Section 1038 of the Compiled Laws of 1913 for North Dakota.

Also,

Senate Bill No. 110. A Bill for an Act Making an Appropriation to Defray the Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of North Dakota for the Year 1913.

Also,

Senate Bill No. 318. A Bill for an Act to Amend and Re-enact Section 974 of the Compiled Laws of North Dakota for 1913, Relating to the Certification of Nominations.

Also,

Senate Bill No. 131. A Bill for an Act Making an Appropriation for the Reward and Apprehension of Criminals According to Chapter 200 of the Session Laws of 1917.

Also,

Senate Bill No. 138. A Bill for an Act Making an Appropriation of the Sum of \$250.00 for the Biennium, to Defray the Expenses of the State Canvassing Board.

Also,

Senate Bill No. 104. A Bill for an Act Making an Appropriation of the Sum of \$5,000.00 for the Biennium, to Pay the Expenses and Per Diem of Agents in the Arrest and Return of Fugitives from Justice as Prescribed by Section 11162 of the Compiled Laws of 1913 of North Dakota.

Also,

Senate Bill No. 101. A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Expenses and Fees of Appraisers of Inheritances, Devises, Bequests, Legacies, and Gifts, as Provided for in Section 8991, of the Compiled Laws of 1913 for North Dakota.

Also,

Senate Bill No. 102. A Bill for an Act Making an Appropriation to Provide Funds to Pay the Necessary Expenses and Reasonable Compensation to Commissioners Appointed in Actions to Release Insane Patients Prescribed by Section 2552 of the Compiled Laws of 1913 for North Dakota.

Also,

Senate Bill No. 77. A Bill for an Act Making an Appropriation for Per Diem and Expenses of the State Budget Board as Prescribed by Chapter 61 of the Session

Also,

Senate Bill No. 97. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Maintenance Fund of the Institute for the Feeble Minded.

Also,

Senate Bill No. 338. A Bill for an Act Appropriating Money to Reimburse the Common School Fund of the State of North Dakota for Losses Resulting from a Misappropriation of Such Fund Occurring Previous to January 1, 1917.

Also,

Senate Bill No. 140. A Bill for an Act to appropriate \$1,500.00 for the Biennium Out of Any Money in the State Treasury not otherwise Appropriated, for the Purpose of Upkeeping of Ten State Parks.

Also,

Senate Bill No. 141. A Bill for an Act to appropriate \$1,000.00 for the Biennium, to the Humane Society for Office Supplies, Printing, Office Phone, and Traveling Expense.

Also,

Senate Bill No. 300. A Bill for an Act to Amend and Re-enact Section 2110 of the Compiled Laws of 1913 as Amended by Chapter 221 of the Session Laws of 1913 and Chapter 119 of the Session Laws of 1921, Relating to the Taxation of Corporate Excess.

Also,

Senate Bill No. 150. A Bill for an Act to Repeal Chapter 222 of the Session Laws of the State of North Dakota for the Year 1919, Being an Act Providing for a Tax on Shares

of Stock and Bonds of Corporations Organized or Doing Business in this State.

Were delivered to the governor for his approval at the hour of 2:30 o'clock P. M., February 28, 1923.

CHRIST LEVANG,
Chairman.

Senator Ingerson moved that further consideration of House Bill 303 be indefinitely postponed.

Which motion prevailed.

Senator Ingerson moved that further consideration of House Bill 222 be indefinitely postponed.

Which motion was lost.

SENATE ROLL CALL

House Bill No. 210. A Bill for an Act Concerning Declaratory Judgments and Decrees and to Make Uniform the Laws Relating Thereto.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 36, nays none, absent and not voting 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Eddy	Steel
Baker	Levang	Foster	Stevens
Carey	Lynch	Patten	Storstad
Eastgate	McCoy	Peck	Thorson
Ettestad	McLachlin	Peterson	Tofsrud
Fleckten	Magnuson	Ployhar	Ward
Garberg	Murphy	Porter	Wenstrom
Gardiner	Nathan	Rusch	Whitman
Hamilton	Olson, Barnes	Sperry	Wog
Ingerson			

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Byrne	Kretschmar	Page
Baird	Gross	Martin	Van Camp
Benson	Kelsh	Miklethun	Whitmer
Bond			

So the bill was passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 222. A Bill for an Act Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over any Public Highway by Motor Propelled Vehicles; Defining Transportation Companies; Providing for Supervision and Regulation Thereof by the Board of Railroad Commissioners of the State of North Dakota; Providing for the Enforcement of the Provisions of this Act and for the Punishment of the Violations Thereof.

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 ayes 22, nays 24, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Kretschmar	Page	Stevens
Benson	Lynch	Peterson	Storstad
Bond	McCoy	Ployhar	Thorson
Carey	McLachlin	Porter	Van Camp
Eastgate	Martin	Rusch	
Gardiner	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Peck
Baker	Hamilton	Nathan	Sperry
Byrne	Ingerson	O'son, Barnes	Tofsrud
Ettestad	Kaldor	Olson, Eddy-	Ward
Fleckten	Levang	Foster	Wenstrom
Garberg	Magnuson	Patten	Whitman
			Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Kelsh	Whitmer

So the bill failed to pass.

SENATE ROLL CALL

House Bill No. 201. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 61 of the Session Laws of North Dakota for 1915.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Eddy-	Storstad
Baird	Kretschmar	Foster	Thorson
Baker	Levang	Page	Tofsrud
Benson	Lynch	Patten	Van Camp
Byrne	McCoy	Peck	Ward
Carey	McLachlin	Peterson	Wenstrom
Eastgate	Magnuson	Ployhar	Whitman
Ettestad	Martin	Porter	Whitmer
Fleckten	Miklethun	Rusch	Wog
Garberg	Murphy	Sperry	
Gardiner	Nathan	Steel	
Gross	Olson, Barnes	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Ingerson	Kelsh
Bond			

So the bill passed and the title was agreed to.

Senator Whitman moved that House Bill 206 be placed at the foot of the Calendar.

Which motion prevailed.

The courtesies of the floor were extended to Wm. Baker of Livona; Seth Richardson of Fargo; J. Martin, Fred Stober of Goodrich; John J. Lee, A. S. Spicher of Minot; A. E. Powers, E. F. Coyne, B. W. Boyd of La-Moure, J. A. Melicher of Kulm;

Senator Ployhar moved that the Senate do now recess until 10:00 A. M., March 1, 1923.

Which motion prevailed.

FIFTY-EIGHTH DAY AFTER RECESS AND FIFTY-
NINTH DAY

Senate Chamber,
Bismarck, N. D.
March 1; 1923.

The Senate re-assembled at 10:00 a. m. pursuant to recess taken, the President Frank H. Hyland, presiding.

The Senate took up the Sixth Order of Business.

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:

House Bill No. 129. A Bill for an Act Providing a method by which Taxing Districts May Make Short Time Borrowings and Conduct Their Current Business Upon a Cash Basis; Providing That No Warrants May be Issued in Excess of Cash on Hand; Providing for the Funding of Floating or Unfinished Indebtedness of Counties, Cities, Villages, Townships, School Districts, and Other Taxing Districts; making the County Treasurer Custodian of Sinking Funds of All Taxing Districts; Providing for the Registering of the County Auditor's Office of All Bond Issues and Certificates of Indebtedness; Prohibiting the Incurring Indebtedness in Excess of Anticipated Revenues; Making Criminal Certain Violations of This Act, and Providing Penalties Therefor, and Repealing all Acts and Parts of Acts in Conflict With this Act.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 3, line 16 of the Engrossed Bill, after the word "officer" insert the following: "knowingly and willfully."

In Section 13, line 7 of the Engrossed Bill, after the word "officials" insert the following: "knowingly and willfully."

And when so amended recommend the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Ingerson moved a call of the Senate.

Which motion prevailed.

Senator Ployhar moved that the call of the Senate be dispensed with.

Which motion prevailed.

Senator Byrne moved that the consideration of committee reports on House Bills 66, 30 and 51 be made a special order of business for 11:30 a. m. March 1, 1923.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota.
March 1, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 191. A Bill for an Act Amending and Re-enacting Section 4424, Compiled Laws of 1913, Relating to the Custody, Service and Earnings of Minor Children.

Senate Bill No. 108. A Bill for an Act Making an Appropriation of \$56,600.00 for the Enforcement of the Feeding Stuffs, Fertilizer, Beverage and Sanitary Inspection Laws

Senate Bill No. 111. A Bill for an Act Making an Appropriation of \$20,000.00 for the Maintenance of the Pure Seed Laboratory and Pure Seed Law Enforcement at the Agricultural College, Fargo.

Senate Bill No. 134. A Bill for an Act Making an Appropriation for a Bounty for Wolves and Coyotes, as Provided for by Chapter 242 of the Session Laws of 1919 for North Dakota.

Senate Bill No. 342. A Bill for an Act to Amend and Re-enact Subdivision 2 of Section 1 and Section 13a of Chapter 231 of the Session Laws of 1917 as Amended by Chapter 225 of the Session Laws of 1919, and to Amend Section 2 of Chapter 125 of the Session Laws of 1921, Relating to Inheritance Taxes Upon Estates of Deceased Non-Residents.

Senate Bill No. 388. A Bill for an Act Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations whose Period of Duration has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations, and Providing that this Act Shall Take Effect Immediately Upon Its Passage and Approval.

Senate Bill No. 289. A Bill for an Act Providing That the County Commissioners Shall Have Power to Abate Certain Assessments Levied by Boards of Irrigation Districts Upon Application of the District Board Approved by the Director of the Reclamation Service.

Senate Bill No. 321. A Bill for an Act Providing that Discharged Soldiers Shall Receive Credit for Their Military Service in the Particular Profession, Vocation or Trade in which they were Engaged at the Time of Their Entrance Into the Military Service of the United States.

Senate Bill No. 265. A Bill for an Act to Amend and Re-enact Section 2360a of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Section 2360a of Chapter 4 of the Session Laws for the Year 1919.

Senate Bill No. 89. A Bill for an Act Relating to What Shall be Carried as "Consolidated Tax Account," and Repealing Section 2274, Compiled Laws of 1913 as Amended by Chapter 253, Session Laws of 1915.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota.
March 1, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 357. A Bill for an Act Providing for the Creation of a Commission for the Purpose of Making a Study of the Lignite Industry and Reporting to the Next Regular Session of the Legislature its Findings with Respect to methods of developing such Industry, and Providing an Appropriation for the Purpose of Defraying Necessary Expenses.

Which the House has indefinitely postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Garberg moved to amend House Bill No. 118 as follows:

Section 2, page 4, line 2, strike out "justly, honestly and rightly"

Which motion lost.

Senator Fleckten moved to amend House Bill No. 118 as follows:

In line 4, page 4 of the engrossed bill change "\$116.60" to "\$50.00"

Which motion lost.

SENATE ROLL CALL

House Bill No. 118. A Bill for an Act to Appropriate the Sum of Fourteen Thousand, Five Hundred and Eight Dollars and 66-100 (\$14,508.66) or so Much Thereof as May Be Needed, for the Purpose of Paying the Per Diem and Expenses of Employees, the Per Diem and Mileage of Witnesses and expenses for Printing and Supplies, Incurred by the Special Audit Committee Appointed by the House of Representatives of the Seventeenth Legislative Assembly of the State of North Dakota, in Considering the Audit of and Investigating the State Bank and State Industries as Authorized and Directed by Said House of Representatives.

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 ayes 26, nays 21, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofarud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLaehlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Nathan	Ward
Benson	Hamilton	Olson, Barnes	Wenstrom
Byrne	Ingerson	Olson, Eddy-	Whitmer
Ettestad	Levang	Foster	Wog
Fleckten	Magnuson	Patten	
Garberg	Miklethun	Peck	

Absent and not voting:

Messrs.	Messrs.
Babcock	Martin

So the bill passed and the title was agreed to and so the emergency clause was declared lost.

Senator Baker: I vote "no" for the reason that the vouchers that have been submitted in this case show that the charges made against this committee by Mr. McCutcheon do not show that he was doing special investigating work to exceed five days; that during the remainder of that time he staid in Bismarck, and in the Court Room and listened to the trial.

I vote "no" for the reason that Mr. Hendrickson in serving subpoenas only made two trips from Bismarck and that his price is excessive.

I vote "no" for the reason that the attorneys in this case were paid higher for consecutive days service than they ever averaged any place else in their lives, and that no agreement was made before they were hired.

I vote "no" for the reason that their first committee report called for \$8,000 and was cut because it was ex-

orbitant, and it was again cut, and it should have a further amendment before I could vote "aye" for it.

I also vote "no" for the reason that the stenographers' fee is also excessive; that the expense has been exorbitant all the way through. I vote "no."

Senator Fleckten: I vote "no" on this appropriation because I consider that this is irregular, unjust and uncalled for, and I don't for a minute want to stand for paying one individual here over \$50.00 for serving subpoenas. I don't think it is just and I don't think it is just to give such large amounts of money to these attorneys who were not sincere in bringing out the truth. I vote "no" because these charges are exorbitant and that the gentlemen that made those charges were not made in good faith. I vote "no."

Senator Olson of Eddy: I vote "no" for the reason that I believe in practicing economy as well as preach it. I vote "no."

Senator Whitmer: I vote "no" for the reason that I believe about 85 per cent of this bill is graft. I vote "no."

Senator Ingerson moved that further consideration of House Bill No. 194 be indefinitely postponed.

Which motion prevailed.

Senator Baker moved to amend House Bill No. 194 as follows: In Section 15, line 9, after "depository," insert:

"In case of public corporation each depository shall furnish to the county treasurer of the county in which it is located on the first day of each month an itemized statement of the account of such county and of each township, school district, city or village in such county with such depository duly verified by the proper officer of said bank, which statement shall be filed and carefully preserved in the office of the county treasurer. Such statement shall show all time deposits and demand deposits, the rate of interest paid and by whom deposited. It shall be the duty of the county treasurer in each county to compile the reports filed by all depositories in which public funds of said county are deposited and therefrom make a report showing the amount deposited to each of such depositories, the rate of interest paid by each such depository on time deposits and demand deposits separately and a statement of any offers made to him for the deposit of public funds by any bank. He shall also compile the reports of all depositories who have deposits of funds of any of the public corporations within such county and therefrom make a report showing the amount of school district, township, city and village deposits in each amount of school districts township, city and village deposits in each such depository, the rate of interest paid on time deposits and demand deposits. Before the last day of February, May, August, and November of each year he shall publish a statement in the official paper of his county, setting forth the facts as above provided as of the first day of each of these months."

Which motion lost.

Senator Baker moved to amend House Bill No. 194 as follows:

"Section 20: It is further provided that in school districts as defined in sub-division "c" of Section 1, that the treasurer shall designate the depositories instead of the Board as defined in sub-division "d" of Section 1."

Which motion lost.

SENATE ROLL CALL

House Bill No. 194. A Bill for an Act Designating the Depositories of Public Funds and Fixing the Minimum Rate of Interest; Requiring Competitive Bids for Such Deposits; Providing for Publicity with Reference to Such Funds and Depositories; Prescribing Penalties for Violation of this Act; Defining Terms Used Herein, and Repealing Sections 147, 147a, 147b and Sections 370 to 374, Inclusive, Sections 1472 to 1488, Inclusive, Sections 3315 to 3329, Inclusive, of the Compiled Laws of 1913, and Chapter 59 of the Session Laws of 1915 and Chapter 56 Session Laws of 1921.

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 ayes 26, nays 22, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Ettestad	Levang	Olson, Eddy-	Whitmer
Fleckten	Magnuson	Foster	Wog
Garberg	Martin	Patten	

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to.

Senator Bond moved that the vote by which House Bill No. 194 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Fleckten: Believing that this is an attempt to disclaim, discredit and make inoperative a state institution known as the Bank of North Dakota, I vote "no."

Senator Ingerson: I vote "no" because this bill takes out of the hands of the legislative assembly the authority for designating depositories of public funds, and places it in

the hands of governing bodies and in that way, placing it in the hands of governing bodies, to limit the deposits in the Bank of North Dakota. I believe it necessary for a two-thirds vote in order to change that law, because if this bill becomes a law and unfavorably construed by the courts to limit the deposits of public funds in the Bank of North Dakota to its capital, thereby making that bank unable to take up the slack of the business in the farm loan department. Because of these things it will make the Bank of North Dakota unable to do that. I vote "no."

Senator Benson moved that the committee report on House Bill No. 66 be considered first in Special Orders at 11:30 A. M.

Senator Kretschmar moved as a substitute motion to consider House Bills 30, 51, 66 in the order stated.

Which motion prevailed and the committee report on House Bill No. 30 was given first consideration.

Mr. President: A majority of your committee on Appropriations to whom was referred:

House Bill No. 30. A Bill for an Act to **Appropriate the Sum of \$100,000.00, From any Moneys in the State Highway Fund, for the Purpose of Aiding in the Construction of a Bridge Across the Red River of the North, Between the City of Fargo, Cass County, North Dakota, and the City of Moorhead, Clay County, Minnesota, Under the Provisions of Chapter 73 of the Laws of North Dakota for the Year of 1919.**

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. T. KRETSCHMAR,
Chairman.

The committee on Appropriations made the following report:

Mr. President: A minority of your committee on Appropriations to whom was referred:

House Bill No. 30. A Bill for an Act to **Appropriate the Sum of \$100,000.00, From any Moneys in the State Highway Fund, for the Purpose of Aiding in the Construction of a Bridge Across the Red River of the North, Between the City of Fargo, Cass County, North Dakota, and the City of Moorhead, Clay County, Minnesota, Under the Provisions of Chapter 73 of the Laws of North Dakota for the Year of 1919.**

Have had the same under consideration and recommend that the same do pass.

H. J. HUSCH.

Senator Kretschmar moved that the majority report of the committee on House Bill No. 30 be adopted.

Senator Rusch moved that the minority report be substituted for that of the majority.

A Roll call was demanded.

SENATE ROLL CALL

The question being on the motion to substitute the minority report on House Bill No. 30, the roll was called and there were ayes 19, nays 29, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Martin	Rusch
Benson	Ingerson	Olson, Eddy-	Storstad
Byrne	Levang	Foster	Ward
Fleckten	McLachlin	Patten	Wenstrom
Garberg	Magnuson	Peck	Whitmer

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Nathan	Steel
Baird	Kelsh	Olson, Barnes	Stevens
Bond	Kretschmar	Page	Thorson
Carey	Lynch	Peterson	Tofsrud
Eastgate	McCoy	Ployhar	Van Camp
Fttestad	Miklethun	Porter	Whitman
Gardiner	Murphy	Sperry	Wog

Absent and not voting:

Messrs.	Messrs.
Babeock	Gross

So the motion to substitute was lost.

The committee on Appropriations made the following report:

Mr. President: A majority of your committee on Appropriations to whom was referred:

House Bill No. 51. A Bill for an Act to Appropriate the Sum of Thirty-five Thousand (\$35,000.00) Dollars for the Purpose of Aiding the Construction of a Bridge and Approaches Across the Des Lacs Lake on the County Line Between Burke and Ward Counties in the State of North Dakota under the Provision of Chapter 73 of the Session Laws of North Dakota for the year 1919 and that such Appropriation be Made from the State Highway Fund.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. T. KRETSCHMAR,
Chairman.

Mr. President: A minority of your committee on Appropriations to whom was referred:

House Bill No. 51. A Bill for an Act to Appropriate the Sum of Thirty-five Thousand (\$35,000.00) Dollars for the Purpose of Aiding the Construction of a Bridge and Approaches Across the Des Lacs Lake on the County Line Between Burke and Ward Counties in the State of North Dakota under the Provision of Chapter 73 of the Session Laws of North Dakota for the year 1919 and that such

Appropriation be Made from the State Highway Fund.

Have had the same under consideration and recommend that the same do pass.

W. R. BOND.

Senator Kretschmar moved that the majority report of the committee on House Bill No. 51 be adopted.

Senator Bond moved that the minority report be substituted for that of the majority.

Which motion was lost.

The vote being on the motion of Senator Kretschmar, the motion prevailed and House Bill No. 51 was indefinitely postponed.

The committee on Appropriations made the following report:

Mr. President: A majority of your committee on Appropriations to whom was referred:

House Bill No. 66. A Bill for an Act to appropriate the Sum of \$200,000.00, From any Moneys in the State Highway Fund, for the Purpose of Aiding in the Construction of a Bridge Across the Missouri River, Between Williams County, North Dakota and McKenzie County, North Dakota, Under the Provisions of Chapter 73 of the Laws of North Dakota for the Year 1919.

Have had the same under consideration and recommend that the same be indefinitely postponed.

P. T. KRETSCHMAR,
Chairman.

Mr. President. The minority of your committee on Appropriations to whom was referred:

House Bill No. 66. A Bill for an Act to appropriate the Sum of \$200,000.00, From any Moneys in the State Highway Fund, for the Purpose of Aiding in the Construction of a Bridge Across the Missouri River, Between Williams County, North Dakota and McKenzie County, North Dakota, Under the Provisions of Chapter 73 of the Laws of North Dakota for the Year 1919.

Have had the same under consideration and recommend that the same do pass.

JOHN W. BENSON.

Senator Kretschmar moved that the majority report of House Bill No. 66 be adopted.

Senator Benson moved that the minority report be substituted for that of the majority.

A roll call was demanded.

SENATE ROLL CALL.

The question being on the motion to substitute the minority report for that of the majority, the roll was called and there were ayes 24, nays 24, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baird	Gross	Nathan	Ward
Baker	Hamilton	Olson, Barnes	Wenstrom
Benson	Ingerson	Olson, Eddy	Whitmer
Byrne	Levang	Foster	Wog
Ettestad	Magnuson	Patten	
Fleckten	Martin	Peck	
Garberg	Miklothun	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Page	Stevens
Bond	Kretschmar	Peterson	Storstad
Carey	Lynch	Toyhar	Thorson
Eastgate	McCoy	Porter	Tofsrud
Gardiner	McLachlin	Ruach	Van Camp
Kaldor	Murphy	Steel	Whitman

Absent and not voting:

Messrs.

Babeock

So the motion was declared carried, the president casting the deciding vote.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 373. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Beverages; to Prevent Adulteration and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; to Define the Duties of the State Food Commissioner and Chemist; to Provide for the Enforcement of the Provisions of the Act and to Provide Penalties for Violations Thereof and to Repeal Existing Laws Relating Thereto.

Senate Bill No. 379. A Bill for an Act to Regulate the Sale of Petroleum Products; to Provide for the Inspection of Kerosene and Gasoline; to Provide Specifications Therefor; to Prevent Adulteration and Misbranding Thereof; to Provide for Inspection Fees, Collection and Disposition of Same; to Define the Duties of the State Food Commissioner and Chemist; to Provide for the Inspection of Lubricating and Power Oils; to Provide for the Enforcement of the Act; to Provide Penalties for the Violation Thereof and to Repeal Existing Acts Relating Thereto.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 371. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Articles of Food and Drugs; for the Prevention of Adulteration and Misbranding Thereof; Requiring Labeling Thereof; Providing for Sales by Weight, Measure or Numerical Count; Providing for Fixing of Standards of Purity and Quality and Fitness for Consumption; Prescribing the Duties of the State Board of Administration and Providing for the Appointment of a State Food Commissioner and Chemist and Prescribing His Duties and Powers; Providing for the Enforcement of the Provisions of the Act; Defining Certain Offenses in Connection Therewith; Providing Penalties for Violation Thereof and Repealing Certain Acts Relating Thereto.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

The committee on Indian Affairs made the following report:

Mr. President: The majority of your committee on Indian Affairs to whom was referred a letter from Henry T. Johnson of Grand Forks, bearing date February 27, 1923, addressed to Senator Baker.

Have had the same under consideration and recommend that the same be printed in the Journal.

R. W. PATTEN,
JOHN W. BENSON,
P. B. GARBERG,

Mr. President: The minority of your committee on Indian Affairs to whom was referred a letter from Henry T. Johnson of Grand Forks, bearing date February 27, 1923, addressed to Senator Baker.

Have had the same under consideration and recommend that the same be not printed in the Journal.

E. B. PAGE.

Mr. President: A Special Minority of your committee on Indian Affairs to whom was referred the communication from one Henry T. Johnson of Grand Forks, N. D., that was presented to the Secretary's desk and read yesterday in the Senate Chamber.

Have had the same under consideration and recommend that the same be not printed Journal of the Senate but that it be again read by the Secretary and then returned to the Senator from Renville with the compliments of the Sen-

ate and with the advice of the Senate that as a matter of senatorial courtesy he should have consulted the Senators from the city where such communication originated before presenting the same to this body for consideration.

J. E. STEVENS.

Senator Patten moved that the majority report of the Select Committee on Indian Affairs be adopted.

Senator Page moved that the minority report be substituted for that of the minority.

Senator Stevens moved a substitute minority report for the minority report of Senator Page.

Which motion prevailed.

Senator Whitman moved that the vote by which House Bill No. 222 failed to pass be reconsidered.

Which motion prevailed.

Mr. President: Your Conference Committee on House Bill No. 88. Beg leave to report as follows:

We recommend:

That the House concur in the Senate amendments to said bill and that the Senate recede from its amendment of inserting in said bill "Root Cellar \$2,000.00."

For the Senate:

P. J. MURPHY,
T. J. KELSH,

For the House:

WM. WATT,
E. O. ELLINGSON,
J. C. ARDUSER.

Senator Murphy moved that the conference Committee report on House Bill 88 be adopted.

Which motion prevailed.

Senator Murphy moved that House Bill No. 88 be recalled from the House.

Which motion prevailed.

Mr. President: Your Conference Committee on House Bill No. 92 beg leave to report as follows:

We recommend that the House do concur in the Senate amendments to said House Bill No. 92.

For the Senate:

P. T. KRETSCHMAR,
RALPH INGERSON,
P. J. MURPHY,

For the House:

WM. WATT,
M. W. KELLY,
O. H. OPLAND.

Senator Kretschmar moved that the Conference Committee report on House Bill No. 92 be adopted.

Which motion prevailed.

Senator Kretschmar moved that the Conference Committee appointed to act on House Bill No. 92 be discharged.

Which motion prevailed.

Mr. President: Your Conference Committee on House Bill No. 305 made the following report.

We recommend:

FIRST. That the Bill be amended by striking out the period after the word "Act" in Section 9, Line 14, Page 8, of the Engrossed Bill and inserting in lieu thereof a comma.

SECOND. That when so amended the House do concur in Senate Amendments.

For the Senate:

W. R. BOND,
E. B. PAGE,
JOHN L. MIKLETHUN,

For the House:

F. A. VOGEL,
JOHN EHR,
JNO. W. CARR.

Senator Bond moved that the report of the Conference Committee on House Bill 305 be adopted.

Which motion prevailed.

Senator Bond moved that House Bill 305 be recalled from the House.

Which motion prevailed.

House of Representatives.

Bismarck, North Dakota,
February 28, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 315. A Bill for an Act Defining Carnivals, Prohibiting Itinerant Carnivals and Declaring the Same a Public Nuisance and Providing Penalties for the Participation Therein.

Which the House has amended as follows:

Amend the title of the bill so as to read as follows: "A Bill for an act Defining Carnivals and Prohibiting the same Except Under Certain Restrictions; Defining the Powers

and Duties of Town and Fair Boards in Regard Thereto; and Providing a Penalty.”

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives.
Bismarck, North Dakota,
February 28, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 261. A Bill for an Act Re-establishing the North Dakota Mill and Elevator Association, Defining its Powers and Duties, and Providing for the Control, Management and Operation of State Owned Grain Warehouses, Elevators and Flour Mills and the Conduct of all Business Relating Thereto, Especially as Relates to the State Owned Mill and Elevator at Grand Forks and Providing for the Appointment of a Board of Managers Thereof and Repealing Chapter 152 Laws of North Dakota 1919, Entitled “An Act Declaring the Purpose of the State of North Dakota to Engage in the Business of Manufacturing and Marketing of Farm Products, and for Establishing a Warehouse, Elevator and Flour Mill System Under the Name of North Dakota Mill and Elevator Association Operated by the State, and Defining the Scope, and Manner of its Operation, and the Powers and Duties of the Persons Charged with its Management; and Making an Appropriation Therefor.”

Which the House has amended as follows:

On the first line of page 7, engrossed bill, strike out the “period” after the word “industry” and insert a “comma” and change the capital “s” in the word “sales” in the same line to a small “s”

In the last line of the bill, page 12, strike out the word “therewith” and insert the word “herewith.”

In line four of section 15, page 11, engrossed bill, strike out the word “the” preceding the word “possession” and insert the word “its.”

In line 10, same after the word “Dakota” strike out the “comma” and insert the word “of.”

In line 9 of the title, engrossed bill, insert the word “of” after the word “Dakota.”

In the bottom line, page 2, engrossed bill, strike out the word “passage” and insert the words “taking effect”

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Storstad moved that the Senate do now concur in the House Amendments to Senate Bill 261.

Which motion prevailed.

Senator Storstad moved that Senate Bill No. 261 be now placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 261. A Bill for an Act Re-establishing the North Dakota Mill and Elevator Association, Defining its Powers and Duties, and Providing for the Control, Management and Operation of State Owned Grain Warehouses, Elevators and Flour Mills and the Conduct of all Business Relating Thereto, Especially as Relates to the State Owned Mill and Elevator at Grand Forks and Providing for the Appointment of a Board of Managers Thereof and Repealing Chapter 152 Laws of North Dakota 1919, Entitled "An Act Declaring the Purpose of the State of North Dakota to Engage in the Business of Manufacturing and Marketing of Farm Products, and for Establishing a Warehouse, Elevator and Flour Mill System Under the Name of North Dakota Mill and Elevator Association Operated by the State, and Defining the Scope, and Manner of its Operation, and the Powers and Duties of the Persons Charged with its Management; and Making 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 ayes 29, nays 14, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Page	Storstad
Baird	Kelsch	Peterson	Thorson
Bond	Kretschmar	Ployhar	Tofsrud
Carey	Levang	Porter	Van Camp
Eastgate	Lynch	Rusch	Whitman
Ettestad	McCoy	Sperry	
Gardiner	McLachlin	Steel	
	Murphy	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Ingerson	Olson, Barnes	Ward
Benson	Magnuson	Patten	Wenstrom
Fleckten	Miklethun	Peck	Wog
Gross	Nathan		

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Baboock	Garberg	Martin	Foster
Byrne	Hamilton	Olson, Eddy-	Whitmer

So the bill passed and the title was agreed to.

Senator Whitman moved that the Senate do concur in the House Amendments to Senate Bill 315.

Which motion prevailed.

Senator Whitman moved that Senate Bill 315 as amended by the House now be placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 315. A Bill for an Act Defining Carnivals; Prohibiting Itinerant Carnivals and Declaring the Same a Public Nuisance and Providing Penalties for the Participation Therein.

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 38, nays 3, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Olson, Barnes	Stevens
Baird	Kelsh	Page	Storstad
Baker	Kretschmar	Patten	Thorson
Benson	Lynch	Peck	Tofsrud
Byrne	McCoy	Peterson	Van Camp
Carey	McLachlin	Ployhar	Wenstrom
Eastgate	Magnuson	Porter	Whitman
Ettestad	Mikieithun	Rusch	Wog
Gardiner	Murphy	Sperry	
Ingerson	Nathan	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fleckten	Gross	Ward

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babeock	Hamilton	Olson, Eddy-	Whitmer
Bond	Levang	Foster	
Garberg	Martin		

So the bill passed and the title was agreed to.

Senator Baker moved that the vote by which House Bill 169 was passed be reconsidered.

Which motion prevailed.

Senator Baker moved that House Bill 169 be recalled from the House.

Which motion prevailed.

Senator Stevens moved that the Senate do now recess.
Which motion prevailed.

AFTER RECESS

The Senate took up the Sixth Order of Business.

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. 131. A Bill for an Act to Limit the Aggregate Amounts That May be Levied by Taxing Districts; Providing Maximum Limitations Upon the Rate in Mills Which May Be Levied by Taxing Districts; Providing a Method of Suspending Such Limitations in Certain Cases; Prescribing Penalties for Violations of This Act by County Auditors; and Repealing all Acts and Parts of Acts in Conflict With this Act.

Have had the same under consideration and recommend that the same be amended as follows:

Engrossed bill:

In Section 3, line 4, strike out the word "twelve" and the figures "12" and insert in lieu thereof the word "fourteen" and the figures "14".

In Section 3, line 7, strike out the word "fourteen," and the parenthesis and figures "14" and insert in lieu thereof the following: "sixteen (16)"

In Section 3, line 8, after the word "exceed" strike out the word "sixteen" and the parenthesis and figures "16" and insert in lieu thereof the following: "eighteen (18)"

In Section 3, line 9, after the word "mills" strike out the balance of line 9, line 10, line 11 and 12 up to and including the word "valuation"

In Section 3, line 14, strike out the word "fourteen" and the figures "14" and insert in lieu thereof "16."

In Section 6, line 6, strike out the word "an" and insert in lieu thereof the words "a regular or special,"

In Section 6, line 6, after the word "election" insert the following: "provided, however, that the excess levy shall not be more than twenty-five per cent over and above the legal levy by a majority vote. But a fifty per cent increase may be levied if two-thirds of the voters voting thereon vote in the affirmative."

In Section 4, line 2, after the word "of" strike out the word "two" and parenthesis and figures "2" and insert in lieu thereof the following "one and one-half (1½)."

And when so amended recommend the same do pass.

P. O. THORSON,
Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Ployhar moved that the Senate do now adjourn.

Which motion prevailed.

FIFTY-NINTH DAY.

The Senate Convened at 2:00 P. M., the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. C. F. Strutz .

Roll was called all Senators being present with the exception of Senator Babcock.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the 57th day after recess and 58th day and recommend that the same be corrected as follows:

On page 28 after line 8, insert the following: "Which motion prevailed."

On page 32 line 12, strike out "we" and insert in lieu thereof "I see". On page 28 after last line on page insert "Which motion was lost."

And when so corrected recommend that the same be approved.

J. H. McCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 286. A Bill for an Act to Amend and Re-enact Chapter 25 of the Session Laws of the State of North Dakota for the Year 1921, Being an Act to Create, Define and Establish the Bar Association of the State of North Dakota, and Providing for the Publication of Its Proceedings and Filing Copies Thereof with the State Bar Board and State Libraries, and as Otherwise Provided and Making an Appropriation for the Expenses Connected Therewith.

Also,

Senate Bill No. 194. A Bill for an Act to Amend and re-enact Sections 5109 and 5110 of the Compiled Laws for 1913.

Also,

Senate Bill No. 184. A Bill for an Act Defining and Regulating Maternity hospitals and for the Repeal of Chapter 183 of the Session Laws of 1915.

Also,

Senate Bill No. 192. A Bill for an Act Relating to Indecent Liberties.

Also,

Senate Bill No. 187. A Bill for an Act Relating to Children Born out of Wedlock and to Make Uniform the Law with Reference Thereto, and for the Repeal of Sections 10483 to 10500 Inclusive, Compiled Laws of 1913, and Chapter 70. Laws of 1917.

Also,

Senate Bill No. 396. A Bill for an Act to Amend and Re-enact Sections 10943 and 10944 of the Compiled Laws of North Dakota for the Year 1913, and Section 10948 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 233 of the Session Laws of North Dakota for the Year 1915, Relating to Indetermined Sentences of Persons Convicted of Certain Crimes, and the Discharge or Paroling of Prisoners Serving Indeterminate Sentences, Abolishing the Board of Experts, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 190. A Bill for an Act Providing for the Exclusion of Spectators from the Trial of Minors.

Also,

Senate Bill No. 180. A Bill for an Act Relating to the Powers of Certain Societies for the Care and Placement of Dependent Children, and to Amend and Re-enact Sections 5100 and 5101, Compiled Laws for 1913.

Also,

Senate Bill No. 15. A Bill for an Act to Transfer Money From the Hail Insurance Fund to the Hail Insurance Operating Fund for the Purpose of Paying the Unpaid Bills Incurred by the Hail Insurance Department During the Year Beginning January 1, 1922, and Ending December 31, 1922.

Also,

Senate Bill No. 199. A Bill for an Act Making an Appropriation for the Use of the Board of Administration in Administering Child Welfare Laws.

Also,

Senate Bill No. 369. A Bill for an Act to Eliminate Railroad Grade Crossings and Other Dangerous Places on State and County Highways.

Also,

Senate Bill No. 344. A Bill for an Act to Amend and Re-enact Section 3294 of the Compiled Laws of the State of North Dakota for 1913, Relating to the Erection, Repair and Maintenance of Buildings.

Also,

Senate Bill No. 288. A Bill for an Act Providing for a Tax Upon Reserves of Coal and Minerals, Providing for the Obtaining of Tax Titles to Such Reserves When Taxes Thereon Remain Unpaid and Repealing Section 2119, Section 2120 and Section 2121, Compiled Laws of 1913, and All Acts and Parts of Acts in Conflict with This Act.

Also,

Senate Bill No. 103. A Bill for an Act Making an Appropriation of \$30,950.00 for the purpose of carrying out the

Provisions of Chapter 115 of the Session Laws of 1921 Relating to Vocational Education and Vocational Rehabilitation.

Also,

Senate Bill No. 56. A Bill for an Act Providing for the Acceptance of the Provisions of the Sheppard-Towner Act; Making an Appropriation to Meet the Allotments of the Sheppard-Towner Act; Authorizing State Department of Health to Accept Funds for Infant and Maternal Hygiene Work.

Also,

Senate Bill No. 196. A Bill for an Act to Provide an Appropriation for the Eradication of Barberry Bushes.

Also,

Senate Bill No. 113. A Bill for an Act to Appropriate the Sum of \$54,000.00 for the Purpose of Aiding in the Construction of a Bridge Across the Missouri River From Burleigh County to Morton County in the State of North Dakota Under the Provision of Chapter 73 of the Laws Passed at the Sixteenth Session of the Legislative Assembly of North Dakota, Approved March 5, 1919, in Addition to the Sums Appropriated by Chapter 4 of the Special Session of the Sixteenth Legislative Assembly, Approved December 12, 1919, and Chapter 6 of the Laws Passed at the Seventeenth Session of the Legislative Assembly of the State of North Dakota Approved March 9, 1921, and That Such Appropriation Be Made From the State Highway Fund.

Also,

Senate Bill No. 387. A Bill for an Act Designating the Sheriff of the Different Counties in the State as Inspectors and Sealers of Weights and Measures, and Giving Him Power to Appoint a Deputy Inspector; Prescribing His Powers and Duties; Defining the Standard of Weights and Measures; Prescribing Fees to be Charged for Inspection; Providing for Inspectors' Compensation; Naming Custodian of State Standards and Prescribing His Duties; and Repealing Sections 2999, 3000, 3003, 3004, 3005 of the Compiled Laws of North Dakota for 1913, and Chapter 241 of the Session Laws of North Dakota for the Year 1919.

And find the same correctly enrolled.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Grossment made the following report:

Mr. President: Your committee on Enrollment and En-grossment respectfully report that:

Senate Bill No. 163. A Bill for an Act Permitting the Increase of the Limitation of Indebtedness of Common, Special and Independent School Districts by an Additional Five Per Centum on the Assessed Value of the Taxable Property Therein, Beyond the Present Constitutional Limit of Five Per Centum, Providing a Method for Effecting Such Increase, and for Submitting the Question of Such Increase to the Electors of the School Districts at Annual or Special Elections, and Providing for Preserving a Record of Such Increase of the Limit of Indebtedness.

Also,

Senate Bill No. 212. A Bill for an Act to Amend and Re-enact Section 3890 of the Compiled Laws of 1913, Relating to Publishing of Village Treasurer's Reports and Prescribing the Form Thereof.

Also,

Senate Bill No. 85. A Bill for an Act Making an Appropriation for the General Expenses of the Department of Motor Vehicle Registration.

Also,

Senate Bill No. 84. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State School for the Blind at Bathgate, and Making Permanent Improvements and Additions Thereto.

Also,

Senate Bill No. 112. A Bill for an Act Making an Appropriation of \$20,710.00 for the Purpose of Paying Salary Clerk Hire and General Expense of the State Historical Society.

Also,

Senate Bill No. 133. A Bill for an Act Making an Appropriation for the General Expense of the State Live Stock Sanitary Board.

Also,

Senate Bill No. 316. A Bill for an Act to Amend and Re-enact Section 7625 of the Compiled Laws of North Dakota for 1913, Relating to a Trial Jury in Civil Cases.

Also,

Senate Bill No. 317. A Joint Resolution to Amend and Re-enact Section 173 of Article 10 of the Constitution of the State of North Dakota Providing for the Election of County Officials.

Also,

Senate Bill No. 170. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred by the Flood Control Commission.

Also,

Senate Bill No. 94. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance Fund of the State Normal School at Dickinson.

Also,

Senate Bill No. 83. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal School at Mayville and Making Permanent Improvements and Additions Thereto.

Also,

Senate Bill No. 81. A Bill for an Act Making an Appropriation for the Current and Contingent Expense of the State Normal and Industrial School at Ellendale, and Making Permanent Improvements and Additions Thereto.

Also,

Senate Bill No. 87. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the Traveling Expenses and Propagation of Game Departments of the State Game and Fish Board.

Also,

Senate Bill No. 142. A Bill for an Act Making an Appropriation of the Sum of \$25,000.00 for the Biennium, which is known as a Miscellaneous Refund.

Also,

Senate Bill No. 125. A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Miscellaneous Refunds of the State.

Also,

Senate Bill No. 136. A Bill for an Act to Provide a State Contingency Fund to be Placed at the Disposal of the State Emergency Commission to be Used as Provided by Chapter 26 and 152 of the Session Laws of North Dakota for 1915; and Making an Appropriation of \$40,000.00 which Shall be Known as the State Contingency Fund.

Also,

Senate Bill No. 82. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Teachers' College at Valley City, and Making Permanent Improvements and Additions Thereto.

Also,

Senate Bill No. 268. A Bill for an Act to Amend and Re-enact Chapter 7660 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Causes for a New Trial in Civil Actions.

Also,

Senate Bill No. 240. A Bill for an Act Relating to Redemption from Mortgage foreclosure or Execution Sales and Providing for a Redemptioner Making a Credit on His Claim Against the Debtor as a Part of the Redemption.

Also,

Senate Bill No. 179. A Bill for an Act Relating to the Placement of Children in Family Homes for Temporary or Permanent Care, and Providing for the Licensing and Regulation of Persons or Corporations Engaged in that Work, and for the Repeal of Chapter 183 of the Session Laws for 1915.

Also,

Senate Bill No. 189. A Bill for an Act Concerning the Transfer of Rights in Children and for the Repeal of Chapter 77 of the Laws of 1919.

Also,

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Sections 4444 and 4446 of the Compiled Laws of North Dakota for 1913, Relating to the Adoption of Minor Children.

Also,

Senate Bill No. 336. A Joint Resolution for an Amendment to Section 182, Article 12 of the Constitution of the State of North Dakota, as Amended by Article 31 of the Amendments Thereof, Relating to Issuing or Guaranteeing of Bonds by the State and Providing that Such Bonds in Excess of Two Million Dollars Shall be Secured by First Mortgage on Certain Classes of Property; and Providing for the Submission of this Amendment to the Voters of the State for Rejection or Approval as Provided in Section 292, as Amended, of the Constitution of the State of North Dakota.

Were delivered to the governor for his approval at the hour of 1:40 o'clock P. M., March 1, 1923.

CHRIST LEVANG,
Chairman.

Senator Benson moved that all absent Senators be excused.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives.
Bismarck, North Dakota.
March 1, 1923.

Mr. President: I have the honor to send you Concurrent Resolution by Mr. Trubshaw and ask your favorable consideration.

Very respectfully,
W. F. CUSHING,
Chief Clerk.

Senator Ployhar moved that the Concurrent Resolution of Mr. Trubshaw, concurring in the appointment of a "School Finance and Administration Commission" be adopted.

Senator Fleckten moved as a substitute motion that the Concurrent Resolution be referred to its appropriate committee.

Which motion lost.

The vote being on the motion of Senator Ployhar, the motion prevailed, and the Concurrent Resolution adopted.

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Chapter 146 of the Session Laws of 1919 Relating to the Office of Commissioner of Immigration, Prescribing His Powers and Duties, and Making an Appropriation Therefor, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Which the House has amended as follows:

Amend Section 2 by adding thereto as follows:

"The Commissioner of Immigration shall also cooperate with the North Dakota Lignite Coal Operators' Association and shall, so far as practical, and possible, assist in the development of the lignite coal industry.

Amend Section 4 of said Bill by striking out the figures \$12,000 and inserting in lieu thereof the figures \$18,000.00.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Van Camp moved that the Senate do concur in the House Amendments to Senate Bill 197.

Senator Kelsh moved as a substitute motion that the Senate do not concur.

Which motion lost.

The vote being on the motion of Senator Van Camp the motion prevailed, and the Senate did concur.

Senator Van Camp moved that the Rules be suspended; that Senate Bill 197 be considered re-engrossed and placed on its final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Chapter 146 of the Session Laws of 1919 Relating to the Office of Commissioner of Immigration, Prescribing His Powers and Duties, and Making an Appropriation Therefor, and Repealing All Acts and Parts of Acts in Conflict Therewith.

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 4, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Storstad
Baird	Ingerson	Olson, Barnes	Thorson
Baker	Kaldor	Olson, Eddy	Tofsrud
Benson	Kretschmar	Foster	Van Camp
Bond	Levang	Patten	Ward
Byrne	Lynch	Ployhar	Wenstrom
Carey	McCoy	Porter	Whitman
Eastgate	McLachlin	Rusch	Weg
Ettestad	Magnuson	Sperry	
Garberg	Miklethun	Steel	
Gardiner	Murphy	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Kelah	Page	Peck	Peterson

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Martin	Whitmer	Hamilton
Fleckton			

So the bill passed and the title was agreed to.

House of Representatives.
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 86. A Bill for an Act to appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall be Available, and Repealing all Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith, or to Appropriations for the Same Matters or Purposes Provided for Herein.

Which the House has amended as follows:

Under sub-division one replace line 14 which the Senate Committee struck out.

In line 17, strike out the figures "\$21,000.00" and insert in lieu thereof the figures "\$21,500.00"

In line seven of subdivision 7, strike out the figures "\$10,000.00" in the engrossed bill and insert in lieu thereof the figures "20,000.00." Also in line eight of the same subdivision strike out the figures "\$4,500.00" and insert in lieu thereof the figures "\$6,500.00". Also in line 18 of the same subdivision strike out the figures "\$28,000.00" and insert in lieu thereof the figures "40,000.00"

In line eight of subdivision 17, strike out the figures "\$8,400.00" and insert in lieu thereof the figures "\$7,200.00". In line 25 of the same subdivision strike out the figures "\$98,300.00" and insert in lieu thereof the figures "\$97,100.00."

In line four of subdivision 21 strike out the figures "\$6,000.00" and insert in lieu thereof the figures "\$6,500.00" Also in line 7 of the same subdivision strike out the words "Part time" and the small letter "a" on the word accountant and in lieu thereof place a capital letter "A". In line 16 of the same subdivision strike out the figures "\$400.00" and insert in lieu thereof the figures "\$1,400.00" and in line 17 strike out the figures "\$1,600.00" and insert in lieu thereof the figures "\$600.00." In line 22 strike out the figures "\$58,920.00" and insert in lieu thereof the figures "\$59,920.00"

In line eleven of subdivision 24 strike out the figures "\$800.00" and insert in lieu thereof the figures "\$500.00", also in line 16 strike out the figures "\$400.00" and insert in lieu thereof the figures "\$200.00." Also in line 19 strike out the figures "\$20,240.00" of the engrossed bill and insert in lieu thereof the figures "\$19,140.00." In line 11 of subdivision 4 strike out the word "New" and insert following the word "Reports" the word "Deficit" in parenthesis.

Strike out all of subdivision 18.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Kretschmar moved that the rules be suspended; that Senate Bill 86 be considered re-engrossed and placed on the Calendar for final passage.

Which motion prevailed.

Senator Kretschmar moved that the Senate do now concur in the House amendments to Senate Bill No. 86.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 86. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for Public Schools, Specifying the Amount and Time for Which such Appropriations Shall be Available, and Repealing all Acts or Parts of Acts, Insofar as the Same

Shall Relate to Appropriations Conflicting Herewith, or to Appropriations for the Same Matters or Purposes Provided for Herein.

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 31, nays 15, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Nathan	Steel
Baird	Kelsh	Page	Stevens
Bond	Kretschmar	Peck	Storstad
Carey	Lynch	Peterson	Thorson
Eastgate	McCoy	Ployhar	Tofsrud
Ettestad	McLachlin	Porter	Van Camp
Gardiner	Martin	Rusch	Whitman
Gross	Murphy	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Garberg	Olson-Barnes	Ward
Benson	Ingerson	Olson, Eddy-	Wenstrom
Byrne	Magnuson	Foster	Whitmer
Fleckten	Miklethun	Patten	Wog

Absent and not voting.

Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Levang

So the bill passed and the title was agreed to.

Senator Ployhar moved that the vote by which Senate Bill No. 86 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House of Representatives,
Bismarck, North Dakota,
March, 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 250. A Bill for an Act to Amend and Re-enact Chapter 126 of the Laws of 1917, as amended by Chapter 110 of the Laws of 1919 and as Further Amended by Chapter 21 of the Laws of 1921.

Which the House has amended as follows:

In line 11, page 1, of the printed bill (line 1, page 2 of the engrossed bill) strike out the word "succeeding."

In line 19, page 2 of the printed bill (line 12, page 2 of the engrossed bill) strike out the words "each of" and commence the word "the" following such words with a capital "T".

In lines 23, 25 and 26, page 2 of the printed bill (being lines 18, 20, 21 and 22 on page 2 of the engrossed bill) insert commas after the words "commission" as it appears in

two places and after the words "shall be its Treasurer" and after the words "by the Commission."

Following the word "same" in line 36, page 10, of the printed bill (that being the end of page 13 of the engrossed bill) insert the following "and if he deems it necessary, he may call upon the State Examiner to furnish a deputy examiner to work with such Inspector, and the two officers shall as far as practicable cooperate in the examination of such bank."

In line 43, page 14 of the printed bill (line 3, page 21 of the engrossed bill) change the word "other" to "others."

In line 9, page 24, of the Engrossed bill change the spelling of the second word in the line from "creit" to "credit."

In line 14, page 24, of the engrossed bill, correct the spelling of the word "depositors."

In line 3, page 37, of the engrossed bill (line 2, page 25 of the printed bill) insert the word "dollars" after the words "twenty thousand."

In line 14, page 28 of the printed bill (line 18, page 41 of the engrossed bill) insert the word "as" after the word "security."

Add to the engrossed bill, section 40, the emergency clause as found in the printed bill.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Bond moved that the Senate do now concur in the House amendments to Senate Bill 250.

Which motion prevailed.

Senator Bond moved that the rules be suspended; that Senate Bill 250 be considered re-engrossed and placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 250. A Bill for an Act to Amend and Re-enact Chapter 126 of the Laws of 1917, as Amended by Chapter 110 of the Laws of 1919 and as Further Amended by Chapter 21 of the Laws of 1921.

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 26, nays 22, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelah	Peterson	Storstad
Baird	Kretschmar	Ploybar	Thorson
Bond	Lynch	Porter	Tofarud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Ehrtstad	Levang	Olson, Eddy-	Whitmer
Fleekten	Magnuson	Foster	Wog
Garberg	Martin	Patten	

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to, and the Emergency Clause was declared lost.

Senator Bond 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.

House of Representatives,
Bismarck, North Dakota,
March, 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 20. A Bill for an Act to Amend and re-enact Sections 3, 5, 9, 12, 13, 15, 16, 17, 20, 26 and 27 of Chapter 160 of the Session Laws of North Dakota as Amended by Chapter 38 of the Special Session Laws of the Sixteenth Legislative Assembly of the State of North Dakota, as Amended and Re-enacted by Chapter 77 of the Session Laws of North Dakota for the Year 1921, Relating to State Hail Insurance.

Which the House has amended as follows:

Amend the title of the bill by inserting the numeral "6" and a comma after the numeral "5".

After the word "Dakota" insert the words "for the year 1919".

In line 1, page 1, of the printed bill, insert the numeral "6" and a comma, after the numeral "5".

In line 2, after the word "Dakota" insert the words "for the year 1919."

Between Sections 5 and 9 insert the following":

"Section 6. FLAT TAX AND PERMANENT SURPLUS.

There is hereby levied for the years 1923, 1924, and 1925, upon each and every acre of tillable land in the state, a flat tax of one cent per annum for the purpose of carrying out the provisions of this act, and creating a permanent surplus in the Hail Insurance Fund to be applied in paying losses more promptly. Provided, that lands used exclusively for public roads, rights of way of common carriers, mining or manufacturing purposes, and lands included within the platted portion of any incorporated city, town or village, shall be exempt from such tax. Provided, further, that all moneys heretofore or hereafter collected under the provisions of Sections 7 and 10 of this act, over and above that which is required to pay hail losses, also all moneys such as penalties and interest for non-payment of hail taxes and interest on balances already accrued and which may in the future accrue, shall be turned into the permanent surplus as created under the provisions of this section, until such permanent surplus reaches the sum of \$4,000,000, provided further that the permanent surplus fund created under the provisions of this section shall at no time exceed the sum of five million dollars. Provided, further, that whenever the fund as created under this section exceeds five million dollars, such excess levy shall be turned back into the State Hail insurance fund to pay losses in the next succeeding year. All moneys collected under the provisions of this section shall be paid into the State Hail Insurance Fund, but a separate record of such moneys collected from such flat tax shall be kept by the County and State Treasurer."

Strike out all of Section 12 and insert the following in lieu thereof:

Section 12. (Withdrawal). Any owner of land liable for the indemnity tax herein provided for, may at any time prior to the 15th day of June in each year withdraw any portion or all land owned by such person from the levy of said indemnity tax upon making an affidavit in duplicate, giving the legal description of the land, the number of acres withdrawn and stating that he desires to withdraw therefrom, and filing such affidavit in duplicate with the County Auditor, and the County Auditor shall, within three days, file a copy of same with the Commissioner of Insurance, and the party making withdrawal shall note upon his crop-listing affidavit the number of acres and the legal description of land so withdrawn, and shall note upon a diagram upon such withdrawal of affidavit the location of land so withdrawn. Such affidavit shall be sworn to before any Notary Public of County Auditor or a qualified Justice of the Peace, provided, that no assessor shall acknowledge any affidavit of withdrawal. Provided further that it shall be the duty of the Hail Insurance Department to furnish each County Auditor for distribution by the assessors withdrawal blanks, crop-listing blanks, reinstatement blanks and loss report blanks necessary in their respective townships. Should such owner wish to withdraw all his land subject to indemnity tax, then he should, if possible, surrender also the crop-listing affidavit and file same together with the application for withdrawal with the County Auditor, provided, that, in case said land

or any portion thereof is rented, such owner shall first procure the written consent of such tenant for any withdrawal authorized in this Act, such consent to be filed with the County Auditor, together with the owner's application for withdrawal. Provided if land is leased for a money consideration, then the leasee, if he has full interest in all the crops grown on the land may make affidavit of withdrawal as above provided, and file the same certified copy of his lease in duplicate, provided further, that if the owner in making an affidavit of withdrawal stating therein that he has no tenant whereas there actually is a tenant on such land, the Hail Insurance Department shall not be relieved from liability for such loss, but the owner making such fraudulent affidavit shall be guilty of a misdemeanor, punishable by a fine of not less than Ten Dollars nor more than Twenty-five Dollars, or to be confined in the county jail for not more than thirty days or both such fine and imprisonment at the discretion of the court, and in case of loss by hail to crops grown on such lands the Hail Insurance Department shall adjust and pay such loss such indemnity to be the actual percentage of loss based upon the tenant's share in such crop and may recover the amount of any indemnity paid for such loss from such landowner in an action brought in any court of competent jurisdiction. Provided that the owner shall have a self-executing first lien upon all crops and grain belonging to the tenant grown upon the land as security for the payment of said tax or the part of such tax properly chargeable against the tenants share of such crop or grain. The owner shall also have a first lien chargeable against tenant's share of hail indemnity, as security for payment of tenant's share of such tax if filed with the Commissioner of Insurance prior to October 1st. Provided, further, that the withdrawal from hail indemnity tax may be cancelled and the insurance re-instated any time prior to July 5th by filing an affidavit of application for such re-instatement in duplicate with the County Auditor on blanks furnished by the Hail Insurance Department, and the County Auditor shall stamp on both the original and duplicate of such application the hour and date when such application was received in his office, and shall within three days file a copy of such application with the Hail Insurance Department. Provided, that, if land is rented, both the owner's and tenant's signature must appear on such application for re-instatement, one or both of such signatures to be acknowledged by a Notary Public. It is further provided that any portion of the crops originally withdrawn may be re-instated and that such re-instatement insurance as above provided shall not take effect prior to twenty-four hours after such application for re-instatement is filed in the County Auditor's office. The Hail Insurance Department shall not be liable for loss during the time withdrawal is in effect and the application for reinstatement shall contain a sworn statement to the effect that such crops have not been damaged or destroyed by hail prior to the making of such application."

On page 6 line 14, strike out the words "fifty cents per each 1,000 acres of tillable area plus". In line 15, strike

out everything after the word "of" and insert in lieu thereof the following: "cropped area actually listed" and a comma. On page 7, line 16, strike out the words "indemnity Tax." In line 3, page 7, change the word "first" to "fifth."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Murphy moved that the Senate do now concur in the House Amendments to Senate Bill No. 20.

Senator Ingerson moved as a substitute motion that the Senate do not concur, and that a Conference Committee be appointed to act with a like committee from the House to further consider Senate Bill No. 20.

Which motion lost.

The vote being on the motion of Senator Murphy, the motion prevailed, and the Senate did concur.

Senator Murphy moved that the rules be suspended; that Senate Bill No. 20 be considered re-engrossed and placed on the calendar for final passage.

Which motion prevailed.

Senator Ingerson moved to amend Senate Bill No. 20, as amended, as follows:

Section 6, line 3, strike out "one" and insert "two."

Which motion lost.

SENATE ROLL CALL

The question being on the motion to amend offered by Senator Ingerson, the roll was called and there were ayes 22, nays 26, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Ettestad	Levang	Olson, Eddy-	Whitmer
Fleckten	Magnuson	Foster	Wog
Garberg	Martin	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelah	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Messrs.
Babcock

So the motion to amend was lost.

Senator Nathan moved that further consideration of Senate Bill No. 20 be indefinitely postponed.

Which motion lost.

SENATE ROLL CALL

Senate Bill No. 20. A Bill for an Act to Amend and Re-enact Sections 3, 5, 9, 12, 13, 15, 16, 17, 20, 26 and 27 of Chapter 160 of the Session Laws of North Dakota as Amended by Chapter 38 of the Special Session Laws of the Sixteenth Legislative Assembly of the State of North Dakota, as Amended and Re-enacted by Chapter 77 of the Session Laws of North Dakota for the Year 1921, Relating to State Hail Insurance.

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 27, nays 21, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Page	Stevens
Baird	Kretschmar	Peterson	Storstad
Bond	Lynch	Ployhar	Thorson
Carey	McCoy	Porter	Tofsrud
Eastgate	McLachlin	Rusch	Van Camp
Gardiner	Martin	Sperry	Whitman
Kaldor	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Nathan	Peck
Benson	Hamilton	Olson, Barnes	Ward
Byrne	Ingerson	Olson, Eddy-	Wenstrom
Ettestad	Levang	Foster	Whitmer
Flechten	Magnuson	Patten	Wog
Garberg	Miklethun		

Absent and not voting.

Messrs.
Babcock

So the bill passed and the title was agreed to, and the Emergency Clause was declared lost.

Senator Murphy moved that the vote by which Senate Bill No. 20 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Ingerson: Inasmuch as the present law as it is on the statute books has worked well, and this law in the proposed amendment of Section 12 would be confusing to the farmers of this state, I believe, and is no improvement on the withdrawal provision of the present law, and inasmuch as it destroys the workability of the law and retards building up the surplus contemplated in the present law, and in various ways is not as good as the present law, I vote "no."

Senator Lynch: As I am in favor of this law and because I am opposed to building up large reserves, I vote "aye"

House of Representatives,
Bismarck, North Dakota,
March, 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 284. A Bill for an Act to Amend and Re-enact Sections 782, 783, 784, 787, 799, 808, 809, 810, 811 and 812 of the Compiled Laws of North Dakota for the Year 1919, as Amended by Chapter 69 of the Session Laws for the Year 1919, Relating to the Creating of a State Bar Board, Its Members, Their Term of Office, Qualifications, Compensation and Duties and Providing for the Admission of Attorneys to Practice and the Issuance of License to Practice.

Which the House has amended as follows:

Printed bill, Section 9, in line 5 after the word "fee" insert the word "Appropriation."

In line 11 after the word "dollars" insert a period and strike out all that follows down to the words "The Clerk etc." in line 25, and in lieu thereof insert the following paragraph:

"From the moneys heretofore accumulated and now on hand in the State Bar Fund, there is hereby appropriated the sum of \$10,000 to be expended under the direction of the Supreme Court for purchase and repair of books in the State Law Library."

Amend the title of the bill by adding the following: "and making an appropriation of \$10,000 from the State Bar Fund for the State Law Library."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Baird moved that the Senate do not concur in the House amendments to Senate Bill No. 284.

Which motion prevailed.

Senator Baird moved that a Conference Committee of three be appointed to act with a like committee from the House to further consider Senate Bill No. 284.

Which motion prevailed.

The President appointed as such committee Senators Baird, Garberg and Kaldor.

House of Representatives,
Bismarck, North Dakota,
March, 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 267. A Bill for an Act Declaring an Emergency to Exist Affecting the Public Welfare of the State with Respect to the Administration of Insolvent Banks; Providing for the Liquidation Thereof; Vesting the Supreme Court with Jurisdiction of Such Liquidation Proceedings, and Requesting It to Assume Original Jurisdiction in Furtherance of the Public Interest; Creating the Position of Supreme Court Commissioner, Fixing His Compensation, and Defining His Powers and Authority, and Providing for the Appointment of Receivers of Insolvent Banks, and Making an Appropriation to Meet the Expenses Incident to Carrying Out the Purpose of the Act.

Which the House has amended as follows:

In line 4, page 6 of the engrossed bill change the word "Commission" to "Commissioner."

1st. Add to the title the following: "And directing the Supreme Court to exercise its supervisory authority over the district court in proceedings for liquidating the affairs of insolvent banks."

2nd. Insert as Section 18, the following:

"Section 18. In case the Supreme Court shall be of the opinion that its original jurisdiction does not extend to the controversy or controversies referred to in this act, or if, for any other reason the Supreme Court shall refrain from exercising its original jurisdiction with respect thereto the proceeding shall not be dismissed, but all papers and files therein shall be transmitted to the Clerk of the District Court of Burleigh County, and that court shall be and is thereupon vested with full jurisdiction of such proceeding, and thereupon the Supreme Court, in the exercise of its supervisory jurisdiction, shall designate some district judge to hear and try said controversy or controversies, and the judge so designated shall give precedence to such controversy or controversies over all other work and in the disposition thereof he shall be governed by the provisions of this act, and endeavor in every way to carry the same into effect. The District Judge so designated shall perform all of the duties which the act requires to be performed by the Court Commissioner, and in such case no court commissioner shall be appointed. In such case the acts of the District Court shall be subject to review by the Supreme Court in the same manner herein provided for review by the Supreme Court of the acts of the court commissioner. Provided that all acts of such district court performed under the provisions of this act, including the appointment of a receiver, shall be subject to the supervisory control of the Supreme Court. In case of the designation of a District Judge as herein provided for, all his necessary traveling expenses incurred in carrying out the provisions of this act shall be paid out of the general fund of the state upon vouchers duly presented, as in other cases of the expenses of District Judges.

"In case of the designation of a District Judge as in this section provided, all further insolvency proceedings, in this act hereinbefore provided to be instituted in the Supreme Court, shall be instituted in the District Court of Burleigh County, and conducted in like manner.

"In case of the designation of a District Judge as in this section provided for, the rules of procedure prescribed by the act for the Court Commissioner shall govern the procedure before such District Judge, and the Supreme Court shall likewise make necessary rules governing the conduct of such proceeding or proceedings."

3rd. Number Section 18 in the printed bill as Section 19 and number Section 19 of the printed bill as Section 20.

Add to the engrossed bill, the Emergency Clause as found in the printed bill.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Bond moved that the Senate do now concur in the House amendments to Senate Bill 267.

Which motion prevailed.

Senator Bond moved that the rules be suspended; that Senate Bill No. 267 be considered re-engrossed and placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 267. A Bill for an Act Declaring an Emergency to Exist Affecting the Public Welfare of the State with Respect to the Administration of Insolvent Banks; Providing for the Liquidation Thereof; Vesting the Supreme Court with Jurisdiction of Such Liquidation Proceedings, and Requesting It to Assume Original Jurisdiction in Furtherance of the Public Interest; Creating the Position of Supreme Court Commissioner, Fixing His Compensation, and Defining His Powers and Authority, and Providing for the Appointment of Receivers of Insolvent Banks, and Making an Appropriation to Meet the Expenses Incident to Carrying Out the Purpose of the 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 ayes 26, nays 19, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofarud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Garberg	Miklethun	Ward
Benson	Gross	Nathan	Wenstrom
Byrne	Levang	Olson, Barnes	Whitmer
Ettestad	Magnuson	Patten	Wog
Fleckten	Martin	Peck	

Absent and not voting.

Messrs.
Babcock

Messrs.
Hamilton

Messrs.
Ingerson

Messr.
Olson, Eddy-
Foster

So the bill passed and the title was agreed to and the emergency clause was declared lost.

Senator Baker: I vote "No" on this bill, as I did when it was up before, for the reasons as then stated, and for the reason that this is an attempt to take away the power of the people by a direct vote, or by legislation, by Court action. I vote "No."

Senator Ployhar moved that the Senate do now go into Executive Session.

Which motion prevailed and the Senate went into Executive Session.

OPEN SESSION

The Senate has advised and consented to the appointment of Gilbert Semington as State Examiner for a term of two years beginning March 1, 1923.

The Sargeant-at-Arms announced a sealed communication from the Governor.

Senator Bond moved that we do now go into Executive Session to consider the message from the governor.

Which motion prevailed.

OPEN SESSION

The President announced the Senate had under consideration in Executive Session a sealed communication from the Governor wherein he nominated and asked the Senate to advise and consent to the appointment of Walter G. Black of Mandan, N. D., as State Engineer, for a term of four years, beginning April 1, 1923, and with the unanimous consent and suspension of the rules, the Senate did advise and consent to the nomination of Walter G. Black as State Engineer for the term of four years beginning April 1, 1923.

MESSAGE FROM THE GOVERNOR

State of North Dakota,
Office of the Governor,
R. A. Nestos, Governor.
Bismarck, N. D.

March 1, 1923.

To the Members of the Senate of the State of North Dakota:

This is to notify you that I have this day approved and filed with the secretary of state,

Senate Bill No. 178. A Bill for an Act Relating to the Bringing of Children into the State, or Taking Children Therefrom, for Placement in Family Home, for the Li-

ceasing or Regulation of Persons and Corporations Engaged in that Work; and for the Repeal of Sections 5107, and 5108, Compiled Laws for 1913.

Senate Bill No. 181. A Bill for an Act Providing for the Licensing and Regulation of Homes and Institutions Caring for Children and for the Repeal of Chapter 183 of the Session Laws of 1915.

Senate Bill No. 188. A Bill for an Act Prohibiting the placing of Children, Either for Temporary or Permanent Care, in Almshouses, or in Institutions, Charitable, Penal or Reformatory, Where Delinquent Children are Kept.

Senate Bill No. 206. A Bill for an Act Providing for a Verdict in Civil Cases by Five-sixths of the Jury After Twelve Hours Deliberation.

Senate Bill No. 207. Joint Resolution: Whereas, both the Popular and the Authenticated Editions of the 1919 Session Laws have been exhausted; and Whereas, there is a great demand for this publication of Session Laws, by the people of our own state, as well as people of neighboring states, because of their peculiar importance.

Very truly yours,

R. A. NESTOS,
Governor.

The committee on Conference on Senate Bill 185 made the following report:

Mr. President: Your committee on Conference to whom was referred:

Senate Bill No. 185. A Bill for an Act to Amend and Re-enact Chapter 135 of the Session Laws of 1915, Relating to the Support of Needy Women Who are the Mothers of and who are Compelled to Support One or More Children Under Sixteen Years of Age.

Have had the same under consideration and beg to advise you that the Senate Conference Committee has agreed to recommend that the Senate do concur in the House Amendments, and that your Joint Conference Committee recommend that the bill be further amended as follows: On page 5 of the engrossed bill, line 23, before the word "any," insert the words "The applicant or" making the sentence read "The applicant or any interested taxpayer, etc."

(Signed:)

L. R. BAIRD,
J. E. STEVENS,
B. F. BAKER,

For the Senate.

C. H. STARKE,
J. A. JARDINE,
B. C. LARKIN,

For the House.

Senator Baird moved that the Senate do now concur in the House amendments to Senate Bill 185.

Which motion prevailed.

Senator Baird moved to further amend Senate Bill 185 as follows:

Page 5 of the engrossed bill in line 23, before "any" insert: "The applicant or."

Which motion prevailed.

Senator Baird moved that the rules be suspended, that Senate Bill 185 be considered re-engrossed and placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 185. A Bill for an Act to Amend and Re-enact Chapter 185 of the Session Laws of 1915, Relating to the Support of Needy Women Who Are the Mothers of and Who Are Compelled to Support One or More Children Under Sixteen Years of Age.

Was read the third time.

The question being on the final passage of the bill, as amended by the House and Senate the roll was called and there were ayes 41, nays none, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Olson, Barnes	Storstad
Baird	Kaldor	Page	Thorson
Baker	Kelsh	Patten	Tofsrud
Benson	Levang	Peck	Van Camp
Bond	Lynch	Peterson	Ward
Byrne	McCoy	Ployhar	Wenstrom
Carey	McLachlin	Porter	Whitman
Eastgate	Magnuson	Rusch	Wog
Ettestad	Miklethun	Sperry	
Fleckten	Murphy	Steel	
Garberg	Nathan	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Gross	Kretschmar	Olson, Eddy-
Gardiner	Hamilton	Martin	Foster
			Whitmer

So the bill passed and the title was agreed to.

Senator Kelsh moved that House Bill 66 be placed on the Calendar for third reading and final passage.

Which motion prevailed.

Senator Garberg moved a Call of the Senate.

Which motion prevailed.

Senator Kelsh moved that the Call of the Senate be dispensed with.

Which motion prevailed.

Senator Lynch moved to amend House Bill 66, as follows:

“Section 2. Provided, however that any money appropriated by this Act shall not be available or expended until the counties of McKenzie and Williams shall have raised and appropriated a sum equal to the amount appropriated by this Act nor until the Federal Government shall have appropriated its proportionate share towards the completion of the bridge, provided for herein.”

Which motion prevailed.

A Roll Call was demanded.

SENATE ROLL CALL

The question being on the motion to adopt the amendment offered by Senator Lynch the roll was called and there were ayes 26, nays 23, absent and not voting none.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Peterson	Storstad
Baird	Kretschmar	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	
Kaldor	Page	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Martin	Patten
Baker	Gross	Miklethun	Peck
Benson	Hamilton	Nathan	Ward
Byrne	Ingerson	Olson, Barnes	Wenstrom
Ettestad	Levang	Olson, Eddy-	Whitmer
Fleckten	Magnuson	Foster	Wog

So the motion to amend prevailed.

SENATE ROLL CALL

House Bill No. 66. A Bill for an Act to appropriate the sum of \$200,000.00, From any Moneys in the State Highway Fund, for the Purpose of Aiding in the Construction of a Bridge Across the Missouri River, Between Williams County, North Dakota and McKenzie County, North Dakota, Under the Provisions of Chapter 73 of the Laws of North Dakota for the Year 1919.

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 ayes 25, nays 23, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Miklethun	Sperry
Baird	Gross	Nathan	Ward
Baker	Hamilton	Olson, Barnes	Wenstrom
Benson	Ingerson	Olson, Eddy-	Whitmer
Byrne	Levang	Foster	Wog
Ettestad	Magnuson	Patten	
Fleckten	Martin	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Page	Stevens
Bond	Kretschmar	Peterson	Storstad
Carey	Lynch	Ployhar	Thorson
Eastgate	McCoy	Porter	Tofsrud
Gardiner	McLachlin	Rusch	Whitman
Kaldor	Murphy	Steel	

Absent and not voting:

Messrs.
Van Camp

So the bill passed and the title was agreed to.

Senator Byrne moved that the vote by which House Bill No. 66 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Sperry: I promised Senator Byrne that I would support an appropriation for this bridge. I don't think this amendment would jeopardize the bill whereby they will get the bridge. For that reason I vote "Aye."

Senator Nathan: I vote "Aye" for the reason that I think it is for the good of the west side of our state; that they are entitled to some appropriation for that purpose.

Senator Kretschmar moved that the report of the committee indefinitely postponing House Bill No. 30 be reconsidered.

Which motion prevailed.

Senator Kretschmar moved that the report of the committee indefinitely postponing House Bill No. 51 be reconsidered.

Which motion prevailed.

Senator Kretschmar moved that House Bills 30 and 51 be recalled from the House.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 206. A Bill for an Act to Amend and Re-enact Chapter 6, Session Laws of 1919, as Amended by Special Session Laws of 1919, as Amended by Chapter 84 Session Laws of 1921 Relating to the Licensing, Regulating, and Supervising the Licensing and Inspection of Pool and Billiard Rooms, Ball and Pin Alleys, Dance Halls, Theatres, Moving Picture Shows, Taxicab or Auto Liveries, Places Where Soft Drinks are Retailed or Where Cigars and Tobacco Are Sold, or Public Halls, Owned Privately and Used for Public Purposes; Providing Fees Therefor, Inspectors, Office Help and Supplies Thereof; Defining Powers and Duties and Repealing all Acts and Parts of Acts Inconsistent Therewith.

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 12, absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Nathan	Stevens
Babcock	Kaldor	Page	Storstad
Baird	Kelsh	Peck	Thorson
Baker	Kretschmar	Peterson	Tofarud
Benson	Lynch	Ployhar	Van Camp
Bond	McCoy	Porter	Ward
Carey	McLachlin	Rusch	Whitman
Eastgate	Magnuson	Sperry	Wog
Ettestad	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Byrne	Ingerson	Olson, Barnes	Patten
Fleckten	Levang	Olson, Eddy-	Wenstrom
Gross	Miklethun	Foster	Whitmer
Garberg			

Absent and not voting:

Messrs.	Messrs.
Hamilton	Martin

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota.
March 1, 1923.

Mr. President: I have the honor to inform you that the Speaker has appointed Messrs. Olafson, Patterson and Brown to act as a conference committee on Senate Bill No. 284.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the conference report on House Bill No. 35.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to inform you that

the House has concurred in the Senate amendment to House Bill No. 306.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 226.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 118.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 105.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 194.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 312

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 257. A Bill for an Act to Limit County Road and Bridge Tax Levies; Repealing All Acts and Parts of Acts in Conflict Herewith.

Which the House has indefinitely postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to inform you that the House has adopted the conference report on House Bill No. 88, passed the bill as amended, and return it as requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to inform you that the House has adopted the conference report on House Bill No. 305, passed the bill as amended, and return it as requested.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return House Bill No. 30 and House Bill No. 51.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Ingerson moved to amend House Bill No. 130 as follows:

Section 3, of the amendment as adopted on committee report after "orally" insert "all bids shall be accompanied by a certified check to the amount of not less than five (5) per cent of the bid."

Strike out "And who is financially able to comply with the term of his bid."

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 130. A Bill for an Act Providing That Public Officials of Taxing Districts Issuing Certificates of Indebtedness or Bonds Shall Advertise for Bids in Certain Cases and Providing the Procedure to Be Followed in Connection Therewith, Prescribing Penalties for the Violation of this Act, and Repealing all Acts and Parts of Acts in Conflict with this Act.

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 ayes 42, nays 6, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Sperry
Babcock	Ingerson	Nathan	Steel
Baird	Kaldor	Olson, Barnes	Stevens
Baker	Kelsh	Olson, Eddy-	Storstad
Bond	Kretschmar	Foster	Thorson
Carey	Lynch	Page	Tofsrud
Eastgate	Lynch	Peck	Van Camp
Ettestad	McCoy	Peterson	Ward
Flechten	McLachlin	Ployhar	Whitman
Garberg	Magnuson	Porter	Whitmer
Gardiner	Martin	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Miklethun	Wenstrom	Wog
Byrne	Patten		

Absent and not voting:

Messrs.
Hamilton

So the bill passed and the title was agreed to.

EIGHTH ORDER OF BUSINESS

Senator Whitman moved that House Bill 222 be placed on the Calendar for third reading and final passage. Which motion prevailed.

SENATE ROLL CALL

House Bill No. 222. A Bill for an Act Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over any Public

Highway by Motor Propelled Vehicles; Defining Transportation Companies; Providing for Supervision and Regulation Thereof by the Board of Railroad Commissioners of the State of North Dakota; Providing for the Enforcement of the Provisions of this Act and for the Punishment of the Violations Thereof.

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 ayes 27, nays 21, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Martin	Steel
Baird	Kaldor	Murphy	Stevens
Benson	Kelsh	Page	Storstad
Bond	Kretschmar	Peterson	Thorson
Carey	Lynch	Ployhar	Van Camp
Eastgate	McCoy	Porter	Whitman
Gardiner	McLachlin	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Olson, Barnes	Tofsrud
Baker	Ingerson	Olson, Eddy-	Ward
Byrne	Levang	Foster	Wenstrom
Ettestad	Magnuson	Patten	Wog
Flechten	Miklethun	Peck	
Garberg	Nathan	Sperry	

Absent and not voting:

Messrs.
Whitmer

So the bill passed and the title was agreed to.

Senator Whitman moved that the vote by which House Bill No. 222 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Murphy moved that House Bill 88 be now placed on the Calendar for third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 88. A Bill for an Act Making an Appropriation for Maintenance, Improvements, and Repairs, and Equipment for the Institution of the Feeble-minded at Grafton.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 47, nays none, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Rusch
Babecock	Hamilton	Murphy	Sperry
Baied	Ingerson	Nathan	Steel
Baker	Kaldor	Olson, Barnes	Stevens
Benson	Kelsh	Olson, Eddy-	Storstad
Bond	Kretschmar	oster	Thorsen
Byrne	Levang	Page	Tofsrud
Carey	Lynch	Patten	Van Camp
Eastgate	McCoy	Page	Ward
Ettestad	McLachlin	Peterson	Wenstrom
Garberg	Magnuson	Ployhar	Whitman
Gardiner	Martin	Porter	Wog

Absent and not voting:

Messrs.	Messrs.
Fleckten	Whitmer

So the bill passed and the title was agreed to.

SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 132. A Bill for an Act Entitled, An Act to Appropriate Money for the Use of the Board of Railroad Commissioners Between the Following Dates, January 1st, 1923 and June 30th, 1923, and Specifying the Purpose for Which the Appropriation is Made.

House Bill No. 150. A Bill for an Act Providing for the Reporting at the Workmen's Compensation Bureau of All Contracts Involving Labor Entered Into by All Political Subdivisions of the State.

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 3296 of the Compiled Laws of North Dakota, for the Year 1913, as Amended by Chapter 49 of the Session Laws for 1921, Relating to County Commissioners Powers and Duties with Respect to Contracts Let on Competitive Bids.

House Bill No. 215. A Bill for an Act to Amend Section 1 of Chapter 144 of the Session Laws of North Dakota for the Year of 1921, Relating to Enforcement of Payment of Premiums to the Workmen's Compensation Fund.

House Bill No. 275. A Bill for an Act to Provide for the Purchase by the Industrial Commission of Claims Against the Returned Soldiers' Fund and for the Financing of Such Purchase by Such Commission, and Repealing All Acts and Parts of Acts in Conflict Herewith.

And the President signed the same in the presence of the Senate.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 286. A Bill for an Act to Amend and Re-enact Chapter 25 of the Session Laws of the State of North Dakota for the Year 1921, Being an Act to Create, Define and Establish the Bar Association of the State of

North Dakota, and Providing for the Publication of Its Proceedings and Filing Copies Thereof with the State Bar Board and State Libraries, and as Otherwise Provided and Making an Appropriation for the Expenses Connected Therewith.

Also,

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Sections 5109 and 5110 of the Compiled Laws for 1913.

Also,

Senate Bill No. 184. A Bill for an Act Defining and Regulating Maternity Hospitals and for the Repeal of Chapter 183 of the Session Laws of 1915.

Also,

Senate Bill No. 192. A Bill for an Act Relating to Indecent Liberties.

Also,

Senate Bill No. 187. A Bill for an Act Relating to Children Born Out of Wedlock and to Make Uniform the Law with Reference Thereto, and for the Repeal of Sections 19483 to 10500 Inclusive, Compiled Laws of 1913, and Chapter 70, Laws of 1917.

Also,

Senate Bill No. 396. A Bill for an Act to Amend and Re-enact Section 10943 and 10944 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 233 of the Session Laws of North Dakota for the Year 1915, Relating to Indeterminate Sentences of Persons Convicted of Certain Crimes, and Abolishing the Board of Experts, and Repealing all Acts in Conflict Therewith.

Also,

Senate Bill No. 190. A Bill for an Act Providing for the Exclusion of Spectators from the Trial of Minors.

Also,

Senate Bill No. 180. A Bill for an Act Relating to the Powers of Certain Societies for the Care and Placement of Dependent Children, and to Amend and Re-enact Sections 5100 and 5101, Compiled Laws for 1913.

Also,

Senate Bill No. 15. A Bill for an Act to Transfer Money from the Hail Insurance Fund to the Hail Insurance Operating Fund for the Purpose of Paying the Unpaid Bills Incurred by the Hail Insurance Department During the Year Beginning January 1, 1922, and Ending December 31, 1923.

Also,

Senate Bill No. 199. A Bill for an Act Making an Appropriation for the Use of the Board of Administration in Administering Child Welfare Laws.

Also,

Senate Bill No. 369. A Bill for an Act to Eliminate Railroad Grade Crossings and Other Dangerous Places on State and County Highways.

Also,

Senate Bill No. 344. A Bill for an Act to Amend and Re-enact Section 3294 of the Compiled Laws of the State of North Dakota for 1913, Relating to the Erection, Repair and Maintenance of Buildings.

Also,

Senate Bill No. 288. A Bill for an Act Providing for a Tax Upon Reserves of Coal and Minerals, Providing for the Obtaining of Tax Titles to Such Reserves When Taxes Thereon Remain Unpaid and Repealing Section 2119, Section 2120 and Section 2121, Compiled Laws of 1913, and All Acts and Parts of Acts in Conflict with This Act.

Also,

Senate Bill No. 103. A Bill for an Act Making an Appropriation of \$30,950.00 for the Purpose of Carrying Out the Provisions of Chapter 115 of the Session Laws of 1921 Relating to Vocational Education and Vocational Rehabilitation.

Also,

Senate Bill No. 56. A Bill for an Act Providing for the Acceptance of the Provisions of the Sheppard-Towner Act; Making an Appropriation to Meet the Allotments of the Shepard-Towner Act; Authorizing State Department of Health to Accept Funds for Infant and Maternal Hygiene Work.

Also,

Senate Bill No. 196. A Bill for an Act to Provide an Appropriation for the Eradication of the Barberry Bushes.

Also,

Senate Bill No. 113. A Bill for an Act to appropriate the Sum of \$54,000.00 for the Purpose of Aiding in the Construction of a Bridge Across the Missouri River from Burleigh County to Morton County in the State of North Dakota Under the Provisions of Chapter 73 of the Laws Passed at the Sixteenth Session of the Legislative Assembly of North Dakota, Approved March 5, 1919, in Addition to the Sums Appropriated by Chapter 4 of the Special Session of the Sixteenth Legislative Assembly, Approved December 12, 1919, and Chapter 6 of the Laws Passed at the Seventeenth Session of the Legislative Assembly of the State of North Dakota Approved March 9, 1921, and that

Such Appropriation Be Made from the State Highway Fund.

Also,

Senate Bill No. 387. A Bill for an Act Designating the Sheriff of the Different Counties in the State as Inspectors and Sealers of Weights and Measures, and Giving Him Power to Appoint a Deputy Inspector; Prescribing His Powers and Duties; Defining the Standard of Weights and Measures; Prescribing Fees to be Charged for Inspection; Providing for Complaints and Penalties for Its Violation; Providing for Inspectors' Compensation; Naming Custodian of State Standards and Prescribing His Duties; and Repealing Sections 2999, 3000, 3003, 3004, 3005 of the Compiled Laws of North Dakota for 1913, and Chapter 241 of the Session Laws of North Dakota for the Year 1919.

And the President signed the same in the presence of the Senate.

Senator Baker moved that the Senate do now recess.

Which motion prevailed.

AFTER RECESS

SENATE ROLL CALL

House Bill No. 97. A Bill for an Act Making an Appropriation of the sum of \$18,000.00 for the Purpose of Carrying Out the Provisions of Chapter 119 of the Session Laws of North Dakota, for the Year 1917, Relating to Farmers' Institutes.

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 ayes 37, nays 11, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Stevens
Babcock	Gross	Olson, Eddy-	Storstad
Baird	Kaldor	Foster	Thorson
Baker	Kelsh	Peck	Tofsrud
Benson	Kretschmar	Peterson	Van Camp
Bond	Lynch	Ployhar	Ward
Eyrne	McCoy	Porter	Whitman
Carey	McLachlin	Rusch	Wog
Eastgate	Magnuson	Sperry	
Garberg	Martin	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Ettestad	Levang	Olson, Barnes	Wenstrom
Fleckten	Miklethun	Page	Whitmer
Ingerson	Nathan	Page	

Absent and not voting:

Messrs.
Hamilton

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 94. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the Minimum Wage, Health and Morals of Women Workers, for Salary, Postage, Office Supplies, Printing, Traveling Expenses, Hearings, Conferences, Witness Fees, Legal Fees and Office Rent.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays 1, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Sperry
Babcock	Gross	Olson, Barnes	Steel
Baird	Hamilton	Olson, Eddy-	Stevens
Baker	Ingerson	Foster	Storstad
Benson	Kaldor	Page	Thorson
Bond	Kelsh	Patten	Tofsrud
Byrne	Levang	Peck	Van Camp
Carey	Lynch	Peterson	Ward
Eastgate	McCoy	Ployhar	Wenstrom
Ettestad	McLachlin	Porter	Whitman
Fleckten	Magnuson	Rusch	Whitmer
Garberg	Miklethun		Wog

Those voting in the negative were:

Messrs.
Nathan

Absent and not voting.

Messrs.	Messrs.
Kretschmar	Martin

• So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 128. A Bill for an Act Legalizing Certain Acts of City, Village and School District Officials.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 33, nays 12, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Olson, Eddy-	Stevens
Baird	Kaldor	Foster	Storstad
Baker	Kelsh	Page	Thorson
Bond	Kretschmar	Peterson	Tofsrud
Byrne	Lynch	Ployhar	Van Camp
Carey	McCoy	Porter	Whitman
Eastgate	McLachlin	Rusch	Whitmer
Garberg	Magnuson	Sperry	
Gardiner	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Ingerson	Olson, Barnes	Ward
Ettestad	Miklethun	Patten	Wenstrom
Fleckten	Nathan	Peck	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Rabcock	Hamilton	Levang	Martin

So the bill passed and the title was agreed to, and the Emergency Clause was declared carried.

Senator Bond moved that House Bill 305 be now placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 305. A Bill for an Act Providing for the Issue of Bonds on the State of North Dakota in a Sum Not Exceeding Fifteen Million Dollars to be Known as "Bonds of North Dakota, Real Estate Series"; Prescribing the Terms and Stating the Purpose Thereof; Providing for a Tax and Making Other Provisions for the Payment of Interest and Principal on State Bonds, and to Carry into Effect the Provisions of This Act; and Declaring This Act to be an Emergency Measure.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Olson, Eddy-	Storstad
Baird	Ingerson	Foster	Thorson
Baker	Kaldor	Page	Tofsrud
Benson	Kelsh	Patten	Van Camp
Bond	Kretschmar	Peck	Ward
Byrne	Lynch	Peterson	Whitman
Carey	McCoy	Ployhar	Whitmer
Eastgate	McLachlin	Porter	Wog
Ettestad	Magnuson	Rusch	
Fleckten	Miklethun	Sperry	
Garberg	Murphy	Steel	
Gardiner	Nathan	Stevens	

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Levang	Martin	Wenstrom
Hamilton			

So the bill passed and the title was agreed to, and the Emergency Clause was declared carried.

Senator Bond moved that the vote by which House Bill No. 305 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Rusch moved that House Bills Nos. 30 and 51 be now placed on the Calendar for final passage in the order named.

Which motion prevailed.

Senator Whitman moved to amend House Bill No. 30 as follows:

Following the word "North" in line 10 of Section 1 of bill, insert the following:

"at such a point thereon approximately opposite the State Mill and Elevator operated by the state in Grand Forks county, as competent engineers may designate as most feasible and best calculated to establish the most direct commercial connection with the farming territory in the Red River Valley lying immediately east of the Red River and also the sum of \$100,000 for such another bridge and structure."

A roll call was demanded.

SENATE ROLL CALL

The question being on the motion to amend House Bill No. 30, the roll was called and there were ayes 16, nays 32, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Nathan	Stevens
Bond	Levang	Ployhar	Thorson
Ettestad	McCoy	Porter	Van Camp
Tarberg	Murphy	Sperry	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Olson, Barnes	Storstad
Baird	Kaldor	Olson, Eddy-	Tofsrud
Benson	Kelsh	Foster	Ward
Byrne	Kretschmar	Page	Wenstrom
Carey	Lynch	Patten	Whitmer
Eastgate	McLachlin	Peck	Wog
Fleckten	Magnuson	Peterson	
Gardiner	Martin	Rusch	
Gross	Miklethun	Steel	

Absent and not voting.

Messrs.
Babcock

So the motion was lost.

Senator Gross: I don't know enough about the proposition to feel that I can support it. I vote "no."

Senator Martin: I don't know that I understand this correctly—If I understand it right the Bottling Works of Grand Forks are trying to get a monopoly on bridges. If I am correct I want to vote "no" for they are temperance men. I vote "no."

Senator Nathan: I vote "aye" for the reason that I think that amendment is going to kill that bill.

Senator Rusch moved to amend Senate Bill No. 30 as follows:

"Section 2. Provided (however, that any money appropriated by this Act shall not be available or expended until the Counties of Cass, in the state of North Dakota, and Clay, in the state of Minnesota, and also the State of Minnesota shall have raised and appropriated a sum equal to the amount appropriated by this Act, or until the Federal Government shall have appropriated its proportionate share towards the completion of the bridge provided for herein."

And strike out Emergency Clause and change June 31st to June 30th in Section 1.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 30. A Bill for an Act to appropriate the Sum of \$100,000.00, From any Moneys in the State Highway Fund, for the Purpose of Aiding in the Construction of a Bridge Across the Red River of the North, Between the City of Fargo, Cass County, North Dakota, and the City of Moorhead, Clay County, Minnesota, Under the Provisions of Chapter 73 of the Laws of North Dakota for the Year of 1919.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 22, nays 26, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Martin	Storstad
Benson	Ingerson	Murphy	Thorson
Bond	Kretschmar	Ployhar	Wenstrom
Byrne	Levang	Porter	Whitman
Fleckten	McCoy	Rusch	
Garberg	McLachlin	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Page	Van Camp
Baird	Kelsh	Patten	Ward
Carey	Lynch	Peck	Whitmer
Eastgate	Magnuson	Peterson	Wog
Ettestad	Miklethun	Steel	
Gardiner	Olson, Barnes	Stevens	
Hamilton	Olson, Eddy	Tofsrud	
	Foster		

Absent and not voting:

Messrs.
Babcock

So the bill was declared lost.

Senator Nathan moved that the vote by which House Bill No. 30 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

Senator Martin: I believe there is more church people in Fargo and Moorhead and I think they are cowards and they will have to swim the river and I am going to vote for this. I vote "Aye."

Senator Kretschmar moved the following amendment to House Bill No. 51:

"Section 2. Provided, however, that any money appropriated by this Act shall not be available or expended until the Counties of Burke and Ward in the State of North Dakota, shall have raised and appropriated a sum equal to the amount appropriated by this act, or until the Federal Government shall have appropriated its proportionate share towards the completion of the bridge provided for herein."

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 51. A Bill for an Act to appropriate the Sum of Thirty-five Thousand (\$35,000.00) Dollars for the Purpose of Aiding the Construction of a Bridge and Approaches Across the Des Lacs Lake on the County Line Between Burke and Ward Counties in the State of North Dakota under the provisions of Chapter 73 of the Session Laws of North Dakota for the year 1919 and That Such Appropriation be Made from the State Highway Fund.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 27, nays 21, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Martin	Rusch
Benson	Hamilton	Miklethun	Sperry
Bond	Ingerson	Olson, Barnes	Storstad
Byrne	Kretschmar	Olson, Eddy	Ward
Ettestad	Levang	Foster	Wenstrom
Fleckten	McLachlin	Patten	Whitmer
Garberg	Magnuson	Peck	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ke'ish	Peterson	Tofsrud
Baird	Lynch	Ployhar	Van Camp
Carey	McCoy	Porter	Whitman
Fastgate	Murphy	Steel	
Gardiner	Nathan	Stevens	
Kaldor	Page	Thorson	

Absent and not voting:

Messrs.
Babcock

So the bill passed and the title was agreed to, and the Emergency Clause was declared lost.

Senator Fleckten moved that the vote by which House Bill No. 31 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Benson moved to amend House Bill No. 279 as follows:

Strike out "\$500.00" wherever it appears in the engrossed bill, and insert in lieu thereof "\$1,000.00."

Which motion lost.

SENATE ROLL CALL

House Bill No. 279. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit Incurred in the State Fire Marshal's Department.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays 1, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy	Steel
Baird	Ingerson	Olson, Barnes	Stevens
Baker	Ka'dor	Olson, Eddy-	Storstad
Benson	Kelsh	Foster	Thorson
Bond	Kretschmar	Page	Tofsrud
Byrne	Levang	Patten	Van Camp
Carey	Lynch	Peck	Ward
Eastgate	McCoy	Peterson	Wenstrom
Ettestad	McLachlin	Ployhar	Whitman
Fleckten	Magnuson	Porter	Whitmer
Garberg	Martin	Rusch	Wog
Gardiner	Miklethun	Sperry	

Those voting in the negative were:

Messrs.
Nathan

Absent and not voting:

Messrs. Messrs.
Babcock Gross

So the bill passed and the title was agreed to, and the Emergency Clause declared lost.

The Senate took up the Seventh Order of Business.

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 284. A Bill for an Act to Amend and Re-enact Sections 782, 783, 784, 787, 799, 808, 809, 810, 811 and 812 of the Compiled Laws of North Dakota for the Year 1919, as Amended by Chapter 69 of the Session Laws for the Year 1919, Relating to the Creating of a State Bar Board, Its Members, Their Term of Office, Qualifications, Compensation and Duties and Providing for the Admission of Attorneys to Practice and the Issuance of License to Practice.

Have had the same under consideration and recommend

that the Senate do concur in the House amendments thereto.

For the Senate:

L. R. BAIRD,
THEO. KALDOR,
P. B. GARBERG,

For the House:

J. K. OLAFSON,
G. PATTERSON,
L. L. BROWN.

SEVENTH ORDER OF BUSINESS

Senator Baird moved that the Senate adopt the report of the Conference Committee on Senate Bill No. 284.

Which motion prevailed.

Senator Baird moved that Senate Bill No. 284 be considered re-engrossed and placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 284. A Bill for an Act to Amend and Re-enact Sections 782, 783, 784, 787, 799, 808, 809, 810, 811 and 812 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 69 of the Session Laws for the Year 1919, Relating to the Creation of a State Bar Board, Its Members, Their Term of Office, Qualifications, Compensation and Duties and Providing for the Admission of Attorneys to Practice and the Issuance of License to Practice.

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 46, nays none, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Steer
Baird	Ingerson	Olson, Barnes	Stevens
Baker	Lynch	Olson, Eddy-	Storstad
Benson	Kelsh	Foster	Thorson
Bond	Kretschmar	Page	Tofsrud
Byrne	Levang	Patten	Van Camp
Carey	Kaldor	Peck	Ward
Eastgate	McCoy	Peterson	Wenstrom
Ettestad	McLachlin	Ployhar	Whitman
Fleckten	Magnuson	Porter	Whitmer
Garberg	Miklethun	Rusch	Wog
Gardiner	Murphy	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Gross	Martin

So the bill passed and the title was agreed to.

FOURTH ORDER OF BUSINESS

Senator Kelsh, on behalf of the State Normal and Industrial School of Ellendale, presented the President with gavel and striking block.

Senator Bond moved that the Conference Committee appointed to act on House Bill 305 be discharged.

Which motion prevailed.

Senator Murphy moved that the Conference Committee appointed to act on House Bill No. 88 be discharged.

Which motion prevailed.

Senator Baird moved that the Conference Committee appointed to act on Senate Bill No. 284 be discharged.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 83. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the Forestry State Normal School, at Bottineau, and Making Permanent Improvements and Additions Thereto.

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 ayes 35, nays 6, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Nathan	Rusch
Baird	Ingerson	Murphy	Storstad
Baker	Kaldor	Olson, Barnes	Thorson
Benson	Kelsh	Olson, Eddy	Tofsrud
Bond	Kretschmar	Foster	Van Camp
Carey	Lynch	Patten	Ward
Eastgate	McCoy	Teck	Wenstrom
Ettestad	Magnuson	Peterson	Whitman
Fleckten	Miklethun	Ployhar	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Gardiner	Page	Steel	Stevens
McLaehlin	Porter		

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Hamilton	Martin	Sperry
Fyrne	Levang		Whitmer
Gross			

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 129. A Bill for an Act Providing a method by which Taxing Districts May Make Short Time Borrowings and Conduct Their Current Business Upon a Cash Basis; Providing That No Warrants May be Issued in Excess of Cash on Hand; Providing for the Funding of Float-

ing or Unfinished Indebtedness of Counties, Cities, Villages, Townships, School Districts, and Other Taxing Districts; making the County Treasurer Custodian of Sinking Funds of All Taxing Districts; Providing for the Registering of the County Auditor's Office of All Bond Issues and Certificates of Indebtedness; Prohibiting the Incurring Indebtedness in Excess of Anticipated Revenues; Making Criminal Certain Violations of this Act, and Providing Penalties Therefor, and Repealing all Acts and Parts of Acts in Conflict With this Act.

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 ayes 32, nays 15, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Olson, Eddy-	Stevens
Baird	Kretschmar	Foster	Storstad
Bond	Lynch	Page	Thorsen
Carey	McCoy	Peterson	Tofsrud
Eastgate	McLachlin	Ployhar	Van Camp
Garberg	Martin	Porter	Whitman
Gardiner	Murphy	Rusch	
Ingerson	Nathan	Sperry	
Kaldor	Olson, Barnes	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Fleckten	Peck	Wenstrom
Benson	Hamilton	Magnuson	Whitmer
Byrne	Levang	Miklethun	Wog
Ettestad	Patten	Ward	

Absent and not voting:

Messrs.	Messrs.
Babcock	Gross

So the bill passed and the title was agreed to.

Senator Baker moved to further amend House Bill 131 as follows:

Increasing the mills in section 3, line 4, to 16; in section 3, line 7, to 18; in section 3, line 8-9, to 20.

A Roll Call was demanded.

SENATE ROLL CALL

The question being on the motion to amend House Bill No. 131 the roll was called and there were ayes 21, nays 27,, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Miklethun	Ward
Baker	Gross	Olson, Barnes	Wenstrom
Benson	Hamilton	Olson, Eddy-	Whitmer
Byrne	Ingerson	Foster	Wog
Ettestad	Levang	Patten	
Fleckten	Martin	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Nathan	Steel
Baird	Lynch	Page	Stevens
Bond	McCoy	Peterson	Storstad
Carey	McLachlin	Ployhar	Thorson
Eastgate	Magnuson	Porter	Tofsrud
Gardiner	Murphy	Rusch	Van Camp
Kaldor		Sperry	Whitman
Kelsh			

So the motion to amend was lost.

SENATE ROLL CALL

House Bill No. 131. A Bill for an Act to Limit the Aggregate Amounts That May be Levied by Taxing Districts; Providing Maximum Limitations Upon the Rate in Mills Which May Be Levied by Taxing Districts; Providing a Method of Suspending Such Limitations in Certain Cases; Prescribing Penalties for Violations of This Act by County Auditors; and Repealing all Acts and Parts of Acts in Conflict With this Act.

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 ayes 26, nays 21, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	
Atkins	Kelsh	Page	Steel
Baird	Kretschmar	Peterson	Stevens
Bond	Lynch	Ployhar	Storstad
Carey	McCoy	Porter	Thorson
Eastgate	McLachlin	Rusch	Van Camp
Gardiner	Murphy	Sperry	Whitman
Kaldor	Nathan		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Olson, Barnes	Tofsrud
Benson	Hamilton	Olson, Eddy-	Ward
Byrne	Ingerson	Foster	Wenstrom
Ettestad	Levang	Patten	Whitmer
Fleckten	Magnuson	Peck	Wog
Garberg	Miklethun		

Absent and not voting:

Messrs.	Messrs.
Babcock	Martin

So the bill passed and the title was agreed to.

Senator Ployhar moved that the vote by which House Bill No. 131 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Ettestad: For the reason this bill is unfair

and does not limit the eastern, but does the western part of the state, I vote "No."

Senator Hamilton: This bill cuts the assessed valuation 25 per cent, and we could scarcely get along when it was 100 per cent and I am satisfied it is going to cripple our schools, therefore I vote "No."

Senator Peck: If this proposed limitation bill becomes a law it means that it will practically close every high school in McLean County.

Senator Wenstrom: For the reason that I believe that if this becomes a law it will close a good many high schools in the state, I vote "No."

Senator Ployhar moved that the Senate do now recess until 9:00 P. M.

Which motion prevailed.

NIGHT SESSION.

The Senate took up the Tenth Order of Business.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 260. A Bill for an Act Providing for the Conduct of the Business of Warehousing and Providing Penalties for its Violation.

Which the House has indefinitely postponed.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota.
March 1, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 256. A Bill for an Act to Control the Possession, Sale and Use of Pistols and Revolvers, to Provide Penalties, and for other Purposes.

Senate Bill No. 70. A Bill for an Act to Incorporate and Establish the North West Agricultural, Live Stock and Fair Association, and Making an Appropriation Therefor.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota.
March 1, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 105.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota.
March 1, 1923.

Mr. President: I have the honor to inform you the House declines to return House Bill No. 169.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota.
March 1, 1923.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 156. A Bill for an Act to Repeal Chapter 31 of the Special Session Laws of 1919 Relating to the Purchase of Dairy Cattle by Counties.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

The Senate now took up the Seventh Order of Business.

REPORTS OF SPECIAL COMMITTEES.

The Secretary read the following:

REPORT OF SENATE COMMITTEE NAMED TO INVESTIGATE NORTH DAKOTA STATE HIGHWAY COMMISSION.

Mr. President: Your committee named to investigate the North Dakota State Highway Commission begs leave to submit the following report:

The resolution calling for the investigation and upon which Senate action was taken, does not make any specific charges against the commission or any person or department thereof, and no specific charges have

been made to the Committee except in a few instances, which have been carefully investigated and facts as found by the Committee hereinafter set forth. Many rumors were current charging the commission with extravagance and graft. These rumors, or at least those that came to the Committee, have been carefully investigated and as far as the Commission is concerned, appear to be entirely groundless. The charge of extravagance is probably justified to no greater extent than if made against any other governmental agency constituted on the plan of the State Highway Commission. The Committee has examined under oath the Chief Engineer, and a number of engineers and employees of the department, and submits herewith a transcript of the testimony together with various exhibits, statements and reports which have been verified under oath by different members of the major staff of the department. Many exhibits have been received in evidence but have been left with the department as original records and no copies have been made as it was thought that the expense would not be justified and that the permanent records would be available to anyone seeking the information therein contained.

When it appeared to the committee that no substantial proof could be found, or evidence secured, in support of serious charges without incurring great expense, and such charges being based only on hearsay statements of various persons who would not and could not testify the direct circumstances, the Committee inquired of members of the Legislature and officials of the state interested in the investigation to submit interrogatives and questions concerning which information was desired. The inquiries received were for the most part inquiries as to the cost of engineering and construction of highways under the administration of the Commission.

The State Highway Commission is an organization of some magnitude. The Commission as created by law, consists of five members, the Governor, the Commissioner of Agriculture and Labor and the State Engineer, who are members ex-officio, and there are two members appointed by the Governor. The State Engineer is Secretary of the Commission. Under this system the State Engineer has practically entire charge of the organization of the department. The entire commission functions only in the matter of deciding questions concerning state aid or other matters in which they are called together by the State Engineer. The detail work is entirely under the supervision of the State Engineer. He employs all the engineers, rod men, clerks, stenographers, mechanics and assistants. The entire work of surveying, designing and construction with all the various details of these branches of the work are left entirely to the Chief Engineer, who is also the State Engineer. As State Engineer he is loaded with duties which have no direct connection whatever with the Highway Department. He receives \$2,500.00 salary as State Engineer, and a salary of \$1,000.00 as Secretary of the Highway Commission. The State Engineer claims that his duties as such prevent the proper supervision of his part of the work of

highway construction. Necessarily then the work of supervision must be again delegates and the system weakened by too many heads and no strong co-ordination.

The Chief Engineer has what is called a Major Staff which includes an assistant chief engineer, a road engineer, a maintenance engineer, a project engineer and a superintendent of equipment. In addition to the major staff the department is divided into four divisions in charge of as many division engineers, and in addition to the heads of the various departments and divisions there are engineers, assistant engineers, stenographers, clerks and mechanics. The pay roll of the department varies during the year, and in 1922 the pay roll has varied from \$13,000.00 per month, the minimum, to over \$18,000.00, the maximum. The number of employees on the pay roll at the present time is eighty-five and during construction work the number has been increased to about one hundred twenty-five. The salaries from the evidence at hand are not in excess of those paid in other states, and perhaps lower than the average as far as competent engineers are concerned. There is no systematic schedule of salaries in effect in the department, and the Committee found that salaries are raised in individual cases according to a merit system rather than a time and experience system. The committee believes that there should be some classification introduced in the system for the reason that the system now used would have a tendency to permit those in charge to favor certain employees, and if no such favoritism is shown such a system is still conducive to disaffection among the employees who may feel themselves unjustly discriminated against. Without having investigated the merits of complaints that reached the ear of the committee, the Committee believes some sort of time and experience schedule would be beneficial to the department and the department can easily protect itself by discharging any inefficient and incompetent employee.

The Committee also found that the work of designing was carried on both at Bismarck and at the different division headquarters outside of Bismarck. The Committee has found that competent authorities are divided as to the economy of having all this designing work done at Bismarck. It is also apparent that crowded conditions of office rooms at Bismarck would not permit it.

Many complaints have been registered by contractors who have refused to testify to the effect that their final estimates have been delayed and they have not received final payment and have been discriminated against in favor of larger contractors who were favored by a certain engineer in charge. We have been unable to find any evidence to support the charge of collusion on the part of any engineer or employee in the department. The Committee has found, however, a practice which appears to have been followed in the department which appears to the Committee to be, if not irregular, very inadvisable in every instance which the Committee has

investigated. It appears that when final estimates have been made by the engineer in charge of the respective project, the estimate has been afterwards raised by an engineer of higher rank without consulting the engineer who made the original and final estimate. This practice has resulted in a suspicion that the contractors receiving the benefit of those increased estimates were permitted by collusion on the part of the engineer raising the estimate to underbid other competitive contractors and have the increase in the final estimate to add to their original bid, and that this increased estimate has in some manner been divided with the engineer. We have been able to obtain no evidence to support the charge of collusion, dishonesty or bad faith in increasing these estimates, and because of the seriousness of these charges and suspicions, the Committee is constrained to include findings to that effect herein. The Committee, however, believes that this is a practice which should be discontinued and that hereafter if an increase is made in the estimate the engineers making the adverse estimate should consult with each other and the Chief Engineer or let some other authority decide the matter after both engineers had been heard. This charge is so serious that the Highway Commission should carefully scrutinize projects where this has been done.

The Committee wishes to call attention to the Equipment Department in connection with the Highway Commission investigation. This department has charge of the personal property of a reported value of about \$1,700,000.00. A portion of this property is in the custody of the department at Bismarck and is reported at a value of about \$500,000.00. There is property valued at over \$1,000,000.00 scattered out among the different counties of the state. This property consists of automobiles, trucks, tractors and automobile repairs, hardware, sundries and supplies which cannot be classified in this report. We were unable to find a complete inventory of the property and the Committee believes that an inventory should be taken by the Equipment Department without any additional expense to the state, that is, without engaging any outside help, the work to be done during slack periods. Some of this property has been sold under circumstances which appear to be irregular. The Committee has investigated these sales and believes that the money received therefor has been accounted for to the state. There are no regulations for the sale of this property and it is only sold to counties and contractors and can only be sold in large quantities. There is a vast amount of property that will never be sold unless it is sold at public auction or at private sale on notice to be given the widest publicity. If this property is not sold the state will lose thousands of dollars as this property is rapidly deteriorating in value. The advisability of classifying and selling such property as cannot be used by the state or the Highway Department should be carefully considered.

The Committee believes that the present form of Commission is not conducive to an economical program of roadbuilding in this state and its form should be revised

by the legislature to conform to the best highway systems now established in the United States where the different departments can be closely co-ordinated and a closer and better form of organization perfected. The committee favors the continuance of the Highway Commission, believing that if it is properly organized it has a mission and will function in a manner that will justify its continuance to the satisfaction of the taxpayers.

The Committee is indebted to the Secretary of State and the State Engineer for the use of offices in which to hold its investigations. All persons who have testified have given their testimony willingly and have withheld no information from the Committee. The evidence has been transcribed and the exhibits attached hereto except as hereinbefore mentioned. The exhibits attached include cost figures as to projects by counties, including several details as to cost of construction, engineering and maintenance, also statements with respect to the property in the Equipment Department to which reference may be had.

The computation of the cost of several thousand miles of highway as shown by the attached exhibits, shows the average engineering cost of roads in North Dakota to be as follows:

Engineering cost:

Cost per mile of surveys	\$ 50.00
Cost per mile of designing	68.33
Cost per mile of construction.....	190.61
Total cost of Engineering.....	\$308.94

Administration cost:

Cost per mile of surveys.....	\$ 31.53
Cost per mile of designing.....	43.09
Cost per mile of construction.....	120.21
Total cost of Administration.....	\$194.83

Total cost per mile, Engineering and Administration, \$503.77.

The committee has carefully investigated the plans and designs and finds that there is a vast amount of work connected with the designing of roads which no one can appreciate who has not investigated the matter and inspected the various plans and designs. The Committee believes, however, that there is a tendency perhaps to over-design, particularly where roads are built on level prairies in North Dakota where no drainage problems are present. It believes, however, that there is a tendency perhaps to over-design, particularly where roads are built on level prairies in North Dakota where no drainage problems are present. The committee does not wish to form any rash conclusion. The designing cost compares with the designing of other states and the cost of road engineering and administration runs as high as \$900.00 per mile in some states. The Committee cannot with the information at hand draw just comparisons. Comparative tables are attached to this report

showing the cost in other states. The following is the approximate cost of road construction based upon about 1,600 miles of completed road:

Average cost of dirt roads	\$2,000.00
Average cost of culverts and bridges.....	800.00
Average cost of gravel	2,000.00

These figures are not accurate but tables are attached from which anyone interested can compute the cost of the various projects in his respective county. There is only one concrete project on which the Committee has figures, which is the Bismarck project of 1,052 miles which cost \$39,976.00.

Lack of time will not permit the Committee to properly compile this report and discuss the details to any greater extent. Suffice to say that the engineer has made his Biennial Report which is in the hands of the printers. The State Examiner's department has spent the past several weeks checking the Chief Engineer's department and the report of that office will be forthcoming within a week so that the Senators will undoubtedly have a report of the State Examiner and the report of the State Engineer, and in addition to this report should get practically all of the available information that can not be obtained without a very expensive investigation which the Committee does not deem advisable.

The Committee should and in justice to the Commission that no charges of dishonesty or collusion have been made against the Chief Engineer, and all specific charges have been directed to but one individual in the department. The evidence of this person in explanation of the various charges made as to the specific projects concerning which the charges have been made is contained in the transcript and is made a part of this report. Some friction has been found by the Committee to exist among different employees of the department but the Committee believes that this friction will soon be eliminated. The specific projects concerning which charges were made are Federal Aid Project No. 55, Stutsman County; Federal Aid Project No. 70, Nelson County; and Federal Aid Project No. 119, Emmons County. On the Stutsman County project the final estimate was increased \$1,342.00; on the Emmons County project the final estimate was raised nearly \$2,000.00; and the Nelson County project has not been finally settled. The Bureau of Public Roads has accepted the Stutsman County Project and the Emmons County Project, and the counties have paid their proportionate share and the Committee is unable to find from the evidence that there was collusion in connection with either or any of these projects, but condemns the practice of increasing estimates without full knowledge and co-operation of the different engineers whose estimates disagree.

It is unfortunate that there appears to be an acute situation between the department forces and those without the department. The committee could not enter into an investigation of the merits of the situation as it exists and be-

believes that for the good of the department certain changes should be made regardless of the merits of the controversy which should not be permitted to affect the morale of a great organization. The Committee believes that the situation has been cleared up by recent resignations and that upon the re-organization of the entire department the experience of the past will enable the new organization to see the necessity of a closer and more compact organization requiring the general supervision of the highest technical and executive skill. The full Commission should have stated meetings and the work of supervision should be carefully revised. The report of the Chief Engineer, which is in the hands of the printer, and his testimony, attached hereto, will show the weaknesses of the present system and the need of a new organization under a different system or form.

The following is a statement of the cost and expense incurred in making the investigation:

M. A. Hedalen	
Serving process	\$ 1.00
Taxi75
B. H. Tong	
Witness fees, 2 days	4.00
Mileage, 68 miles	6.80
W. W. Moyer	
Witness fees, 1 day	2.00
Edith Barker	
Stenographic services	169.90
Alfhild O. Alfson	
Stenographic services	3.20
	\$187.65

All of the witnesses in the employ of the Highway Commission were on the pay roll while they were testifying and no fees have been allowed them. W. W. Moyer was called as a witness and forced to attend but his information was all of a hearsay nature and was not reported.

Dated at Bismarck, North Dakota, this 1st day of March, A. D., 1923.

Respectfully submitted,

J. E. EASTGATE,
Chairman.

W. D. LYNCH,
ROBT BYRNE.

Senator Lynch moved that the report of the Special Senate Committee on investigation of the State Highway Commission be adopted.

Which motion prevailed.

Senator Lynch moved that copies of the exhibits, and

of testimony taken by the Special Investigation Committee, be filed in the office of the Governor.

Which motion prevailed.

The question being on the motion to allow the expenses of the cost of the investigation of the State Highway Department, the roll was called and there were ayes 38, nays none, absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Stevens
Baird	Gross	Nathan	Storstad
Baker	Hamilton	Olson, Barnes	Thorson
Benson	Ingerson	Olson, Eddy-	Tofsrud
Bond	Kaldor	Foster	Van Camp
Byrne	Kelsh	Page	Ward
Carey	Lynch	Peterson	Whitman
Eastgate	McCoy	Ployhar	Whitmer
Ettestad	McIachlin	Porter	Wog
Garberg	Miklethun	Rusch	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Levang	Patten	Steel
Fleckten	Magnuson	Peck	Wenstrom
Kretschmar	Martin	Sperry	

So the motion prevailed.

MESSAGE FROM THE HOUSE

The following message was received from the House:

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 255. A Bill for an Act to Amend and Re-enact Chapter 220 of the Laws of North Dakota for the Year 1919.

Which the House has amended as follows:

In Section 1, line 11, of the engrossed bill, after the word "full" insert the words "and true."

In line 12 of the engrossed bill after the word "auditor" insert the following words: "after equalization by the State Board of Equalization."

In line 1 of title, after the word "chapter" insert the words "59 of the Session Laws of 1919 as amended by Chapter."

In line 1, Section 1, after the word "chapter" insert the words "59 of the Session Laws of 1919 as amended by Chapter."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Gardiner moved that the Senate do now concur in the House amendments to Senate Bill No. 255.

Which motion prevailed.

Senator Gardiner moved that the rules be suspended; that Senate Bill No. 255 be considered re-engrossed and placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 255. A Bill for an Act to Amend and Re-enact Chapter 220 of the Laws of North Dakota for the Year 1919.

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 29, nays 12, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Peterson	Storstad
Baird	Kelsh	Ployhar	Thorson
Bond	Lynch	Porter	Tofsrud
Carey	McCoy	Rusch	Van Camp
Eastgate	McLachlin	Sperry	Whitman
Ettestad	Murphy	Steel	Whitmer
Garberg	Page	Stevens	Wog
Gardiner			

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Miklethun	Olson, Eddy-
Benson	Ingerson	Nathan	Foster
Byrne	Magnuson	Olson, Barnes	Ward
Gross			

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Levang	Kretschmar	Peck
Fleckten	Martin	Patten	Wenstrom

So the bill passed and the title was agreed to.

Senator Stevens moved a separate roll call on the emergency clause.

Which motion prevailed.

SENATE ROLL CALL

The question being on the adoption of the emergency clause on Senate Bill No. 255, the roll was called and there were ayes 26, nays 16, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kaldor	Peterson	Stevens
Baird	Kelsh	Ployhar	Storstad
Bond	Lynch	Porter	Thorson
Carey	McCoy	Rusch	Tofsrud
Eastgate	McLachlin	Sperry	Van Camp
Ettestad	Murphy	Steel	Whitman
Gardiner	Page		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Nathan	Peck
Benson	Ingerson	O'son, Barnes	Ward
Byrne	Magnuson	Olson, Eddy	Whitmer
Garberg	Miklethum	Poster	Wog
Gross			

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Kretschmar	Martin	Wenstrom
Fleckten	Levang	Patten	

So the emergency clause was declared lost.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 2078, Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 223, Session Laws of 1919, and Chapter 122, Session Laws of 1921, Relating to the Exemption of Certain Property from Taxation.

Which the House has amended as follows:

In subdivision 14 of the engrossed bill, line 5, after the word "the" the word "corporate" be stricken out.

In subdivision 14, line 5, of the engrossed bill, after the word "city" a comma and the word "town" be inserted.

Subdivision 15 of the engrossed bill be stricken out in its entirety.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Ettestad moved that the Senate do now concur in the House amendments to Senate Bill No. 146.

Which motion prevailed.

Senator Ettestad moved that the rules be suspended; that Senate Bill No. 146 be considered re-engrossed, and placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 2078, Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 223, Session Laws of 1919, and Chapter 122, Session Laws of 1921, Re-

lating to the Exemption of Certain Property from Taxation.

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 30, nays 12, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Page	Stevens
Baird	Kaldor	Peterson	Storstad
Bond	Kelsh	Ployhar	Thorson
Carey	Lynch	Porter	Tofsrud
Eastgate	McCoy	Rusch	Van Camp
Ettestad	McLachlin	Sperry	Whitman
Gardiner	Murphy	Steel	Whitmer
Gross	Nathan		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Hamilton	Olson, Barnes	Peck
Benson	Magnuson	Olson, Eddy	Ward
Byrne	Miklethun	Foster	Wog
Garberg			

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Kretschmar	Martin	Wenstrom
Fleckten	Levang	Patten	

So the bill passed and the title was agreed to.

A separate roll call on the adoption of the emergency clause of Senate Bill No. 146 was demanded.

SENATE ROLL CALL

The question being on the adoption of the emergency clause of Senate Bill No. 146, the roll was called and there were ayes 32, nays 10, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Steel
Baird	Hamilton	Page	Stevens
Bond	Ingerson	Peck	Storstad
Byrne	Kaldor	Peterson	Thorson
Carey	Kelsh	Ployhar	Tofsrud
Eastgate	Lynch	Porter	Van Camp
Ettestad	McCoy	Rusch	Whitman
Garberg	McLachlin	Sperry	Whitmer

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Magnuson	Olson, Barnes	Ward
Benson	Miklethun	Olson, Eddy	Wog
Gross	Nathan	Foster	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Kretschmar	Martin	Wenstrom
Fleckten	Levang	Patten	

So the emergency clause was declared lost.

MESSAGE FROM THE HOUSE

The following message was received from the House:

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 186. A Bill for an Act Relating to the Abandonment or Neglect of Wife or Child, and the Desertion and Non-support of Family, and for the Repeal of Sections 9589 and 9603 Inclusive. Compiled Laws of 1913.

Which the House has amended as follows:

In line 7 on page 2 of the engrossed bill strike out the word "misdemeanor" and insert in lieu thereof the words "felony and upon conviction thereof shall be punished therefor by imprisonment in the State Penitentiary for not more than five years."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Baker moved that the Senate do now concur in the House amendments to Senate Bill No. 186.

Which motion prevailed.

Senator Baker moved that the rules be suspended; that Senate Bill No. 186 be considered re-engrossed, and placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 186. A Bill for an Act Relating to the Abandonment or Neglect of Wife or Child, and the Desertion and Non-support of Family, and for the Repeal of Sections 9589 to 9603 Inclusive, Compiled Laws of 1913.

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 none, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Sperry
Baird	Ingerson	Olson, Barnes	Steel
Baker	Kaldor	Olson, Eddy-	Stevens
Benson	Kelsh	Foster	Storstad
Bond	Lynch	Page	Thorson
Byrne	McCoy	Peck	Tofsrud
Carey	McLachlin	Peterson	Van Camp
Eastgate	Magnuson	Ployhai	Ward
Fttestad	Miklethun	Porter	Whitman
Garberg	Murphy	Rusch	Wog
Gardiner			

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Balcock	Kretschmar	Martin	Wenstrom
Fleckten	Levang	Patten	Whitmer
Hamilton			

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

The following message was received from the House:

Mr. President: I have the honor to return:

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 4920 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 76 of the Session Laws for the Year 1921, Relating to the Fees to Be Paid by Insurance Companies Doing Business in this State.

Which the House has amended as follows:

At the end of the bill, change the period to a comma, and add the following words: "such per diem charge not to exceed twenty dollars."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Garberg moved that the Senate do now concur in the House amendments to Senate Bill No. 59.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 4929 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 76 of the Session Laws for the Year 1921, Relating to the Fees to be Paid by Insurance Companies Doing Business in This State.

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 39, nays none, absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Murphy	Sperry
Baker	Gross	Nathan	Steel
Baird	Ingerson	Olson-Barnes	Stevens
Benson	Kaldor	Olson, Eddy-	Storstad
Bond	Kelsh	Foster	Thorson
Byrne	Lynch	Page	Tofsrud
Carey	McCoy	Peterson	Van Camp
Eastgate	McLachlin	Ployhar	Ward
Ettestad	Magnuson	Porter	Whitman
Garberg	Miklethun	Rusch	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Kretschmar	Patten	Wenstrom
Fleckten	Levang	Peck	Whitmer
Hamilton	Martin		

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

The following message was received from the House:

House of Representatives,
Bismarck, North Dakota,

March 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 341. A Bill for an Act to Impose a Tax Upon Gasoline, Stored, Shipped, Distributed or Held for Sale Within this State, for the Purpose of Raising Revenue for Defraying the Expenses of the State Government; Providing for the Administration of the Same; Repealing Chapter 227 of the Session Laws of 1919 as Amended by Chapter 64 of the Special Session Laws of 1919.

Which the House has amended as follows:

In line 2, Section 4, strike out the word "oils" and insert the word "gasoline."

In line 4, Section 9, strike out the word "oil" and insert the word "gasoline."

In line 8, Section 9, strike out the word "oil" in the two places where the word appears in that line and insert the word "gasoline" in each such place.

In line 11, Section 9, strike out the word "oil" and insert the word "gasoline."

In line 3, Section 10, strike out the word "oil" and insert the word "gasoline."

In line 10, Section 7, strike out the word "oils" and insert the word "gasoline."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

MESSAGE FROM THE HOUSE

The following message was received from the House:

House of Representatives,
Bismarck, North Dakota,

March 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 132. A Bill for an Act Making an Appro-

proportion for the General Expense of the Hotel Inspection Department.

Which the House has amended as follows:

In line 2 strike out the words "state treasury" and insert in lieu thereof "Hotel Inspection Fund."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 78. A Bill for an Act Making an Appropriation for the General Expense of the State Oil Inspection.

Which the House has amended as follows:

In line 2 strike out the words "Treasury" and insert therein the words "Oil Inspection Fund."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Thorson moved that the Senate do concur in the House amendments to Senate Bill No. 341.

Which motion prevailed.

Senator Thorson moved that Senate Bill No. 341, as amended by the House, now be placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 341. A Bill for an Act to Impose a Tax Upon Gasoline, Stored, Shipped, Distributed or Held for Sale Within This State, for the Purpose of Raising Revenue for Defraying the Expenses of the State Government; Providing for the Administration of the Same; Repealing Chapter 227 of the Session Laws of 1919 as Amended by Chapter 64 of the Special Session Laws of 1919.

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 34, nays 8, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	
Atkins	Gardiner	Olson, Barnes	Sperry
Baird	Gross	Olson, Eddy-	Steel
Baker	Hamilton	Foster	Stevens
Benson	Kaldor	Page	Storstad
Bond	Lynch	Peck	Thorson
Byrne	McCoy	Peterson	Van Camp
Eastgate	McLachlin	Ployhar	Whitman
Ettestad	Magnuson	Porter	Wog
Garberg	Murphy	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Carey	Kelsh	Nathan	Ward
Ingerson	Miklethun	Tofsrud	Whitmer

Absent and not voting

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Kretschmar	Martin	Wenstrom
Fleckten	Levang	Patten	

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

The following message was received from the House:

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 325. A Bill for an Act to Amend and Re-enact Sections 551, 552 and 557 of the Compiled Laws of North Dakota for 1913, Governing the Practice of Certified Public Accountants in the state, and Providing a Penalty for Violation of the Laws Governing Accountancy.

Which the House has amended as follows:

Strike out all of Sections 1 and 2, and number what is now Section 3, as Section 1.

Under Section 557, in line 6 (printed bill) after the word "shall" insert "have his certificate revoked and."

In same line 6, strike out the word "misdemeanor" and insert in lieu thereof the word "felony."

In line 9, strike out the words "county jail" and in lieu thereof insert the words "State Penitentiary."

In line 10, strike out the words "exceeding thirty days" and in lieu thereof insert the words "less than one year or more than three years."

Amend the title of the bill by striking out "Sections 551, 552 and" and insert in lieu thereof the word "Section."

Change Sections 4 and 5 to read 2 and 3.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

MESSAGE FROM THE HOUSE

The following message was received from the House:

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return:-

Senate Bill No. 80. A Bill for an Act Making an Appropriation of \$1,042,965.00 for the Purpose of Paying the General Maintenance, Improvements and Repairs, New Equipment, etc., of the State University at Grand Forks, North Dakota.

Which the House has amended as follows:

In line 1 of the title strike out the figures "\$1,042,965.00" and insert in lieu thereof the figures "\$1,058,615.00." And also the same change in line 3 of Section 1.

In line 7 strike out the figures "\$15,360.00" and insert in lieu thereof the figures "\$18,360.00."

In line 3 of Maintenance Administration strike out the figures "\$20,830.00" and insert in lieu thereof the figures "\$22,280.00."

In line 4 of the same section strike out the figures "\$8,260.00" and insert in lieu thereof the figures "\$9,460.00." In line 12 of the bottom of page 2 of the printed bill strike out the figures "\$901,863.00" and insert in lieu thereof the figures "\$907,513.00."

In line 7 of page 4 of the printed bill insert the following: "Maintenance Briquetting Plant \$10,000.00."

In line 11 strike out the figures "\$38,280.00" and insert in lieu thereof the figures "\$48,280.00."

In line 13 strike out the figures "\$1,042,965.00" and insert in lieu thereof the figures "\$1,058,615.00."

On page 2, engrossed bill, item 11, strike out the figures "\$21,240.00" and insert in lieu thereof "\$29,240.00." Also change total at bottom of page to correspond.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

MESSAGE FROM THE HOUSE

The following message was received from the House:

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 105. A Bill for an Act Making an Appropriation of \$18,825.00 for the Purpose of Paying Per Diem, Clerk Hire, Traveling Expenses, etc., in Carrying Out the Provisions of Chapter 126 of the Session Laws of 1917 Relative to the Depositors Guarantee Fund Commission.

Which the House has amended as follows:

In line 1 of the title strike out the figures "\$18,825.00" and insert in lieu thereof the figures "\$18,800.00."

In line 4, after the figures "1917" insert the following: "and amendments thereto."

In line 3 of Section 1 strike out the figures "\$18,825.00" and insert in lieu thereof the figures "\$18,800.00" and after the figures 1917 in the same section insert the following: "and amendments thereto."

In line 7 of the printed bill strike out the word "three" and also the figures "\$1200.00" and insert in lieu thereof the figures "\$1500.00."

Strike out all of line 8.

In line 9 strike out the figures "\$3600.00" and insert in lieu thereof the figures "\$3000.00."

In line 10 insert the words "or Inspectors" just following the word "Supervisor." Also in the same line strike out the figures "\$4400.00" and insert in lieu thereof the figures "\$5,000.00."

In line 12 strike out the figures "\$300.00" and insert in lieu thereof the figures "\$500.00."

In line 14 strike out the figures "\$600.00" and insert in lieu thereof the figures "\$1,000.00."

In line 15 strike out the figures "\$250.00" and insert in lieu thereof the figures "\$450.00."

In line 17 strike out the figures "\$300.00" and insert in lieu thereof the figures "\$400.00."

Strike out all of line 18.

In line 19 strike out the figures "\$1800.00" and insert in lieu thereof the figures "\$2,000.00."

In line 20 strike out the figures "\$3300.00" and insert in lieu thereof the figures "\$4,000.00."

In line 22 strike out the figures "\$18,825.00" and insert in lieu thereof the figures "\$18,800.00."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 11. A Bill for an Act to Amend and Re-enact Sections 869 and 983 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 119, Session Laws of 1919, Relating to the Opening and Closing of Polls in Primary and General Elections.

Which the House has amended as follows:

In line 1 of the engrossed bill, strike out the word "amended" and insert in lieu thereof the word "amendment."

In line 7, following the words "seven o'clock P. M." insert the following: "twenty minutes prior to the hour of closing the inspector shall proclaim to the electors outside the number of minutes before the polls will be closed."

In line 5 strike out the period following the word "when" and insert in lieu thereof the words, capitalized, "at primary election."

In line 11 of Section 2 strike out the word "amended" and insert in lieu thereof "amendment."

Section 1, page 2, capitalize the words "when the polls are to be opened or closed."

Strike out the period after the word "closed" in line 1, page 2, of the original bill, and insert in lieu thereof in capital letters the words "at general elections."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

MESSAGE FROM THE HOUSE

The following message was received from the House:

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 335. A Bill for an Act to Create the Office of State Food Commissioner and Chemist; Providing for his Appointment, Term of Office, Removal and Salary; Defining his Powers and Duties; Defining the Powers and Duties of the State Board of Administration Relating Thereto; Creating a State Regulatory Fund and Providing for Payments Therefrom and Repealing Acts and Parts

of Acts in Conflict with this Act and Especially Repealing Sections Two and Five of Chapter Two Hundred of the Session Laws of 1915.

Which the House has amended as follows:

In line 1, page 2, engrossed bill, strike out the word "four" and insert in lieu thereof the word "two."

In line 2, page 2, insert the word "cause," "without appeal."

On page 3, following the 12th line thereof and as an additional paragraph, insert the following: "The State Board of Administration shall annually and on or before the first day of July in each year, prepare an annual budget covering the expenditures to be made during the next ensuing year from each of the several funds comprising the State regulatory fund, and such budget, as so made, shall be adhered to during such ensuing year."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

MESSAGE FROM THE HOUSE

The following message was received from the House:

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 157. A Bill for an Act Making an Appropriation of \$573,118.00 to Pay the General Maintenance, Improvements and Repairs, New Buildings, and Equipment of the Agricultural College, Fargo, for the Biennium.

Which the House has amended as follows:

In line 1 of the title strike out the figures "\$544,906.00" and insert in lieu thereof the figures "\$577,906.00."

In line three strike out the figures "\$544,906.00" and insert in lieu thereof the figures "\$577,906.00."

Under Improvements and Repairs add the following: "Mechanical Arts Bldg. \$6,000.00, Auditorium \$3,000.00, Armory \$5000.00; Trunk Sewer to River (College Share) \$10,000.00."

In line Total of Improvements and Repairs strike out the figures "\$15,000.00" and insert in lieu thereof the figures "\$38,000.00."

In line 2 under Recapitulation strike out the figures

"\$15,000.00" and insert in lieu thereof the figures "\$38,000.00."

In the last line of Total Net Budget strike out the figures "\$544,906.00" and insert in lieu thereof the figures "\$577,906.00."

In line 74 add the following: Interest "\$10,000.00."

In line 75 strike out the word "Insurance" also figures "\$16,000.00" and insert in lieu thereof the figures "\$26,000.00."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return

Senate Bill No. 272. A Bill for an Act Relating to the Method of Levying Tax for the Care of Patients at the Hospital for the Insane. Institution for the Feeble Minded and the State Tuberculosis Sanatorium; Providing the Method of Settlement Between County and State; Providing a Penalty for Failure to Pay; Providiig a Method of Settling Disputed Claims and Repealing Sections 2572 and 2573, Compiled Laws of 1913 and All Acts or Parts of Acts in Conflict Therewith.

Which the House has amended as follows:

Amendments are to the engrossed bill as the same came from the Senate.

Amend the bill by striking out all of the balance of Section 2 beginning with "if" in line 22 thereof:

Insert in lieu thereof as a part of said Section 2 the following:

"It is hereby made the duty of the county treasurer and the county auditor, and they and each of them, are hereby required to remit to the state treasurer for the amounts of the state auditor's draft. Provided, however, that if there is included as a part of the amount for which such draft is drawn by the state auditor upon the county treasurer any charge or charges for any patient or patients, which patient or patients have or shall be by proper resolution of the board of county commissioners declared not chargeable against such county the amount of such so disputed claim or claims may be deducted in making remittance for such draft. Such claims so disputed shall be determined, adjusted and payment made in manner by Sections 2576 and 2577 of the Compiled Laws of North Dakota of 1913 provided."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Baird moved that the Senate do not concur in the House amendments to Senate Bill 325.

Which motion prevailed.

Senator Baird moved that the President appoint a Conference Committee to act with a like committee from the House to further consider Senate Bill 325.

Which motion prevailed.

The president appointed Senators Rusch, Baird and Olson (of Barnes) as such Committee.

EIGHTH ORDER OF BUSINESS

Senator Van Camp moved that the committee report indefinitely postponing House Bill 156 be re-considered.

Which motion prevailed.

Senator Van Camp moved that House Bill 156 be recalled from the House.

Which motion prevailed.

Senator Peterson moved that the vote by which House Bill 30 failed to pass be reconsidered.

Senator Nathan moved that Senator Peterson's motion be laid on the table.

Which motion lost.

Senator Olson (of Barnes) moved that the Senate recess until 10:00 A. M. March 2, 1923.

Which motion lost.

Senator Nathan moved that the Senate recess until 11:00 A. M., March 2, 1923.

Which motion lost.

Senator Rusch moved that House Bill 30 be placed on the Calendar for final passage.

Which motion prevailed.

Senator Nathan moved a Call of the Senate.

Which motion lost.

The vote being on the motion of Senator Peterson, the motion prevailed and the vote on House Bill 156 was reconsidered.

Senator Kretschmar moved that the Senate do not concur in the House Amendments to Senate Bill 80.

Which motion prevailed.

Senator Kretschmar moved that the Senate do not concur in the House amendments to Senate Bill No. 88.

Which motion prevailed.

Senator Carey moved that the Senate do now concur in the House amendments to Senate Bill No. 11.

Which motion prevailed.

Senator Benson moved a Call of the Senate.

Which motion lost.

SENATE ROLL CALL

Senate Bill No. 11. A Bill for an Act to Amend and Re-enact Sections 869 and 983 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 119 Session Laws of 1919 Relating to the Opening and Closing of Polls in Primary and General Elections.

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 25, nays 11, absent and not voting 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Page	Stevens
Baird	Kretschmar	Peterson	Storstad
Bond	Lynch	Ployhar	Thorson
Carey	McCoy	Porter	Tofsrud
Eastgate	McLachlin	Sperry	Van Cango
Gardiner	Murphy	Steel	Whitman
Kaldor			

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Ettestad	Olson, Barnes	Whitmer
Benson	Gross	Peck	Woz
Byrne	Miklethun	Ward	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Ingerson	Nathan	Rusch
Fleckten	Levang	Olson, Eddy-	Wenstrom
Garberg	Magnuson	Foster	Patten
Hamilton	Martin		

So the bill passed and the title was agreed to.

Senator Carey moved that the vote by which Senate Bill No. 11 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 169. A Bill for an Act Relating to the Powers of Stockholders and Management of Co-operative Corporations and Associations.

And the President signed the same in the presence of the Senate.

House of Representatives,
Bismarck, North Dakota,
March, 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 88. A Bill for an Act Making an Appropriation of \$292,250.00 to Pay the General Maintenance, Improvements, Repairs, New Buildings, Equipment and Purchase of Live Stock, for the Experiment Station at the Agricultural College at Fargo, for the Biennium.

Which the House has amended as follows:

In line one of the title strike out the figures "\$293,350.00" and insert in lieu thereof the figures "\$287,350.00."

In line three strike out the figures "\$293,350.00" and insert in lieu thereof the figures "\$287,350.00."

In line three under Maintenance strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$15,000.00."

In line eight strike out the "and" and insert the figures "\$10,000.00."

In line between lines eight and nine strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$10,000.00" and number said line 8½. In line eleven strike out the figures "\$247,000.00" and insert in lieu thereof the figures "\$267,400.00."

In line five under Improvements and repairs in Engrossed bill strike out the whole of line five. Also in line six strike out the figures "\$17,250.00" and insert in lieu thereof the figures "\$7,250.00."

Strike out all of lines 4, 5 and 6 under new Buildings in the engrossed bill, also strike out the figures "\$22,700.00" in line eight and insert in lieu thereof the figures "\$6,700.00."

In line 45 strike out the figures "\$293,350.00" and insert in lieu thereof the figures "\$287,350.00."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Kretschmar moved that the Senate do now concur in the House amendments to Senate Bill No. 105.

Which motion prevailed.

Senator Hamilton moved that the Senate do now concur in the House amendments to Senate Bill No. 198.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 105. A Bill for an Act Making an Appropriation of \$18,825.00 for the Purpose of Paying Per Diem, Clerk Hire, Traveling Expenses, etc., in Carrying out the Provisions of Chapter 126 of the Session Laws of 1917 Relative to the Depositors Guarantee Fund Commission.

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 33, nays 4, absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Kelsh	Page	Stevens
Baird	Kretschmar	Peck	Storstad
Bond	Lynch	Peterson	Thorsen
Carey	McCoy	Ployhar	Tofsrud
Eastgate	McLachlin	Porter	Van Camp
Ettestad	Murphy	Rusch	Ward
Gardiner	Nathan	Sperry	Whitman
Hamilton	Olson, Barnes	Steel	Wog
Kaldor			

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Benson	Gross	Whitmer

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Ingerson	Martin	Olson, Eddy-
Byrne	Levang	Miklethun	Foster
Fleckten	Magnuson	Patten	Wenstrom
Garberg			

So the bill passed and the title was agreed to.

SENATE ROLL CALL

Senate Bill No. 198. A Bill for an Act Making an Appropriation for the Supervisor of Grades, Weights and Measures, for the Purpose of Carrying Out, Maintaining General Supervision and Regulation of Grain Grading, Elevator Accounting and Inspection of Elevators, Warehouses and Flour Mills in Handling of all Agricultural Products.

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 38, nays none, absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Olson, Barnes	Stevens
Baird	Kaldor	Page	Storstad
Baker	Kelsh	Patten	Thorsen
Benson	Kretschmar	Peck	Tofsrud
Bond	Lynch	Peterson	Van Camp
Carey	McCoy	Ployhar	Ward
Eastgate	McLachlin	Porter	Whitman
Ettestad	Miklethun	Rusch	Whitmer
Gardiner	Murphy	Sperry	Wog
Gross	Nathan	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Magnuson	Olson, Eddy-
Byrne	Ingerson	Martin	Foster
Fleckten	Levang		Patten
			Wenstrom

So the bill passed and the title was agreed to.

Senator Kretschmar moved that the President appoint a

Conference Committee to act with a like Committee from the House to further consider Senate Bill 80.

Which motion prevailed.

The President appointed Senators Kretschmar, Murphy and Van Camp as such committee.

Senator Kretschmar moved that the President appoint a Conference Committee to act with like committee from the House to further consider Senate Bill No. 88.

Which motion prevailed.

The President appointed Senators Kretschmar, Kaldor and Kelsh as such committee.

Senator Kretschmar moved that the Senate do not concur in the House amendments to Senate Bill No. 157.

Which motion prevailed.

Senator Kretschmar moved that the President appoint a Conference Committee to act with a like committee from the House to further consider Senate Bill 157.

Which motion prevailed.

The President appointed Senators Kretschmar, Kaldor and Kelsh as such committee.

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 253. A Bill for an Act to Repeal Chapter 122 of the Session Laws of 1921.

Which the House has passed unchanged.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 76. A Bill for an Act Making an Appropriation of \$117,238.00 as an Offset for Federal Aid in Extension Division Work of the Agricultural College.

Which the House as amended as follows:

In line three of the printed bill strike out the figures "\$117,338.00" and insert in lieu thereof the figures "\$131,200.00."

In the title of the bill strike out the figures "\$117,338.00" and insert in lieu thereof "\$131,200.00."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Whitmer moved that the Senate do now recess until 10:00 A. M., March 2, 1923.

Which motion lost.

Senator Eastgate moved that the Senate do now concur in the House amendments to Senate Bill No. 235.

Which motion prevailed.

Senator Eastgate moved that the rules be suspended; that Senate Bill No. 235 as amended, be placed on the Calendar for final passage.

Which motion prevailed.

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return House Bill No. 156 as per your request.

Also:

House Bill No. 30.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

SENATE ROLL CALL

Senate Bill No. 235. A Bill for an Act to Amend and Re-enact Section 2263 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted in Chapter 1 of the Session Laws for the Year 1917, Relating to the Levy of a Tax by County Commissioners to be Used in Carrying on Cooperative Agricultural Extension Work as Defined by this Act and Providing for Referendum by Ballot, Audit of Funds and Disposition of Accumulated Funds.

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 28, nays 11, absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Ingerson	Page	Stevens
Baird	Kaldor	Peterson	Storstad
Bond	Kelsh	Ployhar	Thorson
Carey	Fretschmar	Porter	Tofsrud
Eastgate	McCoy	Rusch	Van Camp
Ettestad	McLachlin	Sperry	Ward
Garberg	Murphy	Steel	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Nathan	Olson, Eddy
Benson	Hamilton	Olson, Barnes	Poster
Byrne	Miklethun		Peck
			Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Levang	Martin	Whitmer
Fleckten	Lynch	Patten	
Gardiner	Magnuson	Wenstrom	

So the bill passed and the title was agreed to.

Senator Van Camp moved that House Bill No. 156 be placed on the calendar for third reading, and final passage.

Which motion prevailed.

Senator Hamilton moved to amend House Bill 156 as follows:

Lines 3 and 4, Section 1, strike out "commonly called the Sabbath".

Which motion lost.

SENATE ROLL CALL

Senate Bill No. 156. A Bill for an Act to Repeal Chapter 31 of the Special Session Laws of 1919 Relating to the Purchase of Dairy Cattle by Counties.

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 31, nays 8, absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Nathan	Steel
Benson	Ingerson	Olson, Barnes	Storstad
Bond	Kaldor	Page	Thorson
Byrne	Lynch	Peterson	Tofsrud
Carey	McCoy	Ployhar	Van Camp
Eastgate	McLachlin	Porter	Ward
Ettestad	Miklethun	Rusch	Whitman
Garberg	Murphy	Sperry	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Olson, Eddy-	Stevens
Baird	Kelsh	Poster	Wog
		Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Kretschmar	Martin	Wenstrom
Fleckten	Levang	Patten	Whitmer
Gardiner	Magnuson		

So the bill passed and the title was agreed to.

Senator Van Camp moved that the vote by which Sen-

ate Bill No. 156 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Nathan moved that the Senate do now recess until 10:00 A. M., March 2, 1923.

Which motion lost.

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return

Senate Bill No. 198. A Bill for an Act Making an Appropriation for the Supervisor of Grades, Weights and Measures, for the Purpose of Carrying Out, Maintaining General Supervision and Regulation of Grain Grading, Elevator Accounting and Inspection of Elevators, Warehouses and Flour Mills in Handling of all Agricultural Products.

Which the House has amended as follows:

In line 3 of the Engrossed bill strike out the figures "\$60,000.00" and insert in lieu thereof the figures "\$50,000.00."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator McCoy moved that the Senate do now concur in the House amendments to Senate Bill 272.

Which motion prevailed.

Senator McCoy moved that the rules be suspended that Senate Bill 272 as amended be placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 272. A Bill for an Act Relating to the Method of Levying Tax for the Care of Patients at the Hospital for the Insane, Institution for the Feeble-minded and the State Tuberculosis Sanitorium; Providing the Method of Settlement Between County and State; Providing a Penalty for Failure to Pay; Providing a Method of Settling Disputed Claims and Repealing Sections 2572 and 2573, Compiled Laws of 1913 and All Acts or Parts of Acts in Conflict Therewith.

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 38, nays 2, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Storstad
Baird	Ingerson	Page	Thorson
Baker	Kaldor	Peck	Tofsrud
Bond	Kelsh	Peterson	Van Camp
Byrne	Kretschmar	Ployhar	Ward
Carey	Lynch	Porter	Whitman
Eastgate	McCoy	Rusch	Whitmer
Ettestad	McLachlin	Sperry	Wog
Gardiner	Miklethun	Steel	
Gross	Murphy	Stevens	

Those voting in the negative were:

Messrs.	Messrs.
Benson	Olson, Eddy- Foster

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Garberg	Magnuson	Olson, Barnes
Fleckten	Levang	Martin	Patten
			Wenstrom

So the bill passed and the title was agreed to.

Senator Hamilton moved that the Senate do now recess until 10:30 A. M., March 2, 1923.

Which motion was lost.

Senator Benson moved that the Senate do now recess until 9:00 A. M. March 2, 1923.

Which motion lost.

Senator Stevens moved that all obstructionists be excused.

Which motion prevailed.

Senator Lynch moved that the Senate do now concur in the House amendments to Senate Bill 335.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 335. A Bill for an Act to Create the Office of State Food Commissioner and Chemist; Providing for His Appointment, Term of Office, Removal and Salary; Defining His Powers and Duties; Defining the Powers and Duties of the State Board of Administration Relating Thereto; Creating a State Regulatory Fund and Providing for Payments Therefrom and Repealing Acts and Parts of Acts in Conflict with this Act and Especially Repealing Sections Two and Five of Chapter Two Hundred of the Session Laws of 1915.

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 34, nays 2, absent and not voting 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Sperry
Baird	Hamilton	Olson, Barnes	Steel
Benson	Ingerson	Olson, Eddy-	Stevens
Bond	Kaldor	Foster	Storstad
Carey	Kelah	Page	Thorson
Eastgate	Kretschmar	Peterson	Tofsrud
Ettestad	Lynch	Ployhar	Whitman
Garberg	McCoy	Porter	Whitmer
Gardiner	McLachlin	Rusch	

Those voting in the negative were:

Messrs.	Messrs.
Miklethun	Nathan

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Levang	Patten	Ward
Baker	Magnuson	Peck	Wenstrom
Byrne	Martin	Van Camp	Wog
Fleckten			

So the bill passed and the title was agreed to.

Senator Kretschmar moved that the Senate do now concur in the House amendments to Senate Bill No. 132.

Which motion prevailed.

Senator Kretschmar moved that the Rules be suspended that Senate Bill 132 be considered re-engrossed and placed on its third reading and final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 132. A Bill for an Act Making an Appropriation for the General Expense of the Hotel Inspection Department.

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 38, nays none, absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Steel
Baird	Ingerson	Olson, Barnes	Stevens
Benson	Kaldor	Olson, Eddy-	Storstad
Bond	Kelah	Foster	Thorson
Carey	Kretschmar	Page	Tofsrud
Eastgate	Lynch	Peck	Van Camp
Ettestad	McCoy	Peterson	Ward
Garberg	McLachlin	Ployhar	Whitman
Gardiner	Miklethun	Porter	Whitmer
Gross	Murphy	Sperry	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Fleckten	Martin	Wenstrom
Baker	Levang	Patten	Wog
Byrne	Magnuson	Rusch	

So the bill passed and the title was agreed to.

Senator Kretschmar moved that the Senate do now concur in the House amendments to Senate Bill 78.

Which motion prevailed.

Senator Kretschmar moved that Senate Bill No. 73 be considered re-engrossed and placed on its third reading and final passage.

Which motion prevailed.

SENATE POLL CALL

Senate Bill No. 78. A Bill for an Act Making an Appropriation for the General Expense of the State Oil Inspection.

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 38, nays none, absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Rusch
Baird	Ingerson	Olson, Barnes	Sperry
Benson	Kaldor	Olson, Eddy-	Steel
Bond	Kelsh	Foster	Stevens
Carey	Kretschmar	Page	Storstad
Eastgate	Lynch	Peck	Tjerson
Ettestad	McCoy	Peterson	Tofsrud
Garberg	McLachlin	Ployhar	Van Camp
Gardiner	Miklethun	Porter	Ward
Gross	Murphy		Whitman

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babeock	Flechten	Magnuson	Patten
Baker	Levang	Wenstrom	Wog
Byrne	Martin	Whitmer	

So the bill passed and the title was agreed to.

Senator Kretschmar moved that the Senate do not concur in the House amendments to Senate Bill No. 76.

Which motion prevailed.

Senator Kretschmar moved that a Conference Committee be appointed to act with a like Committee from the House to further consider Senate Bill No. 76.

Which motion prevailed.

The president appointed Senators Kretschmar, Kaldor and Kelsh as such committee.

Senator Whitman moved that the Senate do not concur in the House amendments to Senate Bill No. 54.

Which motion prevailed.

Senator Whitman moved that a Conference Committee be appointed to act with a like committee from the House to further consider Senate Bill No. 54.

Which motion prevailed.

The President appointed Senators Whitman, Porter and Baker as such committee.

Mr. President: Your committee on Conference to whom was referred:

Senate Bill No. 337. A Bill for an Act Providing for a Bounty for the Destruction of Magpies.

Have had the same under consideration and beg leave to advise that the Senate does concur with the House amendment of Senate Bill No. 337, and your Committee recommends that the following amendment be made in said bill:

"In the engrossed bill wherever the word "head" appears, strike out the same and insert in lieu thereof the word "wings."

M. W. KELLY,
V. L. ANDERSON,
OSCAR S. OBERG.,

For the House.

C. A. WARD,
L. W. SPERRY,
CHAS. M. WHITMER,

For the Senate.

Senator Whitmer moved to adopt the committee report on Senate Bill 337.

Which motion prevailed.

Senator Whitmer moved to amend Senate Bill 337, as follows:

In the engrossed bill wherever "head" appears strike out and insert in lieu thereof "wings."

Which motion prevailed.

Senator Whitmer moved that the rules be suspended that Senate Bill 337 be considered re-engrossed and placed on final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 337. A Bill for an Act Providing for a Bounty for the Destruction of Magpies and Crows.

Was read the third time.

The question being on the final passage of the bill, as amended by the House and Senate, the roll was called and there were ayes 36, nays 3, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.

Atkins
Bairst

Messrs.

Hamilton
Ingerson

Messrs.

Olson, Eddy-
Foster

Messrs.

Stevens
Storstad

Messrs.	Messrs.	Messrs.	Messrs.
Benson	Kelsh	Page	Thorson
Bond	Lynch	Peterson	Tofsrud
Byrne	McCoy	Ployhar	Van Camp
Carey	McLachlin	Porter	Ward
Eastgate	Miklethun	Rusch	Whitman
Ettestad	Murphy	Sperry	Whitmer
Garberg	Oison, Barnes	Steel	Wog
Gross			

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Gardiner	Kaldor	Nathan

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Kretschmar	Martin	Peck
Baker	Levang	Patten	Wenstrom
Fleckten	Magnuson		

So the bill passed and the title was agreed to.

The Committee on Conference made the following report:

Mr. President:

Your Committee on Conference to whom was referred

Senate Bill No. 311. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 242, Session Laws of North Dakota for the Year 1919, Relating to State Bounty on Wolves and Coyotes.

Have had the same under consideration and recommend that the House recede from their amendments and the engrossed bill be further amended as follows:

In section 1, line 4, after the word "follows" strike out the balance of the line and also lines 5, 6, 7, and the first two words in line 8, and insert the following: "Five dollars for each mature wolf or coyote killed, and two dollars for each wolf or coyote pup killed prior to September 1st of the year of the whelping of such wolf or coyote pup."

CHAS. WHITMER

L. W. SPERRY

C. A. WARD

For the Senate

M. W. KELLY

V. L. ARDUSER

OLE S. OBERG

For the House

Senator Whitmer moved that the report of the Conference Committee on Senate Bill 311 be adopted.

Which motion prevailed.

Senator Whitmer moved the following amendment to Senate Bill 311:

In Section 1, line 4, strike out the last word, all of lines 5, 6 and 7, and the first two words in line 8, and insert in lieu thereof: "Five dollars for each mature wolf or coyote killed, and two dollars for each wolf or coyote pup killed prior to September 1st, of the year of the whelping of such wolf or coyote pup."

Which motion prevailed.

Senate Bill No. 311. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 242, Session Laws of North Dakota for the Year 1919, Relating to State Bounty on Wolves and Coyotes.

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 1, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Olson, Barnes	Stevens
Baird	Hamilton	Olson, Eddy-	Storstad
Baker	Ingerson	Poster	Thorson
Denson	Kelsh	Page	Tofsrud
Bond	Kretschmar	Peck	Van Camp
Byrne	Lynch	Peterson	Ward
Carey	McCoy	Ployhar	Whitman
Eastgate	McLachlin	Porter	Whitmer
Ettestad	Miklethun	Rusch	Wog
Garberg	Murphy	Sperry	
Gardiner	Nathan	Steele	

Those voting in the negative were:

Messrs.

Kaldor

Absent and not voting:

Messrs.

Babcock
Fleckten

Messrs.

Levang
Magnuson

Messrs.

Martin
Patten

Messrs.

Wenstrom

So the bill passed and the title was agreed to, and the emergency clause is declared carried.

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to inform you that the House adopted the conference report on Senate Bill No. 176 and has passed the bill as amended.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Mr. President: Your Conference Committee appointed to confer with a like committee from the House on Senate Bill No. 176.

Have had the same under consideration, and beg leave to report that they recommend that the Senate do not concur in the House Amendments to Senate Bill 176, but rec-

commend that the bill be amended as follows. Add to the engrossed bill the following:

"Nothing in this Act shall be construed as compelling any specific treatment to any child, contrary to the objection of the parent, guardian or person standing in loco parentis."

And when so amended your committee believes the House will concur therein.

L. R. BAIRD,
Chairman.

Senator Baird moved that the report of the Conference Committee on Senate Bill No. 176 be adopted.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 176. A Bill for an Act Providing for the Care and Treatment of Crippled Children.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 26, nays 15, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Lynch	Steel
Baird	Gardiner	Miklethun	Tofsrud
Baker	Gross	Olson, Barnes	Ward
Benson	Hamilton	Olson, Eddy-	Whitman
Byrne	Ingerson	Foster	Whitmer
Carey	Kaldor	Page	Wog
Ettestad	Kretschmar	Peterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Bond	McLachlin	Porter	Storstad
Eastgate	Murphy	Rusch	Thorson
Kelsh	Nathan	Sperry	Van Camp
McCoy	Ployhar	Stevens	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babeock	Levang	Martin	Peck
Fleckten	Magnuson	Patten	Wenstrom

So the bill passed and the title was agreed to.

Senator Benson moved that the vote by which Senate Bill No. 176 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee of Conference on Senate Bill No. 21 made the following report:

Mr. President: Your Committee on Conference to whom was referred:

"Senate Bill No. 21. A Bill for an Act to Amend and Re-enact Chapter 224, Laws of North Dakota for the Year 1919, as Amended by Chapter 60, Special Session Laws of

1919; an Act for the Purpose of Raising Revenue to Defray the General Expenses of the State Government by Providing for a Tax on the Incomes of Individuals, Fiduciaries, Corporations, Joint Stock Companies or Associations and Insurance Companies in the State of North Dakota; Graduating Incomes for the Purpose of Taxation; Providing for Exemptions and Deductions in Certain Cases; Describing a method of Levying and Collecting Said Tax; Prescribing Penalties for Nonconformance with the Provisions of this Act, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Have had the same under consideration and beg leave to advise you that the Conference Committee has agreed to recommend that the Senate do concur in the House amendments to Section 21 and 23 of the Printed Bill, and that the Senate do not concur in the House amendment to Section 27 of the Printed Bill; that the House Conference Committee has agreed to recommend that the House recedes from the House amendments to Section 27 of the Printed Bill; and your Joint Conference Committee recommends that sub-division 4 of Section 27, as it appears on page 21 of the Printed Bill, as amended by changing the period at the end thereof to a comma and adding: "except Building and Loan Associations which receive saving deposits."

And when so amended recommend the same do pass.

For the Senate—

P. O. THORSON
A. G. STORSTAD
OLE ETTESTAD

For the House—

J. A. JARDINE
A. S. QUADE
J. F. ELMER.

Senator Thorson moved to adopt the report of the Conference Committee on Senate Bill No. 21.

Which motion prevailed.

Senator Thorson moved to amend Senate Bill 21 as follows:

At the end of sub-division 4 of section 27 change period to "comma" and add "except Building and Loan Associations which receive savings deposits."

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 21. A Bill for an Act to Amend and Re-enact Chapter 224, Laws of North Dakota for the Year 1919, as Amended by Chapter 60, Special Session Laws of 1919; an Act for the Purpose of Raising Revenue to Defray the General Expenses of the State Government by Providing for a Tax on the Incomes of Individuals, Fiduciaries, Corporations, Joint Stock Companies or Associa-

tions and Insurance Companies in the State of North Dakota; Graduating Incomes for the Purpose of Taxation; Providing for Exemptions and Deductions in Certain Cases; Describing a Method of Levying and Collecting Said Tax; Prescribing Penalties for Nonconformance with the Provisions of this Act, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 29, nays 12, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	
Atkins	Kaldor	Peterson	Thorson
Baird	Kelsh	Ployhar	Tofsrud
Bond	Kretschmar	Porter	Van Camp
Carey	McCoy	Rusch	Ward
Eastgate	McLachlin	Sperry	Whitman
Ettestad	Murphy	Steel	
Garberg	Page	Stevens	
Gardiner	Peck	Storstad	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gross	Miklethum	Olson, Eddy-
Benson	Hamilton	Nathan	Foster
Byrne	Ingerson	Olson, Barnes	Whitmer
			Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Levang	Magnuson	Patten
Fleckten	Lynch	Martin	Wenstrom

So the bill passed and the title was agreed to.

Senator Thorson moved that the vote by which Senate Bill No. 21 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

EIGHTH ORDER OF BUSINESS

Senator Murphy moved that Senator Frank Ployhar be elected President, Pro Tem, for the interim between the Eighteenth and Nineteenth Legislative Assemblies.

The question being on the election of Senator Ployhar, the roll was called and there were ayes 41, nays none, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Stevens
Baird	Hamilton	Olson, Barnes	Storstad
Baker	Ingerson	Olson, Eddy	Thorson
Benson	Kaldor	Foster	Tofsrud
Bond	Kelsh	Page	Van Camp
Byrne	Kretschmar	Peck	Ward
Carey	Lynch	Peterson	Whitman
Eastgate	McCoy	Porter	Whitmer
Ettestad	McLachlin	Rusch	Wog
Garberg	Miklethum	Sperry	
Gardiner	Murphy	Steel	

Absent and not voting:

Messrs.

Babcock
Fleckten

Messrs.

Levang
Magnuson

Messrs.

Martin
Patten

Messrs.

Ployhar
Wenstrom

So Senator Ployhar was declared elected.

The courtesies of the floor were extended to Stephen Terhorst, Olof Ribb of Donnybrook; W. F. Moyes of Cando; C. P. Peterson of Bisbee.

Senator Ployhar moved that the Senate do now recess until 10.00 A. M., March 2, 1923.

Which motion prevailed.

W. E. PARSONS,
Secretary.

FIFTY-NINTH DAY AFTER RECESS AND SIXTIETH
DAY

Senate Chamber,
Bismarck, N. D.
March 2, 1923.

The Senate re-assembled at 10:30 A. M., pursuant to recess taken, the President, Frank H. Hyland, presiding.

The Senate took up the Tenth Order of Business.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, N. D.
March 1, 1923.

Mr. President: I have the honor to inform you that the House has adopted the conference committee report of Senate Bill 21.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Bismarck, N. D.

March 1, 1923.

Mr. President: I have the honor to return

Senate Bill No. 54. A Bill for an Act to Provide for a State Department of Health; a Public Health Advisory Council; Working Divisions and Employees; Office Space; Making an Appropriation Therefor; Repealing Sections 397, 398, 401, and 403, Compiled Laws of 1913, Declaring Emergency.

Which the House has amended as follows:

In Section 3 Strike out all of line five after the word "receive" and all of line six up to the word "necessary" in section three and insert in lieu thereof the following: "Such compensation as shall be appropriated for that office from time to time by the Legislative Assembly and"

In line seven of Section three strike out the "period" after the word "business" and insert in lieu thereof a

"comma." Also in same line strike out the words "He shall not engage in any."

In line 8 of section 3 strike out the following: "other occupation or business."

In line 10 of Section 9 strike out "\$5,000.00" and insert in lieu thereof the figures "\$1800.00" and strike out the figures "\$10,000" and insert in lieu thereof "\$3600.00."

Strike out all of lines 11, 12, 13 and 14.

In line 16 strike out the figure "2" before the word "clerks" and insert in lieu thereof the figure "1." Also in the same line strike out the figures "\$2400.00" and insert in lieu thereof "\$1200.00." And also in same line strike out figures "\$4800.00" and insert in lieu thereof "\$2400.00."

In line 17 strike out the figures "\$500.00" and insert in lieu thereof "\$200.00." Also in the same line strike out the figures "\$1000.00" and insert in lieu thereof "\$400.00."

In line 18 strike out the figures "\$800.00" and insert in lieu thereof "\$200.00."

Also in same line strike out the figures "\$1600.00" and insert in lieu thereof "\$400.00."

In line 19 strike out the figures "\$750.00" and insert in lieu thereof "\$100.00." Also in same line strike out the figures "\$1600.00" and insert in lieu thereof "\$200.00."

In line 21 strike out the figures "\$200.00" and insert in lieu thereof the figures "\$100.00." Also in same line strike out the figures "\$400.00" and insert in lieu thereof "\$200.00."

In line 22 strike out the figures "\$1000.00" and insert in lieu thereof the figures "\$200.00" Also in the same line strike out the figures "\$2000.00" and insert in lieu thereof the figures "\$400.00."

In line 24 strike out the figures "\$400.00" and insert in lieu thereof the figures "\$250.00." Also in the same line strike out the figures "\$800.00" and insert in lieu thereof the figures "\$500.00."

In line 25 strike out the figures "\$1200.00" and insert in lieu thereof the figures "\$500.00." Also in the same line strike out the figures "\$2400.00" and insert in lieu thereof "\$1000.00."

Strike out all of lines 26, 27, 28, 29.

In line 31 strike out the figures "\$21,450.00" and insert in lieu thereof the figures "\$4550.00." And also in the same line strike out the figures "\$42,900.00" and insert in lieu thereof the figures "\$9100.00."

Strike out Section 10 and insert in lieu thereof the following:

Section 10. EMERGENCY. Whereas, an emergency exists, this act shall take effect and be in full force and effect from and after its passage and approval."

Bismarck, North Dakota,

March 1, 1923.

Mr. President: I have the honor to return

Senate Bill No. 335. A Bill for an Act to Create the Office of State Food Commissioner and Chemist; Providing for his Appointment, Term of Office, Removal and Salary; Defining his Powers and Duties; Defining the Powers and Duties of the State Board of Administration Relating Thereto; Creating a State Regulatory Fund and Providing for Payments Therefrom and Repealing Acts and Parts of Acts in Conflict with this Act and Especially Repealing Sections Two and Five of Chapter Two Hundred of the Session Laws of 1915.

Which the House has amended as follows:

On line 24 of the printed bill strike out the first four words, also in line 30 strike out after the word "county" the balance of line 30, 31, 32, 33, 34, 35 and up to the word "shall" in line 36.

Strike out the last word in line 36 and the first five words in line 37.

In line 13, second paragraph of engrossed bill, strike out the word "follows" after the word "as" and insert in lieu thereof the following: "Provided in this act for a referendum in counties carrying on extension work prior to the taking effect of this act.

Following Section 2 strike out "For extension work against extension work" (Engrossed bill).

In line 43 of printed bill strike out the words "personal property or."

In line 55, printed bill, after the word "the" strike out the words "filing of such petitions" and insert in lieu thereof "elections at which said agricultural extension work was adopted."

In line 112 of printed bill after the word "undersigned" strike out the words "personal property or."

In line 134 after the word "least" strike out the word "thirty" and insert in lieu thereof the word "twenty."

In the engrossed bill, page 5, line 9, strike out the word "twenty-five" and insert in lieu thereof the word "fifteen" in page 6, engrossed bill, line 6, strike out the word "twenty-five" and insert in lieu thereof the word "fifteen."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to return:

Senate Bill No. 105. A Bill for an Act Making an Appropriation of \$18,825.00 for the Purpose of Paying Per Diem, Clerk Hire, Traveling Expenses, etc., in Carrying Out the

Provisions of Chapter 126 of the Session Laws of 1917 Relative to the Depositors Guarantee Fund Commission.

Which the House has amended as follows:

In line one of the title strike out the figures "\$18,825.00" and insert in lieu thereof the figures "\$18,800.00."

In line four after the figures "1917" insert the following: "and amendments thereto."

In line three of Section one, strike out the figures "\$18,825.00" and insert in lieu thereof the figures "\$18,800.00" and after the figures "1917" in the same section insert the following: "and amendments thereto."

In line seven of the printed bill strike out the word "three" and also the figures "\$1,200.00" and insert in lieu thereof the figures "\$1,500.00."

Strike out all of line eight. In line nine strike out the figures "\$3,600.00" and insert in lieu thereof the figures "\$3,000.00." In line ten insert the words "or Inspectors" just following the word "Supervisor." Also in the same line strike out the figures "\$4,400.00" and insert in lieu thereof the figures "\$4,000.00."

In line 12 strike out the figures "\$300.00" and insert in lieu thereof the figures "\$500.00."

In line 14, strike out the figures "\$600.00" and insert in lieu thereof the figures \$1,000.00."

In line 15 strike out the figures "\$250.00" and insert in lieu thereof the figures "\$450.00." In line 17 strike out the figures "\$300.00" and insert in lieu thereof the figures "\$400.00". Strike out all of line 18. In line 19 strike out the figures "1,800.00" and insert in lieu thereof the figures "\$2,000.00." In line 20 strike out the figures "\$3,300.00" and insert in lieu thereof the figures "\$4,000.00." In line 2 strike out the figures "\$18,825.00" and insert in lieu thereof the figures "\$18,800.00."

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 2, 1923.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 21. A Bill for an Act to Amend and Re-enact Chapter 224, Laws of North Dakota for the Year 1919, as Amended by Chapter 60, Special Session Laws of 1919; an Act for the Purpose of Raising Revenue to Defray the General Expenses of the State Government by Providing for a Tax on the Incomes of Individuals, Fiduciaries, Corporations, Joint Stock Companies or Associa-

tions and Insurance Companies in the State of North Dakota; Graduating Incomes for the Purpose of Taxation; Providing for Exemptions and Deductions in Certain Cases; Describing a method of Levying and Collecting Said Tax; Prescribing Penalties for Nonconformance with the Provisions of this Act, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Which the House has passed as amended by the Senate.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 222, as recommended by the Conference Committee.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 66.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 305.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 129.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 83.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to Senate Bill No. 185, as amended by the Conference Committee.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

MESSAGE FROM THE GOVERNOR

State of North Dakota
Office of the Governor
Bismarck

R. A. Nestos, Governor.

March 2, 1923.

To the Senate of the State of North Dakota:

This is to notify you that I yesterday approved and today filed with the secretary of state, Senate Bill No. 32, To amend and re-enact Section 4016 of the Compiled Laws of 1913, relating to bonded indebtedness of cities and villages, and purposes for which incurred.

Also,

Senate Bill No. 164. A Bill for an Act to Amend and Re-enact Section 1303 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Limit of the Amount of Bonds of Independent School Districts.

Also,

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Section 160 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 18 of the Special Session Laws of North Dakota for the Year 1919, Relating to the Appointment of Regular and Special Assistant Attorneys General, and Repealing Chapter 20 of the Special Session Laws of North Dakota for the Year 1919, and All Other Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact 7644 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 1 of the Session Laws

for the year 1919, (Regular Session) and Chapter 129 of the Session Laws for the Year 1921, Relating to Change of Judges in Civil and Criminal Actions in the District Court, for Prejudice or Bias of Judge Thereof; Providing for the Calling of Another Judge of Another Judicial District, and the Payment of his Expenses, and the Discharge of Jurors Therein, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 211. A Bill for an Act to Amend and Re-enact Section 3451, Compiled Laws of North Dakota, Relating to County Bonds, rate of Interest and Mode of Issue.

Also,

Senate Bill No. 226. A Bill for an Act to Amend and Re-enact Section 3784 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 120 of the Session Laws of North Dakota for the Year 1919, Relating to Municipal Elections in Cities.

Also,

Senate Bill No. 232. A Bill for an Act to Amend and Re-enact Section 9367 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Prescribing of an Oath.

Also,

Senate Bill No. 275. A Bill for an Act to Repeal Chapter 24 of the Special Session Laws of North Dakota for the Year 1919, Providing for the Issuance of Bonds of the State of North Dakota in a Sum Not Exceeding Two Million Dollars to be Known as "Bonds of North Dakota, Home Building Series."

Also,

Senate Bill No. 280. A Bill for an Act to Amend and Re-enact Section 7643 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 133, of the Session Laws of 1921, Relating to Directed Verdicts.

Also,

Senate Bill No. 292. A Bill for an Act to Amend and Re-enact Section 2141 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Chapter 35, Special Session Laws of 1919; Providing for the Substitution of the State Auditor and State Tax Commissioner as Members of the State Board of Equalization Instead of the Commissioner of Insurance and Attorney General; Providing that the Tax Commissioner Shall Be Secretary Thereof Instead of the Commissioner of Insurance and Prescribing the Powers and Duties of the State Board of Equalization in Regard to the Equalization and Assessment of Property.

Also,

Senate Bill No. 295. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 211 of the Session Laws of North Dakota for 1919, Relating to Supreme Court Reporter and State Law Librarian.

Also,

Senate Bill No. 300. A Bill for an Act to Amend and Re-enact Section 2110 of the Compiled Laws of 1913 as Amended by Chapter 221 of the Session Laws of 1919 and Chapter 119 of the Session Laws of 1921 Relating to the Taxation of Corporate Excess.

Also,

Senate Bill No. 317. A Bill for an Act to Amend and Re-enact Section 1003 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 6 of the Special Session Laws of 1918, Relating to the Printing of Absent Voter Ballots.

Also,

Senate Bill No. 318. A Bill for an Act to Amend and Re-enact Section 974 of the Compiled Laws of North Dakota for 1913, Relating to the Certification of Nominations.

Also,

Senate Bill No. 319. A Bill for an Act to Amend and Re-enact Section 973 of the Compiled Laws of North Dakota for 1913, Relating to the Filing of Certificates of Nomination.

Also,

Senate Bill No. 326. A Bill for an Act to Amend Sections 3711 of the Compiled Laws of the State of North Dakota for the Year 1913, and to Provide for Special Assessment Funds, the Issuance and Payments of Warrants.

Also,

Senate Bill No. 346. A Bill for an Act Prohibiting the Creation of Deficits by State Officials, State Boards and Heads of State Institutions, and Prescribing a Penalty for the Violations of this Act.

Also,

Senate Bill No. 355. A Bill for an Act to Amend and Re-enact Section 375 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 227 of the Session Laws of 1915, as Amended by Chapter 21 of the Special Session Laws of 1919, Relating to the State Auditing Board, Its Duties and the Membership Thereof.

Also,

Senate Bill No. 363. A Bill for an Act to Amend and Re-enact Chapter 170 of the Session Laws of North Dakota for the Year 1919, Being an Act Regulating and Fixing the Hours of Labor for Females, and Providing Penalties for the Violation Thereof.

Also,

Senate Bill No. 375. A Bill for an Act Validating Taxes Assessed Against Bank Stock in the Years 1919, 1920, 1921

and 1922, Authorizing Boards of County Commissioners and the Tax Commissioners to Compromise Such Taxes Upon Bank Stock for 1919, 1920 and 1921, as Have Not Been Paid, and Confirming and Ratifying Such Settlements as Have Been Made.

Also,

Senate Bill No. 378. A Bill for an Act to Amend and Re-enact Section 7741 of the Compiled Laws of 1913 as Amended and Re-enacted by Chapter 156 of the Session Laws of 1915 Relating to Partnership Exemptions.

Also,

Very truly yours,

R. A. NESTOS,
Governor.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 286. A Bill for an Act to Amend and Re-enact Chapter 25 of the Session Laws of the State of North Dakota for the Year 1921, Being an Act to Create, Define and Establish the Bar Association of the State of North Dakota, and Providing for the Publication of Its Proceedings and Filing Copies Thereof with the State Bar Board and State Libraries, and as Otherwise Provided and Making an Appropriation for the Expenses Connected Therewith.

Also,

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Sections 5109 and 5110 of the Compiled Laws for 1913.

Also,

Senate Bill No. 184. A Bill for an Act Defining and Regulating Maternity Hospitals and for the Repeal of Chapter 183 of the Session Laws of 1915.

Also,

Senate Bill No. 192. A Bill for an Act Relating to Indecent Liberties.

Also,

Senate Bill No. 187. A Bill for an Act Relating to Children Born out of Wedlock and to Make Uniform the Law with reference Thereto, and for the Repeal of Sections 10483 to 10500 Inclusive, Compiled Laws of 1913, and Chapter 70, Laws of 1917.

Also,

Senate Bill No. 396. A Bill for an Act to Amend and Re-enact Section 10943 and 10944 of the Compiled Laws of North Dakota for the Year 1913, and Section 10948 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 233 of the Session Laws of North Dakota for the Year 1915, Relating to Indetermined Sentences of Persons Convicted of Certain Crimes, and the Discharge or Paroling of Prisoners Serving Indeterminate Sentences, Abolishing the Board of Experts, and Repealing all Acts in Conflict Therewith.

Also,

Senate Bill No. 190. A Bill for an Act Providing for the Exclusion of Spectators from the Trial of Minors.

Also,

Senate Bill No. 180. A Bill for an Act Relating to the Powers of Certain Societies for the Care and Placement of Dependent Children, and to Amend and Re-enact Sections 5100 and 5101, Compiled Laws for 1913.

Also,

Senate Bill No. 15. A Bill for an Act to Transfer Money From the Hail Insurance Fund to the Hail Insurance Operating Fund for the Purpose of Paying the Unpaid Bills Incurred by the Hail Insurance Department During the Year Beginning January 1, 1922, and Ending December 31, 1922.

Also,

Senate Bill No. 199. A Bill for an Act Making an Appropriation for the Use of the Board of Administration in Administering Child Welfare Laws.

Also,

Senate Bill No. 369. A Bill for an Act to Eliminate Railroad Grade Crossings and Other Dangerous Places on State and County Highways.

Also,

Senate Bill No. 344. A Bill for an Act to Amend and Re-enact Section 3294 of the Compiled Laws of the State of North Dakota for 1913, Relating to the Erection, Repair and Maintenance of Buildings.

Also,

Senate Bill No. 288. A Bill for an Act Providing for a Tax Upon Reserves of Coal and Minerals, Providing for the Obtaining of Tax Title to Such Reserves When Taxes Thereon Remain Unpaid and Repealing Section 2119, Section 2120 and Section 2121, Compiled Laws of 1913, and and All Acts and Parts of Acts in Conflict with This Act.

Also,

Senate Bill No. 103. A Bill for an Act Making an Appropriation of \$30,950.00 for the Purpose of Carrying out the Provisions of Chapter 115 of the Session Laws of 1921 Re-

lating to Vocational Education and Vocation Rehabilitation.

Also,

Senate Bill No. 56. A Bill for an Act Providing for the Acceptance of the Provisions of the Sheppard-Towner Act; Making an Appropriation to Meet the Allotments of the Sheppard-Towner Act; Authorizing State Department of Health to Accept Funds for Infant and Maternal Hygiene Work.

Also,

Senate Bill No. 196. A Bill for an Act to Provide an Appropriation for the Eradication of Barberry Bushes.

Also,

Senate Bill No. 113. A Bill for an Act to appropriate the Sum of \$54,000.00 for the Purpose of Aiding in the Construction of a Bridge Across the Missouri River From Burleigh County to Morton County in the State of North Dakota Under the Provision of Chapter 73 of the Laws Passed at the Sixteenth Session of the Legislative Assembly of North Dakota, Approved March 5, 1919, in Addition to the Sums Appropriated by Chapter 4 of the Special Session of the Sixteenth Legislative Assembly, Approved December 12, 1919, and Chapter 6 of the Laws Passed at the Seventeenth Session of the Legislative Assembly of the State of North Dakota Approved March 9, 1921, and That Such Appropriation Be Made From the State Highway Fund.

Also,

Senate Bill No. 387. A Bill for an Act Designating the Sheriff of the Different Counties in the state as Inspectors and Sealers of Weights and Measures, and Giving Him Power to Appoint a Deputy Inspector; Prescribing His Powers and Duties; Defining the Standard of eWeights and Measures; Prescribing Fees to be Charged for Inspection; Providing for Complaints and Penalties for its Violation; Providing for Inspectors' Compensation; Naming Custodian of State Standards and Prescribing His Duties; and Repealing Sections 2999, 3000, 3003, 3004, 3005 o fthe Compiled Laws of North Dakota for 1913 and Chapter 241 of the Session Laws of North Dakota for the Year 1919.

Were delivered to the governor for his approval at the hour of 10:30 o'clock P. M., March 2, 1923.

CHRIST LEVANG,
Chairman.

REPORTS OF SELECT COMMITTEES.

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 114. A Bill for an Act to Appropriate \$5,000.00 to the Missouri Slope Agricultural and Fair Association at Mandan for the Fairs to be Held in the Years 1923 and 1924, as Authorized by Sections 1860 to 1866, Both Inclusive, of the Compiled Laws of 1913 for North Dakota.

Have had the same under consideration and report that the said committee cannot reach an agreement.

For the Senate:

L. W. SPERRY,
ALFRED STEEL,
NELS MAGNUSON.

For the House, Messrs.:

VEITCH,
ROOT,
ELMER.

Senator Sperry moved that the report be adopted.

Which motion prevailed.

The President appointed Senators Whitman, Hamilton and Ward as a new conference committee to act with a like committee from the House to act on House Bill No. 114.

The committee on Conference made the following report:

Mr. President: Your committee on Conference to whom was referred:

House Bill No. 311. A Bill for an Act to Amend and Re-enact Section 3540 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 93, Session Laws of 1921, Relating to the Fees Paid to Newspapers for the Publication of Legal Notices.

Have had the same under consideration and beg leave to report that the committee cannot agree and ask to be discharged.

For the Senate:

OLE ETTESTAD,
FRANK E. PLOYHAR,
W. H. PORTER.

For the House:

L. L. TWICHELL,
MRS. M. CRAIG,
C. H. STARK.

Senator Ettestad moved that the report of the committee be adopted and the committee discharged.

Which motion prevailed.

The President appointed as a new Conference Committee on House Bill No. 311 Senators Eastgate, Ployhar and Atkins.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 1, 1923.

Mr. President: I have the honor to inform you that the House refuses to concur in the Senate Amendments to House Bill No. 149, and the Speaker has appointed Messrs. Peters, Arduser and Kopp to act as a conference committee.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

The President appointed Senators Peterson, Gardner and Byrne as a Conference Committee on House Bill No. 149.

SIGNING OF BILLS.

The Secretary announced that the President was about to sign:

Senate Bill No. 70. A Bill for an Act to Incorporate and Establish the North West Agricultural, Live Stock and Fair Association, and Making an Appropriation Therefor.

And the President signed the same in the presence of the Senate.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 2, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 97.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 2, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 279.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 2, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Conference report on Senate Bill No. 284.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 2, 1923.

Mr. President: I have the honor to transmit the Concurrent resolution introduced by Mr. Jackson relative to the compilation of the permanent Senate Journal.

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

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Bismarck, North Dakota,
Bismarck, North Dakota,
March 2, 1923

Mr. President:

I have the honor to inform you that the Speaker has appointed as a conference committee on Senate Bill No. 157 Messrs. Watt, Maddock and Ellingson.

Very respectfully,
W. F. CUSHING,
Chief Clerk.

Bismarck, North Dakota
March 2, 1923

Mr. President:

I have the honor to inform you that the House has appointed as a conference committee on Senate Bill No. 76 Messrs. Watt, Opland and Kelly.

Very respectfully,
W. F. CUSHING,
Chief Clerk.

Bismarck, North Dakota
March 2, 1923

Mr. President:

I have the honor to inform you that the House has ap-

pointed as a new conference committee on House Bill No. 114 Messrs. Root, Elmer and Vietch.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives
Bismarck, North Dakota,
March 2, 1923.

Mr. President:

I have the honor to inform you that the House refuses to concur in the Senate Amendments to Senate Bill No. 131 and the Speaker has appointed Messrs. Jardine, Ehr and Larkin to act as a conference committee.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives
Bismarck, North Dakota
March 2, 1923

Mr. President:

I have the honor to inform you that the House has concurred in the Senate amendment to Senate Bill No. 311.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives
Bismarck, North Dakota
March 2, 1923

Mr. President:

I have honor to inform you that the House has concurred in the Senate Amendment to Senate Bill No. 337.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives
Bismarck, North Dakota
March 2, 1923

Mr. President:

I have the honor to inform you that the House has concurred in the Conference report on House Bill No. 149.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

FRIDAY, MARCH 2, 1923

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House of Representatives
Bismarck, North Dakota
March 2, 1923

Mr. President:

I have the honor to inform you that the House has concurred in the Senate Amendment to House Bill No. 311.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives
Bismarck, North Dakota
March 2, 1923

Mr. President:

I have the honor to inform you that the House has concurred in the Conference committee report on Senate Bill No. 337.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives
Bismarck, North Dakota,
March 2, 1923.

Mr. President:

I have the honor to inform you that the House has concurred in the conference report on Senate Bill No. 80.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives
Bismarck, North Dakota,
March 2, 1923.

Mr. President:

I have the honor to inform you that the House has concurred in the conference report on Senate Bill No. 157.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives
Bismarck, North Dakota,
March 2, 1923.

Mr. President:

I have the honor to inform you that the House has con-

curred in the conference committee's report on House Bill No. 114.

Very respectfully,

W . F. CUSHING,
Chief Clerk.

House of Representatives
Bismarck, North Dakota,
March 2, 1923.

Mr. President:

I have the honor to inform you that the House has concurred in the conference committee's report on Senate Bill No. 88.

Very respectfully,

W . F. CUSHING,
Chief Clerk.

House of Representatives
Bismarck, North Dakota,
March 2, 1923.

Mr. President:

I have the honor to inform you that the House has concurred in the Senate amendment to Senate Bill No. 76.

Very respectfully,

W . F. CUSHING,
Chief Clerk.

The President appointed Senators Thorson, Ettestad and Storstad as a conference committee to act with a like committee from the House to act on Senate Bill No. 131.

Mr. President:

Your Conference committee on Senate Bill No. 76 beg leave to report as follows:

The committee recommends that the Senate concur in the House amendments to said Senate Bill No. 76.

For the Senate—
P. T. KRETSCHMAR,
THEO. KALDOR,
T. J. KELSH

For the House—
WM. WATT,
M. W. KELLY
O. H. OPLAND,

Senator Kretschmar moved to adopt the report of the Conference Committee on Senate Bill 76.

Senato Ingerson moved that further consideration of Senate Bill 76 be indefinitely postponed.

Which motion lost.

The vote being on the motion of Senator Kretschmar, the motion prevailed.

Senator Kretschmar moved that the rules be suspended; that Senate Bill 76 be considered re-engrossed and placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 76. A Bill for an Act Making an Appropriation of \$117,238.00 as an Offset for Federal Aid in Extension Division Work of the Agricultural College.

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 35, nays 6, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Martin	Porter
Baird	Hamilton	Miklethun	Rusch
Baker	Kaldor	Murphy	Sperry
Benson	Kelsh	Nathan	Steel
Byrne	Kretschmar	Olson, Barnes	Storstad
Carey	Lynch	Olson, Eddy-	Tofsrud
Eastgate	McCoy	Foster	Van Camp
Garberg	McLachlin	Page	Ward
Gardiner	Magnuson	Peterson	Whitmer

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Ettestad	Patten	Stevens	Weg
Ingerson	Peck		

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Fleckten	Ployhar	Wenstrom
Bond	Levang	Thorson	Whitman

So the bill passed and the title was agreed to.

Mr. President: Your conference committee to whom was referred:

Senate Bill No. 88. A Bill for an Act Making an Appropriation of \$292,250.00 to Pay the General Maintenance, Improvements, Repairs, New Buildings, Equipment and Purchase of Live Stock, for the Experiment Station at the Agricultural College at Fargo, for the Biennium.

Have had the same under consideration and recommend that the House recede from its amendment under line three of page one of the engrossed bill and that this item be \$10,000.00 in place of \$15,000.00 and that the Senate do concur.

P. T. KRETSCHMAR,
THEO. KALDOR,
T. J. KELSH,

For the Senate.

WM. WATT,
JOHN HALCROW,

For the House.

Senator Kretschmar moved that the report of the conference committee on Senate Bill No. 88 be adopted.

Which motion prevailed.

Senator Kretschmar moved that the rules be suspended; that Senate Bill 88 be considered re-engrossed and placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 88. A Bill for an Act Making an Appropriation of \$292,250.00 to Pay the General Maintenance, Improvements, Repairs, New Buildings, Equipment and Purchase of Live Stock, for the Experiment Station at the Agricultural College at Fargo, for the Biennium.

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 38, nays 1, absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Martin	Rusch
Baird	Gross	Miklethun	Sperry
Baker	Hamilton	Murphy	Steel
Benson	Kaldor	Olson-Barnes	Stevens
Bond	Kelsh	Olson, Eddy-	Storstad
Byrne	Kretschmar	Foster	Tofsrud
Carey	Lynch	Page	Van Camp
Eastgate	McCoy	Patten	Whitmer
Ettestad	McLachlin	Peck	Wog
Garberg	Magnuson	Porter	

Those voting in the negative were:

Messrs.
Nathan

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babeock	Levang	Thorson	Whitman
Flechten	Peterson	Ward	
Ingerson	Ployhar	Wenstrom	

So the bill passed and the title was agreed to.

Senator Kretschmar moved that the report of the conference committee on Senate Bill 80 be adopted.

Which motion prevailed.

Senator Kretschmar moved that the rules be suspended, that Senate Bill 80 be considered re-engrossed and placed on the Calendar for final passage.

Which motion prevailed.

Senate Bill No. 80. A Bill for an Act Making an Appropriation of \$1,027,933.00 for the Purpose of Paying the General Maintenance, Improvements and Repairs, New Equipment etc., of the State University at Grand Forks, 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 ayes 43, nays none, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Sperry
Baird	Hamilton	Nathan	Steel
Baker	Kaldor	Olson-Barnes	Stevens
Benson	Kelsh	Olson, Eddy	Storstad
Byrne	Kretschmar	Foster	Thorson
Carey	Lynch	Page	Tofsrud
Eastgate	McCoy	Patten	Van Camp
Ettestad	McLachlin	Peck	Ward
Flockten	Magnuson	Peterson	Wenstrom
Garberg	Martin	Porter	Whitmer
Gardiner	Miklethun	Rusch	Wog

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babeock	Ingerson	Ployhar	Whitman
Bond	Levang		

So the bill passed and the title was agreed to.

Senator Kretschmar moved that the report of the conference committee on Senate Bill 157 be adopted.

Which motion prevailed.

Senator Kretschmar moved that the rules be suspended; that Senate Bill 157 be considered re-engrosed and placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 157. A Bill for an Act Making an Appropriation of \$573,118.00 to Pay the General Maintenance, Improvements and Repairs, New Buildings, and Equipment of the Agricultural College, Fargo, for the Biennium.

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 none, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Olson, Barnes	Stevens
Baird	Kaldor	Olson, Eddy-	Storstad
Baker	Kelsh	Foster	Tofsrud
Benson	Kretschmar	Page	Van Camp
Byrne	Lynch	Patten	Ward
Carey	McCoy	Peck	Wenstrom
Eastgate	McLachlin	Peterson	Whitmer
Ettestad	Magnuson	Porter	Wog
Garberg	Martin	Rusch	
Gardiner	Miklethun	Sperry	
Gross	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Babeock	Ingerson	Ployhar	Whitman
Bond	Levang	Thorson	
Fleckten	Nathan		

So the bill passed and the title was agreed to.

Mr. President: Your conference committee to whom was referred:

Senate Bill No. 325. A Bill for an Act to Amend and Re-enact Sections 551, 552 and 557 of the Compiled Laws of North Dakota for 1913, Governing the Practice of Certified Public Accountants in the State, and Providing a Penalty for Violation of the Laws Governing Accountancy.

Have had the same under consideration and recommend that the Senate do concur in the House amendments.

H. J. RUSCH,

C. J. OLSON,

L. R. BAIRD,

For the Senate.

C. H. STARKE,

JOHN G. PLATH,

ROY B. WELD,

For the House.

Which motion prevailed.

Senator Kretschmar moved that the Conference Committee report on Senate Bill 325 be adopted.

Which motion prevailed.

Senator Baird moved that the rules be suspended; that Senate Bill 325 be considered re-engrossed, and placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 325. A Bill for an Act to Amend and Re-enact Sections 551, 552, and 557 of the Compiled Laws of North Dakota for 1913, Governing the Practice of Certified Public Accountants in the State, and Providing a Penalty for Violation of the Laws Governing Accountancy.

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 44, nays none, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Nathan	Stevens
Baird	Hamilton	Olson, Barnes	Storstad
Baker	Kaldor	Olson, Eddy-	Thorsen
Benson	Kelsh	Foster	Tofsrud
Bond	Kretschmar	Page	Van Camp
Byrne	Lynch	Patten	Ward
Carey	McCoy	Peck	Wenstrom
Eastgate	McLachlin	Peterson	Whitmer
Ettestad	Magnuson	Porter	Wog
Fleckten	Martin	Rusch	
Garberg	Miklethun	Sperry	
Gardiner	Murphy	Steel	

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Levang	Poyhar	Whitman
Ingerson			

So the bill passed and the title was agreed to.

Mr. President: Your committee on Conference to whom was referred:

House Bill No. 149. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 162 of the Laws of North Dakota for the Year 1919, to Empower the Workmen's Compensation Bureau to Classify Employments, Fix Rates for Premium, Provide for Reserves and Surplus, Provide for Establishment of a System of Merit Rating, and to Provide for the Payment of Premiums Into the Workmen's Compensation Fund.

Have had the same under consideration and recommend that the Senate recede from their amendments to House Bill No. 149.

For the House:

D. L. PETERS,
J. C. ARDUSER,
PIUS KOPP.

For the Senate:

NILS PETERSON,
R. J. GARDINER,
ROBERT BYRNE.

The committee on Conference made the following report:

Mr. President: Your committee on Conference to whom was referred:

House Bill No. 311. A Bill for an Act to Amend and Re-enact Section 3540 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 93, Session Laws of 1921, Relating to the Fees Paid to Newspapers for the Publication of Legal Notices.

Have had the same under consideration and beg leave to report that we cannot agree and ask to be discharged.

FRANK E. PLOYHAR,
Chairman.

J. E. EASTGATE,
S. J. ATKINS.

Senator Bond moved that House Bill No. 114 be recalled from the House.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 149. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 162 of the Laws of North Dakota for the Year 1919, to Empower the Workmen's Compensation Bureau to Classify Employments, Fix Rates for Premium, Provide for Reserves and Surplus, Provide for Establishment of a System of Merit Rating, and to Provide for the Payment of Premiums Into the Workmen's Compensation Fund.

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 38, nays 3, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Murphy	Sperry
Baird	Hamilton	Nathan	Steel
Baker	Kaldor	Olson, Barnes	Stevens
Bond	Kelsh	Olson, Eddy-	Storstad
Byrne	Kretschmar	Foster	Tofsrud
Carey	Lynch	Page	Van Camp
Eastgate	McCoy	Peck	Ward
Fleckten	McLachlin	Peterson	Whitmer
Garberg	Magnuson	Ployhar	Wog
Gardiner	Martin	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Patten	Wenstrom

Absent and not voting.

Messrs.	Messrs.	Messrs.	Messrs.
Babcock	Ingerson	Miklethun	Thorson
Ettestad	Levang	Porter	Whitman

So the bill passed and the title was agreed to.

Mr. President: Your conference committee to whom was referred:

House Bill No. 114. A Bill for an Act to Appropriate \$5,000.00 to the Missouri Slope Agricultural and Fair Association at Mandan for the Fairs to be Held in the Years 1923 and 1924, as Authorized by Sections 1860 to 1866. Both Inclusive, of the Compiled Laws of 1913 for North Dakota.

Have had the same under consideration and recommend that Six Thousand Dollars be allowed for the biennium period instead of Five Thousand Dollars.

For the Senate:

CHAS. M. WHITMER,
C. A. WARD,
D. H. HAMILTON.

For the House:

J. D. ROOT,
J. F. ELMER,
E. E. VEITCH.

And when so amended recommend the same do pass.

Senator Peterson moved to adopt the report of the Conference Committee on House Bill 114.

Which motion prevailed.

Senator Rusch moved that House Bill No. 30 be now placed at the head of the calendar.

Which motion prevailed.

Senator Rusch moved a call of the Senate.

Which motion prevailed.

Senator Wenstrom moved that Senator Babcock be excused from the call of the Senate.

Which motion prevailed.

Senator Rusch moved that the Call of the Senate be dispensed with.

Which motion prevailed.

Senator Rusch moved to amend House Bill 30 as follows:

In line 5 of the engrossed bill, strike out \$100,000.00 and insert in lieu thereof "\$75,000.00."

Which motion prevailed.

Senator Nathan moved that further consideration of House Bill No. 30 be indefinitely postponed.

Which motion lost.

SENATE ROLL CALL.

House Bill No. 30. A Bill for an Act to appropriate the Sum of \$100,000.00, From any Moneys in the State Highway Fund, for the Purpose of Aiding in the Construction of a Bridge Across the Red River of the North, Between the City of Fargo, Cass County, North Dakota, and the City of Moorhead, Clay County, Minnesota, Under the Provis-

ions of Chapter 73 of the Laws of North Dakota for the Year of 1919.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 36, nays 12, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Olson, Eddy-	Storstad
Baird	Hamilton	Foster	Thorsen
Baker	Ingerson	Patten	Van Camp
Bond	Kelsh	Peck	Ward
Byrne	Kretschmar	Peterson	Wenstrom
Carey	Levang	Ployhar	Whitman
Eastgate	McCoy	Porter	Whitmer
Ettestad	McLachlin	Rusch	
Fleckten	Martin	Sperry	
Garberg	Murphy	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Renson	Lynch	Nathan	Stevens
Gardiner	Magnuson	Olson, Barnes	Tofsrud
Kaldor	Mikethun	Page	Wog

Absent and not voting:

Messrs.
Babeock

So the bill passed and the title was agreed to.

Senator Rusch moved that the vote by which House Bill No. 30 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Hamilton: As we have supported the appropriations for bridges in the western part of the state which we think will be proud monuments to our work, Fargo being the Gate City of this state and necessary that they have the same consideration as others, I vote "aye."

Senator Kelsh: I have been against all of these bridge appropriations, but if they are going to bridge the whole state, they should include Fargo too. I vote "aye."

Senator Nathan: I vote "no" for the reason that I believe that if this bill passes and the two others that have passed next year Grand Forks will want one and there will always be something set aside for bridges thereby taking away from our private funds.

Senator Page: I vote "no" on this believing as I do that the time is not opportune to building bridges. We are overloaded with taxes at the present time. Just because the other two bridge bills passed is no reason for Fargo having a bridge. She has all she needs, and under the present high taxes I am against it. I vote "no."

Senator Stevens: Believing as I do that it comes with mighty poor grace for the Gate City of Fargo and the Mill City of Grand Forks to solicit, or even accept aid in building a bridge across the Red River of the North it looks to me as though it is belittling to those cities. I vote "no."

Senator Kretschmar moved that the Conference Committee appointed to consider Senate Bills Nos. 88, 80, 157, be discharged.

Which motion prevailed.

Senator Peterson moved that the Conference Committee appointed to consider Senate Bill No. 149 be discharged.

Which motion prevailed.

Senator Whitman moved that the Conference Committee appointed to consider Senate Bill No. 114 be discharged.

Which motion prevailed.

Senator Ployhar moved that the Conference Committee appointed to consider Senate Bill No. 311 be discharged.

Which motion prevailed.

Senator Ployhar moved that the Senate do now adjourn.

Which motion prevailed.

SIXTIETH DAY.

The Senate convened at 2:00 P. M., the President, Frank H. Hyland, presiding.

Prayer by the Chaplain, Rev. C. F. Strutz.

Roll was called, all Senators being present with the exception of Senator Babcock.

The committee on Revision and Correction of the Journal made the following report:

Mr. President: Your committee on Revision and Correction of the Journal have carefully examined the Journal of the 58th day after recess and 59th day and recommend that the same be corrected as follows:

Page 4, line 13, correct the spelling of "Legislature."

And when so corrected recommend that the same be approved.

J. H. MCCOY,
Chairman.

Senator McCoy moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

State of North Dakota
Office of the Governor
Bismarck
R. A. Nestos, Governor

March 2, 1923

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the secretary of state, Senate Bill No. 177, regulating the employment of child labor and to provide for the enforcement thereof, and to prescribe penalties for violations of the act and repealing Chapter 153, Laws of 1909, the same being Section 1404 to 1414 inclusive, Compiled Laws for 1913.

Also,, Senate Bill No. 179, relating to the placement of children in family homes for temporary or permanent care, and providing for the licensing and regulation of persons or corporations engaged in that work, and for the repeal of Chapter 183 of the Session Laws for 1915.

Also, Senate Bill No. 189, concerning the transfer of rights in children and for the repeal of Chapter 77 of the Laws of 1919.

Also, Senate Bill No. 193,, to amend and re-enact Sections 4444 and 4446 of the Compiled Laws of North Dakota for 1913, relating to the adoptions of minor children.

Also, Senate Bill No. 208, relating to county finances; providing that all county officials and all officers in charge of any institution, office or undertaking supported in whole or in part by the county shall file an itemized statement of amounts necessary for maintenance of such office or institution; providing that the county commissioners shall annually prepare a budget; providing for publication of such budget and of the proposed levy; providing for a public hearing in regard to the proposed expenditures and levy; fixing a date for levy; providing that all expenditures must conform to the budget as adopted, and that all unappropriated balances in any fund at the end of the fiscal year shall become a part of the general fund; repealing Sections 3312, 3313, and 3314, of the Compiled Laws of 1912.

Also, Senate Bill No. 243, to safeguard the business of beekeeping against contagious and infectious diseases; defining apiaries; providing for state inspection under the direction and control of the commissioner of agriculture and labor; prohibiting the sale, barter, offer of sale or barter, moving, transportation, shipping or offering for shipping or transportation of any bees, brood, comb or beekeeping appliances that are infected; providing for the proper certification of shipments into the state; and the reporting of such shipments by the purchaser or importer; fixing penalties for violation.

Also, Senate Bill No. 266, amending Section 4571 of the Compiled Laws of 1913, providing for the assessment of shares of stock in corporations.

Also, Senate Bill No. 381., providing for assistant states attorneys in counties with a population exceeding thirty-five thousand.

Also, Senate Bill No. 386, to amend and re-enact Sections 16, 33, 44, 49, 56, 62, 83, 88, and 89 of Chapter 168 of the Session Laws of North Dakota for the Year 1919, Regulating the operation of all coal mines in North Dakota; providing for their inspection; creating the office of coal mining inspector; fixing his qualifications, duties, powers and compensation; providing for his appointment; creating a board of examiners; fixing its power and compensation; providing for the method of appointment thereof; providing for the registry, examination and issuing of certificates to certificates to certain employees of coal mines.

Also, Senate Bill No. 392, to provide a custodian for the property belonging to the state of North Dakota known as the Biological Station and located on the shores of Devils Lake, Ramsey county, North Dakota, and to designate the purposes for which said property may be used.

Very truly yours,

R. A. NESTOS,
Governor.

MOTIONS AND RESOLUTIONS

The secretary read the following Concurrent Resolution introduced by Mr. Thorson.

Whereas, the employment of children of tender years in mines, factories and workshops is prohibited by the constitution of this state, and hence has been recognized as a legal wrong during the entire existence of this state; and

Whereas, the welfare of this state and each of the states in the Union is dependent in a large degree upon the intelligence and capacity of the citizens of the other states, hence the problem of so-called "child labor" is one of national in its scope.

Now, Therefore, be it Resolved, by the Senate of the State of North Dakota, the House of Representatives concurring, that we urge Congress to adopt a constitutional amendment relating to child labor at this session of congress.

Resolved Further, that a copy of these resolutions be immediately telegraphed to the presiding officers of the United States Senate and House of Representatives.

Senator Thorson moved the adoption of this resolution.

Which motion prevailed.

The secretary read the concurrent resolution introduced by Senator H. J. Rusch.

Be it resolved by the Senate of the State of North Dakota, the House of Representatives concurring Therein, that:

Whereas, the state of North Dakota pays rent for the building occupied by the Bank of North Dakota in the sum of \$12,000.00 per annum, exclusive of heat and light which amount to the further sum of \$3,600.00, and said building is of the assessed valuation of \$35,000.00 and the annual tax thereon is about \$1,800.00, and

Whereas, said rent is exorbitant and excessive for said building and the leases therefor are about to expire and additional rent of \$2,000.00 per annum will be demanded to renew the leases therefore, and

Whereas, the State of North Dakota is paying the sum of \$2,120.00 per annum in another part of the City of Bismarck for small quarters occupied by the Workmen's Compensation Bureau, and the further sum of \$1,080.00 for the small quarters occupied by the Fire Marshal's and Mine Inspector's offices, and

Whereas, these rents are excessive.

Therefore, be it Resolved, by the Senate of the State of North Dakota, the House of Representatives concurring therein, that the Board of Administration of the State of North Dakota be authorized and empowered to investigate other quarters which are or may be available, to the end that these excessive rents may be materially reduced and said Board make and cause such reductions to be made and make such other leases for other quarters for said purposes unless the lessors and owners of said buildings now rented by the state reduce the rents on said buildings.

Senator Rusch moved the adoption of this resolution which motion prevailed.

Senator Ployhar introduced the following resolution:

WHEREAS, the Hon. Frank H. Hyland, Lieutenant Governor, has presided over the deliberations of the Senate during the present Session in such spirit of fairness and with such regard to the rights of all as to endear him to the hearts of the Senators and bind them to him with cords of friendship, respect and good will, therefore

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, that we hereby tender to Frank H. Hyland, our presiding officer, our most sincere and lasting good will and friendship, and

FURTHER, that we hereby present to him, by way of permanent and lasting tokens of such goodwill and friendship, the chair from which he has so fairly, ably and justly directed our deliberations, and

FURTHER, the group of pictures of the Senators and officers over which he has presided is hereby also presented to him that we may continue to be remembered by him as he will always be remembered by us.

Senator Murphy moved the adoption of this resolution a rising vote. Senator Hamilton, for the minority moved the adoption.

Which motion prevailed.

President Hyland responded and thanked the members for their evidence of good will and stated that he would not accept the chair as he felt that it should remain in the Senate Chamber as the property of the state, but that he would prize most highly the group picture of the Senators and Desk Employees.

Senator Ployhar introduced the following resolution:

WHEREAS, William Laist, the custodian of the Capitol Building, has served the State in that humble capacity for 28 years, during which time he has unstintedly given of the best he had for the good of the State and has, on unnumerable occasions, contributed to the convenience and comfort of the Legislative Assemblies that have met during his tenor of employment and he has been especially courteous, gracious and accommodating to this closing session, now therefore

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, that we extend to the said William Laist our thanks for, and appreciation of his many courteous contributions to our comfort, and we do hereby recommend to the coming sessions of the legislative assembly that when he shall have served the State for the period of 30 years, some provision be made to pension or otherwise permanently reward him to the end that at the term of his employment he be dismissed by his master, the State, with the admonition of the Master of old: "Well done, thou good and faithful servant."

And moved its adoption.

Which motion prevailed.

Senator Ployhar read the following

SENATE RESOLUTION

Introduced by Senator Murphy.

Whereas, the Senate has been particularly fortunate during the 18th Legislative Assembly in having a desk force of exceptional industry, faithfulness and ability, and is duly appreciative thereof, and believes that such character and service should be commended, and

WHEREAS, the Senate believes that the services performed by W. E. Parsons, Secretary, A. D. McKinnon, Assistant Secretary, and Fred B. Ingstad, Enrollment Clerk, have been exceptionally valuable to the State and have

been so far in excess of that which could have been reasonably required of them, that they ought not to go unrewarded, and

WHEREAS, faithfulness, ability and willingness to serve are altogether too rare on the part of public servants and should be rewarded where found, now

THEREFORE, BE IT RESOLVED, by the Senate of the State of North Dakota, that the faithfulness, industry and ability of the Senate desk force in its entirety has contributed in large measure to the public good and has aided the legislature as a whole, and contributed greatly to the successful and orderly closing of the business of the legislative session.

BE IT FURTHER RESOLVED, that the regular compensation provided to be allowed to said W. E. Parsons, Secretary of the Senate, A. D. McKinnon, Assistant Secretary, and Fred B. Ingstad as Enrollment Clerk is insufficient to adequately compensate them for the services performed in behalf of the State, therefore

BE IT FURTHER RESOLVED, said W. E. Parsons shall be paid in addition to his regular compensation the sum of \$2 for each day of the Session, and said A. D. McKinnon and Fred B. Ingstad shall each be paid in addition to their regular compensation the sum of \$1 for each day of the Session. Said payments to be a part of the legislative expense.

SENATE ROLL CALL

Was read the third time.

The question being on the motion to adopt the resolution introduced by Senator Murphy, the roll was called and there were ayes 46, nays 1, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gross	Miklethun	Steel
Baird	Hamilton	Murphy	Stevens
Baker	Ingerson	Olson, Barnes	Storstad
Benson	Kaldor	Olson, Eddy-	Thorson
Bond	Kelsh	Foster	Tofsrud
Byrne	Kretschmar	Page	Van Camp
Carey	Levang	Peck	Ward
Eastgate	Lynch	Peterson	Wenstrom
Ettestad	McCoy	Ployhar	Whitman
Fleckten	McLachlin	Porter	Whitmer
Garberg	Magnuson	Rusch	Wog
Gardiner	Martin	Sperry	

Those voting in the negative were:

Messrs.
Patten

Absent and not voting:
Babcock Nathan

So the resolution was adopted.

The Secretary read the following

CONCURRENT RESOLUTION

Introduced by Senator Van Camp

Be it enacted by the Senate of the State of North Dakota, the House or Representatives Concurring Therein, that

WHEREAS, it has been necessary for the Committee appointed to investigate conditions in the Highway Commission Department to conduct hearings, take testimony, incur expense, and compile a report, including transcribing a large amount of testimony, and

WHEREAS, on different occasions, portions of Committee proceedings have been recorded and transcripts thereof furnished to the members of said Committee, and

WHEREAS, all of said work was not within the province of any of the regular clerical force, and

WHEREAS, all of said work has been done in accordance with the itemized account hereto attached, and all of said expense for witness fees legally incurred,

NOW, THEREFORE, BE IT RESOLVED, that the attached accounts, amounting to \$187.65, being for reporting and furnishing transcripts, witness fees and expense, be allowed and that the same be paid as Legislative expense in connection with the Eighteenth Legislative Assembly.

SENATE ROLL CALL

The question being on the motion to adopt the resolution introduced by Senator Van Camp, the roll was called and there were ayes 45, nays 1, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Nathan	Stevens
Baird	Kaldor	Olson-Barnes	Storstad
Baker	Kelsh	Olson, Eddy-	Thorson
Benson	Kretschmar	Poster	Tofsrud
Bond	Levang	Page	Van Camp
Byrne	Lynch	Patten	Ward
Carey	McCoy	Peck	Wenstrom
Eastgate	McLachlin	Peterson	Whitman
Ettestad	Magnuson	Ployhar	Whitmer
Garberg	Martin	Porter	Wog
Gardiner	Miklethun	Rusch	
Gross	Murphy	Steel	

Those voting in the negative were:

Messrs.
Fleckten

Absent and not voting:

Messrs.	Messrs.	Messrs.
Babcock	Ingerson	Sperry

So the resolution was adopted.

Senator Ployhar moved that the Concurrent Resolution introduced by Representative Jackson be adopted.

SENATE ROLL CALL

The question being on the motion to adopt the Concurrent Resolution introduced by Mr. Jackson, the roll was called and there were ayes 43, nays none, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardner	Murphy	Rusch
Baird	Hamilton	Nathan	Steel
Baker	Kaldor	Olson, Barnes	Stevens
Benson	Kelsh	Olson, Eddy-	Storstad
Bond	Kretschmar	Foster	Thorson
Byrne	Levang	Page	Tofarud
Carey	Lynch	Patten	Van Camp
Eastgate	McCoy	Peck	Ward
Ettestad	McLachlin	Peterson	Wenstrom
Fleekten	Magnuson	Ployhar	Whitman
Garberg	Miklethun	Porter	Whitmer

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Babeock	Ingerson	Sperry	Weg
Gross	Martin		

So the motion to adopt carried.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

House of Representatives
Bismarck, North Dakota,
March 2, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the conference report on House Bill No. 151 and passed the bill.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives
Bismarck, North Dakota,
March 2, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 30.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives
Bismarck, North Dakota,
March 2, 1923.

Mr. President: I have the honor to inform you that the

FRIDAY, MARCH 2, 1923

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House has concurred in the conference report on Senate Bill No. 80 and passed the bill.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives
Bismarck, North Dakota,
March 2, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the conference report on Senate Bill No. 88 and passed the bill.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives.
Bismarck, North Dakota,
March 2, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the conference report on Senate Bill No. 54 and passed the bill.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives.
Bismarck, North Dakota,
March 2, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the conference report on Senate Bill No. 157 and passed the bill.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

House of Representatives.
Bismarck, North Dakota,
March 2, 1923.

Mr. President: I have the honor to inform you that the House has passed House Bill No. 114 as amended by the conference committee.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

The Conference Committee on Senate Bill No. 54 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 54. A Bill for an Act to Provide for a State Department of Health; a Public Health Advisory Council; Working Divisions and Employees; Office Space; Making an Appropriation Therefor; Repealing Sections 397, 398, 401, and 403, Compiled Laws of 1913, Declaring an Emergency.

Have had the same under consideration and beg leave to advise that said conference committee has agreed upon the following amendments thereto:

In Section 2, line 2 of the printed bill, strike out the word "seven" and the figure "7" and insert in lieu thereof the word "five" and the figure "5."

In line 3 of the same section strike out the word "five" and the figure "5" and insert in lieu thereof the word "three" and the figure "3."

In line 13 of Section 2 strike out the word "three" before the word "years" and insert in lieu thereof the word "four."

In line 14 of Section 2 strike out the word "four" and insert in lieu thereof the word "six," and substitute a period for the comma after the word immediately following, viz: "years," and strike out the balance of line 14 and the first seven words in line 15 down to the word "thereafter."

In line 17 of Section 2 strike out the third word, which is "two" and substitute in lieu thereof the word "one."

In line 18 of Section 2 strike out the word "women" and substitute in lieu thereof the words "a woman"; and in the same line strike out the word "two" and substitute in lieu thereof the word "one," and substitute for the last word in said line the words "a physician."

In line 19 strike out the words "are graduates" and substitute in lieu thereof the words "is a graduate."

In line 9 of Section 3 strike out the word "five" and substitute in lieu thereof the word "three."

The conference committee recommends that the House recede from the amendment to Section 3, line 5 of the printed bill, and that the figure "\$5,000" in said line 5 of Section 3 be stricken out and the figure "\$3,600" be inserted in lieu thereof, and further recedes from the House amendment to lines 7 and 8 so that the same shall read as in the printed bill.

In line 10 of Section 9 of the printed bill strike out the figures "\$5,000" and insert in lieu thereof "\$3,600" and strike out the figure "10,000" and insert in lieu thereof the figure "\$7,200," the House receding from its amendment to said line 10.

In line 16 of Section 9 of the printed bill the House recedes from its amendments, leaving the same as in the printed bill.

In line 17 of Section 9 of the printed bill strike out the figures "\$500" and insert in lieu thereof the figure "\$300" and strike out the figure "1000" and insert in lieu thereof the figure "\$600" the House receding from its amendment to said line 17.

In line 18 of Section 9 of the printed bill strike out the figure "\$800" and insert in lieu thereof the figure "\$400" and strike out the figure "\$1,600" and insert in lieu thereof the figure "\$800," the House receding from its amendments.

In line 19 of Section 9 of the printed bill strike out the figure "\$750" and insert in lieu thereof the figure "\$500" and strike out the figure "\$1,500" and insert in lieu thereof the figure "\$700," the House receding from its amendment.

In line 21 of Section 9 of the printed bill the House recedes from its amendments, leaving said line 21 as in the printed bill.

In line 22 of Section 9 of the printed bill strike out the figure "\$1,000" and insert in lieu thereof the figure "\$500" and strike out the figure "\$2,000" and insert in lieu thereof the figure "\$1,000," the House receding from its amendment.

In line 24 of Section 9 of the printed bill, the House amendment is agreed to, leaving the figures in said line "\$250" and "\$500."

In line 25 of Section 9 of the printed bill strike out the figure "\$1,200" and insert in lieu thereof the figure "\$800" and strike out the figure "\$2,400" and insert in lieu thereof the figure "\$1,600," the House receding from its amendment.

The House amendment to lines 26, 27, 28 and 29 is agreed to.

In line 31 of Section 9 of the printed bill strike out the figures "21,450" and "42,900" and insert in lieu thereof the figures "\$9,050" and "\$17,800."

The House amendment to Section 10 of the printed bill is agreed to.

For the House:

C. A. SAGEN,
V. L. ANDERSON,
WM. WATT.

For the Senate:

W. S. WHITMAN,
W. H. PORTER,
B. F. BAKER.

Senator Whitman moved that the report of the committee be adopted.

Which motion prevailed.

Senator Whitman moved that Senate Bill No. 54 be considered re-engrossed and placed on its final passage.

Which motion prevailed.

SENATE ROLL CALL

Senate Bill No. 54. A Bill for an Act to Provide for a State Department of Health; a Public Health Advisory Council; Working Divisions and Employees; Office Space; Making an Appropriation Therefor; Repealing Sections 397, 398, 401, and 403, Compiled Laws of 1913, Declaring Emergency.

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 38, nays 4, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Garberg	Olson, Eddy-	Thorson
Baird	Gardiner	Foster	Tofarud
Baker	Kaldor	Peck	Ward
Benson	Kelsh	Peterson	Whitmer
Bond	Levang	Porter	Wog
Byrne	Lynch	Rusch	Whitman
Carey	McLachlin	Sperry	
Eastgate	Magnuson	Steel	
Ettestad	Martin	Stevens	
Fleckten	Olson, Barnes	Storstad	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
McCoy	Miklethun	Nathan	Wenstrom

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Rabeock	Ingerson	Page	Ployhar
Hamilton	Kretschmar	Patten	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

The Conference Committee on Senate Bill No. 131 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

Senate Bill No. 131. A Bill for an Act Making an Appropriation for the Reward and Apprehension of Criminals According to Chapter 200 of the Session Laws of 1917.

Have had the same under consideration and have concurred in the following Senate amendments:

(Engrossed Bill.)

In Section 3, line 4, strike out the word "twelve" and the figures "12" and insert in lieu thereof the word "fourteen" and the figures "14."

In Section 3, line 7, strike out the word "fourteen" and the parenthesis and the figures "14" and insert in lieu thereof the following: "sixteen (16)."

In Section 3, lines 8 and 9, after the word "exceed," strike out the word "sixteen" and the parenthesis and figures "16" and insert in lieu thereof the following: "eighteen (18)."

In Section 3, line 9, after the word "mills" strike out the balance of line 9, line 10, line 11 and 12 up to and including the word "valuation."

In Section 3, line 14, strike out the word "fourteen" and the figures "14" and insert in lieu thereof "sixteen (16)."

In Section 6, line 6, strike out the word "an" and insert in lieu thereof the words "a regular or special."

Your Conference Committee has agreed on the following amendment: In Section 6, line 6, after the word "election" insert the following: "Provided, however, that the excess levy shall not be more than forty percent over and above the legal levy by a majority vote. But a fifty per cent increase may be levied if two-thirds of the voters voting thereon vote in the affirmative."

Your Conference Committee has agreed to strike out the Senate amendment of Section 4, leaving park levies at two mills as in the printed bill.

And when so amended recommend the same do pass.

And the report was adopted.

For the Senate:

P. O. THORSON,
A. G. STORSTAD,
OLE ETTESTAD.

For the House:

J. A. JARDINE,
JOHN EHR,
B. C. LARKIN.

Senator Whitman moved that the Conference Committee appointed to act on Senate Bill No. 54 be discharged.

Which motion prevailed.

Senator Thorson moved that the Conference Committee report on House Bill 131 be adopted.

Which motion prevailed.

Senator Thorson moved that House Bill No. 131 be placed on the Calendar for final passage.

Which motion prevailed.

SENATE ROLL CALL

House Bill No. 131. A Bill for an Act to Limit the Aggre-

gate Amounts That May be Levied by Taxing Districts; Providing Maximum Limitations Upon the Rate in Mills Which May Be Levied by Taxing Districts; Providing a Prescribing Penalties for Violations of This Act by County Auditors; and Repealing all Acts and Parts of Acts in Conflict With this Act.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 31, nays 16, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Gardiner	Magnuson	Sperry
Baird	Gross	Murphy	Steel
Bond	Kaldor	Nathan	Stevens
Byrne	Kelsh	Page	Storstad
Carey	Kretschmar	Peterson	Thorson
Eastgate	Lynch	Ployhar	Van Camp
Fleckten	McCoy	Porter	Whitman
Garberg	McLachlin	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Ingerson	Olson, Eddy	Tofsrud
Benson	Levang	Foster	Ward
Ettestad	Miklethun	Patten	Wenstrom
Hamilton	Olson, Barnes	Peck	Whitmer
			Wog

Absent and not voting:

Messrs.	Messrs.
Babcock	Martin

So the bill passed and the title was agreed to.

SENATE ROLL CALL

House Bill No. 114. A Bill for an Act to Appropriate \$5,000.00 to the Missouri Slope Agricultural and Fair Association at Mandan for the Fairs to be Held in the Years 1923 and 1924, as Authorized by Sections 1860 to 1866, Both Inclusive, of the Compiled Laws of 1913 for North Dakota.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 35, nays 7, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.	Messrs.
Baker	Gardiner	Martin	Sperry
Benson	Gross	Murphy	Stevens
Bond	Kaldor	Olson, Eddy	Storstad
Byrne	Kelsh	Foster	Thorson
Carey	Levang	Patten	Van Camp
Eastgate	Lynch	Peck	Ward
Ettestad	McCoy	Peterson	Wenstrom
Fleckten	McLachlin	Ployhar	Whitman
Garberg	Magnuson	Rusch	Whitmer

Those voting in the negative were:

Messrs.	Messrs.	Messrs.	Messrs.
Miklethun	Olson, Barnes	Porter	Tofsrud
Nathan	Page	Steel	

Absent and not voting:

Messrs.	Messrs.	Messrs.	Messrs.
Atkins	Page	Ingerson	Wog
Babeock	Hamilton	Kretschmar	

So the bill passed and the title was agreed to.

Senator Fleckten moved that a copy of the report of the Industrial Commission be mailed to each Senator. Which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:
House of Representatives,
Bismarck, North Dakota,
March 2, 1923.

Mr. President: I have the honor to inform you that the House has adopted the concurrent resolution by Senator Van Camp.

Very respectfully,
W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 2, 1923.

Mr. President: I have the honor to inform you that the House has adopted the concurrent resolution introduced by Senator Rusch.

Very respectfully,
W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 2, 1923.

Mr. President: I have the honor to inform you that the House has adopted the concurrent resolution by Senator Thorson.

Very respectfully,
W. F. CUSHING,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 2, 1923.

Mr. President: I have the honor to inform you that the

Speaker has appointed Messrs. Anderson of Burleigh, Maddock and Martin to act as a conference committee on Senate Bill No. 235.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 92. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Training School at Mandan, North Dakota, and for Making Permanent Improvements and Additions Thereto.

Also,

House Bill No. 105. An Act Making an Appropriation for the Current and Contingent Expenses of the State School of Science at Wahpeton, and Making Permanent Improvements and Additions Thereto.

Also,

House Bill No. 153. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 162 of the Laws of North Dakota for the Year 1919, Providing for the Payment of Compensation Out of the Workmen's Compensation Fund and Providing that Compensation Shall be Paid for Injuries and Deaths from Injuries Occurring Outside the State of North Dakota only Under Circumstances as Provided in the Act.

Also,

House Bill No. 166. A Bill for an Act to Amend and Re-enact Section 8325 of the Compiled Laws of North Dakota for 1913, Relating to Actions Arising out of Personal Injury or Death Resulting from Wrongful Acts.

Also,

House Bill No. 194. A Bill for an Act Designating the Depositories of Public Funds and Fixing the Minimum Rate of Interest; Requiring Competitive Bids for Such Deposits; Providing for Publicity with Reference to Such Funds and Depositories; Prescribing Penalties for iVolation of This Act; Defining Terms Used Herein, and Repealing Sections 147, 147a, 147b and Sections 370 to 374, Inclusive, Sections 1472 to 1488, Inclusive, Sections 3315 to 3329, Inclusive, of the Compiled Laws of 1913, and Chapter 50 Session Laws of 1915 and Chapter 56 Session Laws of 1921.

Also,

House Bill No. 201. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 61 of the Session Laws of North Dakota for 1915.

Also,

House Bill No. 204. A Bill for an Act to Amend and Re-enact Section 959 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Preparation of Ballots for Constitutional Amendments and Extending the Same to Cover Initiated and Referred Measures.

Also,

House Bill No. 210. A Bill for an Act Concerning Declaratory Judgments and Decrees and to Make Uniform the Laws Relating Thereto.

Also,

House Bill No. 118. A Bill for an Act to appropriate the Sum of Fourteen Thousand Six Hundred and Eighty-six and 41-100 Dollars (\$14,686.41), or so Much Thereof as May Be Needed for the Purpose of Paying the Per Diem and Expenses of Employees, the Per Diem and Mileage of Witnesses and Expenses for Printing and Supplies, Incurred by the Special Audit Committee Appointed by the House of Representatives of the Seventeenth Legislative Assembly of the State of North Dakota, in Considering the Audit of and Investigating the State Bank and State Industries as Authorized and Directed by Said House of Representatives.

Also,

House Bill No. 88. A Bill for an Act Making an Appropriation for Maintenance, Improvements, and Repairs, and Equipment for the Institution of the Feeble-Minded at Grafton.

Also,

House Bill No. 94. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the Minimum Wage, Health and Morals of Women Workers, for Salary, Postage, Office Supplies, Printing, Traveling Expenses, Hearings, Conferences, Witness Fees, Legal Fees and Office Rent.

Also,

House Bill No. 128. A Bill for an Act Legalizing Certain Acts of City and Village Officials.

Also,

House Bill No. 206. A Bill for an Act to Amend and Re-enact Chapter 6, Session Laws of 1919, as Amended by Special Session Laws of 1919, as Amended by Chapter 84 Session Laws of 1921 Relating to the Licensing, Regulating, and Supervising the Licensing and Inspection of Pool and Billiard Rooms, Ball and Pin Alleys, Dance Halls, Theatres, Moving Picture Shows, Taxicab or Auto Liveries, Places Where Soft Drinks are Retailed or Where Cigars and Tobacco are Sold, or Public Halls, Owned Privately and Used for Public Purposes; Providing Fees Therefor, Inspectors, Office Help and Supplies Thereof;

Defining Powers and Duties and Repealing all Acts and Parts of Acts Inconsistent Therewith.

Also,

House Bill No. 156. A Bill for an Act to Prohibit the Keeping Open, Running or Permitting the Running of Any Place for Public Dancing on the First Day of the Week, Commonly Called the Sabbath, and Providing a Penalty Therefor.

Also,

Concurrent Resolution Introduced by Mr. Trubshaw.

Also,

House Bill No. 306. A Bill for an Act to Amend Section 1273 of the Compiled Laws of 1913, Relating to the Issuance of Bonds by Special School Districts and Prescribing Their Denominations and Rate of Interest.

Also,

House Bill No. 312. A Bill for an Act to Fix the Number of Senators and Representatives which Shall Compose the Legislative Assembly of the State of North Dakota to Define the Senatorial and Representative Districts, and to Prescribe the Number of Senators and Representatives Therein.

Also,

House Bill No. 226. A Bill for an Act to Amend and enact Section 1462 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Administration of Non-Resident Students to County Agricultural and Training Schools, Providing for the Payment of Tuition of Such Non-Resident Students by the County of Their Residents.

Also,

Laws of North Dakota for the year 1919 and that such and that such Appropriation be Made from the State Highway Fund.

Also,

House Bill No. 51. A Bill for an Act to appropriate the Sum of Thirty-five Thousand (\$35,000.00) Dollars for the Purpose of Aiding the Construction of a Bridge and Approaches across the Des Lacs Lake on the County Line Between Burke and Ward Counties in the State of North Dakota under the Provision of Chapter 73 of the Session

Also,

House Bill No. 35. A Bill for an Act to Amend and Re-enact Section 3521 of the Compiled Laws of North Dakota for the Year 1913, Prescribing the Rate of Mileage Allowed the Sheriff.

Also,

House Bill No. 66. A Bill for an Act to Appropriate the sum of \$200,000 from any Moneys in the State Highway Fund, for the Purpose of Aiding in the Construction of a Bridge Across the Missouri River, Between Williams County, North Dakota, and McKenzie County, North Dakota, Under the Provisions of Chapter 73 of the Laws of North Dakota for the Year 1919.

Also,

House Bill No. 97. A Bill for an Act Making an Appropriation of the sum of \$12,000 for the Purpose of Carrying Out the Provisions of Chapter 119 of the Session Laws of North Dakota, for the Year 1917, Relating to Farmers' Institutes.

Also,

House Bill No. 130. A Bill for an Act Providing that Public Officials of Taxing Districts Issuing Certificates of Indebtedness or Bonds Shall Advertise for Bids in Certain Cases and Providing the Procedure to be Followed in Connection Therewith, Prescribing Penalties for the Violation of This Act, and Repealing All Acts and Parts of Acts in Conflict with This Act.

Also,

House Bill No. 279. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit Incurred in the State Fire Marshal's Department.

Also,

Senate Bill No. 325. A Bill for an Act to Amend and Re-enact Sections 551, 552 and 557 of the Compiled Laws of North Dakota for 1913, Governing the Practice of Certified Public Accountants in the State, and Providing a Penalty for Violation of the Laws Governing Accountancy.

Also,

Senate Bill No. 311. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 242, Session Laws of North Dakota for the Year 1919, Relating to State Bounty on Wolves and Coyotes.

Also,

Senate Bill No. 335. A Bill for an Act to Create the Office of State Food Commissioner and Chemist; Providing for His Appointment, Term of Office, Removal and Salary; Defining His Powers and Duties; Defining the Powers and Duties of the State Board of Administration Relating Thereto; Creating a State Regulatory Fund and Providing for Payments Therefrom and Repealing Acts and Parts of Acts in Conflict with This Act and Especially Repealing Sections Two and Five of Chapter Two Hundred of the Session Laws of 1915.

Also,

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 4929 of the Compiled Laws of North Dakota

for the Year 1913, as Amended and Re-enacted by Chapter 76 of the Session Laws for the Year 1921, Relating to the Fees to be Paid by Insurance Companies Doing Business in This State,

Also,

Senate Bill No. 76. A Bill for an Act Making an Appropriation of \$117,338.00 as an Offset for Federal Aid in Extension Division Work of the Agricultural College.

Also,

Senate Bill No. 337. A Bill for an Act Providing a Bounty for the Destruction of Magpies and Crows.

Also,

Senate Bill No. 78. A Bill for an Act Making an Appropriation for the General Expense of the State Oil Inspection.

Also,

Senate Bill No. 185. A Bill for an Act to Amend and Re-enact Chapter 185 of the Session Laws of 1915, Relating to the Support of Needy Women who are the Mothers of and Who are Compelled to Support one or More Children Under Sixteen Years of Age.

Also,

Senate Bill No. 267. A Bill for an Act Declaring an Emergency to Exist Affecting the Public Welfare of the State with Respect to the Administration of Insolvent Banks; Providing for the Liquidation Thereof; Vesting the Supreme Court With Jurisdiction of Such Liquidation Proceedings, and Requesting it to Assume Original Jurisdiction in Furtherance of the Public Interest; Creating the Position of Supreme Court Commissioner; Fixing His Compensation, and Defining His Powers and Authority, and Providing for the Appointment of Receivers of Insolvent Banks, and Making an Appropriation to Meet the Expenses Incident to Carry Out the Purpose of the Act.

Also,

Senate Bill No. 86. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall be Available, and Repealing all Acts, or Parts of Acts, Insofar as the Same **shall Relate** to Appropriations Conflicting Herewith, or to Appropriations for the Same Matters or Purposes Provided for Herein.

Also,

Senate Bill No. 11. A Bill for an Act to Amend and Re-enact Sections 869 and 983 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 119, Session Laws of 1919, Relating to the Opening and Closing of Polls in Primary and General Elections.

Also,

House Bill No. 198. A Bill for an Act to Amend Chapter 162 of the Session Laws of North Dakota for the Year 1919,

as Amended by Chapter 73 of the Special Session Laws of 1919, and by Chapters 141, 142, 143, 144 and 145 of the Session Laws of 1921, by Adding Section 41, Relating to the Taxation of Insurance Companies and Self-Insurers for the Support of the Workmen's Compensation Bureau.

Also,

Senate Bill No. 176. A Bill for an Act Providing for the Care and Treatment of Crippled Children.

Also,

Senate Bill No. 341. A Bill for an Act to Impose a Tax upon Gasoline, Stored, Shipped, Distributed or Held for Sale Within This State, for the Purpose of Raising Revenue for Defraying the Expenses of the State Government; Providing for the Administration of the Same; Repealing Chapter 227 of the Session Laws of 1919 as Amended by Chapter 64 of the Special Session Laws of 1919.

Also,

Senate Bill No. 373. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Beverages; to Prevent Adulteration and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; to Define the duties of the State Food Commissioner and Chemist; to Provide for the Enforcement of the Provisions of the Act and to Provide Penalties for Violations Thereof and to Repeal Existing Laws Relating Thereto.

Also,

Senate Bill No. 272. A Bill for an Act Relating to the Method of Levying Tax for the Care of Patients at the Hospital for the Insane, Institution for the Feeble-minded and the State Tuberculosis Sanatorium; Providing the Method of Settlement Between County and State; Providing a Penalty for Failure to Pay; Providing a Method of Settling Disputed Claims and Repealing Sections 2572 and 2573, Compiled Laws of 1913 and All Acts or Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 379. A Bill for an Act to Regulate the Sale of Petroleum Products; to Provide for the Inspection of Kerosene and Gasoline; to Provide Specifications Therefor; to Prevent Adulteration and Misbranding Thereof; to Provide for Inspection Fees, Collection and Disposition of Same; to Define the Duties of the State Food Commissioner and Chemist; to Provide for the Inspection of Lubricating and Power Oils; to Provide for the Enforcement of the Act; to Provide Penalties for the Violation Thereof and to Repeal Existing Laws Relating Thereto.

Also,

Senate Bill No. 186. A Bill for an Act Relating to the Abandonment or Neglect of Wife or Child, and the Desertion and Non-support of Family, and for the Repeal of Sections 9589 and 9603 Inclusive. Compiled Laws of 1913.

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 2078, Compiled Laws of North Dakota for Year 1913, as Amended by Chapter 223, Session Laws of

1919, and Chapter 122, Session Laws of 1921, Relating to the Exemption of Certain Property From Taxation.

Also,

House Bill No. 146. A Bill for an Act to Amend and Re-enact Section 2212 of the Compiled Laws of North Dakota for 1913 as Amended and Re-enacted in Chapter 252 of the Session Laws of North Dakota for 1915, Relating to the Duty of the County Auditor and the Requirements of the Transfer of Real Property as to Taxes, Deeds and Other Instruments of Conveyance.

Also,

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Chapter 146 of the Session Laws of 1919 Relating to the Office of Commissioner of Immigration, Prescribing His Powers and Duties, and Making an Appropriation Therefor, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 250. A Bill for an Act to Amend and Re-enact Chapter 126 of the Laws of 1917, as Amended by Chapter 110 of the Laws of 1919 and as Further Amended by Chapter 21 of the Laws of 1921.

Also,

Senate Bill No. 315. A Bill for an Act Defining Carnivals; Prohibiting Itinerant Carnivals and Declaring the Same a Public Nuisance and Providing Penalties for the Participation Therein.

Also,

Senate Bill No. 371. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Articles of Food and Drugs; for the Prevention of Adulteration and Misbranding Thereof; Requiring Labeling Thereof; Providing for Sales by Weight, Measure or Numerical Count; Providing for Fixing of Standards of Purity and Quality and Fitness of Consumption; Prescribing the Duties of the State Board of Administration and Providing for the Appointment of a State Food Commissioner and Chemist and Prescribing His Duties and Powers; Providing for the Enforcement of the Provisions of the Act; Defining Certain Offenses in Connection Therewith; Providing Penalties for Violations Thereof and Repealing Certain Acts Relating Thereto.

Also,

Senate Bill No. 156. A Bill for an Act to Repeal Chapter 31 of the Special Session Laws of 1919 Relating to the Purchase of Dairy Cattle by Counties.

Also,

Senate Bill No. 255. A Bill for an Act to Amend and Re-enact Chapter 220 of the Laws of North Dakota for the Year 1919.

Also,

Senate Bill No. 256. A Bill for an Act to Control the Possession, Sale, and Use of Pistols and Revolvers, to Provide Penalties, and for other Purposes.

Also,

Senate Bill No. 105. A Bill for an Act Making an Appropriation of \$18,825.00 for the Purpose of Paying Per Diem, Clerk Hire, Traveling Expense, etc., in Carrying Out the Provisions of Chapter 126 of the Session Laws of 1917 Relative to the Depositors Guarantee Fund Commission.

Also,

Senate Bill No. 132. A Bill for an Act Making an Appropriation for the General Expense of the Hotel Inspection Department.

Also,

Senate Bill No. 20. Concurrent Resolution by Mr. Trubshaw.

Also,

Senate Bill No. 284. A Bill for an Act to Amend and Re-enact Sections 782, 783, 784, 787, 799, 808, 809, 810, 811 and 812 of the Compiled Laws of North Dakota for the Year 1919, Relating to the Creation of a State Bar Board, Its Members, Their Term of Office, Qualifications, Compensation and Duties and Providing for the Admission of Attorneys to Practice and the Issuance of Licenses to Practice.

Also,

Senate Bill No. 89. A Bill for an Act Relating to What Shall be Carried as "Consolidated Tax Account," and Repealing Section 2274, Compiled Laws of 1913 as Amended by Chapter 253, Session Laws of 1915.

Also,

Senate Bill No. 108. A Bill for an Act Making an Appropriation of \$56,600.00 for the Enforcement of the Feeding Stuffs, Fertilizer, Beverage and Sanitary Inspection Laws.

Have had the same under consideration and recommend that the same do pass.

Also,

Senate Bill No. 111. A Bill for an Act Making an Appropriation of \$20,000.00 for the Maintenance of the Pure Seed Laboratory and Pure Seed Law Enforcement at the Agricultural College, Fargo.

Also,

Senate Bill No. 134. A Bill for an Act Making an Appropriation for a Bounty for Wolves and Coyotes, as provided for by Chapter 242 of the Session Laws of 1919 for North Dakota.

Also,

Senate Bill No. 191. A Bill for an Act Amending and Re-enacting Section 4424, Compiled Laws of 1913, Relating to the Custody, Service and Earnings of Minor Children.

Also,

Senate Bill No. 265. A Bill for an Act to Amend and Re-enact Section 2360a of the Compiled Laws of North

Dakota for the Year 1913 as Amended and Re-enacted by Dentistry, Law, Veterinary Surgery, Chiropractic or Osteopathy under any Company, Association or Trade Name; and Providing Penalty Therefor.

Also,

Senate Bill No. 289. A Bill for an Act Providing That the County Commissioners Shall Have Power to Abate Certain Assessments Levied by Boards of Irrigation Districts Upon Application of the District Board **Approved** by the Director of the Reclamation Service.

Also,

Senate Bill No. 321. A Bill for an Act Providing that Discharged Soldiers Shall Receive Credit for Their Military Service in the Particular Profession, Vocation or Trade in Which They Were Engaged at the Time of their Entrance Into the Military Service of the United States.

Also,

Senate Bill No. 342. A Bill for an Act to Amend and Re-enact Subdivision 2 of Section 1 and Section 13a of Chapter 231 of the Session Laws of 1917 as Amended by Chapter 225 of the Session Laws of 1919, and to Amend Section 2 of Chapter 125 of the Session Laws of 1921, Relating to Inheritance Taxes Upon Estates of Deceased Non-Residents.

Also,

Senate Bill No. 388. A Bill for an Act Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations whose Period of Duration has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations, and Providing that this Act Shall Take Effect Immediately Upon Its Passage and Approval.

Also,

House Bill No. 311. A Bill for an Act to Amend and Re-enact Section 3540 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 93, Session Laws of 1921, Relating to the Fees Paid to Newspapers for the Publication of Legal Notices.

Also,

House Bill No. 149. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 162 of the Laws of North Dakota for the Year 1919, to Empower the Workmen's Compensation Bureau to Classify Employments, Fix Rates for Premium, Provide for Reserves and Surplus, Provide for Establishment of a System of Merit Rating, and to Provide for the Payment of Premiums Into the Workmen's Compensation Fund.

Also,

House Bill No. 129. A Bill for an Act Providing a method by which Taxing Districts May Make Short Time Borrowings and Conduct Their Current Business Upon a Cash Basis; Providing That No Warrants May be Issued in Excess of Cash on Hand; Providing for the Funding of Floating or Unfinished Indebtedness of Counties, Cities, Villages, Townships, School Districts, and Other Taxing Districts; making the County Treasurer Custodian of Sinking Funds of All Taxing Districts; Providing for the Registering of the County Auditor's Office of All Bond Issues and Certificates of Indebtedness; Prohibiting the Incurring Indebtedness in Excess of Anticipated Revenues; Making Criminal Certain Violations of This Act, and Providing Penalties Therefor, and Repealing all Acts and Parts of Acts in Conflict With this Act.

Also,

House Bill No. 222. A Bill for an Act Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over any Public Highway by Motor Propelled Vehicles; Defining Transportation Companies; Providing for Supervision and Regulation Thereof by the Board of Railroad Commissioners of the State of North Dakota; Providing for the Enforcement of the Provisions of this Act and for the Punishment of the Violations Thereof.

Also,

Concurrent Resolution by Jackson.

Also,

Senate Bill No. 88. A Bill for an Act Making an Appropriation of \$292,250.00 to Pay the General Maintenance, Improvements, Repairs, New Buildings, Equipment and Purchase of Live Stock, for the Experiment Station at the Agricultural College at Fargo, for the Biennium.

Also,

Senate Bill No. 261. A Bill for an Act Re-establishing the North Dakota Mill and Elevator Association, Defining Its Powers and Duties, and Providing for the Control, Management and Operation of State Owned Grain Warehouses, Elevators and Flour Mills and the Conduct of All Business Relating Thereto, Especially as Relates to the State Owned Mill and Elevator at Grand Forks and Providing for the Appointment of a Board of Managers Thereof and Repealing Chapter 152, Laws of North Dakota, 1919, Entitled "An Act Declaring the Purpose of the State of North Dakota to Engage in the Business of Manufacturing and Marketing of Farm Products, and for Establishing a Warehouse, Elevator and Flour Mill System Under the Name of North Dakota Mill and Elevator Association Operated by the State, and Defining the Scope and Manner of Its Operation, and the Powers and Duties of the Persons Charged with Its Management; and Making an Appropriation Therefor."

Also,

Senate Bill No. 80. A Bill for an Act Making an Appropriation of \$1,042,965.00 for the Purpose of Paying the General Maintenance, Improvements and Repairs, New Equipment, etc., of the State University at Grand Forks, North Dakota.

Also,

Senate Bill No. 157. A Bill for an Act Making an Appropriation of \$573,118.00 to Pay the General Maintenance, Improvements and Repairs, New Buildings, and Equipment of the Agricultural College, Fargo, for the Biennium.

Also,

House Bill No. 30. A Bill for an Act to appropriate the Sum of \$100,000.00 From any Moneys in the State Highway Fund, for the Purpose of Aiding in the Construction of a Bridge Across the Red River of the North Between the City of Fargo, Cass County, Minnesota, Under the Provisions of Chapter 73 of the Laws of North Dakota for the Year of 1919.

House Bill No. 83. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the Forestry State Normal School, at Bottineau, and Making Permanent Improvements and Additions Thereto.

House Bill No. 305. A Bill for an Act Providing for the Issue of Bonds on the State of North Dakota in a Sum Not Exceeding Fifteen Million Dollars to be Known as "Bonds of North Dakota, Real Estate Series"; Prescribing the Terms and Stating the Purpose Thereof; Providing for a Tax and Making Other Provisions for the Payment of Interest and Principal on State Bonds, and to Carry Into Effect the Provisions of This Act; and Declaring this Act to Be an Emergency Measure.

And the president signed the same in the presence of the Senate.

MESSAGE FROM THE GOVERNOR

State of North Dakota

Office of the Governor

Bismarck

R. A. Nestos, Governor

March 2, 1923.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the secretary of state, Senate Bill No. 131, making an appropriation for the reward and apprehension of criminals according to Chapter 200 of the Session Laws of 1917.

Also,

Senate Bill No. 135. A Bill for an Act Making an Appropriation to pay the Burial Expenses of Inmates of the Penitentiary and Reform School as Provided for Under Section 11302 of the Compiled Laws of 1913 for North Dakota.

Senate Bill No. 138. A Bill for an Act Making an Appropriation of the Sum of \$250.00 for the Biennium, to Defray the Expenses of the State Canvassing Board.

Also,

Senate Bill No. 139. A Bill for an Act to Provide \$300.00 for the Burial Expense of Honorably Discharged Sailors, Soldiers and Marines of the United States War of the Rebellion and Erection of Headstones Therefor, as Authorized by Sections 3181, 3182, 3183, and 3184 of the Compiled Laws of North Dakota for 1913.

Also,

Senate Bill No. 141. A Bill for an Act to appropriate \$1,000.00 for the Biennium, to the Humane Society for Office Supplies, Printing, Office Phone, and Traveling Ex-

Also,

Senate Bill No. 161. A Bill for an Act to appropriate the Sum of Five Hundred Dollars (\$500.00) or so Much Thereof as may be Necessary for the Purpose of Paying the Per Diem and Mileage of Witnesses Incurred by the Special Investigating Committee of the Senate, in Considering the Audit of the State Bank and State Industries, During the Seventeenth Legislative Assembly.

Also,

Senate Bill No. 336. A Joint Resolution for an Amendment to Section 182, Article 12 of the Constitution of the State of North Dakota, as Amended by Article 31 of the Amendments Thereof, Relating to Issuing or Guaranteeing of Bonds by the State and Providing that such Bonds in Excess of Two Million Dollars Shall be Secured by First Mortgage on Certain Classes of Property; and Providing for the Submission of this Amendment to the Voters of the State for Rejection or Approval as Provided by Section 292, as Amended, of the Constitution of the State of North Dakota.

Very truly yours,

R. A. NESTOS,
Governor.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, N. D.
March 2, 1923.

Mr. President: I have the honor to inform you that the House has concurred in the Conference report on Senate Bill No. 235.

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Bismarck, N. D.

March 2, 1923.

Mr. President: I have the honor to transmit the following concurrent resolution by Mr. Swett in regard to the Report of the Public Examiner.

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

Very respectfully,

W. F. CUSHING,
Chief Clerk.

Senator Wenstrom moved that the Concurrent Resolution introduced by Mr. Swett be postponed indefinitely. Which motion prevailed.

SIGNING OF BILLS.

The Secretary announced that the President was about to sign

House Bill No. 114. A Bill for an Act to Appropriate \$5,000.00 to the Missouri Slope Agricultural and Fair Association at Mandan for the Fairs to be Held in the Years 1923 and 1924, as Authorized by Sections 1860 to 1866, Both Inclusive, of the Compiled Laws of 1913.

House Bill No. 131. A Bill for an Act to Limit the Aggregate Amounts That May be Levied by Taxing Districts; Providing Maximum Limitations Upon the Rate in Mills Which May Be Levied by Taxing Districts; Providing a Prescribing Penalties for Violations of This Act by County Auditors; and Repealing all Acts and Parts of Acts in Conflict With this Act.

Senate Bill No. 54. A Bill for an Act to Provide for a State Department of Health; a Public Health Advisory Council; Working Divisions and Employees; Office Space; Making an Appropriation Therefor; Repealing Sections 397, 398, 401, and 403, Compiled Laws of 1913, Declaring Emergency.

Senate Bill No. 235. A Bill for an Act to Amend and Re-enact Section 2263 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted in Chapter 1 of the Session Laws for the Year 1917, Relating to the Levy of a Tax by County Commissioners to be Used in Carrying on Cooperative Agricultural Extension Work as Defined by this Act and Providing for Referendum by Ballot, Audit of Funds and Disposition of Accumulated Funds.

Senate Bill No. 21. A Bill for an Act to Amend and Re-enact Chapter 224, Laws of North Dakota for the Year 1919, as Amended by Chapter 60, Special Session Laws of 1919; an Act for the Purpose of Raising Revenue to Defray the General Expenses of the State Government by Providing for a Tax on the Incomes of Individuals, Fiduciaries, Corporations, Joint Stock Companies or Associa-

tions and Insurance Companies in the State of North Dakota; Graduating Incomes for the Purpose of Taxation; Providing for Exemptions and Deductions in Certain Cases; Describing a method of Levying and Collecting Said Tax; Prescribing Penalties for Nonconformance with the Provisions of this Act, and Repealing All Acts and Parts of Acts in Conflict Herewith.

And the President signed the same in the presence of the Senate.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 191. A Bill for an Act Amending and Re-enacting Section 4424, Compiled Laws of 1913, Relating to the Custody, Service and Earnings of Minor Children.

Also,

Senate Bill No. 108. A Bill for an Act Making an Appropriation of \$56,600.00 for the Enforcement of the Feeding Stuffs, Fertilizer, Beverage and Sanitary Inspection Laws.

Also,

Senate Bill No. 111. A Bill for an Act Making an Appropriation of \$20,000.00 for the Maintenance of the Pure Seed Laboratory and Pure Seed Law Enforcement at the Agricultural College, Fargo.

Also,

Senate Bill No. 134. A Bill for an Act Making an Appropriation for a Bounty for Wolves and Coyotes, as Provided for by Chapter 242 of the Session Laws of 1919 for North Dakota.

Also,

Senate Bill No. 342. A Bill for an Act to Amend and Re-enact Subdivision 2 of Section 1 and Section 13a of Chapter 231 of the Session Laws of 1917 as Amended by Chapter 225 of the Session Laws of 1919, and to Amend Section 2 of Chapter 125 of the Session Laws of 1921, Relating to Inheritance Taxes Upon Estates of Deceased Non-Residents.

Senate Bill No. 388. A Bill for an Act Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations whose Period of Duration has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations, and Providing that this Act Shall Take Effect Immediately Upon Its Passage and Approval.

Also,

Senate Bill No. 289. A Bill for an Act Providing That the County Commissioners Shall Have Power to Abate Certain Assessments Levied by Boards of Irrigation Districts Upon Application of the District Board Approved by the Director of the Reclamation Service.

Also,

Senate Bill No. 321. A Bill for an Act Providing that Discharged Soldiers Shall Receive Credit for Their Military Service in the Particular Profession, Vocation or Trade in which They Were Engaged at the Time of Their Entrance Into the Military Service of the United States.

Also,

Senate Bill No. 265. A Bill for an Act to Amend and Re-enact Section 2360a of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Section 2360a of Chapter 4 of the Session Laws for the Year 1919.

Also,

Senate Bill No. 261. A Bill for an Act Re-establishing the North Dakota Mill and Elevator Association, Defining its Powers and Duties, and Providing for the Control, Management and Operation of State Owned Grain Warehouses, Elevators and Flour Mills and the Conduct of all Business Relating Thereto, Especially as Relates to the State Owned Mill and Elevator at Grand Forks and Providing for the Appointment of a Board of Managers Thereof and Repealing Chapter 152 Laws of North Dakota 1919, Entitled "An Act Declaring the Purpose of the State of North Dakota to Engage in the Business of Manufacturing and Marketing of Farm Products, and for Establishing a Warehouse, Elevator and Flour Mill System Under the Name of North Dakota Mill and Elevator Association Operated by the State, and Defining the Scope, and Manner of its Operation, and the Powers and Duties of the Persons Charged with its Management; and Making an Appropriation Therefor."

Also,

Senate Bill No. 89. A Bill for an Act Relating to What Shall be Carried as "Consolidated Tax Account," and Repealing Section 2274, Compiled Laws of 1913 as Amended by Chapter 253, Session Laws of 1915.

Also,

Senate Bill No. 267. A Bill for an Act Declaring an Emergency to Exist Affecting the Public Welfare of the State with Respect to the Administration of Insolvent Banks, Providing for the Liquidation Thereof; Vesting the Supreme Court with Jurisdiction of Such Liquidation Proceedings, and Requesting It to Assume Original Jurisdiction in Furtherance of the Public Interest; Creating the Position of Supreme Court Commissioner; Fixing His Compensation, and Defining His Powers and Authority,

and Providing for the Appointment of Receivers of Insolvent Banks, and Making an Appropriation to Meet the Expenses Incident to Carrying Out the Purpose of the Act.

Also,

Senate Bill No. 250. A Bill for an Act to Amend and Re-enact Chapter 126 of the Laws of 1917, as Amended by Chapter 110 of the Laws of 1919 and as Further Amended by Chapter 21 of the Laws of 1921.

Also,

Senate Bill No. 373. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Beverages; to Prevent Adulteration and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; to Define the Duties of the State Food Commissioner and Chemist; to Provide for the Enforcement of the Provisions of the Act and to Provide Penalties for Violations Thereof and to Repeal Existing Laws Relating Thereto.

Also,

Senate Bill No. 379. A Bill for an Act to Regulate the Sale of Petroleum Products; to Provide for the Inspection of Kerosene and Gasoline; to Provide Specifications Therefor; to Prevent Adulteration and Misbranding Thereof; to Provide for Inspection Fees, Collection and Disposition of Same; to Define the Duties of the State Food Commissioner and Chemist; to Provide for the Inspection of Lubricating and Power Oils; to Provide for the Enforcement of the Act; to Provide Penalties for the Violation Thereof and to Repeal Existing Acts Relating Thereto.

Also,

Senate Bill No. 371. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Articles of Food and Drugs; for the Prevention of Adulteration and Misbranding Thereof; Requiring Labeling Thereof; Providing for Sales by Weight, Measure or Numerical Count; Providing for Fixing of Standards of Purity and Quality and Fitness for Consumption; Prescribing the Duties of the State Board of Administration and Providing for the Appointment of a State Food Commissioner and Chemist and Prescribing His Duties and Powers; Providing for the Enforcement of the Provisions of the Act; Defining Certain Offenses in Connection Therewith; Providing Penalties for Violation Thereof and Repealing Certain Acts Relating Thereto.

Also,

Senate Bill No. 315. A Bill for an Act Defining Carnivals, Prohibiting Itinerant Carnivals and Declaring the Same a Public Nuisance and Providing Penalties for the Participation Therein.

Also,

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Chapter 146 of the Session Laws of 1919 Relating to

the Office of Commissioner of Immigration, Prescribing His Powers and Duties, and Making an Appropriation Therefor, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 86. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall be Available, and Repealing all Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith, or to Appropriations for the Same Matters or Purposes Provided for Herein.

Also,

Senate Bill No. 20. A Bill for an Act to Amend and Re-enact Sections 3, 5, 9, 12, 13, 15, 16, 17, 20, 26 and 27 of Chapter 160 of the Session Laws of North Dakota as Amended by Chapter 38 of the Special Session Laws of the Sixteenth Legislative Assembly of the State of North Dakota, as Amended and Re-enacted by Chapter 77 of the Session Laws of North Dakota, for the Year 1921, Relating to State Hail Insurance.

Also,

Senate Bill No. 156. A Bill for an Act to Repeal Chapter 31 of the Special Session Laws of 1919 Relating to the Purchase of Dairy Cattle by Counties.

Also,

Senate Bill No. 70. A Bill for an Act to Incorporate and Establish the North West Agricultural, Live Stock and Fair Association, and Making an Appropriation Therefor.

Also,

Senate Bill No. 11. A Bill for an Act to Amend and Re-enact Sections 869 and 983 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 119, Session Laws of 1919, Relating to the Opening and Closing of Polls in Primary and General Elections.

Also,

Senate Bill No. 198. A Bill for an Act Making an Appropriation for the Supervisor of Grades, Weights and Measures, for the Purpose of Carrying Out, Maintaining General Supervision and Regulation of Grain Grading, Elevator Accounting and Inspection of Elevators, Warehouses and Flour Mills in Handling of all Agricultural Products.

Also,

Senate Bill No. 255. A Bill for an Act to Amend and Re-enact Chapter 220 of the Laws of North Dakota for the Year 1919.

Also,

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 4929 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 76 of the Session Laws for the Year 1921, Relating to the Fees to be Paid by Insurance Companies Doing Business in This State.

Also,

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 2078, Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 223, Session Laws of 1919, and Chapter 122, Session Laws of 1921, Relating to the Exemption of Certain Property From Taxation.

Also,

Senate Bill No. 341. A Bill for an Act to Impose a Tax Upon Gasoline, Stored, Shipped, Distributed or Held for Sale Within this State, for the Purpose of Raising Revenue for Defraying the Expenses of the State Government; Providing for the Administration of the Same; Repealing Chapter 227 of the Session Laws of 1919 as Amended by Chapter 64 of the Special Session Laws of 1919.

Also,

Senate Bill 186. A Bill for an Act Relating to the Abandonment or Neglect of Wife or Child, and the Desertion and Non-support of Family, and for the Repeal of Sections 9589 and 9603 Inclusive. Compiled Laws of 1913.

Also,

Senate Bill No. 78. A Bill for an Act Making an Appropriation for the General Expense of the State Oil Inspection.

Also,

Senate Bill No. 284. A Bill for an Act to Amend and Re-enact Sections 782, 783, 784, 787, 799, 808, 809, 810, 811 and 812 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 69 of the Session Laws for the Year 1919, Relating to the Creation of a State Bar Board, Its Members, Their Term of Office, Qualifications, Compensation and Duties and Providing for the Admission of Attorneys to Practice and the Issuance of License to Practice.

Also,

Senate Bill No. 256. A Bill for an Act to Control the Possession, Sale, and Use of Pistols and Revolvers, to Provide Penalties, and for other Purposes.

Also,

Senate Bill No. 272. A Bill for an Act Relating to the Method of Levying Tax for the Care of Patients at the Hospital for the Insane, Institution for the Feeble Minded and the State Tuberculosis, Sanatorium; Providing the

Method of Settlement Between County and State; Providing a Penalty for Failure to Pay; Providing a Method of Settling Disputed Claims and Repealing Sections 2572 and 2573, Compiled Laws of 1913 and all Acts or Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 335. A Bill for an Act to Create the Office of State Food Commissioner and Chemist; Providing for His Appointment, Term of Office, Removal and Salary; Defining His Powers and Duties; Defining the Powers and Duties of the State Board of Administration Relating Thereto; Creating a State Regulatory Fund and Providing for Payments Therefrom and Repealing Acts and Parts of Acts in Conflict with this Act and Especially Repealing Sections Two and Five of Chapter Two Hundred of the Session Laws of 1915.

Also,

Senate Bill No. 176. A Bill for an Act Providing for the Care and Treatment of Indigent Crippled or Deformed Children.

Also,

Senate Bill No. 132. A Bill for an Act Making an Appropriation for the General Expense of the Hotel Inspection Department.

Also,

Senate Bill No. 253. A Bill for an Act to Repeal Chapter 122 of the Session Laws of 1921.

Also,

Senate Bill No. 105. A Bill for an Act Making an Appropriation of \$18,825.00 for the Purpose of Paying Per Diem, Clerk Hire, Traveling Expense etc., in Carrying Out the Provisions of Chapter 126 of the Session Laws of 1917 Relative to the Depositors Guaranty Fund Commission.

Also,

Senate Bill No. 184. A Bill for an Act Defining and Regulating Maternity hospitals and for the Repeal of Chapter 183 of the Session Laws of 1915.

Also,

Senate Bill No. 21. A Bill for an Act to Amend and Re-enact Chapter 224, Laws of North Dakota for the Year 1919, as Amended by Chapter 60, Special Session Laws of 1919: an Act for the Purpose of Raising Revenue to Defray the General Expenses of the State Government by Providing for a Tax on the Incomes of Individuals, Fiduciaries, Corporations, Joint Stock Companies or Associations and Insurance Companies in the State of North Dakota; Graduating Incomes for the Purpose of Taxation; Providing for Exemptions and Deductions in Certain Cases; Describing a Method of Levying and Collecting

Said Tax; Prescribing Penalties for Nonconformance with the Provisions of This Act, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 311. A Bill for an Act to Amend and Re-Enact Section 1, of Chapter 242, Session Laws of North Dakota for the Year 1919, Relating to State Bounty on Wolves and Coyotes.

Also,

Senate Bill No. 337. A Bill for an Act Providing for a Bounty for the Destruction of Magpies and Crows.

Also,

Senate Bill No. 325. A Bill for an Act to Amend and Re-enact Sections 551, 552 and 557 of the Compiled Laws of North Dakota for 1913, Governing the Practice of Certified Public Accountants in the State, and Providing a Penalty for Violation of the Laws Governing Accountancy.

Senate Bill No. 76. A Bill for an Act Making an Appropriation of \$117,238.00 as an Offset for Federal Aid in Extension Division Work of the Agricultural College.

Also,

Senate Bill No. 88. A Bill for an Act Making an Appropriation of \$292,250.00 to Pay the General Maintenance, Improvements, Repairs, New Buildings, Equipment and Purchase of Live Stock, for the Experiment Station at the Agricultural College at Fargo, for the Biennium.

Also,

Senate Bill No. 157. A Bill for an Act Making an Appropriation of \$573,118.00 to Pay the General Maintenance, Improvements and Repairs, New Buildings, and Equipment of the Agricultural College, Fargo, for the Biennium.

Also,

Senate Bill No. 54. A Bill for an Act to Provide for a State Department of Health; a Public Health Advisory Council; Working Divisions and Employees; Office Space; Making an Appropriation Therefor; Repealing Sections 397, 398, 401, and 403, Compiled Laws of 1913, Declaring Emergency.

Also,

Senate Bill No. 80. A Bill for an Act Making an Appropriation of \$1,042,965.00 for the Purpose of Paying the **General Maintenance, Improvements and Repairs, New Equipment, etc.,** of the State University at Grand Forks, North Dakota.

Also,

Senate Bill No. 235. A Bill for an Act to Amend and Re-enact Section 2263 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted in Chapter 1 of the Session Laws for the Year 1917, Relating to the

Levy of a Tax by County Commissioners to be Used in Carrying on Cooperative Agricultural Extension Work as Defined by this Act and Providing for Referendum by Ballot, Audit of Funds and Disposition of Accumulated Funds.
tion:

And find the same correctly enrolled.

CHRIST LEVANG,
Chairman.

Senator Levang moved that the report be adopted, which motion prevailed and the report was adopted.

SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 191. A Bill for an Act Amending and Re-enacting Section 4424, Compiled Laws of 1913, Relating to the Custody, Service and Earnings of Minor Children.

Also,

Senate Bill No. 108. A Bill for an Act Making an Appropriation of \$56,600.00 for the Enforcement of the Feeding Stuffs, Fertilizer, Beverage and Sanitary Inspection Laws.

Also,

Senate Bill No. 111. A Bill for an Act Making an Appropriation of \$14,000.00 for the Maintenance of the Pure Seed Laboratory and Pure Seed Law Enforcement at the Agricultural College, Fargo.

Also,

Senate Bill No. 134. A Bill for an Act Making an Appropriation for a Bounty for Wolves and Coyotes, as Provided for by Chapter 242 of the Session Laws of 1919 for North Dakota.

Also,

Senate Bill No. 342. A Bill for an Act to Amend and Re-enact Subdivision 2 of Section 1 and Section 13a of Chapter 231 of the Session Laws of 1917 as Amended by Chapter 225 of the Session Laws of 1919, and to Amend Section 2 of Chapter 125 of the Session Laws of 1921, Relating to Inheritance Taxes Upon Estates of Deceased Non-Residents.

Also,

Senate Bill No. 388. A Bill for an Act Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations Whose Period of Duration Has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations, and Providing

that This Act Shall Take Effect Immediately Upon Its Passage and Approval.

Also,

Senate Bill No. 289. A Bill for an Act Providing That the County Commissioners Shall Have Power to Abate Certain Assessments Levied by Boards of Irrigation Districts Upon Application of the District Board Approved by the Director of the Reclamation Service.

Also,

Senate Bill No. 321. A Bill for an Act Providing that Discharged Soldiers Shall Receive Credit for Their Military Service in the Particular Profession, Vocation or Trade in which They Were Engaged at the Time of Their Entrance Into the Military Service of the United States.

Also,

Senate Bill No. 265. A Bill for an Act to Amend and Re-enact Section 2360a of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Section 2360a of Chapter 4 of the Session Laws for the Year 1919.

Also,

Senate Bill No. 261. A Bill for an Act Re-establishing the North Dakota Mill and Elevator Association, Defining its Powers and Duties, and Providing for the Control, Management and Operation of State Owned Grain Warehouses, Elevators and Flour Mills and the Conduct of all Business Relating Thereto, Especially as Relates to the State Owned Mill and Elevator at Grand Forks and Providing for the Appointment of a Board of Managers Thereof and Repealing Chapter 152 Laws of North Dakota 1919, entitled "An Act Declaring the Purpose of the State of North Dakota to Engage in the Business of Manufacturing and Marketing of Farm Products, and for Establishing a Warehouse, Elevator and Flour Mill System Under the Name of North Dakota Mill and Elevator Association Operated by the State, and Defining the Scope and Manner of its Operation, and the Powers and Duties of the Persons Charged with its Management; and Making an Appropriation Therefor."

Also,

Senate Bill No. 89. A Bill for an Act Relating to What Shall be Carried as "Consolidated Tax Account," and Repealing Section 2274, Compiled Laws of 1913 as Amended by Chapter 253, Session Laws of 1915.

Also,

Senate Bill No. 86. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall be Available, and Re-

pealing all Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith, or to Appropriations for the Same Matters or Purposes Provided for Herein.

Also,

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Chapter 146 of the Session Laws of 1919 Relating to the Office of Commissioner of Immigration, Prescribing His Powers and Duties, and Making an Appropriation Therefor, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 20. A Bill for an Act to Amend and Re-enact Sections 3, 5, 9, 12, 13, 15, 16, 17, 20, 26 and 27 of Chapter 160 of the Session Laws of North Dakota as Amended by Chapter 38 of the Special Session Laws of the Sixteenth Legislative Assembly of the State of North Dakota, as Amended and Re-enacted by Chapter 77 of the Session Laws of North Dakota for the Year 1921, Relating to State Hail Insurance.

Also,

Senate Bill No. 371. A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Articles of Food and Drugs; for the Prevention of Adulteration and Misbranding Thereof; Requiring Labeling Thereof; Providing for Sales by Weight, Measure or Numerical Count; Providing for Fixing of Standards of Purity and Quality and Fitness of Consumption; Prescribing the Duties of the State Board of Administration and Providing for the Appointment of a State Food Commissioner and Chemist and Prescribing His Duties and Powers; Providing for the Enforcement of the Provisions of the Act; Defining Certain Offenses in Connection Therewith; Providing Penalties for Violations Thereof and Repealing Certain Acts Relating Thereto.

Also,

Senate Bill No. 315. A Bill for an Act Defining Carnivals; Prohibiting Itinerant Carnivals and Declaring the Same a Public Nuisance and Providing Penalties for the Participation Therein.

Also,

Senate Bill No. 373. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Beverages; to Prevent Adulteration and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; to Define the Duties of the State Food Commissioner and Chemist; to Provide for the Enforcement of the Provisions of the Act and to Provide Penalties for Violations Thereof and to Repeal Existing Laws Relating Thereto.

Also,

Senate Bill No. 379. A Bill for an Act to Regulate the Sale of Petroleum Products; to Provide for the Inspection of Kerosene and Gasoline; to Provide Specifications Therefor; to Prevent Adulteration and Misbranding Thereof; to Provide for Inspection Fees, Collection and Disposition of Same; to Define the Duties of the State Food Commissioner and Chemist; to Provide for the Inspection of Lubricating and Power Oils; to Provide for the Enforcement of the Act; to Provide Penalties for the Violation Thereof and to Repeal Existing Acts Relating Thereto.

Also,

Senate Bill No. 267. A Bill for an Act Declaring an Emergency to Exist Affecting the Public Welfare of the State with Respect to the Administration of Insolvent Banks; Providing for the Liquidation Thereof; Vesting the Supreme Court with Jurisdiction of Such Liquidation Proceedings, and Requesting It to Assume Original Jurisdiction in Furtherance of the Public Interest; Creating the Position of Supreme Court Commissioner, Fixing His Compensation, and Defining His Powers and Authority, and Providing for the Appointment of Receivers of Insolvent Banks, and Making an Appropriation to Meet the Expenses Incident to Carrying Out the Purpose of the Act.

Also,

Senate Bill No. 250. A Bill for an Act to Amend and Re-enact Chapter 126 of the Laws of 1917, as Amended by Chapter 110 of the Laws of 1919 and as Further Amended by Chapter 21 of the Laws of 1921.

Also,

Senate Bill No. 284. A Bill for an Act to Amend and Re-enact Sections 782, 783, 784, 787, 799, 808, 809, 810, 811 and 812 of the Compiled Laws of North Dakota for the Year 1919, as Amended by Chapter 69 of the Session Laws for the Year 1919, Relating to the Creating of a State Bar Board, Its Members, Their Term of Office, Qualifications, Compensation and Duties and Providing for the Admission of Attorneys to Practice and the Issuance of License to Practice.

Also,

Senate Bill No. 70. A Bill for an Act to Incorporate and Establish the North West Agricultural, Live Stock and Fair Association, and Making an Appropriation Therefor.

Also,

Senate Bill No. 256. A Bill for an Act to Control the Possession, Sale and Use of Pistols and Revolvers, to Provide Penalties, and for other Purposes.

Also,

Senate Bill No. 255. A Bill for an Act to Amend and

Re-enact Chapter 220 of the Laws of North Dakota for the Year 1919.

Also,

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 2078, Compiled Laws of North Dakota for Year 1913, as Amended by Chapter 223, Session Laws of 1919, and Chapter 122, Session Laws of 1921, Relating to the Exemption of Certain Property From Taxation.

Senate Bill No. 186. A Bill for an Act Relating to the Abandonment or Neglect of Wife or Child, and the Desertion and Non-support of Family, and for the Repeal of Sections 9589 and 9603 Inclusive. Compiled Laws of 1913.

Also,

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 4929 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 76 of the Session Laws for the Year 1921, Relating to the Fees to be Paid by Insurance Companies Doing Business in this State.

Also,

Senate Bill No. 156. A Bill for an Act to Repeal Chapter 31 of the Special Session Laws of 1919 Relating to the Purchase of Dairy Cattle by Counties.

Also,

Senate Bill No. 341. A Bill for an Act to Impose a Tax Upon Gasoline, Stored, Shipped, Distributed or Held for Sale Within this State, for the Purpose of Raising Revenue for Defraying the Expenses of the State Government; Providing for the Administration of the Same; Repealing Chapter 227 of the Session Laws of 1919 as Amended by Chapter 64 of the Special Session Laws of 1919.

Also,

Senate Bill No. 335. A Bill for an Act to Create the Office of State Food Commissioner and Chemist; Providing for His Appointment, Term of Office, Removal and Salary; Defining His Powers and Duties; Defining the Powers and Duties of the State Board of Administration Relating Thereto; Creating a State Regulatory Fund and Providing for Payments Therefrom and Repealing Acts and Parts of Acts in Conflict With This Act and Especially Repealing Sections Two and Five of Chapter Two Hundred of the Session Laws of 1915.

Also,

Senate Bill No. 272. A Bill for an Act Relating to the Method of Levying Tax for the Care of Patients at the Hospital for the Insane, Institution for the Feeble Minded and the State Tuberculosis Sanatorium, Providing the Method of Settlement Between County and State; Providing a Penalty for Failure to Pay; Providing a Method of Settling Disputed Claims and Repealing Sections 2572 and 2573, Compiled Laws of 1913 and all Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 11. A Bill for an Act to Amend and Re-

enact Sections 869 and 983 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 119, Session Laws of 1919, Relating to the Opening and Closing of Polls in Primary and General Elections.

Also,

Senate Bill No. 253. A Bill for an Act to Repeal Chapter 122 of the Session Laws of 1921.

Also,

Senate Bill No. 198. A Bill for an Act Making an Appropriation for the Supervisor of Grades, Weights and Measures, for the Purpose of Carrying Out, Maintaining, General Supervision and Regulation of Grain Grading, Elevator Accounting and Inspection of Elevators, Warehouses and Flour Mills in Handling of all Agricultural Products.

Also,

Senate Bill No. 78. A Bill for an Act Making an Appropriation for the General Expense of the State Oil Inspection.

Also,

Senate Bill No. 132. A Bill for an Act Making an Appropriation for the General Expense of the Hotel Inspection Department.

Also,

Senate Bill No. 176. A Bill for an Act Providing for the Care and Treatment of Crippled Children.

Also,

Senate Bill No. 105. A Bill for an Act Making an Appropriation of \$18,825.00 for the Purpose of Paying Per Diem, Clerk Hire, Traveling Expenses, etc., in Carrying Out the Provisions of Chapter 126 of the Session Laws of 1917 Relative to the Depositors Guarantee Fund Commission.

Senate Bill No. 235: A Bill for an Act to Amend and Re-enact Section 2263 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted in Chapter 1 of the Session Laws for the Year 1917 Relating to the Levy of a Tax by County Commissioners to be Used in Carrying On Co-operative Agricultural Extension Work as Defined by This Act and Providing for Referendum by Ballot, Audit of Funds and Disposition of Accumulated Funds.

Also,

Senate Bill No. 184. A Bill for an Act Defining and Regulating Maternity hospitals and for the Repeal of Chapter 183 of the Session Laws of 1915.

Also,

Senate Bill No. 21. A Bill for an Act to Amend and Re-enact Chapter 224, Laws of North Dakota for the Year 1919, as Amended by Chapter 60, Special Session Laws of 1919; an Act for the Purpose of Raising Revenue to Defray the General Expenses of the State Government by

Providing for a Tax On the Incomes of Individuals, Fiduciaries, Corporations, Joint Stock Companies or Associations and Insurance Companies in the State of North Dakota; graduating Incomes for the Purpose of Taxation; Providing for Exemptionhs and Deductions in Certain Cases; Describing a Method of Levying and Collecting said Tax; Prescribing Penalites for Nonconformance with the Provisions of this Act, and Repealing All Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 311. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 242, Session Laws of North Dakota for the year 1919, Relating to State Bounty on Wolves and Coyotes.

Also,

Senate Bill No. 337. A Bill for an Act Providing for a Bounty for the Destruction of Magpies and Crows.

Senate Bill No. 76. A Bill for an Act Making an Appropriation of \$117,238.00 as an Offset for Federal Aid in Extension Division Work of the Agricultural College.

Also,

Senate Bill No. 325. A Bill for an Act to Amend and Re-enact Sections 551, 552 and 557 of the Compiled Laws of North Dakota for 1913, Governing the Practice of Certified Public Accountants in the State, and Providing a Penalty for Violation of the Laws Governing Accountancy.

Also,

Senate Bill No. 76. A Bill for an Act Making an Appropriation of \$117,338.00 as an Offset for Federal Aid in Extension Division Work of the Agricultural College.

Also,

Senate Bill No. 88. A Bill for an Act Making an Appropriation of \$293,350.00 to Pay the General Maintenance, Improvements, Repairs, New Buildings, Equipment and Purchase of Live Stock, for the Experiment Station at the Agricultural College at Fargo, for the Biennium.

Also,

Senate Bill No. 157. A Bill for an Act Making an Appropriation of \$544,906.00 to Pay the General Maintenance, Improvements and Repairs, New Buildings, and Equipment of the Agricultural College, Fargo, for the Biennium.

Also,

Senate Bill No. 54. A Bill for an Act to Provide for a State Department of Health; a Public Health Advisory Council; Working Divisions and Employees; Office Space; Making an Appropriation Therefor; Repealing Sections 397, 398, 401, and 403, Compiled Laws of 1913, Declaring Emergency.

Also,

Senate Bill No. 80. A Bill for an Act Making an Appropriation of \$1,042,965.00 for the Purpose of Paying the General Maintenance, Improvements and Repairs, New Equipment, etc., of the State University at Grand Forks, North Dakota.

Were delivered to the governor for his approval at the hour of 6:30 P. M. March 2, 1923.

CHRIST LEVANG,
Chairman.

Senator Hamilton moved that the President appoint a committee of three to notify the House that the Senate is about to adjourn sine die, which motion prevailed and the President appointed as such committee Senators Hamilton, Kelsh and Byrne.

Senator Sperry moved that the president appoint a committee of three to notify the Governor that the Senate is ready to adjourn sine die and the president appointed as such committee, Senators Sperry, Eastgate and Baker.

The committee appointed by the President, F. H. Hyland, to notify the House that the Senate is about to adjourn, reported that it had so notified the House and the chairman moved that the Committee be discharged. Which motion prevailed.

The committee appointed to notify the governor that the senate is ready to adjourn, reported that it had so notified the governor and that the governor had no further messages to transmit to the Senate and the chairman of the committee moved that the committee be discharged.

Which motion prevailed.

Senator Stevens then moved that the Senate do now adjourn sine die, which motion prevailed and the Senate did adjourn sine die.

The courtesies of the floor were extended to Carrie May Seed of Minot; H. J. Cuckinbacker of Logan, A. Odegard of Douglas; Henry Anderson of Christine; J. H. Nichols of Oakes; Clyde Hall, Geo. Milne of Sheyenne; Matt Dahl of Hazelton; Elias Porter of Calvin; Eliza Zavity of Fargo; A. W. Lindquist of Fairmount; C. A. Fisher, S. Oglesby, C. Noltimier, of Valley City; W. A. Beardley of Minot; Lee Johnson of Des Lacs; Mrs. Geo. Brostrop of Courtenay, N. D.; Dr. Siler, F. F. Cuthbert, L. H. Maloney; Geo. D. Linn of Devils Lake.

W. E. PARSONS,
Secretary.

INDEX

RECORD of BILLS in the SENATE

SENATE BILLS

Senate Bill No. 1.—(Rusch)

A bill For an Act to Amend Section 5205 of the Compiled Laws Relating to the Term of Existence of Certain Corporations.

Introduction, first and second reading, 24.

Reference, 24.

Reported Back, 172.

Amended, 172.

Third reading, 183.

Passed, 183.

Received from House, 461.

Other action, 176, 477, 486, 507, 510.

Senate Bill No. 2.—(Tofsrud)

A Bill For an Act to Provide for the Storing of Grain in Store Rooms or Granaries on Farms, the Loaning of Money on the Same and the Manner of Collecting Said Loans.

Introduction, first and second reading, 24.

Reference, 24.

Reported back, 380.

Amended, 488.

Third reading, 663.

Indefinitely postponed, 929.

Passed, 663.

Received from House, 929.

Other action, 380, 485, 509, 530, 573, 606.

Senate Bill No. 3.—(Van Camp)

A Bill For an Act to Amend and Re-enact Section 1 of Chapter 4 of the Laws Passed by the Sixteenth Legislative Assembly of the State of North Dakota, in 1919, as Amended by Chapter 5 of the Laws of North Dakota for the Year 1921, Being an Act to Appropriate Out of the State Highway Fund the Sum of \$35,000.00 for the Construction of a Bridge Across the Red River at Pembina, Pembina County, North Dakota, and Kittson County, Minnesota, Under the Provisions of Chapter 73 of the Laws Passed at the Legislative Assembly of North Dakota, approved March 5th, 1919.

Introduction, first and second reading, 34.

Reference, 34, 72.

Reported back, 47, 82.

Amended, 82.

Third reading, 91.

Passed, 91.

Received from House, 923.

Other action, 69, 87, 968, 975, 1001, 1085.

Senate Bill No. 4.—(Rusch)

A Bill For an Act Validating the Record of Mortgages and Assignments of Mortgages in the Office of the Register of Deeds of the Counties of the State between July 1, 1917, and January 1, 1923.

Introduction, first and second reading, 34.

Reference, 34, 65.

Reported back, 49, 83.

Third reading, 93.

Indefinitely postponed.

Passed, 93.

Received from House, 166.

Other action, 53, 88, 176, 180, 209.

Senate Bill No. 5.—(Whitman)

A Bill For an Act to Amend and Re-enact Section 4926, Compiled Laws of 1913, Relating to Resident and Non-Resident Insurance Agents.

Introduction, first and second reading, 34.

Reference, 34.

Reported back, 98, 103.

Indefinitely postponed, 103.

Senate Bill No. 6.—(Stevens)

A Bill For an Act to Repeal Section 991 of the Compiled Laws of North Dakota, for the Year 1913, Requiring Ballots of Women to be Deposited in Separate Boxes.

Introduction, first and second reading, 34.

Reference, 35.

Reported back, 42.

Amended, 64.

Third reading, 64.

Passed, 64.

Received from House, 104.

Other action, 49, 69, 109, 117, 162, 175.

Senate Bill No. 7.—(Stevens)

A Bill for an Act to Amend and Re-enact Section 948 of the Compiled Laws of North Dakota, for the Year 1913, Relating to the Qualifications of Electors.

Introduction, first and second reading, 35.

Reference, 35.

Reported back, 42.

Amended, 43.

Third reading, 64.

Passed, 64.

Received from House, 104.

Other action, 50, 109, 117, 162, 175.

Senate Bill No. 8.—(Stevens)

A Bill For an Act to Amend and Re-enact Section 968 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Ballot Boxes.

Introduction, First and second reading, 35.

Reference, 35.

Reported back, 43.

Third reading, 65.

Passed, 65.

Received from House, 104.

Other action, 50, 109, 117, 162, 175.

Senate Bill No. 9.—(McCoy)

A Concurrent Resolution to Amend the Constitution extending the term of office in each organized County of the State of North Dakota of the several county officers thereof, to-wit: County Judge, Clerk of the District Court, Register of Deeds, County Auditor, Treasurer, Sheriff, and States Attorney, from two years to four years.

Introduction, first and second reading, 38.

Reference, 38.

Reported back, 135.

Indefinitely postponed, 135.

Senate Bill No. 10.—(Atkins)

A Bill For an Act Entitled an Act to Amend and Re-enact Section 4937, Compiled Laws of 1913, relating to Reserve Fund of Mutual Insurance Companies.

Introduction, first and second reading, 40.

Reference, 41.

Reported back, 98, 103.

Indefinitely postponed, 103.

Senate Bill No. 11.—(Carey)

A Bill For an Act to Amend and Re-enact Sections 869 and 983 of the Compiled Laws of North Dakota, for the Year 1913, as Amended by Chapter 119, Session Laws of 1919, Relating to the Opening and Closing of Polls in Primary and General Elections.

Introduction, first and second reading, 44.

Reference, 44, 160.

Reported back, 142, 269.

Third reading, 309, 1253.

Passed, 310, 1253.

Received from House, 1249.

Amended by House, 1249.

Other action, 153, 1253, 1314, 1334.

Senate Bill No. 12.—(Baird)

A Bill For an Act to Repeal Sections 5518 and 5519 of the Compiled Laws of the State of North Dakota for the Year 1913.

Introduction, first and second reading, 44.

Reference, 44.

Reported back, 693.

Indefinitely postponed, 693.

Senate Bill No. 13.—(Stevens)

A Bill For an Act to Amend and Re-enact Section 9 of Chapter 236, Session Laws of 1915, Relating to the Qualifications of Graduated Registered Nurses.

Introduction, first and second reading, 44.

Reference, 44, 94.

Reported back, 84, 123.

Amended, 84, 124.

Third reading, 148.

Indefinitely postponed, 359.

Passed, 148.

Received from House, 359.

Other action, 88, 135.

Senate Bill No. 14.—(McCoy and Sperry)

A Bill For an Act to Prohibit the Wearing of Masks or Other Disguises in Public, and designating the Penalty for Same.

Introduction, first and second reading, 51.

Reference, 51.

Reported back, 188.

Amended, 199.

Third reading, 200.

Passed, 200.

Received from House, 299.

Other action, 197, 322, 326, 348, 358.

Senate Bill No. 15.—(Baird)

A Bill For an Act to Appropriate and Transfer Money From the Hail Insurance Fund to the Hail Insurance Operating Fund for the Purpose of Paying the Unpaid Bills Incurred by the Hail Insurance Department During the Years Beginning January 1, 1922, and Ending December 31, 1923.

Introduction, first and second reading, 63.

Reference, 63.

Reported back, 76.

Amended, 91.

Third reading, 91.

Passed, 92.

Received from House, 1128.

Other action, 86, 98, 1217, 1279.

Senate Bill No. 16.—(Whitman)

A Bill For an Act to Regulate the Practice of Chiropody in the State of North Dakota, to Provide for the Establishment of a State Board of Chiropody Examiners, to Define the Duties and Powers of Said Board, to Provide for Examining and Registering of Chiropodists in this State, and to Provide Penalties for the Violation of said Act.

Introduction, first and second reading, 63.

Reference, 63.

Reported back, 243.

Amended, 243, 274.

Third reading, 275.

Other action, 262, 275.

Failed to pass, 275.

Senate Bill No. 17.—(Rusch)

A Bill for an Act to Appropriate the Sum of Eight Thousand Two Hundred and Fifty Dollars (\$8,250.00) for the Purpose of Purchasing and Installing One Complete Stoker Unit Under Modern Boiler at the North Dakota Agricultural College, and Purchasing and Installing Necessary Equipment and Technical Instruments to Measure the Efficiency of Such Stoker and Boiler.

Introduction, first and second reading, 63.

Reference, 63.

Reported back, 74.

Third reading, 74.

Passed, 75.

Received from House, 89.

Other action, 74, 98, 106, 175.

Senate Bill No. 18.—(Whitman)

A Bill For an Act to Amend and Re-enact Section 8657 of the Compiled Laws of North Dakota for the Year 1913, relating to Letters of Administration, and Who are Entitled Thereto.

Introduction, first and second reading, 70.

Reference, 70.

Reported back, 82.

Amended, 83.

Third reading, 92.

Indefinitely postponed, 154.

Passed, 93.

Received from House, 153.

Other action, 88.

Senate Bill No. 19.—(Whitman)

A Bill for an Act to Amend and Re-enact Section 8551 of the Compiled Laws of North Dakota for the Year 1913, Relating to Citations and Notices Issued by the County Court and How the Same Must be Served.

Introduction, first and second reading, 70.

Reference, 70.

Reported back, 99, 102.

Indefinitely postponed, 102.

Senate Bill No. 20.—(Ingerson)

A Bill for an Act to Amend and Re-enact Sections 3, 5, 9, 12, 13, 15, 16, 17, 20, 26, and 27 of Chapter 160 of the Session Laws of North Dakota as Amended by Chapter 38 of the Special Session Laws of the Sixteenth Legislative Assembly of the State of North Dakota, as Amended and Re-enacted by Chapter 77 of the Session Laws of North Dakota for the Year 1921, Relating to State Hail Insurance.

Introduction, first and second reading, 70.

Reference, 70.

Reported back, 210.

Amended, 210, 231.

Third reading, 231, 1202.

Passed, 231, 1202.

Received from House, 1198.

Amended by House, 1198.

Other action, 216, 236, 1201, 1317, 1332.

Senate Bill No. 21.—(Thorson)

A Bill for an Act to Amend and Re-enact Chapter 224, Laws of North Dakota for the Year 1919, as Amended by Chapter 60, Special Session Laws of 1919, as Amended by Chapter 123 of the Laws of 1921; an Act for the Purpose of Raising Revenue to Defray the General Expenses of the State Government by Providing for a Tax on the Incomes of Individuals, Fiduciaries, Corporations, Joint Stock Companies or Associations and Insurance Companies in the State of North Dakota; Graduating Incomes for the Purpose of Taxation; Providing for Exemptions and Deductions in Certain Cases; Describing a Method of Levying and Collecting Said Tax; Prescribing Penalties for Nonconformance with the Provisions of this Act, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first and second reading, 70.

Reference, 71.

Reported back, 285.

Amended, 286, 392, 1267.

Third reading, 394, 1268.

Passed, 394, 1268.

Received from House, 1077, 1273.

Amended by House, 1077.

Conference committee, 1078, 1266.

Other action, 273, 322, 326, 1143, 1270, 1322, 1335.

Senate Bill No. 22.—(Whitman)

A Bill for an Act to Amend and Re-enact Section 5888 Requiring Certain Contracts to be in writing.

Introduction, first and second reading, 79.

Reference, 79.

Reported back, 110.

Indefinitely postponed, 110.

Senate Bill No. 23.—(Baker)

A Bill for an Act to Amend and Re-enact Chapter 51 of the Session Laws of North Dakota for the Year 1921, Authorizing Boards of County Commissioners to Issue Refunding Bonds to Fund or Refund for the Purpose of Seed Grain or Seed and Feed Grain Bonds or Warrants heretofore Issued Pursuant to Law for the Purchase of Seed Grain and Feed or Either.

Introduction, first and second reading, 79.

Reference, 79.

Reported back, 83.

Third reading, 94.

Indefinitely postponed, 462.*

Passed, 94.

Received* from House, 462.

Other action, 88.

Senate Bill No. 24.—(Sperry)

A Bill for an Act Making an Appropriation to Company A First Regiment, North Dakota National Guard, Training School, a Corporation, for the Purpose of Protecting and Preserving the Title of Its Property and the Security of the State of North Dakota.

Introduction, first and second reading, 79.

Reference, 80, 103.

Reported back, 99, 141.

Indefinitely postponed, 142.

Other action, 103.

Senate Bill No. 25.—(Kelsh)

A Bill for an Act Relating to the Validation of Bonds Voted and Issued, or to be Issued, by Any Common, Special or Independent School District, in Cases Where the School District Issuing Such Bonds, or Where by Such Vote Bonds Are Authorized to be Issued, Has Heretofore, by a Majority Vote, Increased the Limit of Indebtedness Five Per Cent on the Assessed Valuation of the Taxable Property in Such School District, Beyond the Five Per Cent Limit of Indebtedness Established by the Constitution, as Provided by Article 35 of the Amendments to the Constitution of the State of North Dakota, and Where the Indebtedness of Such School District Does Not Exceed Ten Per Cent on the Assessed Valuation of the Taxable Property of Such School District, and Declaring Such Bonds Legal and Valid.

Introduction, first and second reading, 80.

Reference, 80, 362, 452.

Reported back, 179, 380.

Amended, 179.

Third reading, 201.

Passed, 201, 392, 530.

Received from House, 359, 494.

Amended by House, 360, 494.

Other action, 197, 391, 414, 415, 420, 428, 436, 488, 496, 562, 565, 749, 765.

Senate Bill No. 26.—(Gross)

A Bill for an Act to Amend and Re-enact Section 1945 of the Compiled Laws of North Dakota for the Year 1913, Relating to County Road Funds.

Introduction, first and second reading, 84.

Reference, 84, 165.

Reported back, 153, 440.

Indefinitely postponed, 440.

Other action, 163.

Senate Bill No. 27.—(Ployhar and Porter)

A Bill for an Act to Amend and Re-enact Sections 3, 6, 7, 8, 11 and 54 of Chapter 161 of the Session Laws for the Year 1915, and to Amend and Re-enact Section 27 of Chapter 161 of the Session Laws for the Year 1915 as Amended and Re-enacted by Section 2 of Chapter 134 of the Session Laws for the Year 1919, and to Amend and Re-enact Section 28 of Chapter 161 of the Session Laws for the Year 1915 as Amended and Re-enacted by Section 3 of Chapter 134 of the Session Laws for the Year 1919, and as Amended and Re-enacted by Section 1 of Chapter 71 of the Session Laws for the Year 1921, and to Amend and Re-enact Section 34 of Chapter 161 of the Session Laws for the Year 1915 as Amended and Re-enacted by Section 9 of Chapter 134 of the Session Laws for the Year 1919, and as Amended and Re-enacted by Section 1 of Chapter 69 of the Session Laws for the Year 1921, and to Repeal Section 10298 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 162 of the Session Laws for the Year 1915, and as Amended by Section 9 of Chapter 134 of the Session Laws for the Year 1919, and Chapter 69 of the Session Laws for the Year 1921, Relating to Game and Fish.

Introduction, first and second reading, 84.

Reference, 85.

Reported back, 325.

Indefinitely postponed, 326.

Senate Bill No. 28.—(Ployhar)

A Bill for an Act to Empower Cities, Villages, and Towns to Purchase, Sell, Construct, Rent, Lease, Extend, Connect, or Erect, High Tension Electric Transmission Lines and Electrical Equipment, Within and Without the Corporate Limits, and Necessary Secondary Transmission Lines and Distribution Systems Within the Corporate Limits, for the Purpose of Securing Light, Power and Electrical Energy for Municipal and Commercial use; and to Assess the Property Within the Corporate Limits, and to Provide for the Methods of Such Assessment and the Collection Thereof, and to Provide for the Issuance of Bonds.

Introduction, first and second reading, 85.

Reference, 85.

Reported back, 298.

Amended, 298.

Third reading, 329, 998.

Passed, 330, 998.

Received from House, 893, 996.

Amended by House, 996.

Other action, 322, 906, 921, 931, 961, 987, 1025, 1026.

Senate Bill No. 29.—(Ployhar)

A Bill for an Act to Empower Cities and Villages to Levy and Collect a Tax for the Purposes of Furnishing Musical Concerts to the Public.

Introduction, first and second reading, 85.

Reference, 85.

Reported back, 194.

Indefinitely postponed, 194.

Senate Bill No. 30.—(Stevens)

A Bill for an Act to Amend and Re-enact Section 4989, Compiled Laws of 1913, Relating to Filing of Statements by Mining Corporations.

Introduction, first and second reading, 85.

Reference, 85.

Reported back, 176.

Third reading, 201.

Passed, 202.

Received from House, 922.

Other action, 197, 968, 975, 1001, 1026.

Senate Bill No. 31.—(Stevens)

A Bill for an Act to Amend and Re-enact Section 62, Compiled Laws of 1913, Relating to Legislative Journals.

Introduction, first and second reading, 85.

Reference, 85.

Reported back, 210.

Third reading, 230.

Indefinitely postponed, 1048.

Passed, 231.

Received from House, 1048.

Other action, 216.

Senate Bill No. 32.—(Atkins)

A Bill for an Act to Amend and Re-enact Section 4016 of the Compiled Laws of 1913 Relating to Bonded Indebtedness of Cities, and Purposes for Which Incurred.

Introduction, first and second reading, 90.

Reference, 90, 198.

Reported back, 195, 293.

Third reading, 328.

Indefinitely postponed, 195.

Passed, 328, 957.

Received from House, 964.

Amended by House, 964.

Other action, 198, 322, 1058, 1066, 1165, 1275.

Senate Bill No. 33.—(Atkins)

A Bill for an Act to Repeal Chapter 171 of the Session Laws of 1919 Relating to the Granting of Injunctions in Certain Cases.

Introduction, first and second reading, 90.

Reference, 90.

Reported back, 246.

Indefinitely postponed, 246.

Senate Bill No. 34.—(Kaldor)

A Bill for an Act to Amend and Re-enact Section 1 of Chapter 89 of the Session Laws of 1921, Relating to the Furnishing by the Register of Deeds of Each County to Elevators Making Application and Paying the Fee Provided Therefor, of an Abstract of All Mortgages and Liens upon Grain Grown During Each Year, and Filed in the Office of the Register of Deeds.

Introduction, first and second reading, 90.
 Reference, 90.
 Reported back, 246.
 Amended, 247, 275.
 Third reading, 275, 608.
 Passed, 276, 608.
 Received from House, 451.
 Amended by House, 452.
 Conference committee, 453, 600.
 Other action, 262, 453, 601, 657, 673, 750, 766.

Senate Bill No. 35.—(Kaldor)

A Bill for an Act Relative to the Admission of Persons Under Eighteen Years of Age to Public Dances, and Requiring the Posting of a Copy of the Law and Prescribing Penalty for Its Violation.

Introduction, first and second reading, 90.
 Reference, 90, 187.
 Reported back, 187.
 Third reading, 398.
 Passed, 398.
 Received from House, 535.
 Other action, 348, 562, 569, 749, 766.

Senate Bill No. 36.—(Page)

A Bill for an Act to Amend and Re-enact Sections 5605, 5607 and 5611 of the Compiled Laws of the State of North Dakota for the Year 1913, Defining the Homestead Exemption.

Introduction, first and second reading, 100.
 Reference, 100.
 Reported back, 164.
 Third reading, 184.
 Passed, 184.
 Received from House, 272.
 Other action, 175, 295, 301, 335, 358.

Senate Bill No. 37.—(Kelsh)

A Bill for an Act to Repeal Section 1119 of the Compiled Laws of 1913 Relating to the Publication of the Proceedings of the State Education Association.

Introduction, first and second reading, 100.
 Reference, 100.
 Reported back, 247.
 Third reading, 277.
 Passed, 277.
 Received from House, 461.
 Other action, 262, 477, 486, 507.

Senate Bill No. 38.—(Rusch)

A Bill for an Act to Prescribe a Form of Procedure for the Administration of Express trusts, as Are Defined by Chapter 71 of the Civil Code.

Introduction, first and second reading, 100.

Reference, 100, 159.

Reported back, 110, 268.

Third reading, 131.

Indefinitely postponed, 268.

Passed, 132.

Received from House, 154.

Other action, 123, 144, 159.

Senate Bill No. 39.—(Bond)

A Bill for an Act to Amend and Re-enact Section 287 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 241 of the Session Laws of 1915, and as Amended by Chapter 204 of the Session Laws of 1917, and as Amended by Chapter 198 of the Session Laws of 1919, and as Amended by Chapter 108 of the Session Laws of 1921, Relating to Investment of University and School Land Funds.

Introduction, first and second reading, 100.

Reference, 100, 133.

Reported back, 106, 431.

Amended, 432.

Third reading, 120, 493.

Indefinitely postponed, 929.

Passed, 120, 493.

Received from House, 126, 929.

Other action, 109, 125, 132, 438.

Senate Bill No. 40.—(Ingerson)

A Bill for an Act Relating to the Receipt and Filing by the Register of Deeds, of Warranty Deeds and Quit Claim Deeds.

Introduction, first and second reading, 100.

Reference, 101.

Reported back, 165.

Indefinitely postponed, 165.

Senate Bill No. 41.—(Ingerson)

A Bill for an Act to Amend and Re-enact Section 16 of Chapter 58 of the Session Laws for the Year 1917.

Introduction, first and second reading, 101.

Reference, 101.

Reported back, 178.

Amended, 178, 202.

Third reading, 202.

Passed, 202, 203.

Received from House, 318.

Other action, 198, 202, 211, 350, 361, 385, 388.

Senate Bill No. 42.—(Carey)

Amendment to the Constitution Extending the Term of Office in Each Organized County of the State of North Dakota of the County Superintendent of Schools, Thereof, to-wit: From Two Years to Four Years. Introduction, first and second reading, 105.
Reference, 105.
Reported back, 135.
Indefinitely postponed, 135.

Senate Bill No. 43.—(Gardiner)

A Bill for an Act to Amend and Re-enact Section 2 of Chapter 33 of the Laws Enacted by the Special Session of the Legislature of 1919 Relating to the Formation and Division of Voting Districts. Introduction, first and second reading, 105.
Reference, 105.
Reported back, 124.
Amended, 148.
Third reading, 149, 455.
Passed, 149, 455.
Received from House, 450.
Amended by House, 450.
Other action, 135, 153, 452, 453, 477, 486, 507.

Senate Bill No. 44.—(Baird)

A Bill for an Act to Establish a State Highway Commission, Prescribing Its Powers and Duties, Fixing the Salaries of the Commission and the Employees Thereof, Authorizing the Engagement of Employees and Repealing All Acts and All Parts of Acts in Conflict Herewith. Introduction, first and second reading, 118.
Reference, 118.
Reported back, 736.
Amended, 834.
Third reading, 839.
Indefinitely postponed, 1099.
Passed, 840.
Received from House, 1099.
Other action, 816, 835.

Senate Bill No. 45.—(Baird)

A Bill for an Act to Amend and Re-enact Sections 6, 11, 12, 16 and 17 of Chapter 44 of the Special Session Laws of North Dakota, for the Year 1919, Relating to the Registration and Licensing of Motor Vehicles, the Creation of a State Highway Fund, the Distribution of Such Fund, and Repealing All Acts and Parts of Acts in Conflict Herewith. Introduction, first and second reading, 118.
Reference, 118.
Reported back, 804.
Amended, 804, 857.
Third Reading, 857.
Indefinitely postponed, 1099.
Passed, 857.
Received from House, 1099.
Other action, 845.

Senate Bill No. 46.—(Baird)

A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Providing for the Establishment of a State Highway Commission, for the Establishment of a System of State Highways and for the Establishment of a State Highway Fund.

Introduction, first and second reading, 118.

Reference, 118.

Reported back, 440, 758.

Amended, 440.

Third reading, 758.

Indefinitely postponed, 1100.

Passed, 844.

Received from House, 1100.

Other action, 440, 574, 818.

Senate Bill No. 47.—(Hamilton)

A Bill for an Act to Establish a System for the Storing of Grain on Farms; Protectin^g Same by Insurance; Issuing Farm Warehouse Receipts for same; Placing Same Under the Control and Supervision of the Supervisor of Grades, Weights and Measures; Defining His Powers and Duties; Making the Owner the Warehouseman of Same and Charging Him With Certain Duties; and Providing Penalties for the Violation of any Part of this Act.

Introduction, first and second reading, 118.

Reference, 118.

Reported back, 379.

Indefinitely postponed, 489.

Other action. 379, 485.

Senate Bill No. 48.—(Kelsh)

A Bill for an Act to Provide Uniform Salaries for Certain County Officers, to Provide for the Payment of the Same, for the Employment and Payment of Deputies and Clerk Hire in Such Offices, the Collection and Deposit of Official Fees, and the Repeal of Certain Laws.

Introduction, first and second reading, 118.

Reference, 119.

Reported back, 269.

Indefinitely postponed, 269.

Senate Bill No. 49.—(Steel)

A Bill for an Act to Amend and Re-enact Section 1782 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Commandant of the Soldier's Home.

Introduction, first and second reading, 119.

Reference, 119.

Reported back, 141.

Amended, 159.

Third reading, 160.

Passed, 160.

Received from House, 249.

Other action, 153, 163, 262, 274, 296, 308.

Senate Bill No. 50.—(Porter)

A Bill for an Act to Amend and Re-enact Section 3 of Chapter 187 of the Session Laws of North Dakota for the Year 1919, Relating to the Qualifications of Official and Legal Newspapers and Providing for the Method of Selection of Official Newspapers.

Introduction, first and second reading, 119.

Reference, 119, 362.

Reported back, 163, 384.

Third reading, 184, 517.

Passed, 185, 518.

Received from House, 361.

Amended by House, 361.

Other action, 175, 416, 472, 562, 568, 748, 766.

Senate Bill No. 51.—(Porter)

A Bill for an Act Fixing Publication Fees for Printing Delinquent Tax Lists, School Treasurers' Reports, and County Commissioners' Proceedings.

Introduction, first and second reading, 119.

Reference, 119, 213.

Reported back, 177, 265.

Amended, 177, 265, 307.

Third reading, 307.

Indefinitely postponed, 718.

Passed, 308.

Received from House, 718.

Other action, 197, 203, 295, 324.

Senate Bill No. 52.—(Rusch)

A Bill for an Act to Amend and Re-enact Chapter 185 of the Session Laws of the State of North Dakota for the Year 1915, Providing for Mothers' Pensions for the Assistance of Indigent Mothers and Their Children Under Fourteen Years of Age, Fixing the Proportion to be Paid by County and by Local Poor Districts; Conferring Jurisdiction in Such Matters Upon the County Judges of the Several Counties, Subject to the Approval of the Board of County Commissioners of Such Counties, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Introduction, first and second reading, 119.

Reference, 119.

Reported back, 679.

Indefinitely postponed, 679.

Senate Bill No. 53.—(Baker)

A Bill for an Act Authorizing the Commissioner of Insurance to Examine Fire Rating Bureaus; Forbidding Discriminatory Rates and Requiring Written Variation to be Filed; Requiring Fire Insurance Companies to Maintain or be Members of Rating Bureau; Providing that Risks be Inspected; Requiring Rating Agreements to be Submitted to Commissioner of Insurance; also Providing for Review by Commissioner of Insurance of Rates Fixed by Bureau, and Proceedings Under Appeal from Order of Commissioner; Penalty for Violation: Exempting County Mutual Companies, and Providing Appropriation for Administration Thereof.

Introduction, first and second reading, 119.

Reference, 120.

Reported back, 245.

Amended,

Third reading, 276.

Other action, 245, 262.

Failed to pass, 277.

Senate Bill No. 54.—(Whitman)

A Bill for an Act to Provide for a State Department of Health; a Public Health Advisory Council; Working Divisions and Employees; Office Space; Making an Appropriation Therefor; Repealing Sections 397, 398, 401, and 403, Compiled Laws of 1913, Declaring Emergency.

Introduction, first and second reading, 126.

Reference, 126, 270.

Reported back 270, 597.

Amended, 270, 597, 714, 1304.

Third reading, 714, 1306.

Passed, 714, 1306.

Received from House, 1270.

Amended by House, 1270.

Conference committee, 1262, 1304.

Other action, 655, 1303, 1322, 1336.

Senate Bill No. 55.—(Whitman)

A Bill for an Act Authorizing the State Department of Health to Establish Full-time Cooperative County Health Units; and Making an Appropriation therefor.

Introduction, first and second reading, 126.

Reference, 127.

Reported back, 244.

Indefinitely postponed, 244.

Senate Bill No. 56.—(Whitman)

A Bill for an Act Providing for the Acceptance of the Provisions of the Sheppard-Towner Act; Making an Appropriation to Meet the Allotments of the Sheppard-Towner Act; Authorizing State Department of Health to Accept Funds for Infant and Maternal Hygiene Work.

Reference, 127, 244, 470.
 Reported back, 244, 470, 547.
 Amended, 548.
 Third reading, 607.
 Passed, 607.
 Received from House, 1154.
 Other action, 604, 1218, 1280.

Senate Bill No. 57.—(Whitmer)

A Bill for an Act to Amend and Re-enact Section 8122 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 180 of the Laws of 1915, Chapter 151 of the Laws of 1917 and Chapter 65 of the Laws of 1921, Relating to Foreclosure of land contracts.

Introduction, first and second reading, 127.
 Reference, 127.
 Reported back, 411.
 Indefinitely postponed, 411.

Senate Bill No. 58.—(Whitmer)

A Bill for an Act to Provide for the Appointment of a State Electrical Inspector Under the Administration of the State Board of Electricians for the Better Enforcement of the Existing State Electrical Law; Defining His Duties and Powers and Making an Appropriation Therefor.

Introduction, first and second reading, 127.
 Reference, 127.
 Reported back, 219.
 Indefinitely postponed, 219.

Senate Bill No. 59.—(Garberg)

A Bill for an Act to Amend and Re-enact Section 4929 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 76 of the Session Laws for the Year 1921, Relating to the Fees to be Paid by Insurance Companies Doing Business in This State.

Introduction, first and second reading, 127.
 Reference, 127.
 Reported back, 220.
 Third reading, 252, 1243.
 Passed, 252, 1244.
 Received from House, 1243.
 Amended by House, 1243.
 Other action, 237, 1313, 1334.

Senate Bill No. 60.—(Garberg)

A Bill for an Act Appropriating Eight Hundred Fifty-three Dollars and Sixty-one Cents (\$853.61) to Take Care of Deficit in Biennial Appropriation of Department of Insurance.

Introduction, first and second reading, 127.

Reference, 127.

Reported back, 242.

Third reading, 278.

Passed, 278.

Received from House, 517.

Other action, 263, 562, 568, 748, 766.

Senate Bill No. 61.—(Van Camp)

A Bill for an Act amending Section 728 of the Compiled Laws of North Dakota for the year 1913 relating to fees in the Supreme Court.

Introduction, first and second reading, 127.

Reference, 127, 178.

Reported back, 177, 219.

Amended, 177, 219.

Third reading, 252.

Passed, 252, 532.

Received from House, 451.

Amended by House, 451.

Conference committee, 453, 505.

Other action, 237, 453, 505, 562, 568, 748, 766.

Senate Bill No. 62.—(Fleckten)

A Bill for an Act to Amend and Re-enact Section 1136 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 208 of the Session Laws of 1917, and as Amended and Re-enacted by Chapter 104 of the Session Laws of 1919, and as Amended and Re-enacted by Chapter 53 of the Session Laws of 1921, Relating to the Office of County Superintendent of Schools.

Introduction, first and second reading, 128.

Reference, 128.

Reported back, 248.

Indefinitely postponed, 248.

Senate Bill No. 63.—(Rusch)

A Bill for an Act to Amend Section 318 of the Compiled Laws of North Dakota for the year 1913, Relating to Cancellations of School Land Contracts.

Introduction, first and second reading, 128.

Reference, 128.

Reported back, 409.

Indefinitely postponed, 409.

Senate Bill No. 64.—(Baird and Baker)

A Bill for an Act Concerning Aeronautics and to make Uniform the Law with Reference Thereto.

Introduction, first and second reading, 136.

Reference, 137.

Reported back, 186.

Third reading, 203, 330.

Passed, 203, 331.

Received from House, 299.

Amended by House, 299.

Other action, 198, 300, 301, 350, 361, 385, 387.

Senate Bill No. 65.—(Stevens)

A Bill for an Act to Amend and Re-enact Section 844 of the Compiled Laws of North Dakota for the Year 1913.

Introduction, first and second reading, 137.

Reference, 137.

Reported back, 198.

Indefinitely postponed, 198.

Senate Bill No. 66.—(Stevens)

A Bill for an Act to Amend and Re-enact Section 838, Compiled Laws of 1913, relating to Records of Notaries Public.

Introduction, first and second reading, 137.

Reference, 137.

Reported back, 177.

Amended, 203.

Third reading, 204.

Passed, 204.

Received from House, 272.

Other action, 198, 211, 295, 301, 336, 358.

Senate Bill No. 67.—(Van Camp)

A Bill for an Act to Amend and Re-enact Section 1104 of the Compiled Laws of the State of North Dakota for the year 1913, Relating to What Cities and Villages Shall Register Before Any General Election or Annual City Election.

Introduction, first and second reading, 144.

Reference, 144.

Reported back, 270.

Amended, 270.

Third reading, 318.

Passed, 319.

Received from House, 893.

Other action, 296, 906, 922, 931, 1007.

Senate Bill No. 68.—(Kelsh)

A Bill for an Act to Amend and Re-enact Section 1421 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 266 of the Session Laws for the Year 1915, Legalizing and Validating Certain indebtedness of School Districts in the Form of School Warrants and Negotiable Bonds Issued to Fund the Same.

Introduction, first and second reading, 144.

Reference, 144, 362.

Reported back, 179, 481.

Amended, 204.

Third reading, 213.

Passed, 213, 532.

Received from House, 360.

Amended by House, 360.

Conference committee, 500.

Other action, 198, 204, 501, 502, 531, 694, 698, 750, 766.

Senate Bill No. 69.—(Sperry)

A Bill for an Act Making an Appropriation for the Improvement and Paving of the State Trolley Line.
 Introduction, first and second reading, 144.
 Reference, 144.
 Reported back, 220.
 Indefinitely postponed, 220.

Senate Bill No. 70.—(Bond)

A Bill for an Act to Incorporate and Establish the North West Agricultural, Live Stock and Fair Association, and Making an Appropriation Therefor.
 Introduction, first and second reading, 144.
 Reference, 145.
 Reported back, 598.
 Amended, 598.
 Third reading, 661.
 Passed, 661.
 Received from House, 1230.
 Other action, 655, 1282, 1333.

Senate Bill No. 71.—(Byrne)

A Bill for an Act to Amend and Re-enact Chapter 107 of the Session Laws of North Dakota for the Year 1921, Relating to High Schools and Tuition Fees.
 Introduction, first and second reading, 145.
 Reference, 145.
 Reported back, 248.
 Amended, 248, 278.
 Third reading, 278.
 Indefinitely postponed, 963.
 Passed, 279.
 Received from House, 963.
 Other action, 263.

Senate Bill No. 72.—(Hamilton)

A Bill for an Act Requiring all Agents Acting for or on Behalf of any Insurance Company Doing Business in this State to be Licensed, Regulating the Methods, Practices and Transactions of such Agents in Conducting Such Insurance Business, and Providing Penalties for the Violation of any of the Provisions of This Act.
 Introduction, first and second reading, 145.
 Reference, 145.
 Reported back, 221.
 Amended, 221, 252.
 Third reading, 253.
 Passed, 253, 499.
 Received from House, 451.
 Amended by House, 451.
 Conference committee, 453, 484.
 Other action, 237, 453, 485, 562, 748, 766.

Senate Bill No. 73.—(Miklethun)

A Bill for an Act to Amend and Re-enact Chapter 70 of the Special Session Laws of North Dakota for the Year 1919, relating to Cutting and Removing Weeds and Grasses Along the Public Roads or Highways.
 Introduction, first and second reading, 145.
 Reference, 145.
 Reported back, 736.
 Amended, 835.
 Indefinitely postponed, 836.
 Other action, 816 .

Senate Bill No. 74.—(Miklethun and Gross)

A Bill for an Act to Amend Sections 6072 and 6073 of the Revised Codes of North Dakota for 1913 as Amended by Chapter 176 of the Session Laws of 1915 prescribing lawful rates of interest for any legal indebtedness, defining usury.
 Introduction, first and second reading, 145.
 Reference, 145.
 Reported back, 350.
 Amended, 351, 474.
 Third reading, 474.
 Indefinitely postponed, 609.
 Passed, 474, 475.
 Received from House, 609.
 Other action, 365, 375, 474.

Senate Bill No. 75.—(Steel)

A Bill for an Act Legalizing and Validating Certain Acts of City Officials with Reference to Electric Lights or Distribution Systems.
 Introduction, 145.
 Reference, 145.
 Reported back, 164.
 Amended, 164.
 Third reading, 185.
 Passed, 185.
 Received from House, 272.
 Other action, 176, 295, 301, 336, 358.

Senate Bill No. 76.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation of \$117,338.00 as an Offset for Federal Aid in Extension Division Work of the Agricultural College.
 Introduction, first and second reading, 145.
 Reference, 145.
 Reported back, 633.
 Third reading, 774, 1287.
 Passed, 775, 1287.
 Received from House, 1256.
 Amended by House, 1256.
 Conference committee, 1262, 1286.
 Other action, 694, 725, 1283, 1287, 1314, 1336.

Senate Bill No. 77.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation for Per Diem and Expenses of the State Budget Board as Prescribed by Chapter 61 of the Session Laws of North Dakota for 1915.

Introduction, first and second reading, 146.
 Reference, 146.
 Reported back, 218.
 Third reading, 253.
 Passed, 253.
 Received from House, 978.
 Other action, 237, 1060, 1068, 1167.

Senate Bill No. 78.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation for the General Expense of the State Oil Inspection.

Introduction first and second reading, 146.
 Reference, 146.
 Reported back, 466.
 Amended, 463.
 Third reading, 521, 1262.
 Passed, 522, 1262.
 Received from House, 1245.
 Amended by House, 1245.
 Other action, 507, 1262, 1314, 1335.

Senate Bill No. 79.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation of \$47,000.00 for the Acquiring and Opening of a Mine, and the Building and Equipment of a Commercial Demonstration Unit of Briquetting Plant at Mouth of Said Mine.

Introduction, first and second reading, 146.
 Reference, 146.
 Reported back, 220.
 Indefinitely postponed, 220.

Senate Bill No. 80.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation of \$1,066,-615.00 for the Purpose of Paying the General Maintenance, Improvements and Repairs, New Equipment, etc., of the State University at Grand Forks, North Dakota.

Introduction, first and second reading, 146.
 Reference, 146, 602.
 Reported back, 559, 626.
 Amended, 559, 627, 718.
 Third reading, 719, 1289.
 Passed, 719, 1289.
 Received from House, 1247.
 Amended by House, 1247.
 Conference committee, 1253.
 Other action, 602, 681, 751, 1285, 1288, 1303, 1320, 1337.

Senate Bill No. 81.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation for the Current and Contingent Expense of the State Normal and Industrial School at Ellendale, and Making Permanent Improvements and Additions Thereto.

Introduction, first and second reading, 146.

Reference, 146.

Reported back, 560.

Amended, 560.

Third reading, 658.

Passed, 659.

Received from House, 1064.

Other action, 606, 1145, 1191.

Senate Bill No. 82.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal School at Valley City and Making Permanent Improvements and Additions Thereto.

Introduction, first and second reading, 146.

Reference, 146.

Reported back, 708.

Amended, 708.

Third reading, 821.

Passed, 821.

Received from House, 1117.

Other action, 755, 1145, 1191.

Senate Bill No. 83.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal School at Mayville and Making Permanent Improvements and Additions Thereto.

Introduction, first and second reading, 146.

Reference, 146.

Reported back, 560.

Third reading 659.

Passed, 659.

Received from House, 1064.

Other action, 606, 1144, 1191.

Senate Bill No. 84.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State School for the Blind at Bathgate, and Making Permanent Improvements and Additions Thereto.

Introduction, first and second reading, 147.

Reference, 147.

Reported back, 560.

Third reading, 659, 1074.

Passed, 660, 1074.

Received from House, 1073.

Amended by House, 1074.

Other action, 606, 1144, 1190.

Senate Bill No. 85.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation for the General Expenses of the Department of Motor Vehicle Registration.

Introduction, first and second reading, 147.

Reference, 147.

Reported back, 352.

Amended, 352.

Third reading, 405, 1073.

Passed, 405, 1073.

Received from House, 1072.

Amended by House, 1072.

Other action, 376, 1144, 1190.

Senate Bill No. 86.—(Committee on Appropriations)

A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall be Available, and Repealing all Acts, or Parts of Acts, Insofar as the Same shall Relate to Appropriations Conflicting Herewith, or to Appropriations for the Same Matters or Purposes Provided for Herein.

Introduction, first and second reading, 147.

Reference, 147.

Reported back, 446.

Amended, 446, 499.

Third reading, 500, 1196.

Passed, 500, 1196.

Received from House, 1194.

Amended by House, 1194.

Other action, 499, 1195, 1314, 1331.

Senate Bill No. 87.—(Kretschmar)

A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the Traveling Expenses and Propagation of Game Departments of the State Game and Fish Board.

Introduction, first and second reading, 147.

Reference, 147.

Reported back, 633.

Third reading, 724.

Passed, 725.

Received from House, 1054.

Other action, 694, 1145, 1191.

Senate Bill No. 88.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation of \$282,350.00 to Pay the General Maintenance, Improvements, Repairs, New Buildings, Equipment and Purchase of Live Stock, for the Experiment Station at the Agricultural College at Fargo, for the Biennium.

Introduction, first and second reading, 147.

Reference, 147, 671.

Reported back, 651, 707.

Amended, 651, 707, 820, 1287.

Third reading, 820, 1288.

Passed, 821, 1288.

Received from House, 1254.

Amended by House, 1254.

Conference, committee, 1256, 1287.

Other action, 752, 1286, 1288, 1303, 1319, 1336.

Senate Bill No. 89.—(Thorson)

A Bill for an Act Relating to 'What Shall be Carried as "Consolidated Tax Account," and Repealing Section 2274, Compiled Laws of 1913 as Amended by Chapter 253, Session Laws of 1915.

Introduction, first and second reading, 147.

Reference, 147.

Reported back, 273.

Amended, 273.

Third reading, 319.

Indefinitely postponed, 1018.

Passed, 319.

Received from House, 1018, 1172.

Other action, 296, 1155, 1158, 1317, 1331.

Senate Bill No. 90.—(Wenstrom)

A Bill for an Act to Amend and Re-enact Section 9037 of the Compiled Laws of North Dakota for the Year 1913, Relating to Places of Trial.

Introduction, first and second reading, 147.

Reference, 148.

Reported back, 246.

Amended, 246.

Third reading, 279.

Passed, 279.

Received from House, 390.

Other action, 263, 411, 415, 420, 437.

Senate Bill No. 91.—(Rusch)

A Bill for an Act to Amend and Re-enact the Third Subdivision of Section 3999; and Section 4001, of the Compiled Laws of North Dakota for the Year 1913 Relating to Firemen's Relief Association Fund.

Introduction, first and second reading, 148.

Reference, 148.

Reported back, 164.

Third reading, 185.

Indefinitely postponed,

Passed, 186.

Received from House, 318.

Other action, 176, 350, 361, 385, 387.

Senate Bill No. 92.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit incurred by the Board of Railroad Commissioners.

Introduction, first and second reading, 154.

Reference, 154.

Reported back, 467.

Third reading, 522.

Indefinitely postponed, 1157.

Passed, 523.

Received from House, 1157.

Other action, 507.

Senate Bill No. 93.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Supreme Court.

Introduction, first and second reading, 154.

Reference, 154.

Reported back, 468.

Third reading, 523.

Passed, 524.

Received from House, 1017.

Other action, 507, 1112, 1161.

Senate Bill No. 94.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance Fund of the State Normal School at Dickinson.

Introduction, first and second reading, 154.

Reference, 154.

Reported back, 313.

Third reading, 399.

Passed, 399.

Received from House, 1064.

Other action, 348, 1144, 1191.

Senate Bill No. 95.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit by Members of the State Canvassing Board.

Introduction, first and second reading, 154.

Reference, 154.

Reported back, 242.

Third reading, 279.

Passed, 280.

Received from House, 517.

Other action, 263, 562, 568, 748, 767.

Senate Bill No. 96.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance of the State School for the Blind at Bathgate.

Introduction, first and second reading, 155.

Reference, 155.

Reported back, 324.

Amended, 324.

Third reading, 403.

Passed, 403.

Received from House, 1017.

Other action, 348, 1111, 1161.

Senate Bill No. 97.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Maintenance Fund of the Institute for the Feeble Minded.

Introduction, 155.

Reference, 155.

Reported back, 409.

Third reading, 490.

Passed, 491.

Received from House, 980.

Other action, 438, 1060, 1068, 1167.

Senate Bill No. 98.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred by the Flood Control Commission.

Introduction, first and second reading, 155.

Reference, 155.

Reported back, 511.

Indefinitely postponed, 511.

Senate Bill No. 99.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit by the District Judges.

Introduction, first and second reading, 155.

Reference, 155.

Reported back, 242.

Third reading, 280.

Passed, 280.

Received from House, 517.

Other action, 263, 562, 568, 748, 769.

Senate Bill No. 100.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Maintenance Fund of the School of Science at Wahpeton, North Dakota.

Introduction, first and second reading, 155.

Reference, 155.

Reported back, 325.

Amended, 325.

Third reading, 404.

Passed, 404.

Received from House, 1017.

Other action, 348, 1111, 1161.

Senate Bill No. 101.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide for the Payment of Expenses and Fees of Appraisers of Indebtedness, Devises, Bequests, Legacies, and Gifts, as Provided for in Section 8991 of the Compiled Laws of 1913 for North Dakota.

Introduction, first and second reading, 155.

Reference, 155.

Reported back, 218.

Third reading, 254.

Passed, 254.

Received from House, 978.

Other action, 237, 1060, 1068, 1167.

Senate Bill No. 102.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide Funds for the Payment of Expenses and Fees of Appraisers of Inheritance, Devises, Bequests, Legacies and Gifts as Provided for in Section 8991 of the Compiled Laws of 1913 for North Dakota.

Introduction, first and second reading, 155.

Reference, 155.

Reported back, 218.

Third reading, 254.

Passed, 255.

Received from House, 978.

Other action, 237, 1060, 1068, 1167.

Senate Bill No. 103.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation of \$30,950.00 for the purpose of Carrying out the Provisions of Chapter 203 of the Session Laws of 1919 and Chapter 115 of the Session Laws of 1921 relating to Vocational Education and Vocational Rehabilitation.

Introduction, first and second reading, 156.

Reference, 156.

Reported back, 313.

Third reading, 400, 1136.

Passed, 400, 1137.

Received from House, 1128.

Amended by House, 1128.

Other action, 349, 1130, 1218, 1279.

Senate Bill No. 104.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation of the Sum of \$5,000.00 for the Biennium, to Pay the Expenses and Per Diem of Agents in the Arrest and Return of Fugitives from Justice as Prescribed by Section 11162 of the Compiled Laws of 1913 of North Dakota.

Introduction, first and second reading, 156.

Reference, 156.

Reported back, 217.

Third reading, 255.

Passed, 255.

Received from House, 978.

Other action, 237, 1060, 1068, 1167.

Senate Bill No. 105.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation of \$18,800.00 for the Purpose of Paying Per Diem, Clerk Hire, Traveling Expenses, etc., in Carrying out the Provisions of Chapter 126 of the Session Laws of 1919, and Amendments Thereto, Relative to the Depositors Guaranty Fund Commission.

Introduction, first and second reading, 156.

Reference, 156.

Reported back, 469.

Third reading, 525.

Passed, 526.

Received from House, 1248.

Amended by House, 1248.

Other action, 508, 1317, 1335.

Senate Bill No. 106.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors as Prescribed by Section 1038 of the Compiled Laws of 1913 for North Dakota.

Introduction, first and second reading, 156.

Reference, 156.

Reported back, 217.

Third reading, 255.

Passed, 256.

Received from House, 979.

Other action, 238, 1059, 1068, 1166.

Senate Bill No. 107.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation for Per Diem, Clerk Hire, and General Expense of the Department of Public Health.

Introduction, first and second reading, 156.

Reference, 156.

Reported back, 598.

Indefinitely postponed, 598.

Senate Bill No. 108.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation of \$44,000.00 for the Enforcement of the Feeding Stuffs, Fertilizer, Beverage and Sanitary Inspection Laws.

Introduction, first and second reading, 156.

Reference, 156.

Reported back, 706.

Amended, 706.

Third reading, 815.

Passed, 815.

Received from House, 1171.

Other action, 754, 1317, 1330.

Senate Bill No. 109.—(Committee on Appropriations)

A Bill for an Act to appropriate \$2,000.00 out of any monies in the State Treasury Not Otherwise Appropriated for the Purpose of Paying Premiums on State Official Bonds as Provided by Chapter 175 of the Session Laws of North Dakota for 1917.

Introduction, first and second reading, 157.

Reference, 157.

Reported back, 218.

Third reading, 256.

Passed, 256.

Received from House, 517.

Other action, 238, 562, 568, 748, 767.

Senate Bill No. 110.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Defray Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of North Dakota for the Year 1913.

Introduction, first and second reading, 157.

Reference, 157.

Reported back, 217.

Third reading, 256.

Passed, 257.

Received from House, 979.

Other action, 238, 1059, 1068, 1166.

Senate Bill No. 111.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation of \$14,000.00 for the Maintenance of the Pure Seed Laboratory and Pure Seed Law Enforcement at the Agricultural College, Fargo.

Introduction, first and second reading, 157.

Reference, 157.

Reported back, 467.

Amended, 467.

Third reading, 522.

Passed, 522.

Received from House, 1171.

Other action, 508, 1317, 1330.

Senate Bill No. 112.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation of \$22,230.00 for the Purpose of Paying Salary, Clerk Hire and General Expense of the State Historical Society.

Introduction, first and second reading, 157.

Reference, 157.

Reported back, 351.

Amended, 351.

Third reading, 404, 1075.

Passed, 404, 1076.

Received from House, 1075.

Amended by House, 1075.

Other action, 376, 1144, 1190.

Senate Bill No. 113.—(Sperry)

A Bill for an Act to appropriate the Sum of \$54,000.00 for the Purpose of Aiding in the Construction of a Bridge Across the Missouri River From Burleigh County to Morton County in the State of North Dakota Under the Provision of Chapter 73 of the Laws Passed at the Sixteenth Session of the Legislative Assembly of North Dakota, Approved March 5, 1919, in Addition to the Sums Appropriated by Chapter 4 of the Special Session of the Sixteenth Legislative Assembly, Approved December 12, 1919, and Chapter 6 of the Laws Passed at the Seventeenth Session of the Legislative Assembly of the State of North Dakota Approved March 9, 1921, and That Such Appropriation Be Made From the State Highway Fund.

Introduction, first and second reading, 157.

Reference, 157.

Reported back, 504.

Third reading, 844.

Passed, 845.

Received from House, 1128.

Other action, 566, 574, 1218, 1280.

Senate Bill No. 114.—(Atkins)

A Bill for an Act to Amend Sections 9658 and 9659 of the Compiled Laws of 1913 Relating to the Crime of Vagrancy.

Introduction, first and second reading, 157.

Reference, 158.

Reported back, 245.

Amended, 245.

Third reading, 280.

Passed, 281.

Received from House, 390.

Other action, 263, 415, 420, 438.

Senate Bill No. 115.—(Ployhar)

A Bill for an Act Entitled, an Act Relating to Lophophora Williamsii or Peyote (Pellote) and Agava Americana (Commonly Known as Mescal); Prohibiting the Use or Possession Thereof, Traffic Therein, and Providing Penalties for the Violation of this Act.

Introduction, first and second reading, 158.

Reference, 158.

Reported back, 243.

Third reading, 281.

Passed, 282.

Received from House, 892.

Other action, 263, 906, 921, 931, 1006.

Senate Bill No. 116.—(Martin)

A Bill for an Act to Amend and Re-enact Section 4 of Chapter 147 of the Session Laws of the State of North Dakota for the Year 1919, Relating to the Qualifications of Persons Employed or to be employed in the Farm Loan Department of the Bank of North Dakota.

Introduction, first and second reading, 158.

Reference, 158.

Reported back, 543.

Amended, 543.

Third reading, 577.

Other action, 567.

Failed to pass, 577.

Senate Bill No. 117.—(Baker)

A Bill for an Act to Amend and Re-enact Sections 7 and 12 of Chapter 126 of the Session Laws of North Dakota for the Year 1917, Relating to Depositors' Guaranty Fund.

Introduction, first and second reading, 158.

Reference, 158.

Reported back, 676.

Indefinitely postponed, 677.

Senate Bill No. 118.—(Baker)

A Bill for an Act Providing for the Issuing of Bonds of the Depositors' Guaranty Fund Commission in the Sum of \$10,000,000.00 to be Known as Bankers' Guaranty Bonds; Describing the Terms and Stating the Purpose Thereof; Making Provision for the Payment Thereof; and Making Provision for the Carrying Into Effect of the Provisions of this Act.

Introduction, first and second reading, 158.

Reference, 158, 350.

Reported back, 350.

Amended, 740.

Third reading, 741.

Indefinitely postponed, 742.

Senate Bill No. 119.—(Bond)

A Bill for an Act to Amend and Re-enact Section 341 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Manner Common School Lands and Other Public Lands Shall be Leased.

Introduction, first and second reading, 158.

Reference, 158.

Reported back, 377.

Amended, 377, 426.

Third reading, 426.

Indefinitely postponed, 929.

Passed, 427.

Received from House, 929.

Other action, 416, 438.

Senate Bill No. 120.—(Fleckten)

A Bill for an Act to Amend and Re-enact Sections 780 and 781 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 30 of the Special Session Laws of North Dakota for the Year 1919, as Amended by Chapter 54 of the Session Laws of 1921, Relating to Compensation of Court Stenographers and Providing for the Payment of Expenses.

Introduction, first and second reading, 158.

Reference, 159.

Reported back, 297.

Indefinitely postponed, 297.

Senate Bill No. 121.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Actions to Release Insane Patients.

Introduction, first and second reading, 166.

Reference, 166.

Reported back, 241.

Third Reading, 282.

Passed, 282.

Received from House, 517.

Other action, 263, 562, 569, 748, 767.

Senate Bill No. 122.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the General Maintenance Fund of the State Training School.

Introduction, first and second reading, 166.

Reference, 166.

Reported back, 468.

Third reading, 523.

Passed, 523.

Received from House, 1017.

Other action, 508, 1111, 1161.

Senate Bill No. 123.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Treasurer's Office.

Introduction, first and second reading, 167.

Reference, 167.

Reported back, 241.

Third reading, 282.

Passed, 283.

Received from House, 517.

Other action, 263, 563, 569, 748, 767.

Senate Bill No. 124.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit Incurred in the State Executive Department.

Introduction, first and second reading, 167.

Reference, 167.

Reported back, 241.

Third reading, 283.

Passed, 283.

Received from House, 517.

Other action, 264, 563, 569, 748, 767.

Senate Bill No. 125.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Miscellaneous Refunds of the State.

Introduction, First and second reading, 167.

Reference, 167.

Reported back, 241.

Third reading, 303.

Passed, 304.

Received from House, 1064.

Other action, 264, 1145, 1191.

Senate Bill No. 126.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Arrest and Return of Fugitives from Justice Fund.

Introduction, first and second reading, 167

Reference, 167.

Reported back, 240.

Third reading, 284.

Passed, 284.

Received from House, 517.

Other action, 264, 563, 569, 748, 766.

Senate Bill No. 127.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Maintenance Fund of the Hospital for the Insane at Jamestown.

Introduction, first and second reading, 167.

Reference, 167.

Reported back, 351.

Indefinitely postponed, 352.

Senate Bill No. 128.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Survey of Coal Mines Fund.

Introduction, first and second reading, 167.

Reference, 167.

Reported back, 240.

Third reading, 284.

Indefinitely postponed, 526.

Passed, 285.

Received from House, 526.

Other action, 264.

Senate Bill No. 129.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the State Auditor's Office.

Introduction, first and second reading, 167.

Reference, 167.

Reported back, 240.

Third reading, 285.

Passed, 285.

Received from mHouse, 535.

Other action, 264, 563, 569, 749, 767.

Senate Bill No. 130.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred in the Attorney General's Department.

Introduction, first and second reading, 168.

Reference, 168.

Reported back, 240.

Third reading, 301.

Passed, 302.

Received from House, 535.

Other action, 264, 563, 569, 749, 767.

Senate Bill No. 131.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation for the Reward and Apprehension of Criminals According to Chapter 200 of the Session Laws of 1917.

Introduction, first and second reading, 168.

Reference, 168.

Reported back, 239.

Amended, 1307.

Third reading, 302, 1308.

Passed, 302, 1308.

Received from House, 977.

Conference committee, 1306.

Other action, 264, 1059, 1068, 1166, 1284, 1307, 1320.

Senate Bill No. 132.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation for the General Expense of the Hotel Inspection Department.

Introduction, first and second reading, 168.

Reference, 168.

Reported back, 466.

Third reading, 520, 1261.

Passed, 521, 1262.

Received from House, 1244.

Amended by House, 1245.

Other action, 508, 1261, 1317, 1335.

Senate Bill No. 133.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation for the General Expense of the State Live Stock Sanitary Board.

Introduction, first and second reading, 168.

Reference, 168.

Reported back, 315.

Amended, 315.

Third reading, 402, 1076.

Passed, 403, 1077.

Received from House, 1076.

Amended by House, 1076.

Other action, 349, 1144, 1190.

Senate Bill No. 134.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation for a Bounty for Wolves and Coyotes, as Provided for by Chapter 242 of the Session Laws of 1919 for North Dakota.

Introduction, first and second reading, 168.

Reference, 168.

Reported back, 313.

Third reading, 398.

Passed, 399.

Received from House, 1171.

Other action, 349, 1317, 1330.

Senate Bill No. 135.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to pay the Burial Expenses of Inmates of the Penitentiary and State Training School as Provided for Under Section 11302 of the Compiled Laws of 1913 for North Dakota.

Introduction, first and second reading, 168.

Reference, 168.

Reported back, 239.

Third reading, 302, 1030.

Passed, 303, 1031.

Received from House, 1037.

Amended by House, 1037.

Other action, 264, 1113, 1159, 1320.

Senate Bill No. 136.—(Committee on Appropriations)

A Bill for an Act to Provide a State Contingency Fund to be Placed at the Disposal of the State Emergency Commission to be Used as Provided by Chapters 26 and 152 of the Session Laws of North Dakota for 1915; and Making an Appropriation of \$40,000.00 which Shall be Known as the State Contingency Fund.

Introduction, first and second reading, 168.

Reference, 169.

Reported back, 314.

Amended, 314.

Third reading, 401.

Passed, 402.

Received from House, 1117.

Other action, 349, 1145, 1191.

Senate Bill No. 137.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation of \$2,000.00 for the Biennium to Defray the Expenses of Disbarment Proceedings, as Prescribed by Section 808 to 812 of the Compiled Laws of 1913 for North Dakota.

Introduction, first and second reading, 169.

Reference, 169.

Reported back, 315.

Amended, 315.

Third reading, 402.

Indefinitely postponed, 930.

Passed, 402.

Received from House, 930.

Other action, 349.

Senate Bill No. 138.—(Committee on Appropriations)

A Bill for an Act to appropriate \$2,000.00 Out of Any Monies in the State Treasury Not Otherwise Appropriated for the Purpose of Paying Premiums on State Official Bonds as Provided by Chapter 175

Introduction, first and second reading, 169.

Reference, 169.

Reported back, 239.

Third reading, 303.

Passed, 303.

Received from House, 977.

Other action, 264, 1060, 1113, 1167, 1320.

Senate Bill No. 139.—(Committee on Appropriations)

A Bill for an Act to Provide \$300.00 for Burial Expenses of Honorably Discharged Sailors, Soldiers and Marines of the United States War of the Rebellion and Erection of Headstones Therefor, as Authorized by Sections 3181, 3182, 3183, and 3184 of the Compiled Laws of North Dakota for 1913.

Introduction, first and second reading, 169.

Reference, 169.

Reported back, 238.

Third reading, 304.

Passed, 305.

Received from House, 979.

Other action, 264, 1059, 1068, 1166, 1320.

Senate Bill No. 140.—(Committee on Appropriations)

A Bill for an Act to appropriate \$1500.00 for the Biennium Out of Any Money in the State Treasury Not Otherwise Appropriated, for the Purpose of Up-keeping of Ten State Parks and the Purchase of Additional Parks by the State Historical Society.

Introduction, first and second reading, 169.

Reference, 169.

Reported back, 243.

Amended, 243.

Third reading, 305.

Passed, 305.

Received from House, 980.

Other action, 265, 1060, 1069, 1167.

Senate Bill No. 141.—(Committee on Appropriations)

A Bill for an Act to Appropriate \$1,000.00 for the Biennium, to the Humane Society for Office Supplies, Printing, Office Phone, and Traveling Expense.

Introduction, first and second reading, 169.

Reference, 169.

Reported back, 598.

Third reading, 715.

Passed, 716.

Received from House, 980.

Other action, 655, 1060, 1069, 1167, 1320.

Senate Bill No. 142.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation of the Sum of \$25,000.00 for the Biennium which is known as a Miscellaneous Refund.

Introduction, first and second reading, 169.

Reference, 169.

Reported back, 314.

Third reading, 401.

Passed, 401.

Received from House, 1064.

Other action, 349, 1145, 1191.

Senate Bill No. 143.—(Garberg)

A Bill for an Act to Amend and Re-enact Section 814 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 81 of the Session Laws of 1921, Relating to Jurors.

Introduction, first and second reading, 170.

Reference, 170.

Reported back, 411.

Indefinitely postponed, 411.

Senate Bill No. 144.—(Miklethun)

A Bill for an Act to Deposit in Banks and Trust Companies and making it Unlawful to make a charge against the same without the Consent of the Depositor.

Introduction, first and second reading, 170.

Reference, 170.

Reported back, 352.

Amended, 486.

Third reading, 487.

Passed, 487.

Received from House, 893.

Other action, 365, 376, 510, 903, 922, 932, 1007.

Senate Bill No. 145.—(Garberg)

A Bill for an Act to Amend and Re-enact Section 7965 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Consolidation of Actions.

Introduction, first and second reading, 170.

Reference, 170.

Reported back, 412.

Indefinitely postponed, 412.

Senate Bill No. 146.—(Ettestad)

A Bill for an Act to Amend and Re-enact Section 2078, Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 223, Session Laws of 1919, and Chapter 122, Session Laws of 1921, Relating to the Exemption of Certain Property from Taxation.
 Introduction, first and second reading, 170.
 Reference, 170.
 Reported back, 704.
 Amended, 704, 812.
 Third reading 813, 1241.
 Passed, 813, 1241.
 Received from House, 1240.
 Amended by House, 1240.
 Other action, 754, 1240, 1316; 1334.

Senate Bill No. 147.—(Ettestad)

A Bill for an Act to Amend and Re-enact Chapter 220 of the Laws of North Dakota for the Year 1919, Relating to the Classification of Property for Assessment.
 Introduction, first and second reading, 170.
 Reference, 170.
 Reported back, 691.
 Indefinitely postponed, 691.

Senate Bill No. 148.—(Martin)

A Bill for an Act to Limit State and Municipal Taxation for the Years 1923 and 1924.
 Introduction, first and second reading, 170.
 Reference, 170.
 Reported back, 480.
 Indefinitely postponed, 481.

Senate Bill No. 149.—(Magnuson)

A Bill for an Act to Prohibit Derogatory Statements in Regard to Insurance Companies.
 Introduction, first and second reading, 170.
 Reference, 170.
 Reported back, 244.
 Amended, 245.
 Third reading, 305.
 Indefinitely postponed, 929.
 Passed, 306.
 Other action, 265.

Senate Bill No. 150.—(Thorson)

A Bill for an Act to Repeal Chapter 222 of the Session Laws of the State of North Dakota for the Year 1919, Being an Act Providing for a Tax on Shares of Stock and Bonds of Corporations Organized or Doing Business in this State.
 Introduction, first and second reading, 171.
 Reference, 171.
 Reported back, 273.
 Third reading, 395.
 Passed, 395.
 Received from House, 980.
 Other action, 296, 319, 326, 1061, 1069, 1167.

Senate Bill No. 151.—(Rusch)

A Bill for an Act to Amend Section 6295 of the Compiled Laws Relating to Trusts and Trusteeships.
Introduction, first and second reading, 171.
Reference, 171.
Reported back, 268.
Third reading, 308.
Indefinitely postponed, 930.
Passed, 309.
Received from House, 930.
Other action, 296, 324.

Senate Bill No. 152.—(Bond)

A Bill for an Act Authorizing the Consolidation or Merger of Banking Associations Regulating the Procedure and Providing for Supervision Thereof, and Providing a Limitation of Actions.
Introduction, first and second reading, 171.
Reference, 171.
Reported back, 247.
Third reading, 396.
Passed, 396.
Received from House, 892.
Other action, 265, 307, 326, 969, 976, 1001, 1085.

Senate Bill No. 153.—(Baker)

A Bill for an Act Relating to Double Appeals.
Introduction, first and second reading, 171.
Reference, 171.
Reported back, 512.
Indefinitely postponed, 512.

Senate Bill No. 154.—(Game and Fish Committee)

A Bill for an Act to Amend and Re-enact Chapter 121, Session Laws of 1917 Relating to the Issuance of Permits for Breeding or Domestication of Certain Fur Bearing Animals.
Introduction, first and second reading, 172.
Reference, 172.
Reported back, 247.
Amended, 247.
Third reading, 306.
Passed, 306.
Received from House, 893.
Other action, 265, 907, 922, 932, 1007.

Senate Bill No. 155.—(Game and Fish Committee)

A Bill for an Act to Amend and Re-enact Sections 3, 4, 6, 8, 34, 35 and 65, Chapter 161, Session Laws of 1915, and Section 27, Chapter 161, Session Laws of 1915, as Amended by Section 2, Chapter 134, Session Laws of 1919, and Section 36, Chapter 161, Session Laws of 1915 as Amended by Section 5, Chapter 134, Session Laws of 1919, and Section 46, Chapter 161, Session Laws of 1915 as Amended by Chapter 134, Session Laws of 1919 and as Amended by Chapter 68, Session Laws of 1921 and Section 80, Chapter 161, Session Laws of 1915 as Amended by Chapter 135, Session Laws of 1919, Relating to Game and Fish.

Introduction, first and second reading, 172.

Reference, 172, 967.

Reported back, 378.

Amended, 378.

Third reading, 427, 1027.

Passed, 428, 1027.

Received from House, 960.

Amended by House, 960.

Other action, 416, 967, 1026, 1110, 1163.

Senate Bill No. 156.—(Eastgate)

A Bill for an Act to Repeal Chapter 31 of the Session Laws of 1919 Relating to the Purchase of Dairy Cattle by Counties.

Introduction, first and second reading, 180.

Reference, 180.

Reported back, 248.

Third reading, 858.

Passed, 859.

Received from House, 1231.

Other action, 249, 809, 845, 848, 861, 1316, 1334.

Senate Bill No. 157.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation of \$559,044.00 to Pay the General Maintenance, Improvements and Repairs, New Buildings, and Equipment of the Agricultural College, Fargo, for the Biennium.

Introduction, first and second reading, 180.

Reference, 180.

Reported back, 708.

Amended, 708.

Third reading, 822, 1289.

Passed, 822, 1290.

Received from House, 1250.

Amended by House, 1250.

Conference committee., 1256.

Other action, 755, 1283, 1285, 1289, 1303, 1320, 1336.

Senate Bill No. 158.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation of \$9,900.00 for the Purpose of Paying the General Expenses of Carrying out the Provisions of Chapter 168 of the Session Laws of 1919, relating to Mine Inspection.

Introduction, first and second reading, 180.

Reference, 180.

Reported back, 466.

Amended, 466.

Third reading, 521.

Passed, 521.

Received from House, 1017.

Other action, 508, 1111, 1161.

Senate Bill No. 159.—(Committee on Appropriations)

A Bill for an Act Appropriating Money for the Use of War History Commission Between the Following

Dates: June 30th, 1923, to July the 1st, 1925.

Introduction, first and second reading, 180.

Reference, 181.

Reported back, 639.

Amended, 639.

Third reading, 725.

Passed, 726.

Received from House, 1017.

Other action, 694, 1111, 1161.

Senate Bill No. 160.—(Ployhar)

A Bill for an Act to Amend and Re-enact Chapter 82, Session Laws of North Dakota for 1919, and to Empower Cities to Purchase or construct Plants, Including Gas Works for the Manufacture and Distribution of Light, Heat and Power for Municipal and Commercial Purposes, and to Assess Abutting Property in Accordance with the Benefits hereto by Reason of Such System of Distribution, and Providing for the Method of Such Assessment and the Collection Thereof.

Introduction, first and second reading, 181.

Reference, 181.

Reported back, 293.

Third reading, 327.

Passed, 328.

Received from House, 892.

Other action, 323, 906, 921, 931, 1007.

Senate Bill No. 161.—(Ployhar)

A Bill for an Act to Appropriate the Sum of One Hundred Dollars (\$100.00) or so Much Thereof as may be Necessary for the Purpose of Paying the Per Diem and Mileage of Witnesses Incurred by the Special Investigating Committee of the Senate, in Considering the Audit of the State Bank and State Industries, During the Seventeenth Legislative Assembly.

Introduction, first and second reading, 181.

Reference, 181.

Reported back, 505.

Amended, 505.

Third reading, 574.

Passed, 574.

Received from House, 1015.

Other action, 565, 1112, 1160, 1320.

Senate Bill No. 162.—(Rusch)

A Bill for an Act to Prevent Imposition or Fraud in the Sale or Disposition of Certain "Securities" Herein Defined by Requiring an Inspection Thereof: Providing for Such Inspection, Supervision and Regulation of the Business of any Person, Association, Partnership, or Corporation, Engaged or Intending to Engage, Whether as Principal or Agent, May be Necessary to Prevent Imposition or Fraud in the Sale or Disposition of Said Securities, and Repealing Chapter 91 of the Civil Code of the Compiled Laws of 1915.

Introduction, first and second reading, 181.

Reference, 181.

Reported back, 441.

Amended, 441, 518.

Third Reading, 519.

Passed, 519.

Received from House, 894.

Other Action, 508, 907, 922, 932, 1007.

Senate Bill No. 163.—(Kelsh)

A Bill for an Act Permitting the Increase of the Limitation of Indebtedness of Common, Special and Independent School Districts by an Additional Five Per Centum on the Assessed Value of the Taxable Property Therein, Beyond the Present Constitutional Limit of Five Per Centum, Providing a Method for Effecting Such Increase, and for Submitting the Question of Such Increase to the Electors of the School Districts at Annual or Special Elections, and Providing for Preserving a Record of Such Increase of the Limit of Indebtedness.

Introduction, first and second reading, 181.

Reference, 181.

Reported back, 357.

Amended, 422.

Third Reading, 422.

Passed, 423.

Received from House, 959, 1064.

Amended by House, 959.

Conference Committee, 1000.

Other action, 376, 961, 1144, 1190.

Senate Bill No. 164.—(Kelsh)

A Bill for an Act to Amend and Re-enact Section 1303 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Limit of the Amount of Bonds of Independent School Districts.

Introduction, first and second reading, 182.

Reference, 182.

Reported back, 356.

Amended, 356.

Third reading, 422.

Passed, 422, 965.

Received from House, 960.

Amended by House, 960.

Other action, 376, 961, 1061, 1069, 1165, 1275.

Senate Bill No. 165.—(Kelsh)

A Bill for an Act Amending and Re-enacting Section 1334 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 105, Session Laws of 1921, Relating to the Limit of Issue of Bonds of Common School Districts.

Introduction, first and second reading, 182.

Reference, 182.

Reported back, 356.

Amended, 356.

Third Reading, 421.

Passed, 421.

Received from House, 892.

Other action, 376, 906, 921, 931, 1006.

Senate Bill No. 166.—(Kelsh)

A Bill for an Act to Amend and Re-enact Section 1147 of the Compiled Laws of 1913, as Amended by Chapter 135 of the Session Laws of 1915 and Chapter 197 of the Session Laws of 1919, Relating to the Organization of New School Districts.

Introduction, first and second reading, 182.

Reference, 182.

Reported back, 379.

Amended, 379.

Third reading, 454.

Indefinitely postponed, 526, 718.

Passed, 454.

Received from House, 526, 718.

Other action, 416, 570, 571.

Senate Bill No. 167.—(Kelsh)

A Bill for an Act Amending and Re-enacting Section 1275 of the Compiled Laws of The State of North Dakota for the Year 1913, Relating to the Limit of Issue of Bonds of Special School Districts.

Introduction, first and second reading, 182.

Reference, 182.

Reported back, 355.

Amended, 356.

Third Reading, 419.

Passed, 420.

Received from House, 892.

Other action, 376, 906, 921, 931, 1007.

Senate Bill No. 168.—(Kelsh)

A Bill for an Act to Provide for the Repair of the Whitestone Battlefield Monument Located in the Whitestone Battlefield Park, in Dickey County, North Dakota.

Introduction, first and second reading, 182.

Reference, 182.

Reported back, 238.

Third reading, 306.

Passed, 307.

Received from House, 535.

Other action, 265, 563, 749, 767.

Senate Bill No. 169.—(Ward)

A Bill for an Act Relating to the Powers of Stockholders and Management of Co-operative Corporations and Associations.

Introduction, first and second reading, 182.

Reference, 182.

Reported back, 292.

Amended, 292, 334.

Third reading, 327.

Indefinitely postponed, 670.

Passed, 327, 335.

Received from house, 670.

Other action, 323, 334, 348.

Senate Bill No. 170.—(Kretschmar)

A Bill for an Act Making an Appropriation to Provide for the Payment of an Existing Deficit Incurred by the Flood Control Commission.

Introduction, first and second reading, 183.

Reference, 183.

Reported back, 504.

Third reading, 573, 1080.

Passed, 574, 1080.

Received from House, 1080.

Amended by House, 1080.

Other action, 566, 1144, 1190.

Senate Bill No. 171.—(Hamilton)

A Bill for an Act, Entitled an Act Creating a North Dakota Real Estate Brokers Board with Sufficient Powers to Administer the Act; Defining the Terms Used Therein; Requiring Real Estate Salesmen to be Licensed; Prescribing the Requirements of the Applications for and the Renewals of Licenses and the Fees Therefor; Enumerating the Powers of Licenses; Requiring the Names of Licensees and of Those Whose Licenses Have Been Cancelled to be Published; Prescribing the Procedure on Complaints, the Grounds Therefor, Expenses Therefor and in Case of a Review, how Paid; Establishing a Fund from Which to Meet all the Operating Expenses of the Board; Penalty for Violation of the Provisions of the Act; Appropriation from Which to Meet the Organization Expenses of the Board; All Provisions of Act to be in Effect until Specifically Declared to Be Void and Repealing all Conflicting Legislation.

Introduction, first and second reading, 183.

Reference, 183.

Reported back, 483.

Indefinitely postponed, 483.

Senate Bill No. 172.—(Baird and Baker)

A Bill for an Act Granting to and Imposing Upon the Board of Administration Certain Powers and Duties with Reference to the Welfare of Children and the Administration and Enforcement of Laws Relating Thereto.

Introduction, first and second reading, 189.

Reference, 189.

Reported back, 380.

Amended, 381.

Third reading, 454.

Passed, 455.

Received from House, 892.

Other action, 416, 907, 922, 932, 1007.

Senate Bill No. 173.—(Baird and Baker)

A Bill for an Act to Authorize the Appointment of County Child Welfare Boards and to Define Their Powers and Duties, and to Repeal Section 19, Chapter 177, Laws of 1919.

Introduction, first and second reading, 189.

Reference, 189.

Reported back, 381.

Amended, 381.

Third reading, 456.

Indefinitely postponed, 963.

Passed, 456.

Received from House, 963.

Other action, 417.

Senate Bill No. 174.—Baird and Baker)

A Bill for an Act Providing for Juvenile Courts, Defining Their Powers over Dependent, Neglected and Delinquent Children and Over Persons Contributing to Such Neglect, Dependency or delinquency, and for the Repeal of Sections 11402 to 11428, Inclusive, Compiled Laws for 1913, and Chapter 179, Laws of 1915, and Chapter 83, Laws of 1921.

Introduction, first and second reading, 189.

Reference, 190.

Reported back, 429.

Amended, 429.

Third reading, 571.

Indefinitely postponed, 1100.

Passed, 572.

Received from House, 1100.

Other action, 478, 492, 516.

Senate Bill No. 175.—(Baird and Baker)

A Bill for an Act Providing for the Examination, Commitment, Care and Maintenance, Release and Discharge of Persons Alleged or Found to be Feeble-Minded.

Introduction, first and second reading, 190.

Reference, 190.

Reported back, 450.

Amended, 450.

Third reading, 498.

Indefinitely postponed, 1157.

Passed, 571.

Received from House, 1157.

Other action, 478, 516.

Failed to pass, 498.

Senate Bill No. 176.—(Baird and Baker)

A Bill for an Act Providing for the Care and Treatment of Indigent, Crippled or Deformed Children.

Introduction, first and second reading, 190.

Reference,, 190.

Reported back, 381.

Amended, 381.

Third reading, 456, 1266.

Passed, 456, 1266.

Received from House, 1037.

Amended by House, 1037.

Conference, committee, 1027, 1265.

Other action, 417, 1121, 1143, 1155, 1158, 1315, 1335.

Senate Bill No. 177.—(Baird and Baker)

A Bill for an Act Regulating the Employment of Child Labor and to Provide for the Enforcement Thereof, and to Prescribe Penalties for Violations of the Act and Repealing Chapter 153, Laws of 1909, the same being Sections 1404 to 1414 Inclusive, Compiled Laws for 1913.

Introduction, first and second reading, 190.

Reference, 190.

Reported back, 677.

Amended, 677.

Third reading, 770, 1029.

Passed, 771, 1029.

Received from House, 1038.

Amended by House, 1038.

Other action, 753, 1029, 1113, 1159, 1296.

Senate Bill No. 178.—(Baird and Baker)

A Bill for an Act Relating to the Bringing of Children into the State, or Taking Children Therefrom, for Placement in Family Home; for the Licensing or Regulation of Persons and Corporations Engaged in that Work; and for the Repeal of Sections 5107 and 5108, Compiled Laws for 1913.

Introduction, first and second reading, 190.

Reference, 190.

Reported back, 382.

Third reading, 457, 1031.

Passed, 457, 1032.

Received from House, 1040.

Amended by House, 1040.

Other action, 417, 1110, 1163, 1206.

Senate Bill No. 179.—(Baird and Baker)

A Bill for an Act Relating to the Placement of Children in Family Homes for Temporary or Permanent Care, and Providing for the Licensing and Regulation of Persons or Corporations Engaged in that Work, and for the Repeal of Chapter 183 of the Session Laws of 1915.

Introduction, first and second reading, 190.

Reference, 190.

Reported back, 553.

Third reading, 618.

Passed, 619.

Received from House, 1117.

Other action, 605, 1145, 1192, 1296.

Senate Bill No. 180.—(Baird and Baker)

A Bill for an Act Relating to the Powers of Certain Societies for the Care and Placement of Dependent Children, and to Amend and Re-enact Sections 5100 and 5101, Compiled Laws for 1913.
Introduction, first and second reading, 190.
Reference, 190.
Reported back, 553.
Third reading, 619.
Passed, 619.
Received from House, 1127.
Other action, 605, 1217, 1279.

Senate Bill No. 181.—(Baird and Baker)

A Bill for an Act Providing for the Licensing and Regulation of Homes and Institutions Caring for Children and for the Repeal of Chapter 183 of the Session Laws of 1915.
Introduction, first and second reading, 191.
Reference, 191.
Reported back, 554.
Third reading 620.
Passed, 620.
Received from House, 1018.
Other action, 605, 1110, 1162, 1207.

Senate Bill No. 182.—(Baird and Baker)

A Bill for an Act to Amend and Re-enact Section 9607, and Section 9608, Compiled Laws for 1913.
Introduction, first and second reading, 191.
Reference, 191.
Reported back, 382.
Amended, 457.
Third reading, 457.
Passed, 458.
Received from House, 937.
Other action, 417, 478, 969, 976, 1001, 1026.

Senate Bill No. 183.—(Baird and Baker)

A Bill for an Act to Regulate Certain Occupations of Children in Streets and Public Places.
Introduction, first and second reading, 191.
Reference, 191.
Reported back, 679.
Amended, 679.
Third reading, 795.
Indefinitely postponed, 1063.
Passed, 795.
Received from House, 1063.
Other action, 753.

Senate Bill No. 184.—(Baird and Baker)

A Bill for an Act Defining and Regulating Maternity hospitals and for the Repeal of Chapter 183 of the Session Laws of 1915.

Introduction, first and second reading, 191.

Reference, 191.

Reported back, 553.

Third reading, 617.

Passed, 618.

Received from House, 1127.

Other action, 605, 1217, 1278, 1335.

Senate Bill No. 185.—(Baird and Baker)

A Bill for an Act to Amend and Re-enact Chapter 185 of the Session Laws of 1915, Relating to the Support of Needy Women who are the Mothers of and Who are Compelled to Support one or More Children Under Sixteen ears of Age.

Introduction, first and second reading, 191.

Reference, 191.

Reported back, 589.

Amended, 589, 699, 1208.

Third reading, 700, 1208.

Passed, 700, 1208.

Received from House, 1125.

Amended by House, 1125.

Conference committee, 1126, 1207.

Other action, 654, 1208, 1275, 1314.

Senate Bill No. 186.—(Baird and Baker)

A Bill for an Act Relating to the Abandonment or Neglect of Wife or Child, and the Desertion and Non-support of Family, and for the Repeal of Sections 9589 to 9603 Inclusive. Compiled Laws of North Dakota, 1913.

Introduction, first and second reading, 191.

Reference, 191.

Reported back, 544.

Amended, 544.

Third reading, 578, 1242.

Passed, 578, 1243.

Received from House, 1242.

Amended by House, 1242.

Other action, 567, 1242, 1315, 1334.

Senate Bill No. 187.—(Baird and Baker)

A Bill for an Act Relating to Children Born out of Wedlock and to Make Uniform the Law with Reference Thereto, and for the Repeal of Sections 10483 to 10500 Inclusive, Compiled Laws of 1913, and Chapter 70. Laws of 1917.

Introduction, first and second reading, 191.

Reference, 191.

Reported back, 554.

Third reading, 619.

Passed, 620.

Received from House, 1127.

Other action, 605, 1217, 1278.

Senate Bill No. 188.—(Baird and Baker)

A Bill for an Act Prohibiting the placing of Children, Either for Temporary or Permanent Care, in Alms-houses, or in Institutions, Charitable, Penal or Reformatory, Where Delinquent Children are Kept.

Introduction, first and second reading, 192.

Reference, 192.

Reported back, 544.

Amended, 544.

Third reading, 579.

Passed, 579.

Received from House, 1018.

Other action, 567, 1110, 1162, 1207.

Senate Bill No. 189.—(Baird and Baker)

A Bill for an Act Concerning the Transfer of Rights in Children and for the Repeal of Chapter 77 of the Laws of 1919.

Introduction, first and second reading, 192.

Reference, 192.

Reported back, 545.

Third reading, 578.

Passed, 579.

Received from House, 1117.

Other action, 567, 1145, 1192, 1296.

Senate Bill No. 190.—(Baird and Baker)

A Bill for an Act Providing for the Exclusion of Spectators from the Trial of Minors.

Introduction, first and second reading, 192.

Reference, 192.

Reported back, 545.

Third reading, 580.

Passed, 580.

Received from House, 1127.

Other action, 567, 1217, 1279.

Senate Bill No. 191.—(Baird and Baker)

A Bill for an Act Amending and Re-enacting Section 4424, Compiled Laws of North Dakota for 1913, Relating to the Custody, Service or Earnings of Minor Children.

Introduction, first and second reading, 192.

Reference, 192.

Reported back, 543.

Amended, 544.

Third reading, 578.

Passed, 578.

Received from House, 1171.

Other action, 567, 1317, 1330.

Senate Bill No. 192.—(Baird and Baker)

A Bill for an Act Relating to Indecent Liberties.

Introduction, first and second reading, 192.

Reference, 192.

Reported back, 545.

Third reading, 579.

Passed, 580.

Received from House, 1127.

Other action, 568, 1217, 1277.

Senate Bill No. 193.—(Baird and Baker)

A Bill for an Act to Amend and Re-enact Sections 4444 and 4446 of the Compiled Laws of North Dakota for 1913, Relating to the Adoption of Minor Children.

Introduction, first and second reading, 192.

Reference, 192.

Reported back, 589.

Amended, 589.

Third reading, 658.

Passed, 658.

Received from House, 1117.

Other action, 653, 1145, 1192, 1296.

Senate Bill No. 194.—(Baird and Baker)

A Bill for an Act to Amend and Re-enact Sections 5109 and 5110 of the Compiled Laws of North Dakota for 1913.

Introduction, first and second reading, 192.

Reference, 192.

Reported back, 545.

Amended, 546.

Third reading, 580.

Passed, 581.

Received from House, 1127.

Other action, 568, 1217, 1278.

Senate Bill No. 195.—(Baird and Baker)

A Bill for an Act Creating a Bureau of Child Research, Defining its Duties and Making Provision for its Maintenance.

Introduction, first and second reading, 193.

Reference, 193.

Reported back, 554.

Indefinitely postponed, 554.

Senate Bill No. 196.—(Thorson)

A Bill for an Act to Provide an Appropriation for the Eradication of the Barberry.

Introduction, first and second reading, 193.

Reference, 193.

Reported back, 314.

Third reading, 400, 1136.

Passed, 401, 1136.

Received from House, 1126.

Amended by House, 1126.

Other action, 349, 1127, 1218, 1280, 1314.

Senate Bill No. 197.—(Van Camp)

A Bill for an Act to Amend and Re-enact Chapter 146 of the Session Laws of 1919 Relating to the Office of Commissioner of Immigration, Prescribing His Powers and Duties, and Making an Appropriation Therefor, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Introduction, first and second reading, 193.

Reference, 193.

Reported back, 468.

Amended, 468, 524.

Third reading, 525, 1194.

Passed, 525, 1194.

Received from House, 1193.

Amended by House, 1193.

Other action, 565, 1193, 1316, 1332.

Senate Bill No. 198.—(Hamilton)

A Bill for an Act Making an Appropriation for the Supervisor of Grades, Weights and Measures, for the Purpose of Carrying out, Maintaining General Supervision and Regulation of Grain Grading, Elevator Accounting and Inspection of Elevators, Warehouses and Flour Mills in Handling of all Agricultural Products.

Introduction, first and second reading, 195.

Reference, 195.

Reported back, 597.

Amended, 597.

Third reading, 715, 1255.

Passed, 715, 1255.

Received from House, 1259.

Amended by House, 1259.

Other action, 655, 1335.

Senate Bill No. 199.—(Baird and Baker)

A Bill for an Act Making an Appropriation for the Use of the Board of Administration in Administering Child Welfare Laws.

Introduction, first and second reading, 195.

Reference, 195, 449.

Reported back, 449, 599.

Third reading, 660.

Passed, 660.

Received from House, 1128.

Other action, 655, 1218, 1279.

Senate Bill No. 200.—(Martin)

A Bill for an Act Providing for the Recall of County Commissioners.

Introduction, first and second reading, 196.

Reference, 196.

Reported back, 354.

Third reading, 405.

Indefinitely postponed, 488, 923.

Passed, 406.

Received from House, 488, 923.

Other action, 376, 524.

Senate Bill No. 201.—(Page)

A Bill for an Act to Amend and Re-enact Section 5608 of the Compiled Laws of the State of North Dakota for the Year 1913.

Introduction, first and second reading, 196.

Reference, 196.

Reported back, 268.

Amended, 268.

Third reading, 309.

Passed, 309, 540, 871.

Received from House, 527, 870.

Amended by House, 527, 870.

Other action, 296, 539, 561, 891, 921, 932, 1007.

Senate Bill No. 202.—(McCoy)

A Bill for an Act to Impose a Tax Upon the Sale of Cigarettes in the State of North Dakota; Providing for the Administration and Collection of the Same, and Repealing Sections 10184 and 10185 of the Compiled Laws of North Dakota for the Year 1913.

Introduction, first and second reading, 196.

Reference, 196.

Reported back, 739, 764.

Indefinitely postponed, 764.

Other action, 604, 740.

Senate Bill No. 203.—(Kaldor)

A Bill for an Act to Amend and Re-enact Section 160 of the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Chapter 18 of the Special Session Laws of North Dakota for the Year 1919, Relating to the Appointment of Regular and Special Assistant Attorneys General, and Repealing Chapter 20 of the Special Session Laws of North Dakota for the Year 1919, and All Other Acts and Parts of Acts in Conflict Therewith.

Introduction, first and second reading, 199.

Reference, 199.

Reported back, 412.

Amended, 412.

Third reading, 491.

Passed, 491.

Received from House, 1015.

Other action, 438, 1112, 1160, 1275.

Senate Bill No. 204.—(Kaldor)

A Bill for an Act to Amend and Re-enact Section 158 of the Compiled Laws of North Dakota for 1913, Relating to the Attorney General's Report.

Introduction, first and second reading, 199.

Reference, 199.

Reported back, 297.

Third reading, 329.

Passed, 329.

Received from House, 535.

Other action, 323, 563, 569, 749, 768.

Senate Bill No. 205.—(Kaldor)

A Bill for an Act to Amend and Re-enact 7644 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 1 of the Session Laws for the Year 1919, (Regular Session) and Chapter 129 of the Session Laws for the Year 1921, Relating to Change of District Judges in Civil and Criminal Actions in the District Court, for Prejudice or Bias of Judge Thereof; Providing for the Calling of Another Judge of Another Judicial District, and the Payment of his Expenses, and the Discharge of Jurors Therein, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first and second reading, 199.

Reference, 199.

Reported back, 631.

Amended, 632.

Third reading, 724, 1254.

Passed, 724, 1255.

Received from House, 1015.

Other action, 682, 1112, 1160, 1254, 1275.

Senate Bill No. 206.—(Flechten)

A Bill for an Act Providing for a Verdict in Civil Cases by Five-Sixths of the Jury After Twelve Hours Deliberation.

Introduction, first and second reading, 206.

Reference, 206.

Reported back, 412.

Third reading, 491.

Passed, 492.

Received from House, 1016.

Other action, 439, 1112, 1160, 1207.

Errata.

Senate Bill No. 207.—(Bond)

A Bill for an Act Providing for the Examination and Certification of Dental Hygienists and Regulating the Practice of Dental Hygiene.

Introduction, first and second reading, 206.

Reference, 206.

Other action, 290, 291 (Withdrawn).

Senate Bill No. 207.—(Gardiner)

A Joint Resolution Concurring the Printing of Extra Copies of the 1919 Session Laws.

Introduction, first and second reading, 271.

Reference, 271.

Reported back, 439.

Third reading, 561, 1032.

Passed, 561, 1032.

Received from House, 1041.

Amended by House, 1041.

Other action, 561, 1110, 1163, 1207.

(This resolution was given No. 207 in place of the original No. 207 by Bond, which was withdrawn).

Senate Bill No. 208.—(Thorson)

A Bill for an Act Relating to County Finances; Providing That all County Officials and All Officers in Charge of any Institution, Office or Undertaking Supported in Whole or in Part by the County Shall File an Itemized Statement of Amounts Necessary for Maintenance of Such Office or Institution; Providing That the County Commissioners Shall Annually Prepare a Budget Providing for Publication of Such Budget and of the Proposed Levy; Providing for a Public Hearing in Regard to the Proposed Expenditures and Levy; Fixing a Date for Levy; Providing That All Expenditures must Conform to the Budget as Adopted, and That all Unappropriated Balances in any Fund at the End of the Fiscal Year Shall Become a Part of the General Fund; Repealing Sections 3312, 3313, and 3314, of the Compiled Laws of 1913.

Introduction, first and second reading, 206.

Reference, 206, 896.

Reported back, 355, 907.

Amended, 355.

Third reading, 418.

Passed, 419, 909.

Received from House, 895.

Amended by House, 895.

Other action, 376, 1057, 1066, 1164, 1296.

Senate Bill No. 209.—(Martin)

A Bill for an Act to Amend and Re-enact Sections 6072 and 6073 of the Compiled Laws of the State of North Dakota for the Year 1913 as Amended by Chapter 176 of the Session Laws of North Dakota for the Year 1915, Relating to the Legal Rate of Interest and Usury.

Introduction, first and second reading, 211.

Reference, 211.

Reported back, 443.

Indefinitely postponed, 444.

Senate Bill No. 210.—(Peterson)

A Bill for an Act Providing for the Acquiring by Condemnation of Roads so Located as to Interfere with the Working of Coal or Other Mines, and Providing the Compensation to be Made Therefor.

Introduction, first and second reading, 212.

Reference, 212, 463.

Reported back, 354.

Third reading, 473.

Passed, 473.

Received from House, 893.

Other action, 377, 391, 463, 473, 907, 922, 932, 1007.

Senate Bill No. 211.—(Kelsh)

A Bill for an Act to Amend and Re-enact Section 3451, Compiled Laws of North Dakota, Relating to County Bonds, rate of Interest and Note of Issue.
Introduction, first and second reading, 212.
Reference, 212.
Reported back, 413.
Amended, 413, 531.
Third reading, 492, 1030.
Passed, 492, 531, 1030.
Received from House, 1037.
Amended by House, 1037.
Other action, 439, 530, 565, 1113, 1159, 1276.

Senate Bill No. 212.—(McLachlin)

A Bill for an Act to Amend and Re-enact Section 3890 of the Compiled Laws of 1913. Relating to Publishing of Village Treasurer's Reports and Prescribing the Form Thereof.
Introduction, first and second reading, 212.
Reference, 212.
Reported back, 297.
Amended, 297, 472.
Third reading, 472, 1072.
Passed, 473, 1072.
Received from House, 1071.
Amended by House, 1071.
Other action, 323, 329, 399, 510, 1144, 1190.

Senate Bill No. 213.—(Steel)

A Bill for an Act Giving the North Dakota Game and Fish Commission Power to Make Rules and Regulations in Addition to Those Already Provided by Law, for the Protection of the Fish in the Lakes and Rivers of North Dakota.
Introduction, first and second reading, 212.
Reference, 212.
Reported back, 292.
Third reading, 397.
Passed, 397.
Received from House, 893.
Other action, 323, 327, 907, 922, 932, 1007.

Senate Bill No. 214.—(Thorson)

A Bill for an Act Entitled an Act Providing for the Creation and Establishment of a State Board of Engineering Examiners, Granting Certain Powers to and Prescribing the Duties of Said Board; Providing for the Examination and Registration of Surveyors and Professional Engineers; Regulating the Practice of Engineering in the State of North Dakota, Providing Penalties for the Violation of This Act and Repealing all Acts or Parts of Acts in Conflict Therewith.
Introduction, first and second reading, 226.
Reference, 227.
Reported back, 483.
Indefinitely postponed, 483.

Senate Bill No. 215.—(Ployhar)

A Bill for an Act to Regulate the Drawing of Warrants by Public Officials of the State of North Dakota, and all Sub-divisions Thereof.

Introduction, first and second reading, 227.

Reference, 227.

Reported back, 511.

Indefinitely postponed, 511.

Senate Bill No. 216.—(Ployhar)

A Bill for an Act Regulating the Standard Provisions of Accident Insurance Policies Issued Within the State, and Providing a Penalty for Violation Thereof.

Introduction, First and Second Reading, 227.

Reference, 227.

Reported back, 383.

Third Reading, 4/1.

Indefinitely Postponed, 1100.

Passed, 471.

Received from House, 1100.

Other Action, 417.

Senate Bill No. 217.—(Kretschmar)

A Bill for an Act to Repeal Chapter 115 of the Session Laws for the Year 1919 Relating to Flood Control Commission.

Introduction, First and Second Reading, 227.

Reference, 227.

Reported back, 803.

Indefinitely Postponed, 803.

Senate Bill No. 218.—(Porter)

A Bill for an Act Making it Unlawful to Practice, or Advertise the Practice of Medicine, Surgery, Dentistry, Law, Veterinary Surgery, Chiropractic or Osteopathy under any Company, Association or Trade Name; and Providing Penalty Therefor.

Introduction, First and Second Reading, 227.

Reference, 227.

Reported back, 547.

Amended, 547.

Indefinitely Postponed, 607.

Other Action, 603.

Senate Bill No. 219.—(Martin)

A Bill for an Act Providing for the Election at Large of Members of Boards of County Commissioners by the Electors of the Several Counties of the State of North Dakota, and Repeal All Acts and Parts of Acts That Are Inconsistent with the Provisions of this Act.

Introduction, First and Second Reading, 227.

Reference, 227.

Reported back, 513.

Indefinitely Postponed, 513.

Senate Bill No. 220.—(McLachlin and Rusch)

A Bill for an Act to Amend and Re-enact Section 3716 of the Compiled Laws of 1913 Relating to Payment of Deficiency in Special Assessments.
Introduction, First and Second Reading, 227.
Reference, 228.
Reported back, 293.
Third Reading, 397.
Passed, 398.
Received from House, 937.
Other Action, 323, 327, 969, 976, 1001, 1026.

Senate Bill No. 221.—(Kelsh)

A Bill for an Act to Provide for the Giving Notices of Foreclosure of Real Estate by Advertisement to Owners and Holders of Mechanics' Liens Against Such Real Estate.
Introduction, First and Second Reading, 228.
Reference, 228.
Reported back, 413.
Indefinitely Postponed, 413.

Senate Bill No. 222.—(Kelsh)

A Bill for an Act to Amend and Re-enact Section 8095 of the Compiled Laws of North Dakota for the Year 1913, Relating to Notice of Foreclosures of Mortgages on Real Property by Advertisement.
Introduction, First and Second Reading, 228.
Reference, 228.
Reported back, 413.
Indefinitely Postponed, 414.

Senate Bill No. 223.—(Storstad)

A Bill for an Act to Amend and Re-enact Section 4361 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Who May Solemnize Marriages.
Introduction, First and Second Reading, 228.
Reference, 228.
Reported back, 551.
Indefinitely Postponed, 551.

Senate Bill No. 224.—(Levang)

A Bill for an Act Relating to the Place of Payment of all State Bonds of the State of North Dakota.
Introduction, First and Second Reading, 228.
Reference, 228.
Reported back, 442.
Third Reading, 494.
Passed, 495.
Other Action, 478, 968, 975, 1001, 1006.

Senate Bill No. 225.—(Storstad)

A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, 4, 6, 7, 9, 11 and 17 of the North Dakota Grain Grading Act Adopted at the General Election Held November 7th, 1922, Declaring the Purpose of the State of North Dakota to Supervise and Regulate the Marketing of Farm Products; Preventing Unjust Discrimination, Fraud and Extortion in the Marketing of the Same; Establishing a System of Grading, Weighing and Measuring Farm Products; Defining the Scope and Manner of Such Supervision and the Powers and Duties of the Persons Charged with Same; Providing for Licensing Buyers, Solicitors, and Warehouses Handling Such Farm Products; and Making an Appropriation Therefor.

Introduction, First and Second Reading, 228.

Reference, 228.

Reported back, 747.

Amended, 747.

Third Reading, 842.

Other Action, 818.

Failed to Pass, 843.

Senate Bill No. 226.—(Kaldor)

A Bill for an Act to Amend and Re-enact Section 3784 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 120 of the Session Laws of North Dakota for the Year 1919, Relating to Municipal Elections in Cities.

Introduction, First and Second Reading, 229.

Reference, 229.

Reported back, 335.

Third Reading, 419.

Passed, 419, 966.

Received from House, 965.

Amended by House, 965.

Other Action, 377, 965, 1061, 1069, 1165, 1276.

Senate Bill No. 227.—(Rusch)

A Bill for an Act Fixing a Time When it Shall be the Duty of the Board of University and School Lands to Foreclose Mortgage Loans in Default, and Providing for the Collection of any Amount Not Paid on Foreclosure.

Introduction, First and Second Reading, 229.

Reference, 229.

Reported back, 444.

Indefinitely Postponed, 444.

Senate Bill No. 228.—(Magnuson)

A Bill for an Act to Repeal Section 6624 of the Compiled Laws for the Year 1913. Valued Insurance Policy Act.

Introduction, First and Second Reading, 229.

Reference, 229.

Reported back, 384.

Third Reading, 471.

Indefinitely Postponed, 656.

Passed, 472.

Received from House, 656.

Other Action, 417.

Senate Bill No. 229.—(Ettestad)

A Bill for an Act to Amend and Re-enact Section 2189 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Publication of Delinquent Tax List, as Amended by Chapter 256 of the Session Laws of 1915.

Introduction, First and Second Reading, 229.

Reference, 229, 495.

Reported back, 439, 558.

Amended, 558, 698.

Third Reading, 699.

Indefinitely Postponed, 923.

Passed, 699.

Received from House, 923.

Other Action, 479, 494, 603, 666, 698.

Senate Bill No. 230.—(Wog)

A Bill for an Act Providing for the Deposit of All County, Township, Municipal and School District Funds and All Other Public Funds in the Bank of North Dakota.

Introduction, First and Second Reading, 229.

Reference, 229.

Reported back, 744.

Amended, 744.

Indefinitely Postponed, 746.

Senate Bill No. 231.—(Ingerson)

A Bill for an Act Declaring the Purpose of Establishing Public Banking Districts to Engage in the Banking Business and Establishing a System of Banking Owned, Controlled and Operated by the Districts; Defining the Scope and Manner of Such Banks' Operation; Prescribing the Powers and Duties of the Persons Charged with Their Management, and Providing Penalties for the Violation of the Provisions Thereof.

Introduction, First and Second Reading, 229.

Reference, 230.

Reported back, 688.

Indefinitely Postponed, 688.

Senate Bill No. 232.—(Stevens)

A Bill for an Act to Amend and Re-enact Section 9367 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Prescribing of an Oath.

Introduction, First and Second Reading, 230.

Reference, 230, 542.

Reported back, 512, 648.

Amended, 648.

Third Reading, 783.

Indefinitely Postponed, 512.

Passed, 783.

Received from House, 1015.

Other Action, 542, 710, 1112, 1160, 1276.

Senate Bill No. 233.—(Carey)

A Bill for an Act to Amend and Re-enact Chapter 117 of the Laws of North Dakota for the Year 1919, Relating to the Nomination and Election of all Elective County Officers, Judges of the Supreme and District Courts, State Superintendent of Public Instruction, and County Superintendent of Schools, Without Requiring a Declaration as to Party Affiliation, and a Separate Ballot for County Officials; Extending the Law so as to Apply to All State Officials and Members of the Legislature and County Official Newspapers; Providing for Filling of Vacancies and for Designation of Principles Supported by Candidates for State and Legislative Office and Repealing Sections 904, 905, 906, 907, 908, 909, 917, 918 and 919 of the Compiled Laws of 1913 and Chapter 117 of the Session Laws of 1919.

Introduction, First and Second Reading, 230.

Reference, 230.

Reported back, 388.

Amended, 388.

Third Reading, 424.

Passed, 425, 825.

Received from House, 777.

Amended by House, 777.

Conference Committee, 819.

Other Action, 230, 357, 417, 423, 779, 969, 976, 1002, 1006.

Senate Bill No. 234.—(Martin)

A Bill for an Act to Limit the Payment of the Salaries of Deputies, Clerks and Employees and Providing for the Recovery of State Funds so Paid in Violation of this Act.

Introduction, First and Second Reading, 250.

Reference, 250.

Reported back, 548.

Indefinitely Postponed, 548.

Senate Bill No. 235.—(Eastgate)

A Bill for an Act to Amend and Re-enact Section 2263 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted in Chapter 1 of the Session Laws for the year 1917, Relating to the Levy of a Tax by County Commissioners to be Used in Carrying on Cooperative Agricultural Extension Work as Defined by this Act and Providing for Referendum by Ballot, Audit of Funds and Disposition of Accumulated Funds.

Introduction, First and Second Reading, 250.

Reference, 250.

Reported back, 382, 637.

Amended, 383, 458.

Third Reading, 459, 1257.

Passed, 459, 1258.

Received from House, 1272.

Amended by House, 1272.

Other Action, 417, 478, 1257, 1321, 1322, 1335.

Senate Bill No. 236.—(Ward)

A Bill for an Act Authorizing the Cancellation, Conversion and Exchange of Bonds Issued Under and by Virtue of Chapter 148, Session Laws of 1919.

Introduction, First and Second Reading, 250.

Reference, 250.

Reported back, 676.

Amended, 676.

Third Reading, 792.

Passed, 792.

Received from House, 1018.

Other Action, 753, 1110, 1163.

Senate Bill No. 237.—(Wog)

A Bill for an Act to Amend and Re-enact Section 10994, Compiled Laws of North Dakota for 1913, Relative to Appeal in Criminal Cases.

Introduction, First and Second Reading, 250.

Reference, 251.

Reported back, 414.

Indefinitely Postponed, 414.

Senate Bill No. 238.—(Hamilton)

A Bill for an Act to Repeal the Initiated Measure Enacted by the People of the State of North Dakota in the General Election on November 2, 1920, Relating to Real Estate Mortgage Loans by the Bank of North Dakota to Actual Farmers Who are Residents of this State.

Introduction, First and Second Reading, 251.

Reference, 251.

Reported back, 743.

Third Reading, 841.

Other Action, 439, 817.

Failed to Pass, 842.

Senate Bill No. 239.—(Magnuson)

A Bill for an Act to Amend and Re-enact Section 13 of Chapter 159, Session Laws of 1919, Relating to State Fire and Tornado Insurance and Limiting the Amount of Risk to Be Carried.

Introduction, First and Second Reading, 251.

Reference, 251.

Reported back, 649.

Indefinitely Postponed, 651.

Senate Bill No. 240.—(Page)

A Bill for an Act Relating to Redemption from Mortgage Foreclosure or Execution Sales and Providing for a Redemptioner Making a Credit on His Claim Against the Debtor as a Part of the Redemption.

Introduction, First and Second Reading, 251.

Reference, 251.

Reported back, 444.

Third Reading, 495.

Passed, 495.

Received from House, 1117.

Other Action, 479, 1145, 1192.

Senate Bill No. 241.—(Levang)

A Bill for an Act to Amend and Re-enact Section 7036 of the Compiled Laws of North Dakota for 1913, Relating to **Protesting Negotiable Instruments.**

Introduction, First and Second Reading, 251.

Reference, 251.

Reported back, 479.

Amended, 479.

Third Reading, 529.

Passed, 529.

Received from House, 923.

Other Action, 969, 976, 1001, 1026.

Senate Bill No. 242.—(Steel)

A Bill for an Act Amending and Re-enacting Section 1342 of the Compiled Laws of 1913 as Amended by Chapter 141 of the Session Laws of 1915 and by Chapter 206 of the Session Laws of 1917 and Section 1345 of the Compiled Laws of 1913, Relating to Compulsory School Attendance and Providing for the Enforcement thereof.

Introduction, First and Second Reading, 251.

Reference, 251.

Reported back, 599.

Amended, 599, 716.

Third Reading, 717.

Indefinitely Postponed, 930.

Passed, 717.

Received from House, 930.

Other Action, 656, 720.

Senate Bill No. 243.—(Eastgate)

A Bill for an Act to Safeguard the Business of Bee-keeping Against Contagious and Infectious Diseases; Defining Apiaries; Providing for State Inspection Under the Direction and Control of the Commissioner of Agriculture and Labor; Prohibiting the Sale, Barter, Offer of Sale or Barter, Moving, Transportation, Shipping or Offering for Shipping or Transportation, of any Bees, Brood, Comb or Beekeeping Appliances That are Infected; Providing for the Proper Certification of Shipments into the State, and the Reporting of Such Shipments by the Purchaser or Importer; Fixing Penalties for Violation.

Introduction, First and Second Reading, 260.

Reference, 260.

Reported back, 383.

Third Reading, 460, 971.

Passed, 461, 971.

Received from House, 964.

Amended by House, 964.

Other Action, 418, 967, 1059, 1067, 1165, 1296.

Senate Bill No. 244.—(Van Camp)

A Bill for an Act to Amend and Re-enact Section 4799 of the Compiled Laws of the State of North Dakota for 1913, Relating to Free Passes, Franks and Special Privileges Prohibited and Exceptions.

Introduction, First and Second Reading, 260.

Reference, 260.

Reported back, 465.

Amended, 465.

Third Reading, 520.

Indefinitely Postponed, 924.

Passed, 520.

Received from House, 924.

Senate Bill No. 245.—(Kaldor)

A Bill for an Act Relating to the Assessment of Telephone Property, Providing for a Tax on Gross Earnings of Telephone Companies in Lieu of the General Property Tax on the Property of Such Companies Used Exclusively in Connection with the Operation of their Telephone Business, and in Lieu of the Tax Upon the Shares of Stock of Such Companies; Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, First and Second Reading, 260.

Reference, 261.

Reported back, 484.

Amended, 484, 572, 697.

Third Reading, 573.

Indefinitely Postponed, 981.

Passed, 573, 698.

Received from House, 612, 981.

Other Action, 509, 530, 596, 752.

Senate Bill No. 246.—(Ettestad)

A Bill for an Act to Amend and Re-enact Section 1218 of the Compiled Laws of North Dakota, Relating to Report and Annual Statement of School Districts, as Amended by Chapter 50 of the Special Session Laws of 1918.

Introduction, First and Second Reading, 261.

Reference, 261.

Reported back, 481.

Amended, 481.

Third Reading, 529.

Indefinitely Postponed, 718.

Passed, 530.

Received from House, 718.

Other Action, 508.

Senate Bill No. 247.—(Eastgate)

A Bill for an Act to Repeal Chapter 173 of the Session Laws of the State of North Dakota for the Year 1919, Being an Act Requiring the Label of the International Typographical Union to Be Placed Upon all Public Printing of the State of North Dakota and Providing Penalties for the Violation Thereof.

Introduction, First and Second Reading, 261.

Reference, 261.

Reported back, 647.

Indefinitely Postponed, 647.

Senate Bill No. 248.—(Martin)

A Bill for an Act to Amend and Re-enact Sections 7753, Sections 7754 and 7758 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 223 of the Laws of North Dakota for the Year 1915 and as Amended by Chapter 109 of the Laws of North Dakota for the Year 1917; Section 7762 of the Compiled Laws of North Dakota for the Year 1913, Relating to Redemption from Sales of Real Estate Under Execution and Foreclosure and the Rate of Interest to be Charged Thereon.

Introduction, First and Second Reading, 274.

Reference, 274.

Reported back, 631.

Indefinitely Postponed, 631.

Senate Bill No. 249.—(Sperry)

A Bill for an Act to Repeal Chapter 168, Session Laws of North Dakota for 1919, Being an Act to Regulate the Operation of all Coal Mines in the State of North Dakota; to Provide for Their Inspection; to Create the Office of Coal Mining Inspector; to Fix His Qualifications, Duties, Powers and Compensation; to Provide for His Appointment; to Create a Board of Examiners; to Fix its Powers and Compensation; to Provide the Method of Appointment Thereto; to Provide for the Registry, Examination and Issuing of Certificates to Certain Employees of Coal Mines and to Provide for an Appropriation Therefor.

Introduction, First and Second Reading, 274.

Reference, 274.

Reported back, 679.

Indefinitely Postponed, 680.

Senate Bill No. 250.—(Majority of Banking Committee)

A Bill for an Act to Amend and Re-enact Chapter 126 of the Laws of 1917, as Amended by Chapter 110 of the Laws of 1919 and as Further Amended by Chapter 21 of the Laws of 1921.

Introduction, First and Second Reading, 274.

Reference, 274.

Reported back, 632.

Amended, 632.

Third Reading, 771, 1197.

Passed, 771, 1198.

Received from House, 1196.

Amended by House, 1196.

Other Action, 683, 1197, 1316, 1333.

Senate Bill No. 251.—(Game and Fish Committee)

A Bill for an Act Establishing a Closed Season on Frogs.

Introduction, First and Second Reading, 291.

Reference, 291.

Reported back, 378.

Third Reading, 425.

Indefinitely Postponed, 893.

Passed, 426.

Received from House, 893.

Other Action, 418.

Senate Bill No. 252.—(Baird)

A Bill for an Act to Amend and Re-enact Section 1 of Chapter 63 of the Session Laws for the Year 1915, Relating to Capital Punishment.

Introduction, First and Second Reading, 291.

Reference, 291.

Reported back, 482.

Indefinitely Postponed, 482.

Senate Bill No. 253.—(Van Camp)

A Bill for an Act to Repeal Chapter 122 of the Session Laws of 1921.

Introduction, First and Second Reading, 291.

Reference, 291.

Reported back, 703.

Third Reading, 812.

Passed, 812.

Received from House, 1256.

Other Action, 754, 1335.

Senate Bill No. 254.—(Storstad and Gardiner)

A Bill for an Act to Amend and Re-enact Chapter 223 of the Laws of 1919 and Repealing Certain Provisions of Law in Conflict Therewith.

Introduction, First and Second Reading, 291.

Reference, 291.

Reported back, 728.

Indefinitely Postponed, 728.

Senate Bill No. 255.—(Storstad and Gardiner)

A Bill for an Act to Amend and Re-enact Chapter 59 of the Session Laws of 1917 as amended by Chapter 220 of the Laws of North Dakota for the Year 1919, relating to the Basis of Assessment of Property for Taxation Purposes.

Introduction, First and Second Reading, 292.

Reference, 292.

Reported back, 704.

Amended, 704.

Third Reading, 813, 1239.

Passed, 813, 1239.

Received from House, 1238.

Amended by House, 1238.

Other Action, 754, 862, 1239, 1316, 1333.

Senate Bill No. 256.—(McLachlin)

A Bill for an Act to Control the Possession, Sale, and Use of Pistols and Revolvers, to Provide Penalties, and for other Purposes.

Introduction, First and Second Reading, 292.

Reference, 292.

Reported back, 469.

Amended, 528, 661.

Third Reading, 662.

Passed, 662.

Received from House, 1230.

Other Action, 508, 528, 606, 1316, 1333.

Senate Bill No. 257.—(Gross)

A Bill for an Act to Limit County Road and Bridge Tax Levies; Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, First and Second Reading, 292.

Reference, 292, 516.

Reported back, 510, 740.

Amended, 511, 859.

Third Reading, 859.

Indefinitely Postponed, 1213.

Passed, 860.

Received from House, 1213.

Other Action, 817, 839.

Senate Bill No. 258.—(Garberg)

A Bill for an Act Providing for the Appointment of Representatives on Behalf of the State of North Dakota to Negotiate a Compact and Agreement Between the States of North Dakota, South Dakota and Montana, and Between said States and the United States of America, Respecting the Use and Distribution of the Waters of the Missouri River and the Rights of said States and the United States Thereto.

Introduction, First and Second Reading, 300.

Reference, 300.

Reported back, 444.

Third Reading, 496.

Passed, 496.

Received from House, 978.

Other Action, 479, 1058, 1067, 1165.

Senate Bill No. 259.—(Baird and Kaldor)

A Bill for an Act Relating to the Power of the Supreme Court in Civil Causes on Appeal, and the Extent of Review when such Causes are Reversed by the Supreme Court and Remanded for a New Trial.

Introduction, First and Second Reading, 300.

Reference, 300.

Reported back, 445.

Third Reading, 496.

Indefinitely Postponed, 924.

Passed, 497.

Received from House, 924.

Other Action, 479.

Senate Bill No. 260.—(Baker)

A Bill for an Act Providing for the Conduct of the Business of Warehousing and Providing Penalties for its Violation.

Introduction, First and Second Reading 300.

Reference, 300.

Reported back, 791.

Amended, 791.

Third Reading, 853.

Indefinitely Postponed, 1230.

Passed, 854.

Received from House, 1230.

Other Action, 845.

Senate Bill No. 261.—(Storstad)

A Bill for an Act Re-establishing the North Dakota Mill and Elevator Association, Defining its Powers and Duties, and Providing for the Control, Management and Operation of State Owned Grain Warehouses, Elevators and Flour Mills and the Conduct of all Business Relating Thereto, Especially as Relates to the State Owned Mill and Elevator at Grand Forks and Providing for the Appointment of a Board of Managers Thereof and Repealing Chapter 152 Laws of North Dakota of 1919, Entitled "An Act Declaring the Purpose of the State of North Dakota to Engage in the Business of Manufacturing and Marketing of Farm Products, and for Establishing a Warehouse, Elevator and Flour Mill System Under the Name of North Dakota Mill and Elevator Association Operated by the State, and Defining the Scope and Manner of its Operation, and the Powers and Duties of the Persons Charged with its Management; and Making an Appropriation Therefor."

Introduction, First and Second Reading, 301.

Reference, 301.

Reported back, 759.

Amended, 759, 851.

Third Reading, 852, 1184.

Passed, 852, 1184.

Received from House, 1183.

Amended by House, 1183.

Other Action, 818, 861, 1183, 1319, 1331.

Senate Bill No. 262.—(Kretschmar)

A Bill for an Act Limiting the Exemptions to Stockholders of Banks on Claims Against Them for Liability as Stockholders.

Introduction, First and Second Reading, 320.

Reference, 320.

Reported back, 676.

Indefinitely Postponed, 676.

Senate Bill No. 263.—(Kelsh)

A Bill for an Act Relating to the White Stone Hills Battlefield Grounds in Dickey County, and Vesting the Care, Custody, Control and Maintenance of the Same in the State Historical Society of North Dakota, as Trustee for the State.

Introduction, First and Second Reading, 320.

Reference, 320.

Reported back, 469.

Third Reading, 526.

Passed, 526.

Received from House, 922.

Other Action, 509, 968, 975, 1001, 1006.

Senate Bill No. 264.—(Kretschmar)

A Bill for an Act to Amend and Re-enact Section 5149 of the Compiled Laws of North Dakota for 1913, Relating to the Organization of Banking Associations.

Introduction, First and Second Reading, 320.

Reference, 320.

Reported back, 808.

Indefinitely Postponed, 808.

Senate Bill No. 265.—(Kretschmar)

A Bill for an Act to Amend and Re-enact Section 2360a of the Compiled Laws of North Dakota for the Year 1913 as amended and Re-enacted by Section 2360a of Chapter 4 of the Session Laws for the Year 1919.
 Introduction, First and Second Reading, 320.
 Reference, 320.
 Reported back, 557.
 Third Reading, 665.
 Passed, 666.
 Received from House, 1172.
 Other Action, 605, 1317, 1331.

Senate Bill No. 266.—(Kretschmar)

A Bill for an Act Amending Section 4571 of the Compiled Laws of 1913, Providing for the Assessment of Shares of Stock in Corporations.
 Introduction, First and Second Reading, 320.
 Reference, 320.
 Reported back, 480.
 Amended, 480.
 Third Reading, 572.
 Passed, 572.
 Received from House, 1018.
 Other Action, 509, 529, 1110, 1162, 1297.

Senate Bill No. 267.—(Majority of Committee on Banks and Banking)

A Bill for an Act Declaring an Emergency to Exist Affecting the Public Welfare of the State with Respect to the Administration of Insolvent Banks; Providing for Liquidation Thereof; Vesting the Supreme Court with Jurisdiction of Such Liquidation Proceedings, and Requesting it to Assume Original Jurisdiction in Furtherance of the Public Interest; Creating the Position of Supreme Court Commissioner; Fixing his Compensation, and Defining his Powers and Authority, and Providing for the Appointment of Receivers of Insolvent Banks, and Making an Appropriation to Meet the Expenses Incident to Carrying out the Purposes of this Act, and Directing the Supreme Court to Exercise its Supervisory Authority over the District Court in Proceedings for Liquidating the Affairs of Insolvent Banks.
 Introduction, First and Second Reading, 320.
 Reference, 321.
 Reported back, 632.
 Third Reading, 774, 1205.
 Passed, 774, 1206.
 Received from House, 1204.
 Amended by House, 1204.
 Other Action, 683, 1205, 1314, 1333.

Senate Bill No. 268.—(Tofsrud)

A Bill for an Act to Amend and Re-enact Chapter 7660, of the Compiled Laws of the State of North Dakota, for the Year 1913, as Amended by Chapter 7660, of the Compiled Laws of the State of North Dakota, for the Year 1913, as Amended by Chapter 131, of the Session Laws of 1921, Relating to Causes for a New Trial in Civil Actions.

Introduction, First and Second Reading, 321.

Reference, 321.

Reported back, 513.

Third Reading, 575.

Passed, 575.

Received from House, 1117.

Other Action, 566, 1145, 1191.

Senate Bill No. 269.—(Tofsrud)

A Bill for an Act Relating to the Power of the Supreme Court in Civil Cases on Appeal and the Extent of Review Where Such Cases Are Reversed by the Supreme Court and Remanded for a New Trial.

Introduction, First and Second Reading, 321.

Reference, 321.

Reporter back, 512.

Indefinitely Postponed, 513.

Senate Bill No. 270.—(Thorson)

A Joint Resolution for an Amendment to the Constitution of the State of North Dakota, Providing a Term of Office of Four Years for All Elective State Officers.

Introduction, First and Second Reading, 321.

Reference, 321.

Reported back, 514.

Indefinitely Postponed, 514.

Senate Bill No. 271.—(Baird)

A Bill for an Act to Provide for Differentials on Lignite Coal Between Shipping Points in North Dakota.

Introduction, First and Second Reading, 336.

Reference, 336.

Reported back, 803.

Indefinitely Postponed, 803.

Senate Bill No. 272.—(McCoy)

A Bill for an Act Relating to the Method of Levying Tax for the Care of Patients at the Hospital for the Insane, Institution for the Feeble Minded and the State Tuberculosis Sanatorium; Providing the Method of Settlement Between County and State; Providing a Penalty for Failure to Pay; Providing a Method of Settling Disputed Claims and Repealing Sections 2572 and 2573, Compiled Laws of 1913 and All Acts or Parts of Acts in Conflict Therewith.

Introduction, First and Second Reading, 336.

Reference, 336, 695.

Reported back, 638, 731.

Third Reading, 833, 1259.

Indefinitely Postponed, 639.

Passed, 833, 1260.

Received from House, 1251.

Amended by House, 1251.

Other Action, 695, 816, 1259, 1315, 1334.

Senate Bill No. 273.—(Martin)

A Bill for an Act to Provide for the Creation of Grain Storage Districts, the Building or Purchasing of Elevators and the Storage and Handling of Cereals by Such Districts.

Introduction, First and Second Reading, 336.

Reference, 336.

Reported back, 595.

Indefinitely Postponed, 596.

Senate Bill No. 274.—(Martin)

A Bill for an Act to Amend and Re-enact Section 11291 of the Compiled Laws of North Dakota, 1913, Relating to Parole from the State Training School.

Introduction, First and Second Reading, 336.

Reference, 337, 674.

Reported back, 548, 731.

Indefinitely Postponed, 548, 731.

Other Action, 674.

Senate Bill No. 275.—(Lynch)

A Bill for an Act to Repeal Chapter 24 of the Special Session Laws of North Dakota for the Year 1919, Providing for the Issuance of Bonds of the State of North Dakota in a Sum Not Exceeding Two Million Dollars to be Known as "Bonds of North Dakota, Home Building Series."

Introduction, First and Second Reading, 337.

Reference, 337.

Reported back, 470.

Third Reading, 528.

Passed, 614.

Received from House, 612, 995.

Other Action, 509, 561, 596, 612, 613, 1061, 1069, 1166, 1276.

Failed to Pass, 528.

Senate Bill No. 276.—(Byrne)

A Bill for an Act to Provide a Penalty for Neglect to Try and Dispose of Civil Jury Actions Upon the District Court Calendar.

Introduction, First and Second Reading, 337.

Reference, 337.

Reported back, 513.

Indefinitely Postponed, 513.

Senate Bill No. 277.—(Lynch)

A Bill for an Act Transferring to the Industrial Commission the Custody, Control and Management of the Property and Assets of the Home Building Association of North Dakota, for the Purpose of Liquidating and Winding Up the Business and Affairs of Said Home Building Association of North Dakota, Defining the Powers and Authority of the Industrial Commission with Reference Thereto, Defining the Rights and Liabilities of Applicants for Homes and Purchasers, and Repealing Chapter 150 of the Session Laws of North Dakota for the Year 1919, and Chapter 39 of the Special Session Laws of North Dakota for the Year 1919.

Introduction, First and Second Reading, 337.
Reference, 337.
Reported back, 644.
Amended, 782.
Third Reading, 782.
Passed, 783.
Received from House, 1002.
Other Action, 694, 1062, 1069, 1164.

Senate Bill No. 278.—(Garberg)

A Bill for an Act to Amend and Re-enact Section 3718 of the Compiled Laws of North Dakota for the Year 1913, Relating to Extension of Water Main Assessments.

Introduction, First and Second Reading, 337.
Reference, 337.
Reported back, 602.
Third Reading, 660.
Passed, 661.
Received from House, 923.
Other Action, 656, 969, 976, 1001, 1026.

Senate Bill No. 279.—(Van Camp)

A Bill for an Act Making the Trespassing or Estraying of Any Bull, Stallion or Boar, Not of Pure Bred Breeding Upon the Property of Another or Upon a Public Highway Unlawful. Authorizing the Castration of Such Bull, Stallion or Boar, and Providing the Penalty for the Violation of Said Act.

Introduction, First and Second Reading, 337.
Reference, 337.
Reported back, 515.
Amended, 515, 576.
Indefinitely Postponed, 576.
Other Action, 566.

Senate Bill No. 280.—(Lynch)

A Bill for an Act to Amend and Re-enact Section 7643 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 133, of the Session Laws of 1921, Relating to Directed Verdicts.

Introduction, First and Second Reading, 338.

Reference, 338.

Reported back, 629.

Amended, 630, 721.

Third Reading, 721.

Passed, 722.

Received from House, 1015.

Other Action, 682, 752, 1112, 1160, 1276.

Senate Bill No. 281.—(Whitmer)

Introduction, first and second reading, 338.

Reference, 338.

Reported back, 690.

Indefinitely postponed, 691.

Senate Bill No. 282.—(Whitmer)

A Bill for an Act Relating to the Payment of Checks Drawn on Banks.

Introduction, first and second reading, 338.

Reference, 338.

Reported back, 691.

Indefinitely postponed, 691.

Senate Bill No. 283.—(Hamilton)

A Bill for an Act to Amend and Re-enact Sections 9868, 9869, 9870, 9871, 9872, 9873, 9874, 9875 and 9876 of the Compiled Laws of North Dakota for the Year 1913, Relating to Burglary, House Breaking and Unlawful Entering.

Introduction, first and second reading, 338.

Reference, 338.

Reported back, 692.

Amended, 693.

Third reading, 800.

Indefinitely postponed, 930.

Passed, 801.

Received from House, 930.

Other action, 754.

Senate Bill No. 284.—(Baird, Garberg and Kaldor)

A Bill for an Act to Amend and Re-enact Sections 782, 783, 784, 787, 799, 808, 809, 810, 811 and 812 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 69 of the Session Laws for the year 1919, Relating to the Creation of a State Bar Board, its Members, Their Term of Office, Qualifications, Compensation and Duties and Providing for the Admission of Attorneys to Practice and the Issuance of Licenses to Practice and Making an Appropriation of \$10,000.00 from the State Bar Fund for the State Law Library.

Introduction, first and second reading, 388.

Reference, 338.

Reported back, 709.

Amended, 709.

Third reading, 822, 1226.

Passed, 822, 1226.

Received from House, 1203.

Amended by House, 1203.

Conference committee, 1225.

Other action, 753, 1203, 1226, 1283, 1317, 1333.

Senate Bill No. 285.—(Baird, Garberg and Kaldor)

A Bill for an Act to Amend and Re-enact Section 790 of the Compiled Laws of North Dakota for the Year 1913, Relating to Qualifications of Applicants for Admission to the Bar of the State of North Dakota.

Introduction, first and second reading, 338.

Reference, 338.

Reported back, 684.

Indefinitely postponed, 684.

Senate Bill No. 286.—(Baird, Garberg and Kaldor)

A Bill for an Act to Amend and Re-enact Chapter 25 of the Session Laws of the State of North Dakota for the Year 1921, Being an Act to Create, Define and Establish the Bar Association of the State of North Dakota, and Providing for the Publication of Its Proceedings and Filing Copies Thereof with the State Bar Board and State Libraries, and as Otherwise Provided and Making an Appropriation for the Expenses Connected Therewith.

Introduction, first and second reading, 339.

Reference, 339.

Reported back, 728.

Amended, 729.

Third reading, 827.

Passed, 827.

Received from House, 1127.

Other action, 816, 1216, 1278.

Senate Bill No. 287.—(Levang)*

A Bill for an Act to Amend an Re-enact Chapter 157 of the Laws of North Dakota for the Year 1917, Relating to the Penalty for Larceny of Automobiles and Motorcycles.

Introduction, first and second reading, 339.

Reference, 339.

Reported back, 469.

Third reading, 527.

Indefinitely postponed, 923.

Passed, 528.

Received from House, 923.

Other action 509.

Senate Bill No. 288.—(Baird)

A Bill for an Act Providing for a Tax Upon Reserves of Coal and Minerals Providing for the Obtaining of Tax Titles to Such Reserves when Taxes Thereon Remain Unpaid and Repealing Section 2119, Section 2120 and Section 2121, Compiled Laws of 1913, and all Acts and Parts of Acts in Conflict with This Act.

Introduction, first and second reading, 339.

Reference, 339.

Reported back, 601.

Amended 601.

Third reading, 718, 1135.

Passed, 718, 1135.

Received from House, 1129.

Amended by House, 1129.

Other action, 656, 1218, 1279.

Senate Bill No. 289.—(Byrne)

A Bill for an Act Providing That the County Commissioners Shall Have Power to Abate Certain Assessments Levied by Boards of Irrigation Districts Upon Application of the District Board Approved by the Director of the Reclamation Service.

Introduction, first and second reading, 339.

Reference, 339.

Reported back, 678.

Third reading, 793.

Passed, 794.

Received from House, 1172.

Other action, 753, 1318, 1331.

Senate Bill No. 290.—(Martin)

A Bill for an Act to Provide for the Expenses of Prosecution and Trial of Actions Wherein the Issues Affect the Entire People of the State and not Alone the County Wherein such Actions are Tried.

Introduction, first and second reading, 341.

Reference, 341.

Reported back, 627.

Indefinitely postponed, 627.

Senate Bill No. 291.—(Martin)

A Bill for an Act to Amend and Re-enact Section 3483, Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 13 of the Special Session Laws of 1918, Relating to the Re-payment of the Cost of Seed Grain Obtained by any Person from any County in the State.

Introduction, first and second reading, 341.

Reference, 341.

Reported back, 549.

Indefinitely postponed, 549.

Senate Bill No. 292.—(Van Camp)

A Bill for an Act to Amend and Re-enact Section 2141 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Chapter 35, Special Session Laws of 1919; Providing for the Substitution of the State Auditor and State Tax Commissioner as Members of the State Board of Equalization Instead of the Commissioner of Insurance and Attorney General; Providing that the Tax Commissioner Shall be Secretary Thereof Instead of the Commissioner of Insurance and Prescribing the Powers and Duties of the State Board of Equalization in Regard to the Equalization and Assessment of Property.

Introduction, first and second reading, 341.

Reference, 342.

Reported back, 549.

Amended, 663.

Third reading, 664.

Passed, 664.

Received from House, 978.

Other action, 608, 681, 1058, 1067, 1165, 1276.

Senate Bill No. 293.—(Gardiner)

A Bill for an Act Requiring that Public Investigations, Examinations and Audits for the State of North Dakota and its Industrial and Publical Sub-divisions be Made by Accountants who Are Actual Citizens and Residents of North Dakota.

Introduction, first and second reading, 342.

Reference, 342.

Reported back, 550.

Indefinitely postponed, 550.

Senate Bill No. 294.—(Fleckten)

A Bill for an Act to Amend and Re-enact Section 4 of Chapter 129 of the Session Laws of North Dakota for the Year 1921, Relating to Affidavits of Prejudice.

Introduction, first and second reading, 342.

Reference, 342.

Reported back, 631.

Indefinitely postponed, 631.

Senate Bill No. 295.—(Kretschmar)

A Bill for an Act to Amend and Re-enact Section 8 of Chapter 211 of the Session Laws of North Dakota for 1919, Relating to Supreme Court Reporter and State Law Librarian.

Introduction, first and second reading, 342.

Reference, 342.

Reported back, 549.

Third reading, 607.

Passed, 608.

Received from House, 978.

Other action, 604, 1058, 1067, 1164, 1276.

Senate Bill No. 296.—(McCoy)

A Bill for an Act Designating What Insurance Companies May Write Insurance in the State of North Dakota.

Introduction, first and second reading, 342.

Reference, 342.

Reported back, 514.

Indefinitely postponed, 514.

Senate Bill No. 297.—(McCoy)

A Bill for an Act Limiting the Writing and Placing of All Hail Insurance on Growing Crops in the State of North Dakota, with the State of North Dakota and North Dakota Insurance Companies.

Introduction, first and second reading, 342.

Reference, 342.

Reported back, 685.

Amended, 686, 797.

Third reading, 798.

Other action, 753.

Failed to pass, 298.

Senate Bill No. 298.—(Storstad)

A Bill for an Act to Amend and Re-enact Sections 1360, 1361 and 1369 of the Compiled Laws of 1913 Relating to the Requirements for Teachers' Certificates.

Introduction, first and second reading, 342.

Reference, 343.

Reported back, 674.

Indefinitely postponed, 674.

Senate Bill No. 299.—(Storstad)

A Bill for an Act to Amend and Re-enact Section 1 of Chapter 62 of the Laws of North Dakota Enacted at the Special Session of 1919, and Declaring that an Emergency Exists, and that This Act Shall Become Effective Immediately Upon Its Passage and Approval.

Introduction, first and second reading, 343.

Reference, 343.

Reported back, 592.

Third reading, 701.

Passed, 702.

Received from House, 1016.

Other action, 654, 1111, 1162.

Senate Bill No. 300—(Storstad)

A Bill for an Act to Amend and Re-enact Section 2110 of the Compiled Laws of 1913 as Amended by Chapter 221 of the Session Laws of 1919 and Chapter 119 of the Session Laws of 1921 Relating to the Taxation of Corporate Excess.

Introduction, first and second reading, 343.

Reference, 343, 537.

Reported back, 692.

Third reading, 801.

Passed, 801.

Received from House, 980.

Other action, 754, 1061, 1069, 1167, 1277.

Senate Bill No. 301—(Storstad)

A Bill for an Act to Amend and Re-enact Chapter 61 of the Session Laws of 1917 Relating to the Assessment of the Capital Stock of Banks, Loan and Trust Companies and of Moneyed Capital Entering Into Competition Therewith.

Introduction, first and second reading, 343.

Reference, 343.

Reported back, 592.

Third reading, 702.

Passed, 703.

Received from House, 995.

Other action, 654, 1061, 1069, 1165.

Senate Bill No. 302—(Storstad)

A Bill for an Act to Impose a Gross Earnings Tax on Certain Freight Line and Car Equipment Companies Owning and Operating or Leasing and Operating Over Railroad Lines Within This State for the Purpose of Raising Revenue to Defray the General Expenses of State Government; Repealing Sections 2 to 11 Inclusive, of Chapter 59, Special Session Laws of 1919 and All Other Acts and Parts of Acts in Conflict Herewith.

Introduction, first and second reading, 343.

Reference, 343.

Reported back, 593.

Third reading, 711.

Passed, 712.

Received from House, 1016.

Other action, 654, 1111, 1162.

Senate Bill No. 303—(Magnuson and Kaldor)

(Concurrent Resolution)

Introduction, first and second reading, 343.

Reference, 343.

Senate Bill No. 304—(Rusch)

A Bill for an Act to Permit Mutual Insurance Companies to Classify Their Business by Trades, Occupations or Professions, and to Pay Dividends to Policyholders Based Upon Each Trade, Occupation or Profession's Proportion of Losses received to the Premiums Paid by Them; and Providing the Method of Determining Such Dividends.

Introduction, first and second reading, 343.

Reference, 344.

Reported back, 515.

Third reading, 575.

Passed, 576.

Received from House, 1016.

Other action, 566, 1111, 1162.

Senate Bill No. 305—(Storstad)

A Bill for an Act to Repeal Chapter 205 of the Session Laws of the State of North Dakota for the Year 1919, as Amended by Chapter 116 of the Session Laws of the State of North Dakota for the Year 1921.

Introduction, first and second reading, 344.

Reference, 344.

Reported back, 442.

Indefinitely postponed, 443.

Senate Bill No. 306—(Eastgate)

A Bill for a Concurrent Resolution by the Eighteenth Legislative Assembly of the State of North Dakota.

Introduction, first and second reading, 344.

Reference, 344.

Reported back, 595.

Indefinitely postponed, 595.

Senate Bill No. 307—(Atkins)

A Bill for an Act to Define Criminal Syndicalism and Sabotage, Prescribe Certain Acts and Methods in Connection Therewith and in Pursuance Thereof, and Provide Penalties and Punishment Therefor.

Introduction, first and second reading, 344.

Reference, 344.

Reported back, 703.

Amended, 703.

Third reading, 811.

Indefinitely postponed, 812.

Other action, 754.

Senate Bill No. 308—(Carey)

A Bill for an Act Authorizing the County Commissioners to Satisfy Judgments Against Sureties on Bail Bonds.

Introduction, first and second reading, 344.

Reference, 344.

Reported back, 449.

Amended, 449.

Third reading, 497.

Indefinitely postponed, 937.

Passed, 497.

Other action, 479.

Senate Bill No. 309—(Carey)

A Bill for an Act to Amend and Re-enact Section 962 of the Compiled Laws of North Dakota for 1913, Relating to the Position of Names of Candidates on Ballots.

Introduction, first and second reading, 344.

Reference, 344.

Reported back, 514.

Other action, 567, 575.

Withdrawn, 808.

Senate Bill No. 310—(Thorson)

A Bill for an Act Relating to School Finances; Providing that Each School Board or Board of Education of any School District Shall Annually Prepare a Budget of Proposed Expenditures; Providing for Publication of Such Budget and of the Proposed Levy; Providing for a Public Hearing in Regard to the Proposed Expenditures and Levy; Fixing a Date for Levy; Providing that All Expenditures Must Conform to the Budget as Adopted, and that All Unappropriated Balances in Any Fund at the End of the Fiscal Year Shall Become a Part of the General Fund; Repealing All Acts and Parts of Acts Inconsistent With the Provisions of This Act.

Introduction, first and second reading, 344.

Reference, 344.

Reported back, 590.

Amended, 590, 712.

Third reading, 712.

Indefinitely postponed, 923.

Passed, 712.

Received from House, 923.

Other action, 654, 752.

Senate Bill No. 311—(Whitmer)

A Bill for an Act to Amend and Re-enact Section 1, of Chapter 242, Session Laws of North Dakota for the Year 1919, Relating to State Bounty on Wolves and Coyotes.

Introduction, first and second reading, 345.

Reference, 345.

Reported back, 552.

Amended, 553, 616, 1265.

Third reading, 617, 1265.

Passed, 617, 1265.

Received from House, 1130.

Amended by House, 1130.

Conference committee, 1131, 1264.

Other action, 605, 1284, 1313, 1336.

Senate Bill No. 312—(Carey)

A Bill for an Act to Amend and Re-enact Section 853 of the Compiled Laws of North Dakota for 1913, Relating to the Filing of Petitions for Nomination.

Introduction, first and second reading, 345.

Reference, 345.

Reported back, 588.

Amended, 588.

Other action, 653, 668, 699.

Withdrawn, 772.

Senate Bill No. 313—(Carey)

A Bill for an Act to Amend and Re-enact Section 963 of the Compiled Laws of North Dakota for 1913, Relating to Arrangements of Names on the Ballots and Preparation and Distribution of Ballots.

Introduction, first and second reading, 345.

Reference, 345.

Withdrawn, 808.

Senate Bill No. 314—(Ingerson)

A Bill for an Act to Define the Duties of the State Fire Marshal in the Investigation of Fire and Tornado Losses.

Introduction, first and second reading, 345.

Reference, 345.

Reported back, 515.

Indefinitely postponed, 609.

Other action, 567, 576.

Senate Bill No. 315—(Whitman)

A Bill for an Act Defining Carnivals and Prohibiting the Same Except under Certain Restrictions; Defining the Powers and Duties of Town and Fair Boards in Regard thereto and Providing Penalty.

Introduction, first and second reading, 345.

Reference, 345.

Reported back, 555.

Amended, 555.

Third reading, 664, 1185.

Passed, 665, 1185.

Received from House, 1182.

Amended by House, 1182.

Other action, 605, 1184, 1316, 1332.

Senate Bill No. 316.—(Baird)

A Bill for an Act to Amend and Re-enact Section 7625 of the Compiled Laws of North Dakota for 1913, Relating to a Trial Jury in Civil Cases.

Introduction, first and second reading, 345.

Reference, 346.

Reported back, 628.

Amended, 628.

Third reading, 720, 1078.

Passed, 721, 1078.

Received from House 1077.

Amended by House, 1077.

Other action, 682, 1144, 1190.

Senate Bill No. 317—(Carey)

A Bill for an Act to Amend and Re-enact Section 1003 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 6 of the Special Session Laws of 1918, Relating to the Printing of Absent Voter Ballots.

Introduction, first and second reading, 346.

Reference, 346.

Reported back, 587.

Amended, 587, 667.

Third reading, 668.

Indefinitely postponed, 963.

Passed, 668.

Received from House, 963, 996.

Other action, 653, 987, 1061, 1069, 1164, 1277.

Senate Bill No. 318—(Carey)

A Bill for an Act to Amend and Re-enact Section 974 of the Compiled Laws of North Dakota for 1913, Relating to the Certification of Nominations.
Introduction, first and second reading, 346.
Reference, 346.
Reported back, 588.
Amended, 588.
Third reading, 668.
Passed, 669.
Received from House, 996.
Other action, 653, 1061, 1069, 1166, 1277.

Senate Bill No. 319—(Carey)

A Bill for an Act to Amend and Re-enact Section 973 of the Compiled Laws of North Dakota for 1913, Relating to the Filing of Certificates of Nomination.
Introduction, first and second reading, 346.
Reference, 346.
Reported back, 587.
Amended, 587.
Third reading 667, 1003.
Passed, 667, 1023.
Received from House, 1003.
Amended by House, 1004.
Other action, 653, 1022, 1113, 1159, 1277.

Senate Bill No. 320—(Carey)

A Bill for an Act to Amend and Re-enact Sections 1 and 4 of Chapter 17 of the Session Laws of North Dakota for the Year 1921, Relating to the Control of Artesian Wells.
Introduction, first and second reading, 346.
Reference, 346.
Reported back, 551.
Indefinitely postponed, 551.

Senate Bill No. 321—(Baird)

A Bill for an Act Providing that Discharged Soldiers Shall Receive Credit for Their Military Service in the Particular Profession, Vocation or Trade in Which They Were Engaged at the Time of Their Entrance into the Military Service of the United States.
Introduction, first and second reading, 346.
Reference, 346.
Reported back, 557.
Third reading, 666.
Passed, 666.
Received from House, 1172.
Other action, 606, 1318, 1331.

Senate Bill No. 322—(Ingerson)

A Bill for an Act to Provide for the Construction of Chimneys, Flues, and Fireplaces where Such Chimneys, Flues and Fireplaces Are Constructed Within the Corporate Limits of Any Village, Town or City in the State of North Dakota and Providing for Inspection Thereof and a Penalty for Non-compliance.

Introduction, first and second reading, 346.

Reference, 347.

Reported back, 601.

Indefinitely postponed, 602.

Senate Bill No. 323—(Martin)

A Bill for an Act to Provide for the Placing of Safety Signals at Dangerous or Difficult Crossings over Railroad Tracks.

Introduction, first and second reading, 347.

Reference, 347.

Reported back, 596.

Indefinitely postponed, 596.

Senate Bill No. 324.—(Porter)

A Bill for an Act Prescribing Additional Duties of the Board of Administration Relating to the Admission of Students to the State Institutions Under Their Control.

Introduction, first and second reading, 347.

Reference, 347.

Reported back, 552.

Amended, 552, 615.

Indefinitely postponed, 616.

Other action, 604.

Senate Bill No. 325—(Baird)

A Bill for an Act to Amend and Re-enact Section 557 of the Compiled Laws of North Dakota for 1913, Governing the Practice of Certified Public Accountants in the State, and Providing a Penalty for Violation of the Laws Governing Accountancy.

Introduction, first and second reading, 362.

Reference, 362.

Reported back, 640.

Amended, 640, 780.

Third reading, 781, 1290.

Passed, 782, 1291.

Received from House, 1246.

Amended by House, 1246.

Conference committee, 1252, 1290.

Other action, 695, 831, 1290, 1336.

Senate Bill No. 326.—(Byrne)

A Bill for an Act to Amend Section 3711 of the Compiled Laws of the State of North Dakota for the Year 1913, and to Provide for Special Assessment Funds, the Issuance and Payment of Warrants.
Introduction, first and second reading, 362.
Reference, 362.
Reported back, 630.
Amended, 723.
Third reading, 722.
Passed, 723.
Received from House, 979.
Other action, 682, 1059, 1067, 1166, 1277.

Senate Bill No. 327.—(Van Camp)

A Bill for an Act to Amend and Re-enact Article 13 of Chapter 200 of the Session Laws of the Year 1915, Relating to Publication in Official Newspapers of Adulterated Food Products.
Introduction, first and second reading, 362.
Reference, 362.
Reported back, 550.
Indefinitely postponed, 550.

Senate Bill No. 328.—(Byrne)

A Bill for an Act Empowering Cities to Raise a Fund for the Payment of Special Assessment Warrants and Interest for Any Improvement Authorized by Law in Any Case Where Special Assessments Levied for Such Improvement Maturing in Any One Year Shall Have Become Due and a Portion of Said Assessments Remains Unpaid and There Are No Funds Legally Applicable to the Payment of Such Improvement Warrants and Interest.
Introduction, first and second reading, 362.
Reference, 363.
Reported back, 630.
Indefinitely postponed, 630.

Senate Bill No. 329.—(Rusch)

A Bill for an Act to Amend and Re-enact Section 33 of Chapter 225 of the Session Laws of 1919 Relating to Rehearings of the Determination of Inheritance Taxes, and Providing that No Report Need Be Made to the Tax Commissioner in Case of Insolvent Estates.
Introduction, first and second reading, 363.
Reference, 363.
Reported back, 739.
Third reading, 838.
Passed, 839.
Received from House, 1017.
Other action, 817, 1110, 1163.

Senate Bill No. 330.—(Garberg)

A Bill for an Act to Authorize County Commissioners to Lay Out and Construct or Contract for the Construction of Highways on State Lines.

Introduction, first and second reading, 363.

Reference, 363.

Reported back, 736.

Third reading, 836.

Passed, 836.

Received from House, 1018.

Other action 816, 1110, 1163.

Senate Bill No. 331.—(Ingerson)

A Bill for an Act Relating to the Management and Government of Counties by the Chairmen of the Boards of Township Supervisors, the Presidents of Village Councils, the Mayors of Cities, and the Members of City Commissions, and Prescribing Their Duties and Powers.

Introduction, first and second reading, 363.

Reference, 363.

Reported back, 738.

Indefinitely postponed, 738.

Senate Bill No. 332.—(Ingerson)

A Bill for an Act to Repeal Sections 685, 686, 687, 688, 689, 690, 691, 692, 693, 694 and 695 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 199 of the Session Laws of 1915, Chapter 176 of the Session Laws of 1917, and Chapter 184 of the Session Laws of 1919, Relating to the Removal of Officials by the Governor.

Introduction, first and second reading, 363.

Reference, 363.

Reported back, 738.

Third reading, 838.

Indefinitely postponed, 981.

Passed, 838.

Received from House, 981.

Other action, 817.

Senate Bill No. 333.—(Martin)

A Bill for an Act to Repeal Sections 10092 to 10176, both Inclusive, Together with all Acts Amendatory Thereto.

Introduction, first and second reading, 363.

Reference, 363.

Reported back, 629.

Indefinitely postponed, 629.

Senate Bill No. 334.—(Ward)

A Bill for an Act to Amend and Re-enact Section 7418 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Change of Place of Trial and Judgment by Default.

Introduction, first and second reading, 363.

Reference, 364.

Reported back, 685.

Indefinitely postponed, 685.

Senate Bill No. 335.—(Lynch)

A Bill for an Act to Create the Office of State Food Commissioner and Chemist; Providing for His Appointment, Term of Office, Removal and Salary; Defining His Powers and Duties; Defining the Powers and Duties of the State Board of Administration Relating Thereto; Creating a State Regulatory Fund and Providing for Payments Therefrom and Repealing Acts and Parts of Acts in Conflict with this Act and Especially Repealing Sections Two and Five of Chapter Two Hundred of the Session Laws of 1915.

Introduction, first and second reading, 364.

Reference, 364.

Reported back, 637.

Third reading, 775, 1260.

Passed, 776, 1261.

Received from House 1249.

Amended by House 1250.

Other action, 694, 1260, 1313, 1334.

Senate Bill No. 336.—(Kaldor)

A Joint Resolution for an Amendment to Section 182, Article 12 of the Constitution of the State of North Dakota, as Amended by Article 31 of the Amendments Thereof, Relating to Issuing or Guaranteeing of Bonds by the State and Providing that Such Bonds in Excess of Two Million Dollars Shall be Secured by First Mortgage on Certain Classes of Property; and Providing for the Submission of this Amendment to the Voters of the State for Rejection or Approval as Provided Section 292, as Amended, of the Constitution of the State of North Dakota.

Introduction, first and second reading, 364.

Reference, 364.

Reported back, 627.

Amended, 628.

Third reading, 720.

Passed, 720, 1008.

Received from House, 1003.

Amended by House, 1003.

Other action, 682, 1007, 1146, 1192, 1320.

Senate Bill No. 337.—(Whitmer)

A Bill for an Act Providing for a Bounty for the Destruction of Magpies.

Introduction, first and second reading, 364.

Reference, 364.

Reported back, 652.

Amended, 787, 1263.

Third reading, 787, 1263.

Passed, 787, 1264.

Received from House, 1129.

Amended by House, 1129.

Conference committee, 1131, 1263.

Other action, 711, 831, 1285, 1314, 1336.

Senate Bill No. 338.—(Sperry)

A Bill for an Act Appropriating Money to Reimburse the Common School fund of the State of North Dakota for Losses Resulting From a Misappropriation of Such Fund Occuring Previous to January 1, 1917.

Introduction, first and second reading, 364.

Reference, 364.

Reported back, 408.

Third reading, 518.

Passed, 518.

Received from House, 980.

Other action, 487, 1060, 1068, 1167.

Senate Bill No. 339.—(Thorson and Ployhar)

A Joint Resolution for an Amendment to the Constitution of the State of North Dakota, Providing for the Issue of Bonus for the Erection of Dormitories for the State's Educational Insitutions.

Introduction, first and second reading, 364.

Reference, 364.

Reported back, 629.

Amended, 772.

Third reading, 773.

Indefinitely postponed, 934.

Passed, 773.

Received from House, 934.

Other action, 682, 831.

Senate Bill No. 340.—(Ployhar)

A Bill for an Act to Amend and Re-enact Section 1365 of the Compiled Laws of 1913 Relating to the Accrediting of Diplomas as Teachers' Certificates.

Introduction, first and second reading, 365.

Reference, 365.

Reported back, 595.

Indefinitely postponed, 595.

Senate Bill No. 341.—(Thorson)

A Bill for an Act to Impose a Tax Upon Gasoline, Stored, Shipped, Distributed or Held for Sale Within this State, for the Purpose of Raising Revenue for Defraying the Expenses of the State Government; Providing for the Administration of the Same; Repealing Chapter 227 of the Session Laws of 1919 as Amended by Chapter 64 of the Special Session Laws of 1919.

Introduction, first and second reading, 365.

Reference, 365.

Reported back, 594.

Amended, 594.

Third reading, 713, 1245.

Passed, 713, 1246.

Received from House, 1244.

Amended by House, 1244.

Other action, 655, 1245, 1315, 1334.

Senate Bill No. 342.—(Rusch)

A Bill for an Act to Amend and Re-enact Subdivision 2 of Section 1 and Section 13a of Chapter 231 of the Session Laws of 1917 as Amended by Chapter 225 of the Session Laws of 1919, and to Amend Section 2 of Chapter 125 of the Session Laws of 1921, Relating to Inheritance Taxes Upon Estates of Deceased Non-Residents.

Introduction, first and second reading, 365.

Reference, 365.

Reported back, 685.

Third reading, 796.

Indefinitely postponed, 930.

Passed, 797.

Received from House, 930, 1171.

Other action, 753, 963, 1318, 1330.

Senate Bill No. 343.—(Thorson)

A Joint Resolution to Amend and Re-enact Section 150 of the Constitution, Relating to the Election of an Educational Commission for Each County, with Power to Appoint a County Superintendent of Schools, and to Perform Such Other Duties as May be Prescribed by Law.

Introduction, first and second reading, 365.

Reference, 365.

Reported back, 674.

Indefinitely postponed, 674.

Senate Bill No. 344.—(Garberg)

A Bill for an Act to Amend and Re-enact Section 3294 of the Compiled Laws of the State of North Dakota for 1913, Relating to the Erection, Purchase, Repair and Maintenance of County Buildings.

Introduction, first and second reading, 367.

Reference, 367.

Reported back, 559.

Amended, 559.

Third reading, 667, 1135.

Passed, 667, 1136.

Received from House, 1129.

Amended by House, 1129.

Other action, 606, 1131, 1218, 1279.

Senate Bill No. 345.—(Van Camp)

A Bill for an Act to Amend and Re-enact Sections 2154, 2156, and 2157 of the Compiled Laws of North Dakota for the Year 1913, Relating to Making of Tax Lists and Tax Bills by the County Auditor, and to Delivery of Tax Lists to the County Treasurer, and the Collection of Taxes Therein Extended by the County Treasurer.

Introduction, first and second reading, 367.

Reference, 367.

Reported back, 739.

Other action, 817.

Withdrawn, 851.

Senate Bill No. 346.—(Fleckten and Miklethun)

A Bill for an Act Prohibiting the Creation of Deficits by State Officials, State Boards and Heads of State Institutions, and Prescribing a Penalty for the violation of this Act.

Introduction, first and second reading, 367.

Reference, 367.

Reported back, 705.

Amended, 705.

Third reading 814.

Passed, 815.

Received from House, 979.

Other action, 604, 754, 1059, 1068, 1166, 1277.

Senate Bill No. 347.—(Wog)

A Concurrent Resolution to Amend and Re-enact Section 173 of Article 10 of the Constitution of the State of North Dakota Providing for the Election of County Officials.

Introduction, first and second reading, 368.

Reference, 368.

Reported back, 550.

Amended, 550.

Third reading, 609, 1079.

Passed, 609, 1079.

Received from House, 1079.

Amended by House, 1079.

Other action, 570, 1144, 1190.

Senate Bill No. 348.—(Rusch)

A Bill for an Act to Amend and Re-enact Section 2 of Chapter 152 of the Session Laws for the Year 1919 as Amended by Chapter 142 of the 1921 Session Laws Defining Certain Words and Phrases Contained in Said Chapter, and Particularly "Employment" and "Employer."

Introduction, first and second reading, 368.

Reference, 368.

Reported back, 651.

Third reading, 786.

Other action, 710.

Failed to pass, 786.

Senate Bill No. 349.—(Olson, of Barnes)

A Bill for an Act to Amend and Re-enact Section 917 of the Compiled Laws of North Dakota for the Year 1913, Relating to Party Registration and Providing Penalties for Violation of this Act.

Introduction, first and second reading, 368.

Reference, 368.

Reported back, 738.

Indefinitely postponed, 738.

Senate Bill No. 350.—(Page)

A Bill for an Act Amending and Re-enacting Section 1333 and Section 1337 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Issuance of Bonds by Common School Districts, and Declaring an Emergency.

Introduction, first and second reading, 368.

Reference, 368.

Reported back, 590.

Amended, 590.

Third reading, 700.

Indefinitely postponed, 930.

Passed, 701.

Received from House, 930.

Other action, 654.

Senate Bill No. 351.—(Patten)

A Bill for an Act Relating to Fees for the Recording of Deeds or Mortgages Given to or Assigned by the Bank of North Dakota.

Introduction, first and second reading, 368.

Reference, 368.

Reported back, 629.

Indefinitely postponed, 629.

Senate Bill No. 352.—(Benson)

A Bill for an Act to Amend and Re-enact Section 9235 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Sabbath Breaking.

Introduction, first and second reading, 368.

Reference, 368.

Reported back, 550.

Amended, 612.

Third reading, 613.

Indefinitely postponed, 1157.

Passed, 613.

Received from House, 1157.

Other action, 604, 611, 662.

Senate Bill No. 353.—(Martin)

A Bill for an Act to Provide for the Cancelling, Penalty and Interest on Unpaid Taxes; the Issuing of Bonds and Debentures Against the Unpaid Taxes Due to Counties, and for the Sale of Same for the Benefit of the Taxpayers.

Introduction, first and second reading, 368.

Reference, 369.

Reported back, 592.

Indefinitely postponed, 592.

Senate Bill No. 354.—(Atkins)

A Bill for an Act to Amend and Re-enact Section 284 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 203 of the Session Laws of 1917, Relating to the Board of University and School Lands.

Introduction, first and second reading, 369.

Reference, 369.

Withdrawn, 452.

Senate Bill No. 355.—(Atkins)

A Bill for an Act to Amend and Re-enact Section 375 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 227 of the Session Laws of 1915, as Amended by Chapter 21 of the Special Session Laws of 1919, Relating to the State Auditing Board, its Duties and the Membership Thereof.

Introduction, first and second reading, 369.

Reference, 369.

Reported back, 552.

Third reading, 616.

Passed, 616.

Received from House, 978.

Other action, 605, 1058, 1067, 1164, 1277.

Senate Bill No. 356.—(Byrne and Garberg)

A Bill for an Act Providing for the Creation of a High School Fund, Regulating the Distribution of Same Among the High Schools or Standardized Graded Schools Maintaining a High School Department; Amending and Re-enacting Section 1224 of the Compiled Laws of the State of North Dakota for the Year 1913 as Amended by Chapter 216 of the Session Laws of 1919, and Chapter 66 of the Special Session Laws of 1919; and Repealing Chapter 107 of the Session Laws of 1921; and all Acts or Parts of Acts in Conflict Herewith.

Introduction, first and second reading, 369.

Reference, 369.

Reported back, 683.

Indefinitely postponed, 683.

Senate Bill No. 357.—(Atkins)

A Bill for an Act Providing for the Creation of a Commission for the Purpose of Making a Study of the Lignite Industry and Reporting to the Next Regular Session of the Legislature its Findings with Respect to methods of developing such Industry, and Providing an Appropriation for the Purpose of Defraying Necessary Expenses.

Introduction, first and second reading, 369.

Reference, 369, 674.

Reported back, 633, 706.

Third reading, 819.

Indefinitely postponed, 634, 1172.

Passed, 819.

Received from House, 1172.

Other action, 673, 755.

Senate Bill No. 358.—(Stevens)

A Bill for an Act to Provide for the Nomination and Election of Candidates for the Offices of Presidential Electors, United States Senator, and Member of Congress; for Election of Delegates to National Party Conventions, National Committeemen and for the Apportionment and Term of Office and the Nomination and Election of Party Precinct Committeemen; for Forms of Ballots and Requirements of New Parties with Reference thereto: And to Repeal Sections 857, 859, 863, 889, 901a, 910, 912, 917, 918, 919 and 971a of the Compiled Laws of North Dakota for the Year 1913, and All Other Acts or Parts of Acts that Are in Conflict with the Provisions Hereof.

Introduction, first and second reading, 369.

Reference, 370.

Withdrawn, 808.

Senate Bill No. 359.—(Stevens)

A Bill for an Act to Amend and Re-enact Section 890 of the Compiled Laws of North Dakota for 1913, Relating to Selection, Organization, Time and Place of Meeting of County and State Committees of Political Parties.

Introduction, first and second reading, 370.

Reference, 370.

Withdrawn, 808.

Senate Bill No. 360.—(Whitmer)

A Bill for an Act Providing for the Forfeiture of the State of real property upon which taxes are Delinquent; fixing the period of such Delinquency, the Notice to be Given and the Method of Service; and for Proceedings for a Sale and Disposition of Such Property.

Introduction, first and second reading, 370.

Reference, 370.

Reported back, 591.

Indefinitely postponed, 592.

Senate Bill No. 361.—(Porter)

A Bill for an Act Providing for the Transfer and Removal of Female Inmates of the State Training School to the School of Forestry, and Their Maintenance Thereat, in Certain Cases.

Introduction, first and second reading, 370.

Reference, 370.

Reported back, 685.

Indefinitely postponed, 685.

Senate Bill No. 362.—(Rusch)

A Bill for an Act to Amend and Re-enact Section 6815 of the Compiled Laws of 1913 and to Amend and Re-enact Section 6822 of the Compiled Laws of 1913 and to Repeal Section 6816 of the Compiled Laws of 1913.

Introduction, first and second reading, 370.

Reference, 370.

Reported back, 627.

Indefinitely postponed, 627.

Senate Bill No. 363.—(Whitman)

A Bill for an Act to Amend and Re-enact Chapter 170 of the Session Laws of North Dakota for the Year 1919, Being an Act Regulating and Fixing the Hours of Labor for Females, and Providing Penalties for the Violation Thereof.

Introduction, first and second reading, 370.

Reference, 371.

Reported back, 639.

Amended, 862.

Third reading, 863, 1024.

Indefinitely postponed, 639.

Passed, 863, 1024.

Received from House, 1039.

Amended by House, 1039.

Other action, 862, 1023, 1113, 1159, 1277.

Senate Bill No. 364.—(Majority of Committee on Banks and Banking)

A Joint Resolution Proposing an Amendment to the Constitution of the State of North Dakota.

Introduction, first and second reading, 371.

Reference, 371.

Reported back, 742.

Amended, 742.

Third reading, 840.

Indefinitely postponed, 1063.

Passed, 840.

Received from House, 1063.

Other action, 817.

Senate Bill No. 365.—(Bond)

A Bill for an Act Providing for the Discontinuance of the Depositors Guaranty Fund and Limiting the Time Up to Which Deposits Are Guaranteed by Said Fund and the Laws Relating Thereto.

Introduction, first and second reading, 371.

Reference, 371.

Reported back, 645.

Amended, 825.

Indefinitely postponed, 826.

Other action, 710, 784.

Senate Bill No. 366.—(Miklethun)

A Bill for an Act Relating to Intrastate Freight Rates in North Dakota, Fixing the Maximum Rates and Charges for Transportation of Freight Intrastate, Providing Penalties and Punishment for the Violation Thereof, and Defining the Duties and Powers of the Board of Railroad Commissioners.

Introduction, first and second reading, 371.

Reference, 371.

Reported back, 686.

Amended, 798.

Third reading, 799.

Indefinitely postponed, 1100.

Passed, 799.

Received from House, 1100.

Other action, 754, 850.

Senate Bill No. 367.—(Miklethun)

A Bill for an Act to Amend and Re-enact Sections 1441, 1442, 1445 and 1443 of the Compiled Laws of the State of North Dakota for the year 1913, as Amended by Chapter 212 of the Session Laws of 1917, and Chapter 52 of the Special Laws of 1919, Relating to State Aid for Rural Schools as Represented by the One-room Graded and Graded Consolidated Schools.
Introduction, first and second reading, 371.
Reference, 371.
Reported back, 594.
Indefinitely postponed, 595.

Senate Bill No. 368.—(Martin)

A Bill for an Act Regulating the Civil Rights of Citizens of This State in Regard to the Payment of Debts and Procedure Relating Thereto.
Introduction, first and second reading, 371.
Reference, 371.
Reported back, 628.
Indefinitely postponed, 628.

Senate Bill No. 369.—(Hamilton)

A Bill for an Act Relating to Dangerous Railroad Grade Crossings over State Highways and Providing for the Protection of such Crossings.
Introduction, first and second reading, 371.
Reference, 372, 751.
Reported back, 737, 806.
Amended, 806, 857.
Third reading, 857, 1134.
Indefinitely postponed, 737.
Passed, 858, 1135.
Received from House, 1124.
Amended by House, 1124.
Other action, 751, 845, 862, 1131, 1218, 1279.

Senate Bill No. 370.—(Baird)

A Bill for an Act to Amend and Re-enact Section 5626 of the Compiled Laws of North Dakota for 1913.
Introduction, first and second reading, 372.
Reference, 372.
Reported back, 630.
Third reading, 722.
Indefinitely postponed, 930.
Passed, 722.
Received from House, 930.
Other action, 682.

Senate Bill No. 371.—(Lynch)

A Bill for an Act for the Protection of Health and Prevention of Fraud and Deception in Articles of Food and Drugs; for the Prevention of Adulteration and Misbranding Thereof; Requiring Labeling Thereof; Providing for Sales by Weight, Measure or Numerical Count; Providing for Fixing of Standards of Purity and Quality and Fitness for Consumption; Prescribing the Duties of the State Board of Administration and Providing for the Appointment of a State Food Commissioner and Chemist and Prescribing His Duties and Powers; Providing for the Enforcement of the Provisions of the Act; Defining Certain Offenses in Connection Therewith; Providing Penalties for Violations Thereof and Repealing Certain Acts Relating Thereto.

Introduction, first and second reading, 372.

Reference, 372.

Reported back, 637.

Amended, 794.

Third reading, 794.

Indefinitely postponed, 1048.

Passed, 795.

Received from House, 1048, 1180.

Other action, 775, 1070, 1316, 1332.

Senate Bill No. 372.—(Lynch)

A Bill for an Act Providing for the Inspection of Hotels and Restaurants; Prescribing Sanitary Requirements Therefor; Providing for Licensing, Payment and Disposition of License Fees; Providing for the Revocation of Licenses; Defining the Duties of the State Food Commissioner and Chemist with Regard to the Act; Providing for Penalties for Violation Thereof and Repealing Existing Laws Relating Thereto.

Introduction, first and second reading, 372.

Reference, 372.

Reported back, 729.

Amended, 729.

Third reading, 832.

Indefinitely postponed, 1049.

Passed, 833.

Received from House, 1049.

Other action, 816.

Senate Bill No. 373.—(Lynch)

A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Beverages; to Prevent Adulteration and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; to Define the Duties of the State Food Commissioner and Chemist; to Provide for the Enforcement of the Provisions of this Act and to Provide Penalties for Violations Thereof and to Repeal Existing Laws Relating Thereto.

Introduction, first and second reading, 372.

Reference, 372.

Reported back, 637.

Third reading, 776.

Indefinitely postponed, 1049.

Passed, 777.

Received from House, 1049, 1179.

Other action, 711, 1071, 1315, 1332.

Senate Bill No. 374.—(Lynch)

A Bill for an Act to Establish a Uniform Egg Law Regulating the Handling of Eggs within This State; Preventing the Sale and Traffic in Eggs Unfit for Human Food; Requiring Labeling and Candling; Providing for Licenses for Dealers in Eggs and for the Collection and Disposition of License Fees; Providing for Rules and Regulations and the Enforcement of the Act and Providing Penalties for Violations Thereof and Repealing Acts Relating Thereto.

Introduction, first and second reading, 373.

Reference, 373.

Reported back, 638.

Amended, 779.

Third reading, 779.

Indefinitely postponed, 980.

Passed, 780.

Received from House, 980.

Other action, 710.

Senate Bill No. 375.—(Van Camp)

A Bill for an Act Validating Taxes Assessed Against Bank Stock in the Years 1919, 1920, 1921 and 1922, Authorizing Boards of County Commissioners and the Tax Commissioners to Compromise Such Taxes Upon Bank Stock for 1919, 1920, and 1921, as Have Not Been Paid, and Confirming and Ratifying Such Settlements as Have Been Made.

Introduction, first and second reading, 373.

Reference, 373.

Reported back, 538.

Third reading, 576.

Passed, 577.

Received from House, 1016.

Other action, 567, 1112, 1159, 1277.

Senate Bill No. 376.—(Van Camp)

A Bill for an Act Providing for a Poll Tax List Separate from Other Tax Lists, and Providing that such List May Be So Designed as to Serve for More than One Year, Providing a Date Upon Which Poll Taxes Shall Become Delinquent and for Their Collection by the Sheriff, and Providing that It Shall Be the Duty of the Employer to Withhold Such Poll Taxes from Salaries and Wages, and Repealing All Acts and Parts of Acts in Conflict with This Act.

Introduction, first and second reading, 373.

Reference, 373.

Reported back, 593.

Indefinitely postponed, 593.

Senate Bill No. 377.—(Page)

A Bill for an Act Correlating Duties Which Devolve upon County Auditors in Connection with the Preparation of Assessment Books, the Correction of Assessment Rolls, the Entering of Changes in Assessment Made by Boards of Equalization Under Existing Statutes, with the Work of a Similar Nature Now Performed by Assessors; Empowering the County Auditor to Appoint All Deputy Assessors Within the County in Lieu of the Present Local Assessors, and for that Purpose Denoting the County Auditor as Ex Officio County Assessor; Defining the Duties of the County Auditor in Connection with the Work of Deputy Assessors; Abolishing the Office of Township, Village, City, and District Assessors and the Office of Tax Supervisor; Repealing Chapter 69 of the Special Session Laws of 1919, and Repealing All Acts and parts of Acts in Conflict with This Act.

Introduction, first and second reading, 374.

Reference, 374, 666.

Reported back, 594, 692.

Indefinitely postponed, 692.

Other action, 655.

Senate Bill No. 378.—(Baird)

A Bill for an Act to Amend and Re-enact Section 7741 of the Compiled Laws of 1913 as Amended and Re-enacted by Chapter 156 of the Session Laws of 1915 Relating to Partnership Exemptions.

Introduction, first and second reading, 374.

Reference, 374.

Reported back, 591.

Third reading, 701.

Passed, 701.

Received from House, 1018.

Other action, 654, 1111, 1162, 1278.

Senate Bill No. 379.—(Lynch)

A Bill for an Act to Regulate the Sale of Petroleum Products; to Provide for the Inspection of Kerosene and Gasoline; to Provide Specifications Therefor; to Prevent Adulteration and Misbranding Thereof; to Provide for Inspection Fees, Collection and Disposition of Same; to Define the Duties of the State Food Commissioner and Chemist; to Provide for the Inspection of Lubricating and Power Oils; to Provide for the Enforcement of the Act; to Provide Penalties for the Violation Thereof and to Repeal Existing Acts Relating Thereto.

Introduction, first and second reading, 374.

Reference, 374.

Reported back, 638.

Amended, 823.

Third reading, 823.

Indefinitely postponed, 1049.

Passed, 824.

Received from House, 1049, 1179.

Other action, 710, 1071, 1112, 1315, 1333.

Senate Bill No. 380.—(Atins)

A Bill for an Act to Provide for the Management, Operation, Control and Government of the North Dakota Mill and Elevator Association, and to Repeal All Acts in Conflict Therewith.

Introduction, first and second reading, 374.

Reference, 374.

Reported back, 645.

Third reading, 793.

Other action, 710.

Failed to pass, 793.

Senate Bill No. 381.—(Rusch)

A Bill for an Act Providing for Assistant States Attorneys in Counties with a Population Exceeding Thirty-five Thousand.

Introduction, first and second reading, 374.

Reference, 374.

Reported back, 551.

Amended, 615.

Third reading, 615.

Passed, 615.

Received from House, 979.

Other action, 604, 653, 1059, 1067, 1166, 1297.

Senate Bill No. 382.—(Whitman)

A Bill for an Act to Amend and Re-enact Section 5888 Requiring Certain Contracts to be in Writing.

Introduction, first and second reading, 374.

Reference, 374.

Reported back, 684.

Indefinitely postponed, 684.

Senate Bill No. 383.—(Bond)

A Bill for an Act Validating Taxes Levied by Certain Cities in the Year 1921 Which Were in Excess of the Limitation Imposed by Chapter 122 of the Session Laws of 1921.

Introduction first and second reading, 374.

Reference, 375.

Reported back, 591.

Indefinitely postponed, 591.

Senate Bill No. 384.—(Whitman)

A Bill for an Act Repealing Chapter 192 of the Session Laws of 1919. and Re-enacting Each and Every Act that by the Terms Thereof Is Repealed, and Reinvesting Each City and Municipality with Power to Regulate and Control All Public Utilities and Their Rates and Charges for Service.

Introduction, first and second reading, 375.

Reference, 375.

Reported back, 602.

Indefinitely postponed, 602.

Senate Bill No. 385.—(Whitman)

A Bill for an Act to Provide for Assistance by Taxation and Assessment of Benefits to Domestic Railroad Corporations Having Their Entire Line of Railway as Surveyed Within the State of North Dakota.

Introduction, first and second reading, 375.

Reference, 375.

Withdrawn, 452.

Senate Bill No. 386.—(Sperry)

A Bill for an Act to Amend and Re-enact Sections 16, 33, 44, 49, 56, 62, 83, 88 and 89 of Chapter 168 of the Session Laws of North Dakota for the Year 1919 Regulating the Operation of All Coal Mines in North Dakota; Providing for their Inspection; Creating the Office of Coal Mining Inspector; Fixing His Qualifications, Duties, Powers and Compensation; Providing for His Appointment; Creating a Board of Examiners; Fixing its Power and Compensation; Providing the Method of Appointment Thereof; Providing for the Registry, Examination and Issuing of Certificates to Certain Employees of Coal Mines.

Introduction, first and second reading, 620.

Reference, 621.

Reported back, 675.

Amended, 795.

Third reading, 796.

Passed, 796.

Received from House, 1016.

Other action, 753, 1111, 1161, 1297.

Senate Bill No. 387.—(Stevens, Kaldor and Murphy)

A Bill for an Act Designating the Sheriff of the Different Counties in the State as Inspectors and Sealers of Weights and Measures, and Giving Him Power to Appoint a Deputy Inspector; Prescribing His Powers and Duties; Defining the Standard of Weights and Measures; Prescribing Fees to be Charged for Inspection; Providing for Complaints and Penalties for its Violation; Providing for Inspectors' Compensation; Naming Custodian of State Standards and Prescribing His Duties; and Repealing Sections 2999, 3000, 3003, 3004, 3005 of the Compiled Laws of North Dakota for 1913 and Chapter 241 of the Session Laws of North Dakota for the Year 1919.

Introduction, first and second reading, 621.

Reference, 621.

Reported back, 755.

Third reading, 843, 1142.

Passed, 843, 1143.

Received from House, 1123.

Amended by House, 1123.

Other action, 818, 1125, 1219, 1280.

Senate Bill No. 388.—(Byrne)

A Bill for an Act Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations whose Period of Duration has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations, and Providing that this Act Shall Take Effect Immediately Upon Its Passage and Approval.

Introduction, first and second reading, 726.

Reference, 726.

Reported back, 802.

Third reading, 848.

Passed, 849.

Received from House, 1171.

Other action, 845, 1318, 1330.

Senate Bill No. 389.—(Baird)

A Bill for an Act Regulating the Reservation of Mineral Rights and Providing for the Transfer of Same.
Introduction, first and second reading, 726.
Reference, 726.
Reported back, 735.
Third reading, 833.
Passed, 834.
Received from House, 1015.
Other action, 816, 1160.

Senate Bill No. 390.—(Martin)

A Bill for an Act Prohibiting the Employment of a Married Woman in any Public Office in the State of North Dakota, Whose Husband is Able-bodied and Able to Earn a Living Wage, and Providing a Penalty Therefor.
Introduction, first and second reading, 726.
Reference, 727.
Reported back, 737.
Third reading, 837.
Indefinitely postponed, 924.
Passed, 838.
Received from House, 924.
Other action, 737, 817.

Senate Bill No. 391.—(Rusch)

A Bill for an Act Repealing Chapter 91 of the Laws of 1921 Relating to Promissory Notes.
Introduction, first and second reading, 727.
Reference, 727.
Reported back, 757.
Indefinitely postponed. 757.

Senate Bill No. 392.—(Stevens)

A Bill for an Act to Provide a Custodian for the property belonging to the State of North Dakota Known as the Biological Station and Located on the Shores of Devils Lake, Ramsey County, North Dakota, and to Designate the Purposes for Which Said Property May Be Used.
Introduction, first and second reading, 727.
Reference, 727.
Reported back, 737.
Third reading, 836.
Passed, 837.
Received from House, 1017.
Other action, 817, 1112, 1161, 1297.

Senate Bill No. 393.—(Ingerson)

A Bill for an Act to Appropriate Out of any Moneys in the State Treasury, Belonging to the Home Building Association, and Not Otherwise Appropriated, the Sum of \$1,863. 09, with the Interest Thereon at the Rate of 5½ per cent per annum from the 21st Day of October, 1921, for the Purpose of Reimbursing the Estate of Frank Lee, Deceased, Formerly a Member of the Home Buyers' League No. 1 of Mandan, North Dakota, for Moneys Paid by Said Frank Lee, Deceased to said Home Building Association Prior to His Death.

Introduction, first and second reading, 727.

Reference, 727.

Reported back, 769.

Indefinitely postponed, 769.

Senate Bill No 394.—(Whitman)

A Bill for an Act Relating to the Licensing, Regulating, Supervising and Inspection of Pool and Billiard Rooms, Ball and Pin Alleys, Dance Halls, Theatres, Moving Picture Shows, Taxi Cab, or Auto Livery Places Where Soft Drinks Are Sold, or Where Cigars and Tobacco Are Sold, or Public Halls Owned Privately and Used for Public Purposes, Providing the Licensing Fees Therefor and Repealing Chapter 84 of the Session Laws of 1921, and all Acts and Parts of Acts Inconsistent Herewith.

Introduction, first and second reading, 768.

Reference, 768.

Reported back, 809.

Third reading, 847.

Indefinitely postponed, 1049.

Passed, 848.

Received from House, 1049.

Other action, 846.

Senate Bill No. 395.—(Garberg)

A Bill for an Act to Amend and Re-enact Section 3969 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Section 79 of the Session Laws of North Dakota for the Year 1919, and Chapter 32 of the Session Laws of North Dakota for the Year 1921, Relating to Excluding Farm Lands from the Limits of City, Town and Villages.

Introduction, first and second reading, 789.

Reference, 789.

Reported back, 801.

Amended, 854.

Third reading, 854.

Passed, 855.

Received from House, 979.

Other action, 846, 1059, 1067, 1166.

Senate Bill No. 396.—(Baird)

A Bill for an Act to Amend and Re-enact Sections 10943 and 10944 of the Compiled Laws of North Dakota for the Year 1913, and Section 10948 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 233 of the Session Laws of North Dakota for the Year 1915, Relating to Indetermined Sentences of Persons Convicted of Certain Crimes, and the Discharge or paroling of Prisoners Serving Indeterminate Sentences, Abolishing the Board of Experts, and Repealing all Acts in Conflict Therewith.

Introduction, first and second reading, 789.

Reference, 789.

Reported back, 803.

Third reading, 855.

Passed, 856.

Received from House, 1127.

Other action, 846, 849, 1217, 1279.

Senate Bill No. 397.—(Baird)

A Bill for an Act to Amend and Re-enact Sections 11291, 11292, 11293 and 11294 of the Compiled Laws of North Dakota for 1913, Relating to Paroling Inmates of the State Training School.

Introduction, first and second reading, 789.

Reference, 790.

Reported back, 802.

Amended, 802.

Third reading, 849.

Indefinitely postponed, 930.

Passed, 849.

Received from House, 930.

Other action, 846.

HOUSE BILLS

House Bill No. 1.—(Hempel)

House Bill No. 1. A Bill for an Act to Amend and Re-enact Section 6707 of the Compiled Laws of North Dakota, for the Year 1913.

Received from House, 205.
First and Second Reading, 206.
Reference, 206.
Reported back, 430.
Indefinitely Postponed, 430.

House Bill No. 4.—(Heaton)

House Bill No. 4. A Bill for an Act to Amend and Re-enact Section 4625 of Chapter 14 of the Compiled Laws of North Dakota for the Year 1913, Relating to Conditional Sale Contracts Given by Railroad Corporations.

Received from House, 79.
First and Second Reading, 80.
Reference, 80.
Reported back, 124.
Amended, 125.
Third Reading, 149.
Passed, 149.

House Bill No. 8.—(Jardine)

House Bill No. 8. A Bill for an Act to Empower All Cities Having a Population in Excess of Six Thousand Inhabitants, by the Federal Census of 1920, or by Any Subsequent Federal Census, to Provide for the Establishment of Districts or Zones Within the Corporate Limits, and to Empower Such Cities by Ordinance, to Regulate Within Such Zones or Districts, the Use or Uses of Land, the Height, the Area, the Size and the Location of Buildings, the Required Open Spaces for the Light and Ventilation of Such Buildings and the Density of Population; to Provide for a Board of Appeals, and for the Carrying Out of Such Ordinances and to Provide a Penalty for the Violation Thereof.

Received from House, 204.
First and Second Reading, 205.
Reference, 205.
Reported back, 428.
Amended, 428.
Third Reading, 583.
Passed, 583.
Conference Committee, 670, 805.

House Bill No. 13.—(Hempel)

House Bill No. 13. For an Act to amend and re-enact Section 2185, compiled laws of North Dakota for the Year 1913, as amended and re-enacted by Chapter 67 of the 1919 Special Session, relating to Real Estate Taxes due and delinquent and penalty and interest thereon.

Received from House, 211.
First and Second Reading, 213.
Reference, 213.
Reported back, 538.
Amended, 538.
Third Reading, 584.
Passed, 584.

House Bill No. 22.—(Jardine—By Request)

House Bill No. 22. A Bill for an Act to Empower All Cities Having a Population in Excess of Five Thousand Inhabitants by the Federal Census of 1920, or by Any Subsequent Federal Census, to Provide for the Establishment, Government and Maintenance of the City Planning Commission in Such City; to Prescribe the Powers and Duties of Such Planning Commission and to Vest in Such Commission Jurisdiction over all New Subdivisions or Resubdivisions.

Received from House, 205.

First and Second Reading, 205.

Reference, 205.

Reported back, 428.

Indefinitely Postponed, 429.

House Bill No. 23.—(Heaton—Burkhart)

House Bill No. 23. A Bill for an Act Providing for Investigation of Violation of Laws, Arrest and Seizure, Starting Prosecutions, Regulations Governing Same and Penalty.

Received from House, 165.

First and Second Reading, 171.

Reference, 171.

Reported back, 429.

Indefinitely Postponed, 429.

House Bill No. 27.—(McCay)

House Bill No. 27. A Bill for an Act to Amend and Re-enact Section 3239 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 117 of the Session Laws of North Dakota for 1915 as Amended by Chapter 102 of the Session Laws of 1917, Relating to the Frequency of Holding an Election for the Removal of County Seats not Located on the Railroad and Providing a Primary Election Thereon and Prescribing the Number of Votes Required for Such Removal.

Received from House, 104.

First and Second Reading, 105.

Reference, 105.

Reported back, 124.

Third Reading, 150.

Failed to Pass, 151.

Other Action, 151.

House Bill No. 30.—(Boyd)

House Bill No. 30. A Bill for an Act to appropriate the Sum of \$100,000.00, From any Moneys in the State Highway Fund, for the Purpose of Aiding in the Construction of a Bridge Across the Red River of the North, Between the City of Fargo, Cass County, North Dakota, and the City of Moorhead, Clay County, Minnesota, Under the Provisions of Chapter 73 of the Laws of North Dakota for the Year of 1919.

Received from House, 807.

First and Second Reading, 831.

Reference, 831.

Reported back, 1176.

Amended, 1223, 1293.

Third Reading, 1223, 1294.

Indefinitely Postponed, 1176.

Passed, 1294.

Other Action, 1210, 1252, 1257.

Failed to Pass, 1223.

House Bill No. 34.—(McGauvran)

House Bill No. 34. A Bill for an Act to Repeal Section 3522 of the Compiled Laws of North Dakota for the Year 1913, Providing for Livery Allowed Sheriffs.

Received from House, 226.

First and Second Reading, 232.

Reference, 232.

Reported back, 317.

Amended, 317.

Third Reading, 534.

Passed, 534.

House Bill No. 35.—(McGauvran)

House Bill No. 35. A Bill for an Act to Amend and Re-enact Section 3521 of the Compiled Laws of North Dakota for the Year 1913, Prescribing the Rate of Mileage Allowed the Sheriff.

Received from House, 226.

First and Second Reading, 232.

Reference, 232.

Reported back, 316.

Amended, 316, 1156.

Third Reading, 920, 1157.

Passed, 920, 1157.

Other Action, 1155.

House Bill No. 37.—(Carr)

House Bill No. 37. A Bill for an Act to Amend and Re-enact Section 6855 of the Compiled Laws of the State of North Dakota, for the Year 1913, Relating to the Procedure to Obtain a Thresher's Lien, and Fixing the Time Within Which the Same Must be Filed.

Received from House, 126.

First and Second Reading, 132.

Reference, 132.

Reported back, 178.

Indefinitely Postponed, 178.

House Bill No. 38.—(Twichell)

House Bill No. 38. A Bill for an Act Regulating Procedure and Prescribing Rules of Evidence in Actions Brought by Holders of Grain Storage Tickets, for the Recovery of the Possession or Value of Grain Stored in Public Warehouses, Which Grain Has Been Converted or Improperly Detained From the Owner.

Received from House, 125.

First and Second Reading, 132.

Reference, 132.

Reported back, 136.

Third Reading, 150.

Passed, 150.

House Bill No. 40.—(Twichell)

House Bill No. 40. For an Act to cancel uncollected personal property taxes assessed for 1913 and prior years, Whereas, there are a large number of uncollectible personal property taxes on the tax books of the various counties of the State for the year 1913 and prior years which the Boards of County Commissioners have neglected to cancel as provided by law.

Received from House, 318.

First and Second Reading, 340.

Reference, 340.

Reported back, 539.

Third Reading, 584.

Passed, 585.

House Bill No. 42.—(Ellingson)

House Bill No. 42. A Bill for an Act Prescribing Certain Requisites With Respect to Crop Mortgages Given for Other Than as Rental of Premises or to Secure the Purchase Price of Land, and Making all Crop Mortgages not Executed in Compliance With Such Requirement Void and Not Subject to Being Filed of Record.

Received from House, 180.

First and Second Reading, 186.

Reference, 186.

Reported back, 267.

Amended, 333.

Third Reading, 333.

Passed, 334.

House Bill No. 43.—(Trubshaw)

House Bill No. 43. A Bill for an Act to Amend and Re-enact Section 3835 of the Compiled Laws of the State of North Dakota for the Year 1919, Relating to Recall of City Officials Under City or Commission Form of Government.

Received from House, 165.

First and Second Reading, 171.

Reference, 171.

Reported back, 266.

Amended, 267.

Third Reading, 332.

Passed, 332.

House Bill No. 44.—(Larson)

House Bill No. 44. A Bill for an Act to Amend and Re-enact Section 147 of the Compiled Laws of North Dakota for the Year 1913 and Repealing Section 147a of the Compiled Laws of North Dakota for the Year 1913; Providing for Publicity of State Finances.

Received from House, 136.

First and Second Reading, 137.

Reference, 137.

Reported back, 317.

Third Reading, 536.

Passed, 537.

House Bill No. 46.—(Flom)

House Bill No. 46. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 52 of the Session Laws of 1921, Providing for the Salary and Other Compensation of Certain County Officers.

Received from House, 125.

First and Second Reading, 132.

Reference, 132.

Reported back, 207.

Indefinitely Postponed, 207.

House Bill No. 47.—(Sproul—By Request)

House Bill No. 47. A Bill for an Act to Amend and Re-enact Section 3854 of the Compiled Laws of North Dakota of 1913, Providing for the Election and Terms of Office of Village Officials.

Received from House, 126.

First and Second Reading, 132.

Reference, 132.

Reported back, 268.

Third Reading, 334.

Passed, 334.

House Bill No. 49.—(Frandsen)

House Bill No. 49. A Bill for an Act to Amend and Re-enact Section 1188 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Organization of Schools by Petition.

Received from House, 258.

First and Second Reading, 258.

Reference, 258.

Reported back, 378.

Amended, 537.

Third Reading, 537.

Passed, 537.

House Bill No. 50.—(Miller—Halcrow)

House Bill No. 50. A Bill for an Act to Amend and Re-enact Sections 1, 2, 9 and 13 of Chapter 97, Session Laws, 1921, Relating to Legislation to Prohibit Intoxicating Liquors and Beverages and Property Intended for the Manufacture of Same; Prohibiting the Transportation of Liquor and Providing for the Forfeiture of Property Used for the Transportation of Same; to Provide for its Enforcement and Penalty and defining the crime of engaging in liquor traffic.

Received from House, 226.

First and Second Reading, 232.

Reference, 232.

Reported back, 445.

Amended, 445, 581.

Third Reading, 582.

Passed, 582.

House Bill No. 51.—(Cart)

House Bill No. 51. A Bill for an Act to appropriate the Sum of Thirty-five Thousand (\$35,000.00) Dollars for the Purpose of Aiding the Construction of a Bridge and Approaches Across the Des Lacs Lake on the County Line Between Burke and Ward Counties in the State of North Dakota under the Provision of Chapter 73 of the Session Laws of North Dakota for the year 1919 and that such Appropriation be Made from the State Highway Fund.

Received from House, 807.
First and Second Reading, 831.
Reference, 831.
Reported back, 1177.
Amended, 1224.
Third Reading, 1224.
Indefinitely Postponed, 1178.
Passed, 1224.
Other Action, 1210.

House Bill No. 55.—(Lackey)

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 2861, Compiled Laws of North Dakota for 1913, Relating to Penalty for Violating Dairy Laws.

Received from House, 165.
First and Second Reading, 171.
Reference, 171.
Reported back, 267.
Amended, 267.
Third Reading, 332.
Passed, 333.

House Bill No. 57.—(Doyle)

House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 2104 of the Compiled Laws of the State of North Dakota for 1913 Relating to Range Stock and Where Listed for the Purpose of Taxation.

Received from House, 272.
First and Second Reading, 294.
Reference, 294.
Reported back, 538.
Third Reading, 583.
Passed, 584.

House Bill No. 59.—(Dougherty)

House Bill No. 59. A Bill for an Act Making it a Misdemeanor for any Person to Operate a Motor Vehicle While such Person is in an Intoxicated Condition, and Providing a Penalty for the Violation Thereof.

Received from House, 434.
First and Second Reading, 436.
Reference, 436.
Reported back, 879.
Third Reading, 919.
Passed, 919.

House Bill No. 60.—(Twichell)

House Bill No. 60. A Bill for an Act Prohibiting any Person from Driving or Operating a Motor Truck of More than Five Tons Carrying Capacity Upon any Public Highway, Street or Avenue in the State.

Received from House, 258.

First and Second Reading, 258.

Reference, 258.

Reported back, 963.

Indefinitely Postponed, 1148.

House Bill No. 61.—(Muus)

House Bill No. 61. A Bill for an Act to Repeal Sections 3471, 3472, 3473, 3474, 3475, 3477, 3478, 3479, 3480, 3483, and 3486, Compiled Laws, 1913 as Amended by Chapter 13 of the Special Session Laws, 1918, and as Amended by Chapter 177 Session Laws for 1919, and as Amended by Chapter 54 of the Special Session Laws 1919, Relating to the Issuance of Bonds and Warrants to Procure Seed Grain and Feed for Needy Inhabitants.

Received from House, 406.

First and Second Reading, 435.

Reference, 436.

Reported back, 735.

Third Reading, 933.

Passed, 933.

House Bill No. 62.—(Muus)

House Bill No. 62. A Bill for an Act to Amend and Re-enact Section 3476, Compiled Laws, 1913 as Amended by Chapter 13 of the Special Session Laws, 1918, Relating to the Levying of Tax to Provide for a Sinking Fund to Pay County Seed and Feed Bonds.

Received from House, 434.

First and Second Reading, 436.

Reference, 436.

Reported back, 864.

Third Reading, 933.

Passed, 934.

House Bill No. 63.—(Muus)

House Bill No. 63. A Bill for an Act to Provide for the Collection of Notes, Contracts and Indebtedness for Seed and Feed Furnished by Counties.

Received from House, 406.

First and Second Reading, 436.

Reference, 436.

Reported back, 734.

Amended, 935.

Third Reading, 935.

Passed, 936.

House Bill No. 65.—(Dougherty)

House Bill No. 65. A Bill for an Act to Amend and Re-enact Article 19 of Chapter 5 of the Political Code of the State of North Dakota Being Sections 524 to 539 Both Inclusive of the Compiled Laws of North Dakota for the Year 1913, Relative to the Practice of Optometry, Creating a State Board of Examiners in Optometry, Providing for the Registration of Optometrists, Defining and Regulating the Practice of Optometry and Providing Penalties For the Violation of the Terms of Said Act.

Received from House, 318.
First and Second Reading, 339.
Reference, 340.
Reported back, 511.
Amended, 512, 924.
Third Reading, 924.
Passed, 925.

House Bill No. 66.—(Eckert)

House Bill No. 66. A Bill for an Act to Appropriate the Sum of \$86,500.00, From any Moneys in the State Highway Fund, for the Purpose of Aiding in the Construction of a Bridge Across the Missouri River, Between Williams County, North Dakota, and McKenzie County, North Dakota, Under the Provisions of Chapter 73 of the Laws of North Dakota for the Year 1919.

Received from House, 867.
First and Second Reading, 873.
Reference, 873.
Reported back, 1178.
Amended, 1209.
Third Reading, 1209.
Passed, 1210.

House Bill No. 68.—(Burk)

House Bill No. 68. A Bill for an Act to Amend and Re-enact Chapter 86 of the Session Laws for the Year 1921, Relating to the Application of the Tuberculin Test and Eradication of Bovine Tuberculosis in Townships in Counties in North Dakota Under Direction of the State Live Stock Sanitary Board by Petition of a Majority of Freeholders in Such Townships.

Received from House, 536.
First and Second Reading, 541.
Reference, 541.
Reported back, 877.
Amended, 877.
Third Reading, 970.
Passed, 970.

House Bill No. 69.—(Peters—By Request)

House Bill No. 69. A Bill for an Act to Appropriate the Sum of Two Thousand Eight Hundred Eighty-Two and 3-100 Dollars (\$2,882.03) for the Purpose of Charging Off Losses Resulting to the State on Account of the Failure, in the Year 1909, of the First National Bank of Rugby, Rugby, North Dakota, and the Barton State Bank, Barton, North Dakota.

Received from House, 226.
 First and Second Reading, 232.
 Reference, 232.
 Reported back, 312.
 Third Reading, 533.
 Passed, 533.

House Bill No. 71.—(Jackson)

House Bill No. 71. A Bill for an Act to Amend and Re-enact Section 6815 of the Compiled Laws of North Dakota for 1913 Relating to the Filing of a Notice of Intention to File Mechanics' Lien.

Received from House, 272.
 First and Second Reading, 294.
 Reference, 294.
 Reported back, 354.
 Indefinitely Postponed, 354.

House Bill No. 73.—(Starke)

House Bill No. 73. A Bill for an Act to Provide for the Election of Directors of Building and Loan Association for the Term of Three Years.

Received from House, 226.
 First and Second Reading, 232.
 Reference, 232.
 Reported back, 316.
 Third Reading, 534.
 Passed, 535.

House Bill No. 74.—(Slominski)

House Bill No. 74. A Bill for an Act to Appropriate the Sum of Three Thousand Five Hundred Dollars (\$3,500.00) for the Retirement of Part of the Bonds Issued Against the Present Bridge Across the Red River of the North from a Point in the County of Walsh and State of North Dakota to a Point in the County of Marshall and State of Minnesota at Oslo, and That Such Appropriation be Made from the State Highway Funds.

Received from House, 807.
 First and Second Reading, 830.
 Reference, 831.
 Reported back, 1005.
 Amended, 1005.
 Third Reading, 1093.
 Passed, 1094.

House Bill No. 76.—(Olafson)

House Bill No. 76. A Bill for an Act Appropriating Ten Thousand (\$10,000.00) Dollars to the Bovine Tuberculosis Fund for carrying out the provisions of Article 17—Revised Code 1913 and Amendments thereto, Relating to the Reimbursement of Owners of Tuberculous Cattle.

Received from House, 250.
First and Second Reading, 257.
Reference, 257.
Reported back, 902.
Third Reading, 1044.
Passed, 1045.

House Bill No. 79.—(Appropriations Committee)

House Bill No. 79. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Received from House, 226.
First and Second Reading, 232.
Reference, 232.
Reported back, 314.
Third Reading, 533.
Passed, 534.

House Bill No. 80.—(Appropriations Committee)

House Bill No. 80. A Bill for an Act to Make Appropriation for Postage, Office Supplies, Furniture and Fixtures, Printing, Miscellaneous Expenses, Traveling Expense, Maintenance of Game Farms, Salary and Expenses of Fish Commissioner and Deputy Fish Commissioner, and Expenses and Maintenance of Fish Hatchery.

Received from House, 732.
First and Second Reading, 733.
Reference, 733.
Reported back, 901.
Third Reading, 1041.
Passed, 1042.

House Bill No. 81.—(Appropriations Committee.)

House Bill No. 81. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs and Equipment Thereof.

Received from House, 494.
First and Second Reading, 503.
Reference, 504.
Reported back, 967.
Amended, 967.
Third Reading, 1092.
Passed, 1092.

House Bill No. 82.—(Appropriations Committee)

House Bill No. 82. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Normal School at Minot, North Dakota, and Making Permanent Improvements and Additions Thereto.

Received from House, 621.
First and Second Reading, 626.
Reference, 626.
Reported back, 1013.
Third Reading, 1094.
Passed, 1094.

House Bill No. 83.—(Appropriations Committee)

House Bill No. 83. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the Forestry State Normal School at Bottineau, and Making Permanent Improvements and Additions Thereto.

Received from House, 785.
First and Second Reading, 828.
Reference, 828.
Reported back, 1141.
Amended, 1141.
Third Reading, 1227.
Passed, 1227.

House Bill No. 84.—(Appropriations Committee)

House Bill No. 84. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the School for the Deaf at Devils Lake, and Making Permanent Improvements and Additions Thereto.

Received from House, 784.
First and Second Reading, 829.
Reference, 829.
Reported back, 956.
Third Reading, 1090.
Passed, 1090.

House Bill No. 85.—(Appropriations Committee)

House Bill No. 85. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the Dickinson Normal School at Dickinson, and Making Permanent Improvements and Additions Thereto.

Received from House, 732.
First and Second Reading, 734.
Reference, 734.
Reported back, 1019.
Amended, 1019.
Third Reading, 1101.
Passed, 1102.

House Bill No. 86.—(Appropriations Committee)

House Bill No. 86. A Bill for an Act Making an Appropriation for Improvements and Repairs, New Buildings, Equipment and Miscellaneous for the State Hospital for the Insane at Jamestown, North Dakota.

Received from House, 462.
First and Second Reading, 464.
Reference, 464.
Reported back, 957.
Third Reading, 1090.
Passed, 1091.

House Bill No. 87.—(Appropriations Committee)

House Bill No. 87. A Bill for an Act Making Appropriations for the Current and Contingent Expenses of the State Penitentiary and for Making of Permanent Improvements and Additions Thereto.

Received from House, 732.
First and Second Reading, 733.
Reference, 733.
Reported back, 956.
Third Reading, 1089.
Passed, 1089.

House Bill No. 88.—(Appropriations Committee)

House Bill No. 88. A Bill for an Act Making an Appropriation for Maintenance, Improvements, and Repairs, and Equipment for the Institution of the Feeble-Minded at Grafton.

Received from House, 611.
First and Second Reading, 625.
Reference, 625.
Reported back, 1033.
Amended, 1033.
Third Reading, 1102, 1215.
Passed, 1102, 1216.
Other Action, 1125, 1181.

House Bill No. 89.—(Appropriations Committee)

House Bill No. 89. A Bill for an Act Making an Appropriation of One Hundred Seventy-six Thousand Dollars for Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous for the Tuberculosis Sanitarium at Dunseith.

Received from House, 462.
First and Second Reading, 464.
Reference, 465.
Reported back, 958.
Third Reading, 1092.
Passed, 1092.

House Bill No. 90.—Lynch)

House Bill No. 90. A Bill for an Act Providing When the Publicity Pamphlet Shall be Printed, and What Matter Shall be Excluded Therefrom, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Received from House, 250.
First and Second Reading, 257.
Reference, 257.
Reported back, 316.
Amended, 925.
Third Reading, 925, 999.
Passed, 925, 1000.

House Bill No. 91.—(Appropriations Committee)

House Bill No. 91. A Bill for an Act to Appropriate Three Hundred Dollars to the North Dakota Poultry Association for the Biennium Period According to Section 5117 of the Compiled Laws of 1913 for the State of North Dakota.

Received from House, 732.
First and Second Reading, 733.
Reference, 733.
Reported back, 901.
Third Reading, 1042.
Passed, 1042.

House Bill No. 92.—(Appropriations Committee)

House Bill No. 92. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the State Training School at Mandan, North Dakota, and for Making Permanent Improvements and Additions Thereto.

Received from House, 866.
First and Second Reading, 872.
Reference, 872.
Reported back, 1022.
Amended, 1022.
Third Reading, 1101.
Passed, 1101.

House Bill No. 93.—(Appropriations Committee)

House Bill No. 93. A Bill for an Act to appropriate One Thousand Dollars to Provide Funds for the Payment of the Per Diem and Necessary Expenses of the Members of the State Board of Pardons, Together with Postage, Telegrams, Telephone Tolls, Printing, and Other Necessary Expenses Incurred by Such Board as Provided for in Section 11108 of the Compiled Laws of 1913 for North Dakota.

Received from House, 250.
First and Second Reading, 257.
Reference, 257.
Reported back, 634.
Third Reading, 926.
Passed, 927.

House Bill No. 94.—(Appropriations Committee)

House Bill No. 94. A Bill for an Act Making an Appropriation for the Current and Contingent Expenses of the Minimum Wage, Health and Morals of Women Workers, for Salary, Postage, Office Supplies, Printing, Traveling Expenses, Hearings, Conferences, Witness Fees, Legal Fees and Office Rent.

Received from House, 784.
First and Second Reading, 829.
Reference, 829.
Reported back, 1084.
Third Reading, 1220.
Passed, 1220.

House Bill No. 95.—(Appropriations Committee)

House Bill No. 95. A Bill for an Act Making an Appropriation for the Florence Crittendon Home at Fargo, North Dakota.

Received from House, 390.
First and Second Reading, 435.
Reference, 435.
Reported back, 634.
Third Reading, 927.
Passed, 927.

House Bill No. 96.—(Appropriations Committee)

House Bill No. 96. A Bill for an Act Making an Appropriation of \$10,000.00 for the Current and Contingent Expenses of the State Free Employment Service Under Chapter 117, Session Laws of 1921.

Received from House, 669.
 First and Second Reading, 672.
 Reference, 672.
 Reported back, 1020.
 Third Reading, 1096.
 Passed, 1096.

House Bill No. 97.—(Appropriations Committee)

House Bill No. 97. A Bill for an Act Making an Appropriation of the Sum of \$12,000.00 for the Purpose of Carrying Out the Provisions of Chapter 119 of the Session Laws of North Dakota, for the Year 1917, Relating to Farmers' Institutes.

Received from House, 732.
 First and Second Reading, 734.
 Reference, 734.
 Reported back, 1083.
 Amended, 1083.
 Third Reading, 1219.
 Passed, 1220.

House Bill No. 98.—(Appropriations Committee)

House Bill No. 98. A Bill for an Act to appropriate Twelve Thousand Five Hundred Forty-Eight and 48-100 Dollars (\$12,548.48) According to Chapter 237 of the Session Laws for the Year 1919 of the State of North Dakota for the Purpose of Stamping out Venereal Diseases.

Received from House, 359.
 First and Second Reading, 434*.
 Reference, 434*.
 Reported back, 1014.
 Third Reading, 1094.
 Passed, 1095.
 * Refer to Errata.

House Bill No. 101.—(Appropriations Committee)

House Bill No. 101. A Bill for an Act Making an Appropriation of Eleven Hundred and Forty Dollars (\$1140.00) to Pay the Expenses of a State Board of Veterinary Medical Examiners as authorized Under Section 2711 to 2720, inclusive, of the Compiled Laws of 1913 for North Dakota.

Received from House, 258.
 First and Second Reading, 257.
 Reference, 257.
 Reported back, 884.
 Third Reading, 940.
 Passed, 941.

House Bill No. 102.—(Appropriations Committee)

House Bill No. 102. A Bill for an Act to Appropriate Ten Thousand Dollars (\$10,000.00) to Aid in the Educational Work being carried on by the North Dakota Anti-Tuberculosis Association, and the Prevention of the Spread of Tuberculosis More Definitely Prescribed in Chapter 7 of the Session Laws of North Dakota for 1915 for the salary and traveling expenses.

Received from House, 272.
First and Second Reading, 294.
Reference, 294.
Reported back, 1013.
Third Reading, 1093.
Passed, 1093.

House Bill No. 103.—(Appropriations Committee)

House Bill No. 103. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Received from House, 258.
First and Second Reading, 257.
Reference, 257.
Reported back, 901.
Third Reading, 1044.
Passed, 1044.

House Bill No. 104.—(Appropriations Committee)

House Bill No. 104. A Bill for an Act Making an Appropriation of Ten Thousand Dollars for the Biennium to the State Fair at Grand Forks for the Year 1923, as Provided for in Sections 1847 to 1859 of the Compiled Laws of North Dakota for the Year 1913.

Received from House, 866.
First and Second Reading, 872.
Reference, 872.
Reported back, 901.
Amended, 1042.
Third Reading, 1043.
Passed, 1044.

House Bill No. 105.—(Appropriations Committee)

House Bill No. 105. An Act Making an Appropriation for the Current and Contingent Expenses of the State School of Science at Wahpeton, and Making Permanent Improvements and Additions Thereto.

Received from House, 866.
First and Second Reading, 871.
Reference, 871.
Reported back, 1014.
Third Reading, 1095.
Passed, 1095.

House Bill No. 106.—(Appropriations Committee)

House Bill No. 106. A Bill for an Act to Appropriate One Thousand and Forty Dollars (\$1,040.00) for the Payment of \$10.00 Once Each Week During the Biennium 1923, 1924, as an Aid to the Society for the Friendless Authorized Under Chapter 46 of the North Dakota Session Laws of 1911.

Received from House, 462.
First and Second Reading, 465.
Reference, 465.
Reported back, 634.
Third Reading, 926.
Passed, 926.

House Bill No. 107.—(Appropriations Committee)

House Bill No. 107. A Bill for an Act to Appropriate \$1,000.00 for the Payment of the Expenses to be Incurred by the North Dakota Live Stock Association as Prescribed by Section 2786 of the Compiled Laws of 1913 for North Dakota.

Received from House, 785.
First and Second Reading, 828.
Reference, 829.
Reported back, 884.
Third Reading, 940.
Passed, 940.

House Bill No. 108.—(Appropriations Committee)

House Bill No. 108. A Bill for an Act Making an Appropriation to Provide for Compensation and Expenses of the Board of Trustees of the State Live Stock Sanitary Board.

Received from House, 258.
First and Second Reading, 257.
Reference, 258.
Reported back, 882.
Third Reading, 939.
Passed, 939.

House Bill No. 109.—(Appropriations Committee)

House Bill No. 109. A Bill for an Act Making an Appropriation for the Use and Benefit of the North Dakota Firemen's Association for the Purpose of Promoting the Efficiency and Growth of its Different Departments, and the Holding of an Annual Tournament, According to the Rules and Regulations of Such Associations.

Received from House, 611.
First and Second Reading, 625.
Reference, 625.
Reported back, 884.
Third Reading, 941.
Passed, 941.

Bill No. 110.—(Appropriations Committee)

Bill No. 110. A Bill for an Act to appropriate Ten Thousand Dollars (\$60,000.00) to Provide Funds for Maintenance of the North Dakota National Guard, or the Militia, as Provided for Under Chapter 35 of the Compiled Laws of 1913 for North Dakota, and to Meet Other Requirements Prescribed by the Federal Statutes.

Received from House, 731.

First and Second Reading, 733.

Reference, 733.

Reported back, 886.

Third Reading, 944.

Passed, 944.

House Bill No. 111.—(Appropriations Committee)

House Bill No. 111. A Bill for an Act Making an Appropriation of Ten Thousand Dollars for the Biennium to the State Fair at Fargo for the Year 1924, as Provided for in Sections 1847 to 1859 of the Compiled Laws of North Dakota for the Year 1913.

Received from House, 866.

First and Second Reading, 872.

Reference, 872.

Reported back, 900.

Amended, 1034.

Third Reading, 1035.

Passed, 1036.

House Bill No. 112.—(Appropriations Committee)

House Bill No. 112. A Bill for an Act to appropriate \$3,450.00 for Payment of the Per Diem and Expenses of the Board of Experts; and the Salary, and Other Expenses of the Field Officer to be Incurred Under Chapter 233 of the Session Laws of North Dakota for 1915, for the Biennial Period.

Received from House, 462.

First and Second Reading, 465.

Reference, 465.

Reported back, 1133.

Indefinitely Postponed, 1133.

House Bill No. 113.—(Appropriations Committee)

House Bill No. 113. A Bill for an Act Appropriating Funds to Idemnify Owners of Animals Infected with Bovine Tuberculosis.

Received from House, 258.

First and Second Reading, 258.

Reference, 258.

Reported back, 899.

Third Reading, 997.

Passed, 998.

House Bill No. 114.—(Appropriations Committee)

House Bill No. 114. A Bill for an Act to Approx-
\$6,000.00 to the Missouri Slope Agricultural and
Association at Mandan for the Fairs to be Held
Years 1923 and 1924, as Authorized by Section
to 1866, Both inclusive, of the Compiled Laws of 1920
for North Dakota.

Received from House, 866.
First and Second Reading, 872.
Reference, 872.
Reported back, 1004.
Amended, 1004.
Third Reading, 1120, 1308.
Passed, 1120, 1309.
Other Action, 1292.

House Bill No. 115.—(Appropriations Committee)

House Bill No. 115. A Bill for an Act Appropriating
Money for the Benefit of the North Dakota Dairymen's
Association, for the Purpose of Promoting and Encour-
aging the Dairying Interests of the State.

Received from House, 669.
First and Second Reading, 672.
Reference, 672.
Reported back, 883.
Third Reading, 939.
Passed, 940.

House Bill No. 118.—(Freeman and Ulland)

House Bill No. 118. For an Act to appropriate the sum
of Ten Thousand Nine Hundred and Fifty Three Dol-
lars and 65/100 (\$10,953.65) or so much thereof as may
be needed, for the purpose of paying the Per Diem,
and expenses of employees, the Per Diem and mileage of
witnesses and expenses for Printing and Supplies in-
curred by the Special Audit Committee appointed by
the House of Representatives of the Seventeenth Legis-
lative Assembly of the State of North Dakota, in
considering the Audit of and investigating the State Bank
and State Industries as authorized and directed by
said House of Representatives.

Received from House, 769.
First and Second Reading, 770.
Reference, 770.
Reported back, 1133.
Amended, 1134, 1172.
Third Reading, 1173.
Passed, 1173.

House Bill No. 119.—(Appropriations Committee)

House Bill No. 119. A Bill for an Act Making an Approp-
riation of \$63,000.00 for the Care of Insane Patients
Whose Residence Can not be Determined and Whose Care
Must be Borne by the State.

Received from House, 462.
First and Second Reading, 465.
Reference, 465.
Reported back, 635.
Third Reading, 927.
Passed, 928.

House Bill No. 123.—(Harrington)

House Bill No. 123. A Bill for an Act Making an Appropriation for the Completion and Furnishing of the Liberty Memorial Building.

Received from House, 494.
First and Second Reading, 504.
Reference, 504.
Reported back, 957.
Third Reading, 1091.
Passed, 1091.

House Bill No. 124.—(Ulland and Freeman)

House Bill No. 124. A Bill for an Act to Appropriate the Sum of Twelve Thousand Sixty-five and 15-100 Dollars (\$12,065.15) for the Payment to Bishop Brissman & Co. of the Sum Due them for the Audit of the State Bank and State Industries, and for other Services rendered.

Received from House, 770.
First and Second Reading, 830.
Reference, 830.
Reported back, 1021.
Amended, 1096.
Third Reading, 1097.
Passed, 1098.

House Bill No. 128.—(Harrington)

House Bill No. 128. A Bill for an Act Legalizing Certain Acts of City and Village Officials.

Received from House, 536.
First and Second Reading, 541.
Reference, 541.
Reported back, 962.
Third Reading, 1220.
Passed, 1221.

House Bill No. 129.—(Jardine)

House Bill No. 129. A Bill for an Act Providing a Method by Which Taxing Districts May Make Short Time Borrowings and Conduct Their Current Business Upon a Cash Basis; Providing That No Warrants May Be Issued in Excess of Cash on Hand; Providing for the Funding of Floating or Unfunded Indebtedness of Counties, Cities, Villages, Townships, School Districts, and Other Taxing Districts; Making the County Treasurer Custodian of Sinking Funds of All Taxing Districts; Providing for the Registering in the County Auditor's Office of All Bond Issues and Certificates of Indebtedness; Prohibiting the Incurring of Indebtedness in Excess of Anticipated Revenues; Making Criminal Certain Violations of This Act, and Providing Penalties Therefor, and Repealing All Acts and Parts of Acts in Conflict With this Act.

Received from House, 868.
Introduction, First and Second Reading, 874.
Reference, 875.
Reported back, 1170.
Amended, 1170.
Third Reading, 1228.
Passed, 1228.

House Bill No. 130.—(Jardine)

House Bill No. 130. A Bill for an Act Providing That Public Officials of Taxing Districts Issuing Certificates of Indebtedness or Bonds Shall Advertise For Bids in Certain Cases and Providing the Procedure to Be Followed in Connection Therewith, Prescribing Penalties for the Violation of this Act, and Repealing all Acts and Parts of Acts in Conflict with this Act.

Received from House, 868.

Introduction, First and Second Reading, 874.

Reference, 874.

Reported back, 961.

Amended, 962, 1214.

Third Reading, 1214.

Passed, 1214.

House Bill No. 131.—(Jardine)

House Bill No. 131. For an Act to limit the rate in mills which may be levied by taxing districts; providing a method of suspending such limitations in certain cases; prescribing penalties for violation of this act by County Auditors; and repealing all acts and parts of acts in conflict with this act.

Received from House, 868.

First and Second Reading, 874.

Reference, 874.

Reported back, 1186.

Amended, 1186, 1228.

Third Reading, 1229.

Passed, 1229.

House Bill No. 132.—(Appropriations Committee)

House Bill No. 132. A Bill for an Act Entitled, An Act to Appropriate Money for the Use of the Board of Railroad Commissioners Between the Following Dates, January 1st, 1923 and June 30th, 1923, and Specifying the Purpose for Which the Appropriation is Made.

Received from House, 406, 1100.

First and Second Reading, 435.

Reference, 435.

Reported back, 958.

Third Reading, 1120.

Indefinitely Postponed, 958.

Passed, 1120.

Other Action, 1057, 1120.

House Bill No. 133.—(Kopp)

House Bill No. 133. A Bill for an Act to Amend and Re-enact Section 3116 of the Compiled Laws of North Dakota for the Year 1913.

Received from House, 621.

First and Second Reading, 626.

Reference, 626.

Reported back, 877.

Third Reading, 970.

Passed, 970.

House Bill No. 138.—(Harrington)

House Bill No. 138. A Bill for an Act to Amend and Re-enact Chapter 95 of the Session Laws of North Dakota for 1921, Being an Act to Amend and Re-enact Section 2 of Chapter 63, Session Laws of North Dakota for 1915, Prescribing and Limiting Punishment of the Crime of Murder in the First Degree and Limiting the Time, Manner and Condition Whereby Such Person May be Pardoned.

Received from House, 406.
First and Second Reading, 435.
Reference, 435.
Reported back, 909.
Amended, 909, 1053.
Third Reading, 1054.
Passed, 1054.

House Bill No. 139.—(Harrington)

House Bill No. 139. A Bill for an Act Authorizing Abate-ments to Purchasers of Tax Certificates on State Land.

Received from House, 867.
First and Second Reading, 874.
Reference, 874.
Reported back, 902.
Third Reading, 1045.
Passed, 1045.

House Bill No. 142.—(Craig)

House Bill No. 142. A Bill for an Act Providing for the Proper Protection of Guests in Hotels, Restaurants and Rooming Houses.

Received from House, 390.
First and Second Reading, 435.
Reference, 435.
Reported back, 880.
Amended, 880.
Third Reading, 919.
Passed, 919.

House Bill No. 143.—(Jackson)

House Bill No. 143. A Bill for an Act Providing for the Filing of Notices of Taxes Due the United States, with Certain County Officers.

Received from House, 406.
First and Second Reading, 435.
Reference, 435.
Reported back, 539.
Third Reading, 585.
Passed, 585.

House Bill No. 145.—(Anderson of Burleigh)

House Bill No. 145. A Bill for an Act to Provide for the Closing and Liquidation of the Business Heretofore Con-ducted by the State of North Dakota in the Operation of a State Experimental Creamery; Providing for the Trans-fer of all Funds to the General Fund of the State Repeal-ing Chapter 149 of the Session Laws for the Year 1919.

Received from House, 390.
First and Second Reading, 434.
Reference, 435.
Reported back, 879.
Third Reading, 974.
Passed, 974.

House Bill No. 146.—(Quade)

House Bill No. 146. A Bill for an Act to Amend and Re-enact Section 2212 of the Compiled Laws of North Dakota for 1913 as Amended and Re-enacted in Chapter 252 of the Session Laws of North Dakota for 1915, Relating to the Duty of the County Auditor and the Requirements of the Transfer of Real Property as to Taxes, Deeds and Other Instruments of Conveyance.

Received from House, 317.

First and Second Reading, 339.

Reference, 339.

Reported back, 691.

Indefinitely Postponed, 691.

House Bill No. 147.—(Sathre and Twichell)

House Bill No. 147. A Bill for an Act Providing for the Filing of Bills of Sale and Other Transfers of Personal Property and Prescribing the Effect of Such Filing.

Received from House, 390.

First and Second Reading, 434.

Reference, 434.

Reported back, 864.

Third Reading, 938.

Passed, 938.

House Bill No. 148.—(Anderson of Burleigh)

House Bill No. 148. A Bill for an Act Providing for the Annual Reporting by County Auditor to the **Workmen's** Compensation Bureau of all Elective Auditors and Clerks of Political Subdivisions of the County.

Received from House, 434.

First and Second Reading, 436.

Reference, 436.

Reported back, 879.

Third Reading, 974.

Passed, 975.

House Bill No. 149.—(Anderson of Burleigh)

House Bill No. 149. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 162 of the Laws of North Dakota for the Year 1919, to Empower the Workmen's Compensation Bureau to Classify Employments, Fix Rates for Premium, Provide for Reserves and Surplus, Provide for Establishment of a System of Merit Rating, and to Provide for the Payment of Premiums Into the Workmen's Compensation Fund.

Received from House, 621.

First and Second Reading, 626.

Reference, 626.

Reported back, 880.

Amended, 981-1115.

Third Reading, 1292.

Passed, 1292.

House Bill No. 150.—(Anderson of Burleigh)

House Bill No. 150. A Bill for an Act Providing for the Reporting at the Workmen's Compensation Bureau of All Contracts Involving Labor Entered Into by All Political Subdivisions of the State.

Received from House, 462.
First and Second Reading, 464.
Reference, 464.
Reported back, 880.
Third Reading, 1114.
Passed, 1114.

House Bill No. 151.—(Anderson of Burleigh)

House Bill No. 151. A Bill for an Act Relating to the Insurance of Employers with the Workmen's Compensation Fund Providing for Compensation for Injuries or Death of the Employer Himself, in Cases Where the Employer has Contracted for such Protection with the Bureau, also Providing for the Basis of Premium for such Protection.

Received from House, 493.
First and Second Reading, 503.
Reference, 503.
Reported back, 878.
Third Reading, 972.
Passed, 972.

House Bill No. 152.—(Anderson of Burleigh)

House Bill No. 152. A Bill for an Act Requiring the County Superintendent of Schools of all Counties to Report Names of School District Clerks to the Workmen's Compensation Bureau.

Received from House, 434.
First and Second Reading, 436.
Reference, 436.
Reported back, 878.
Third Reading, 973.
Passed, 974.

House Bill No. 153.—(Anderson of Burleigh)

House Bill No. 153. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 162 of the Laws of North Dakota for the Year 1919, Providing for the Payment of Compensation Out of the Workmen's Compensation Fund and Providing that Compensation Shall be Paid for Injuries and Deaths From Injuries Occurring Outside the State of North Dakota only Under Circumstances as Provided in the Act.

Received from House, 611.
First and Second Reading, 625.
Reference, 625.
Reported back, 880.
Third Reading, 1143.
Passed, 1143.

House Bill No. 156.—(Trubshaw)

House Bill No. 156. A Bill for an Act to Prohibit the Keeping Open, Running, or Permitting the Running of Any Place for Public Dancing on the First Day of the Week, Commonly Called the Sabbath, and Providing a Penalty Therefor.

Received from House, 462.
First and Second Reading, 464.
Reference, 464.
Reported back, 1065.
Third Reading, 1258.
Indefinitely Postponed, 1065.
Passed, 1258.
Other Action, 1252, 1257, 1258.

House Bill No. 157.—(Hardy)

House Bill No. 157. A Bill for an Act to Amend and Re-enact Section 1154 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Opening and Closing of Polls in School Elections.

Received from House, 406.
First and Second Reading, 435.
Reference, 435.
Reported back, 557.
Indefinitely Postponed, 557.

House Bill No. 159.—(Morton)

House Bill No. 159. A Bill for an Act to Provide for the Retention of Certain Part of the Salary of Teachers in the Public Schools of North Dakota.

Received from House, 390.
First and Second Reading, 435.
Reference, 435.
Reported back, 674.
Indefinitely Postponed, 674.

House Bill No. 161.—(Morton)

House Bill No. 161. A Bill for an Act to Amend Section 1398 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Free Text Books in Public Schools.

Received from House, 406.
First and Second Reading, 436.
Reference, 436.
Reported back, 675.
Amended, 675.
Third Reading, 628.
Passed, 928.

House Bill No. 163.—(Trubshaw)

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 1382, Article 21, Chapter Five General School Laws of the State of North Dakota, Entitled School Year and School Week Defined. Holidays.

Received from House, 451.
First and Second Reading, 464.
Reference, 464.
Reported back, 675.
Amended, 675, 928.
Third Reading, 928.
Passed, 928.

House Bill No. 165.—(Hempel)

House Bill No. 165. A Bill for an Act to Amend and Re-enact Chapter 58 of the Special Session of North Dakota for 1919.

Received from House, 732.
 First and Second Reading, 733.
 Reference, 733.
 Reported back, 904.
 Third Reading, 1047.
 Passed, 1048.

House Bill No. 166.—(Sathre)

House Bill No. 166. A Bill for an Act to Amend and Re-enact Section 8325 of the Compiled Laws of North Dakota for 1913, Relating to Actions Arising Out of Personal Injury or Death Resulting from Wrongful Acts.

Received from House, 611.
 First and Second Reading, 625.
 Reference, 625.
 Reported back, 958.
 Third Reading, 1147.
 Passed, 1148.

House Bill No. 168.—(Morton)

House Bill No. 168. A Bill for an Act to Amend and Re-enact Section 6750 of the Compiled Laws of North Dakota for 1913, Relating to Standardized Form of Mortgage.

Received from House, 493.
 First and Second Reading, 503.
 Reference, 503.
 Reported back, 882.
 Third Reading, 988.
 Passed, 988.

House Bill No. 169.—(Kopp)

House Bill No. 169. A Bill for an Act to Amend and Re-enact Section 988 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Disability of Electors in Marking Their Ballots.

Received from House, 784.
 First and Second Reading, 829.
 Reference, 829.
 Reported back, 904.
 Amended, 1118.
 Third Reading, 1119.
 Passed, 1119.
 Other Action, 1185, 1231, 1253.

House Bill No. 172.—(Anderson of Burleigh)

House Bill No. 172. For an Act Relating to County Commissioners' Powers and Duties with regard to Contracts let on Competitive Bids.

Received from House, 867, 1100.
 First and Second Reading, 873.
 Reference, 873.
 Reported back, 957.
 Amended, 1121.
 Third Reading, 1122.
 Indefinitely Postponed, 957.
 Passed, 1122.
 Other Action, 1057.

House Bill No. 176.—(Twichell)

House Bill No. 176. A Bill for an Act Authorizing the Board of County Commissioners of Any County in North Dakota to Issue Funding or Refunding Bonds for the Purpose of Funding or Refunding Seed Grain or Seed and Feed Grain Indebtedness.

Received from House, 493.
First and Second Reading, 503.
Reference, 503.
Reported back, 735.
Third Reading, 935.
Passed, 935.

House Bill No. 177.—(Cole)

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 6790 of the Compiled Laws of North Dakota for 1913.

Received from House, 493.
First and Second Reading, 503.
Reference, 503.
Reported back, 881.
Amended, 986.
Third Reading, 986.
Passed, 986.

House Bill No. 180.—(Burns)

House Bill No. 180. A Bill for an Act Providing for a Tax Levy in Unincorporated Villages for the Purpose of Purchasing and Maintaining Adequate Apparatus for the Extinguishment of Fires, and Maintaining a Fire Department.

Received from House, 784.
First and Second Reading, 829.
Reference, 829.
Reported back, 865.
Third Reading, 936.
Passed, 936.

House Bill No. 184.—(Larson)

House Bill No. 184. A Bill for an Act to Amend and Re-enact Section 3126, Compiled Laws, State of North Dakota for 1913; and Providing for a Shrinkage Allowance to Local Grain Buyers, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from House, 536.
First and Second Reading, 541.
Reference, 541.
Reported back, 878.
Amended, 972.
Third Reading, 973.
Passed, 973.

House Bill No. 187.—(Sproul)

House Bill No. 187. A Bill for an Act to Provide for the Destruction of Weeds on Public Highways by the Owner or Occupant of Land Abutting Thereon, Specifying Method of Procedure in Case of Failure to Do So and Assessment and Collection of Costs and to repeal Chapter 70 of the Session Laws of 1919, Special Session.

Received from House, 732.

First and Second Reading, 734.

Reference, 734.

Reported back, 899.

Third Reading, 997.

Failed to Pass, 997.

House Bill No. 189.—(Appropriations Committee)

House Bill No. 189. A Bill for an Act to Repeal Section 1574 of the Compiled Laws of North Dakota for the Year 1913, Providing an Annual Appropriation for the State Geological Survey.

Received from House, 611.

First and Second Reading, 625.

Reference, 625.

Reported back, 888.

Third Reading, 947.

Passed, 948.

House Bill No. 190.—(Appropriations Committee)

House Bill No. 190. A Bill for an Act to Repeal Sections 2545 and 2546 of Article 3 of the Compiled Laws of North Dakota for the Year 1913, Providing for Relief of Needy Settlers.

Received from House, 611.

First and Second Reading, 625.

Reference, 626.

Reported back, 889.

Third Reading, 949.

Passed, 949.

House Bill No. 191.—(Appropriations Committee)

House Bill No. 191. A Bill for an Act to Repeal Section 1571 of the Compiled Laws of North Dakota for the Year 1913, Providing an Annual Appropriation for the Biological Station.

Received from House, 610.

First and Second Reading, 623.

Reference, 623.

Reported back, 889.

Third Reading, 948.

Passed, 948.

House Bill No. 193.—(Trubshaw)

House Bill No. 193. A Bill for an Act to Amend and Re-enact Section 2189 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 256 of the Session Laws of North Dakota for the Year 1915, Relating to Publication of Delinquent Tax Lists.

Received from House, 536.

First and Second Reading, 541.

Reference, 541.

Reported back, 899.

Third Reading, 995.

Passed, 995.

House Bill No. 194.—(Hanson)

House Bill No. 194. A Bill for an Act Designating the Depositories of Public Funds and Fixing the Minimum Rate of Interest; Requiring Competitive Bids for Such Deposits; Providing for Publicity with Reference to Such Funds and Depositories; Prescribing Penalties for Violation of this Act; Defining Terms Used Herein, and Repealing Sections 147, 147a, 147b and Sections 370 to 374, Inclusive, Sections 1472 to 1488, Inclusive, Sections 3315 to 3329, Inclusive, of the Compiled Laws of 1913, and Chapter 59 Session Laws of 1915 and Chapter 56 Session Laws of 1921.

Received from House, 770.
First and Second Reading, 829.
Reference, 830.
Reported back, 1081.
Amended, 1081, 1174.
Third Reading, 1174.
Passed, 1175.

House Bill No. 195.—(Freeman)

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 225 of the Session Laws of 1919 Relating to Interest to be Charged Upon Delinquent Inheritance Taxes.

Received from House, 786.
First and Second Reading, 828.
Reference, 828.
Reported back, 904.
Third Reading, 1048.
Passed, 1048.

House Bill No. 201.—(Larkin)

House Bill No. 201. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 61 of the Session Laws of North Dakota for 1915.

Received from House, 611.
First and Second Reading, 624.
Reference, 624.
Reported back, 1065.
Third Reading, 1169.
Passed, 1169.

House Bill No. 204.—(Jackson)

House Bill No. 204. A Bill for an Act to Amend and Re-enact Section 959 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Preparation of Ballots for Constitutional Amendments and Extending the Same to Cover Initiated and Referred Measures.

Received from House, 867.
First and Second Reading, 873.
Reference, 874, 903.
Reported back, 903, 961.
Third Reading, 1148.
Passed, 1148.

House Bill No. 205.—(Larson)

House Bill No. 205. A Bill for an Act to Repeal, Amend and Re-enact Chapter 119 of the Session Laws of 1917, Relating to Farmers' Institutes.

Received from House, 785.
 First and Second Reading, 829.
 Reference, 829.
 Reported back, 897.
 Amended, 897.
 Third Reading, 993.
 Passed, 994.

House Bill No. 206.—(Halcrow and Burkhart)

House Bill No. 206. A Bill for an Act to Amend and Re-enact Chapter 6, Session Laws of 1919, as Amended by Special Session Laws of 1919, as Amended by Chapter 84, Session Laws of 1921 Relating to the Licensing, Regulating, and Supervising the Licensing and Inspection of Pool and Billiard Rooms, Ball and Pin Alleys, Dance Halls, Theaters, Moving Picture Shows, Taxicab or Auto Liveryes, Places Where Soft Drinks are Retailled or Where Cigars and Tobacco are Sold, or Public Halls, Owned Privately and Used for Public Purposes; Providing Fees Therefor, Inspectors, Office Help and Supplies Thereof; Defining Powers and Duties and Repealing All Acts and Parts of Acts Inconsistent Therewith.

Received from House, 866.
 First and Second Reading, 872.
 Reference, 873.
 Reported back, 1065.
 Third Reading, 1210.
 Passed, 1211.

House Bill No. 207.—(Vogel)

House Bill No. 207. A Bill for an Act for an Appropriation to the Board of Auditors as Provided for in Section 369 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended and Re-enacted by the Initiated Law Approved November 2nd, 1920.

Received from House, 866.
 First and Second Reading, 872.
 Reference, 872.
 Reported back, 900.
 Third Reading, 1034.
 Passed, 1034.

House Bill No. 210.—(Starke)

House Bill No. 210. A Bill for an Act Concerning Declaratory Judgments and Decrees and to Make Uniform the Laws Relating Thereto.

Received from House, 670.
 First and Second Reading, 673.
 Reference, 673.
 Reported back, 958.
 Third Reading, 1168.
 Indefinitely Postponed, 959.
 Passed, 1168.
 Other Action, 970, 977, 985.

House Bill No. 211.—(Dougherty)

House Bill No. 211. A Bill for an Act to Require Insurance Companies to Make Prompt Settlement of Loss.

Received from House, 610.

First and Second Reading, 624.

Reference, 624.

Reported back, 865.

Indefinitely Postponed, 865.

House Bill No. 212.—(Orange)

House Bill No. 212. A Bill for an Act Providing for the Levying of a Tax to Create a Fund for the Purpose of Paying the Deficit in the Funds and the Indebtedness of the Home Building Associations of North Dakota, and in Paying the Indebtedness, Salaries, Expenses and Expenditures Incurred by the Industrial Commission in Liquidating and Winding Up the Business and Affairs of said Association.

Received from House, 786.

First and Second Reading, 827.

Reference, 828.

Reported back, 915.

Amended, 1054.

Third Reading, 1054.

Passed, 1055.

House Bill No. 213.—(Orange)

House Bill No. 213. A Bill for an Act to Amend and Re-enact Section 1889 of the Compiled Laws of North Dakota for the Year 1913, Relating to the State Census, and When to be Taken.

Received from House, 611.

First and Second Reading, 625.

Reference, 625.

Reported back, 1082.

Amended, 1082.

Indefinitely Postponed, 1082.

House Bill No. 215.—(Anderson of Burleigh)

House Bill No. 215. A Bill for an Act to Amend Section 1 of Chapter 144 of the Session Laws of North Dakota for the Year of 1921, Relating to Enforcement of Payment of Premiums to the Workmen's Compensation Fund.

Received from House, 867.

First and Second Reading, 873.

Reference, 873.

Reported back, 911.

Third Reading, 1115.

Passed, 1116.

House Bill No. 222.—(Harrington)

House Bill No. 222. A Bill for an Act Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over Any Public Highway by Motor Propelled Vehicles; Defining Transportation Companies; Providing for Supervision and Regulation Thereof by the Board of Railroad Commissioners of the State of North Dakota; Providing for the Enforcement of the Provisions of this Act and for the Punishment of the Violations Thereof.

Received from House, 867.
First and Second Reading, 873.
Reference, 873.
Reported back, 1019.
Amended, 1019.
Third Reading, 1215.
Indefinitely Postponed, 1019.
Passed, 1215.
Other Action, 1181.

House Bill No. 224.—(Anderson of Burleigh)

House Bill No. 224. A Bill for an Act to Authorize the County Commissioners to Sell Certain Lots or Premises Bid in by the County for Delinquent Taxes Without Giving Notice of the Expiration of Redemption.

Received from House, 785.
First and Second Reading, 828.
Reference, 828.
Reported back, 881.
Third Reading, 985.
Passed, 985.

House Bill No. 226.—(Goranson)

House Bill No. 226. A Bill for an Act to Amend and Re-enact Section 1462 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Admission of Non-Resident Students to County Agricultural and Training Schools, Providing for the Payment of Tuition of Such Non-Resident Students by the County of their Residents.

Received from House, 611.
First and Second Reading, 625.
Reference, 625.
Reported back, 954.
Amended, 955.
Third Reading, 1146.
Passed, 1146.

House Bill No. 227.—(Cole)

House Bill No. 227. A Bill for an Act to amend and re-enact Section 2186 of the Compiled Laws of the State of North Dakota for the year 1913 relating to tax Liens and Providing that the Lien of Taxes upon land upon which the State has a mortgage or which the State has sold upon contract shall be inferior to the rights of the State.

Received from House, 867.
First and Second Reading, 874.
Reference, 874.
Reported back, 956.
Indefinitely Postponed, 956.

House Bill No. 228.—(Cart)

House Bill No. 228. A Bill for an Act to Provide for the Consolidation of Counties, or Portions Thereof into a New County; Organization Thereof and Disposal of Any Portions of Such Counties Not Included Therein.

Received from House, 732.

First and Second Reading, 733.

Reference, 734.

Reported back, 1090.

Indefinitely Postponed, 1090.

House Bill No. 231.—(Craig)

House Bill No. 231. A Bill for an Act Regulating the Signing of Recall Petitions; Preventing Fraud and Corruption and Providing Penalties for the Violation of the Provisions of this Act.

Received from House, 732.

First and Second Reading, 734.

Reference, 734.

Reported back, 916.

Indefinitely Postponed, 917.

House Bill No. 232.—(Ulland)

House Bill No. 232. A Bill for an Act Providing for the Cancellation and Destruction of Negotiable Bonds and Interest Coupons Accompanying the Same, Heretofore or Hereafter, Issued by the State of North Dakota, in Any Case Where Such Bonds Have Matured and Have Been Paid, or Where Any Such Bonds Have Become Mutilated or Defaced in the Course of Issuing, Negotiating or Delivering the Same, or Where Such Bonds Have Been Issued and Remain Unsold; and Providing for the Re-issue of New Bonds in Lieu of Such Unsold, Mutilated or Defaced Bonds Which Have Been Cancelled and Destroyed.

Received from House, 610.

First and Second Reading, 624.

Reference, 624.

Reported back, 909.

Amended, 910.

Third Reading, 1050.

Passed, 1050.

House Bill No. 238.—(Peters)

House Bill No. 238. A Bill for an Act to Amend and Re-enact Section 23 of Chapter 77 of the Session Laws of North Dakota for the Year 1921, Relating to State Hail Insurance.

Received from House, 770.

First and Second Reading, 830.

Reference, 830.

Reported back, 885.

Third Reading, 989.

Passed, 990.

House Bill No. 239.—(Dougherty)

House Bill No. 239. A Bill for an Act to Amend Section 10177 of the Compiled Laws for the Year 1913 Relating to the selling and Smoking of Opium, and the Sale and Use of Other Narcotics, and by Making More Definite the Procedure in Cases of Lease Hold Premises Held under an Injunction; Providing a Means Whereby Innocent Owners may Cancel a Lease Thereof and Further Providing the Breadth of the Operation in such Injunction by Making it Personal and Apply to Clerks, Servants and Agents, and to Include any Place Within the State.

Received from House, 867.

First and Second Reading, 873.

Reference, 873.

Reported back, 918.

Amended, 1055.

Third Reading, 1055.

Passed, 1056.

House Bill No. 240.—(Olafson)

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 667 of the Compiled Laws of North Dakota for the Year 1913, Relating to County Commissioners Furnishing Bonds.

Received from House, 769.

First and Second Reading, 829.

Reference, 829.

Reported back, 882.

Third Reading, 989.

Passed, 989.

House Bill No. 243.—(Freeman)

House Bill No. 243. A Bill for an Act Authorizing the Issue of Milling Bonds of the State of North Dakota to the Amount of Two Million Dollars (\$2,000,000) and Providing for the Payment Thereof.

Received from House, 610.

First and Second Reading, 624.

Reference, 624.

Reported back, 911.

Amended, 911-976.

Third Reading, 977.

Passed, 977.

House Bill No. 245.—(Freeman)

House Bill No. 245. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 153 of the Session Laws of North Dakota for 1919, Relating to Bonds of North Dakota Mill and Elevator Series.

Received from House, 610.

First and Second Reading, 624.

Reference, 624.

Reported back, 911.

Third Reading, 1050.

Passed, 1051.

House Bill No. 250.—(Appropriations Committee)

House Bill No. 250. A Bill for an Act to Repeal Chapter 35 of the Session Laws of North Dakota for 1915, Relating to Militia Grounds.

Received from House, 610.

First and Second Reading, 623.

Reference, 623.

Reported back, 888.

Third Reading, 946.

Passed, 947.

House Bill No. 251.—(Appropriations Committee)

House Bill No. 251. A Bill for an Act to Repeal Sections 1631 and 1638 of the Compiled Laws of North Dakota for the Year 1913, Relating to Experiment Station at Fargo.

Received from House, 610.

First and Second Reading, 623.

Reference, 623.

Reported back, 891.

Third Reading, 952.

Passed, 953.

House Bill No. 252.—(Appropriations Committee)

House Bill No. 252. A Bill for an Act to Repeal Section 1621 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Experiment Station at Fargo.

Received from House, 610.

First and Second Reading, 623.

Reference, 623.

Reported back, 887.

Third Reading, 945.

Passed, 945.

House Bill No. 253.—(Appropriations Committee)

House Bill No. 253. A Bill for an Act to Repeal Section 1623 of the Compiled Laws of North Dakota for the Year 1913, Relating to Demonstration Farms.

Received from House, 610.

First and Second Reading, 623.

Reference, 623.

Reported back, 887.

Third Reading, 945.

Passed, 946.

House Bill No. 254.—(Appropriations Committee)

House Bill No. 254. A Bill for an Act to Repeal Section 2696 of the Compiled Laws of North Dakota for the Year 1913, Relating to Live Stock Sanitary Board.

Received from House, 807.

First and Second Reading, 830.

Reference, 830.

Reported back, 890.

Third Reading, 952.

Passed, 952.

House Bill No. 255.—(Appropriations Committee)

House Bill No. 255. A Bill for an Act to Repeal Section 1839 of the Compiled Laws of 1913, of North Dakota, Relating to North Dakota's Firemen's Association.

Received from House, 610.
First and Second Reading, 623.
Reference, 623.
Reported back, 890.
Third Reading, 951.
Passed, 951.

House Bill No. 257.—(Appropriations Committee)

House Bill No. 257. A Bill for an Act to Repeal Section 1624 of the Compiled Laws of North Dakota for the Year 1913, Relating to Enforcement, Beverage and Sanitary Laws.

Received from House, 807.
First and Second Reading, 830.
Reference, 830.
Reported back, 890.
Third Reading, 951.
Passed, 952.

House Bill No. 258.—(Appropriations Committee)

House Bill No. 258. A Bill for an Act to Amend and Re-enact Section 2671 of the Compiled Laws of North Dakota for 1913, Relating to Cruelty to Animals.

Received from House, 807.
First and Second Reading, 830.
Reference, 830.
Reported back, 887.
Third Reading, 944.
Passed, 945.

House Bill No. 259.—(Appropriations Committee)

House Bill No. 259. A Bill for an Act to Amend and Re-enact Section 11108 of the Compiled Laws of North Dakota for the Year 1913, Relating to Board of Pardons.

Received from House, 807.
First and Second Reading, 830.
Reference, 830.
Reported back, 885.
Third Reading, 943.
Passed, 943.

House Bill No. 260.—(Appropriations Committee)

House Bill No. 260. A Bill for an Act to Repeal Chapter 27 of the Session Laws of 1915, Relating to State Fish Hatchery.

Received from House, 669.
First and Second Reading, 672.
Reference, 672.
Reported back, 890.
Third Reading, 950.
Passed, 951.

House Bill No. 261.—(Appropriations Committee)

House Bill No. 261. A Bill for an Act to Repeal Section 11 of Chapter 31 of the Session Laws of Special Session of 1919, Relating to Appropriation to State Dairy Commissioner.

Received from House, 669.
First and Second Reading, 672.
Reference, 673.
Reported back, 889.
Third Reading, 950.
Passed, 950.

House Bill No. 262.—(Appropriations Committee)

House Bill No. 262. A Bill for an Act to Repeal Section 1661 of the Compiled Laws of North Dakota for 1913, Relating to Serum Institute.

Received from House, 669.
First and Second Reading, 673.
Reference, 673.
Reported back, 889.
Third Reading, 949.
Passed, 949.

House Bill No. 263.—(Appropriations Committee)

House Bill No. 263. A Bill for an Act to Repeal Section 335 of the Compiled Laws of North Dakota for 1913, Relating to Expenses, Sale of Land.

Received from House, 807.
First and Second Reading, 830.
Reference, 830.
Reported back, 886.
Amended, 886.
Third Reading, 943.
Indefinitely Postponed, 1014.
Passed, 943.

House Bill No. 264.—(Appropriations Committee)

House Bill No. 264. A Bill for an Act to Repeal Section 2786 of the Compiled Laws of North Dakota for 1913, Relating to North Dakota Live Stock Association.

Received from House, 610.
First and Second Reading, 624.
Reference, 624.
Reported back, 885.
Third Reading, 942.
Passed, 942.

House Bill No. 265.—(Appropriations Committee)

House Bill No. 265. A Bill for an Act to Repeal Section 5117 of the Compiled Laws of North Dakota for 1913, Relating to North Dakota Poultry Association.

Received from House, 610.
First and Second Reading, 624.
Reference, 624.
Reported back, 885.
Third Reading, 941.
Passed, 942.

House Bill No. 266.—(Appropriations Committee)

House Bill No. 263. A Bill for an Act to Repeal Chapter 38 of the Session Laws of North Dakota for the Year 1917, Relating to North Dakota Dairymen's Association.

Received from House, 669.

First and Second Reading, 673.

Reference, 673.

Reported back, 888.

Third Reading, 946.

Passed, 946.

House Bill No. 267.—(Appropriations Committee)

House Bill No. 267. A Bill for an Act to Repeal Section 11 of Chapter 71 of the Session Laws of 1919 for North Dakota, Relating to Board of Administration.

Received from House, 866.

First and Second Reading, 872.

Reference, 872.

Reported back, 900.

Third Reading, 1033.

Passed, 1034.

House Bill No. 268.—(Appropriations Committee)

House Bill No. 268. A Bill for an Act to Repeal Section 813 of the Compiled Laws of 1913 for the State of North Dakota, Relating to Disbarment Proceedings.

Received from House, 670.

First and Second Reading, 673.

Reference, 673.

Reported back, 888.

Third Reading, 947.

Passed, 947.

House Bill No. 269.—(Appropriations Committee)

House Bill No. 269. A Bill for an Act to Repeal Chapter 16 of the Session Laws of North Dakota for the Special Session of 1919, Relating to Testing Dairy Products.

Received from House, 670.

First and Second Reading, 673.

Reference, 673.

Reported back, 891.

Third Reading, 953.

Passed, 953.

House Bill No. 271.—(Morton)

House Bill No. 271. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 38 of the Session Laws of 1921, Relating to the Conciliation of Controversies.

Received from House, 621.

First and Second Reading, 626.

Reference, 626.

Reported back, 902.

Amended, 902, 1046.

Third Reading, 1046.

Failed to Pass, 1046.

House Bill No. 275.—(Harrington, Lynch, Boyd, Haugland, Starke)

House Bill No. 275. A Bill for an Act to Provide for the Purchase by the Industrial Commission of Claims Against the Returned Soldiers' Fund and for the Financing of Such Purchase by Such Commission, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Received from House, 669.

First and Second Reading, 672.

Reference, 672.

Reported back, 881.

Third Reading, 1113.

Passed, 1114.

House Bill No. 277.—(Miller)

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 1178 of the Compiled Laws of 1913 Relating to the Employing Public School Teachers and the Liability of School Officers.

Received from House, 621.

First and Second Reading, 626.

Reference, 626.

Reported back, 954.

Indefinitely Postponed, 954.

House Bill No. 278.—(Haugland)

House Bill No. 278. A Bill for an Act to Amend Section 1781 of the Revised Codes of North Dakota for 1905.

Received from House, 785.

First and Second Reading, 828.

Reference, 828.

Reported back, 894.

Amended, 894.

Third Reading, 990.

Passed, 990.

House Bill No. 279.—(Peters)

House Bill No. 279. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit Incurred in the State Fire Marshal's Department.

Received from House, 732.

First and Second Reading, 733.

Reference, 733.

Reported back, 1133.

Amended, 1133, 1225.

Third Reading, 1225.

Passed, 1225.

House Bill No. 281.—(Heaton and Hoople)

House Bill No. 281. A Bill for an Act to Control the Possession, Sale, and Use of Pistols and Revolvers, to Provide Penalties and for Other Purposes.

Received from House, 670.

First and Second Reading, 673.

Reference, 673.

Reported back, 879.

Indefinitely Postponed, 879.

House Bill No. 282.—(Jackson)

House Bill No. 282. A Bill for an Act to Amend and Re-enact Section 890 of the Compiled Laws of North Dakota for 1913, Relating to Selection, Organization, Time and Place of Meeting of County and State Central Committees of Political Parties.

Received from House, 763.

First and Second Reading, 768.

Reference, 768.

Reported back, 895.

Amended, 990.

Third Reading, 991.

Passed, 991.

House Bill No. 285.—(Jackson)

House Bill No. 285. A Bill for an Act to Provide for the Nomination and Election of Candidates for the Offices of Presidential Electors, United States Senator, and Members of Congress; for Electing Delegates to National Party Conventions, National Committeemen and For the Apportionment and Term of Office and the Nomination and Election of Party Precinct Committeemen; to Provide for Forms of Ballots and Requirements of New Parties with Reference Thereto; and to Repeal Section 501 of the Revised Code of 1899, Section 601 of the Revised Code of 1905 and Sections 857, 859, 889, 901a, 910, 912, 917, 918, 919 and 971a of the Compiled Laws of North Dakota for the Year 1913, and All Other Acts or Parts of Acts that Are in Conflict with the Provisions Hereof.

Received from House, 765.

First and Second Reading, 768.

Reference, 769.

Reported back, 903.

Third Reading, 993.

Passed, 993.

House Bill No. 297.—(Jackson)

House Bill No. 297. A Bill for an Act to Repeal Chapter 34 of the Session Laws of the State of North Dakota for the year 1921, Relating to Public Utilities.

Received from House, 866.

First and Second Reading, 871.

Reference, 871.

Reported back, 910.

Indefinitely Postponed, 910.

House Bill No. 301.—(Delayed Bills)

House Bill No. 301. A Bill for an Act to Amend and Re-enact Section 8076 of the Compiled Laws of North Dakota for the Year 1913, Relating to Foreclosures of Mortgages by Agent or Attorney, and Legalizing and Validating Sales Heretofore Made Pursuant to Judgment in Foreclosures of Mortgages by Action.

Received from House, 866.

First and Second Reading, 871.

Reference, 871.

Reported back, 903.

Amended, 903.

Third Reading, 1046.

Passed, 1047.

House Bill No. 303.—(Ulland)

House Bill No. 303. A Bill for an Act to Amend and Re-enact Section 1951 of the Compiled Laws of 1913 as Amended and Re-enacted by Chapter 72 of the Laws of 1919, Relating to the Construction of Bridges by County Commissioners.

Received from House, 732.
First and Second Reading, 733.
Reference, 733.
Reported back, 1005.
Indefinitely Postponed, 1168.

House Bill No. 305.—(Carr)

House Bill No. 305. A Bill for an Act Providing for the Issue of Bonds on the State of North Dakota in a Sum not Exceeding Twenty-five Million Dollars to be known as "Bonds of North Dakota, Real Estate Series"; Prescribing the Terms and Stating the Purpose Thereof; Providing for a Tax and Making Other Provisions for the Payment of Interest and Principal on State Bonds, and to Carry Into Effect the Provisions of this Act; and Declaring This Act to be an Emergency Measure.

Received from House, 765.
First and Second Reading, 768.
Reference, 768.
Reported back, 883.
Amended, 883, 1088.
Third Reading, 1088, 1221.
Passed, 1039, 1221.

House Bill No. 306.—(Currie)

House Bill No. 306. A Bill for an Act to Amend Section 1273 of the Compiled Laws of 1913 Relating to the Issuance of Bonds by Special School Districts and Prescribing Their Denominations and Rate of Interest.

Received from House, 785.
First and Second Reading, 829.
Reference, 829.
Reported back, 955.
Amended, 955, 1146.
Third Reading, 1147.
Passed, 1147.

House Bill No. 310.—(Watt)

House Bill No. 310. A Bill for an Act Directing and Empowering the State Board of Auditors to Annually Examine and Audit the Accounts, Books and Vouchers of The State Hail Insurance Department, and Workmen's Compensation Bureau, to Take Account of the Amounts and Conditions of the Assets and Liabilities of Each Department so Examined and Audited and Make Report Thereof to the Governor.

Received from House, 785.
First and Second Reading, 828.
Reference, 828.
Reported back, 865.
Amended, 937.
Third Reading, 937.
Passed, 938.

House Bill No. 311.—(Committee on State Affairs)

House Bill No. 311. A Bill for an Act to Amend and Re-enact Section 3540 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 93, Session Laws of 1921, Relating to the Fees Paid to Newspapers for the Publication of Legal Notices.

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Amended, 898.

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Passed, 994.

House Bill No. 312.—(Quade)

House Bill No. 312. A Bill for an Act to Fix the Number of Senators and Representatives Which Shall Compose the Legislative Assembly of the State of North Dakota, to Define the Senatorial and Representative Districts, and to Prescribe the Number of Senators and Representatives Therein.

Received from House, 866.

First and Second Reading, 871.

Reference, 871.

Reported back, 1082.

Amended, 1083, 1149, 1154.

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Passed, 1153.

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