

STATE OF NORTH DAKOTA

---

**JOURNAL OF THE SENATE**

of the

**TWENTIETH SESSION**

of the

**LEGISLATIVE ASSEMBLY**

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Begun and held at the Capitol at Bismarck  
January 4th, to March 4th, 1927  
inclusive.



# EMPLOYEES

Secretary of the Senate.....	W. D. Austin
First Assistant Secretary of the Senate.....	C. E. Thomas
Second Assistant Secretary of the Senate.....	L. T. Nelson
Desk Stenographer.....	Barbara Seavey
Stenographer.....	Jennie Fisher
Stenographer.....	Lillian Tofsrud
Stenographer.....	Martha Berkey
Stenographer.....	Myrtle Hight
Stenographer.....	Ellen Jaeger
Chief Engrossing & Enrolling Clerk.....	Ethel Cooley
Assistant Engrossing & Enrolling Clerk.....	Dorothy Moses
Bill Clerk.....	R. H. Myhra
Sergeant-at-Arms.....	Oscar Lybeck
Proof Reader.....	F. R. Thompson
Postmaster & Voucher Clerk.....	F. A. McDonald
Bill Messenger.....	C. T. Evans
Bill Room Clerk.....	Lester Hulett
Clerk, Appropriations Committee.....	Lee McDonald
Clerk, State Affairs Committee.....	H. M. Strand
Clerk, Judiciary Committee.....	W. A. McClure
Clerk, Taxes & Tax Laws.....	Carl L. Sundland
Clerk, Banks & Banking.....	J. A. T. Bjornson
Mailing Clerk.....	E. T. Judd
Assistant Mailing Clerk.....	A. H. Irvine
Coat Room Attendant.....	Vincent LaFrance
Special Messenger.....	Carrol W. Blunt
Special Messenger.....	John Neibauer
Telephone Messenger.....	Wallace Maddock
Gallery Doorkeeper.....	Anthony Walton
Governor's Messenger.....	M. C. Scheuffele

## CHAPLAINS

Doorkeeper & Janitor.....	Casper Bye
Walter E. Vater.....	Methodist
C. A. Stephens.....	First Baptist
I. G. Monson.....	English Lutheran
A. J. Malmquist.....	Swedish Lutheran
Paul S. Wright.....	First Presbyterian
F. H. Davenport.....	St. George's Episcopal
C. F. Strutz.....	
Fr. J. Slag.....	
A. H. Ermel.....	German Evangelical

# ERRATA

Page 2, line 23 and throughout entire Journal name "Steele" should be spelled "Steel".

Page 3, line 40, change town "Ambrose" to "Crosby".

Page 8, after last line, insert "W. D. Austin, Secretary".

Page 9, last line, insert word "majority" before word "report".

Page 24, line 33 change word "Mr." to "Sen."

Page 51, insert "Concurrent Resolution (Great Lakes-St. Lawrence Waterway) was messaged to the House".

Page 54, line 28, strike out word "so".

Page 87, line 26 after word "resolution" insert "B".

Page 90, line 30, correct transposition in word "amendment".

Page 124, line 22, add the letter "F" after word "resolution".

Page 180, change "Senate Bill 62" to "Senate Bill 52".

Page 225, line 28, correct spacing in words "had the".

Page 232, line 25, change word "Bill" to "Bills".

Page 324, line 39, change word "messaged" to "returned".

Page 441, line 12, correct word "Crittenton" to "Crittenden".

Page 470, line 8, correct spelling of name "Murphy".

Page 484, line 21, correct word "Crittendon" to "Crittenden".

Page 505, in House Bill 30 word "Crittendon" should be "Crittenden".

Page 512, line 34, strike out first ten words and insert "So Concurrent Resolution 'F' passed".

Page 535, line 9, change word and figure "line 1" to "line 2", and in line 11 change figure "9" to "10".

Page 538, line 24, change figure "27" to "26" and figure "20" to "21".

Page 546, line 27, insert "House Bill 51" and title instead of "House Bill 251".

Page 548 strike out lines 14, 15 and 16.

Page 598, line 15, change Senate Bill 221 and title to House Bill 221 and title.

Page 632, line 11, correct spacing in words "the report".

Page 633, line 21, correct spelling of "Senator".

Page 658, line 26, change figure 317 to 137.

Page 687, line 16, correct spelling of "concur".

Pages 788 and 789—Senator Rusch should be shown voting in the negative on 789 instead of affirmative, as of page 788.

Page 880, line 5, substitute House Bill 188 and title for Senate Bill 188 and title.

Page 941, strike out lines 44 and 45.

Page 965, after line 13, insert: "Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted".

Page 1048, line 34, after 268, insert figures 351.

Page 1084, after line 40, insert: "So the bill passed and the title was agreed to".

Page 1085, line 31, change word "House" to "Senate".

Page 1136, after line 10, insert: "And the President signed the same in the presence of the Senate".

# Journal of the Senate



Twentieth Legislative Assembly

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## FIRST DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 4, 1927.

At the hour of twelve o'clock, meridian, the fourth day of January, 1927, being the day and hour designated by law for convening the Legislative Assembly of the State of North Dakota, the members elect of the Senate of the Twentieth Legislative Assembly assembled in the Senate Chamber of the Capitol at Bismarck, North Dakota, and were called to order by C. R. Verry, Secretary of the Senate of the Nineteenth Legislative Assembly of the State of North Dakota.

Senator Lynch moved that a committee of three be appointed to escort the Lieut. Governor to the chair.

Motion carried.

The Secretary appointed Senators Steel, Bond and Hamilton as such committee.

Senator Baird moved that a committee of three be appointed to escort Chief Justice Birdzell to the rostrum.

Motion carried.

The President appointed Senators Lynch, Forbes and C. J. Olson as such committee.

Chief Justice Birdzell administered the oath of office to Lieut. Gov. Maddock.

Prayer by Chaplain Rev. Vater.

The following communication was received from the Secretary of State:

Bismarck, North Dakota,  
January 4, 1927.

Secretary of the Senate,  
Twentieth 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 Twentieth 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	Peder L. Hjelmstad	Edmore
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	Walter Schlosser	Grand Forks
8.	Traill	C. Norman Brunsdale	Mayville
9.	Pt. of Cass	H. J. Rusch	Fargo
10.	Pt. of Cass	John Van Arnam	Kindred
11.	Pt. of Cass	Peter McLachlin	Hunter
12.	Pt. of Richland	Joseph G. Forbes	Wahpeton
13.	Sargent	R. G. McCrory	Cogswell
14.	Ransom	W. G. Crocker	Lisbon
15.	Pt. of Barnes	Frank E. Ployhar	Valley City
16.	Steele and Griggs	P. O. Sathre	Finley
17.	Nelson	L. O. Fredrickson	Pekin
18.	Cavalier	W. H. Porter	Calvin
19.	Rolette	John W. Benson	Rolette
20.	Benson	C. W. Fine	Shenoyenne
21.	Ramsey	J. E. Stevens	Devils Lake
22.	Towner	S. J. Atkins	Cando
23.	Stutsman	A fred Steele	Jamestown
24.	La Moure	W. D. Lynch	La Moure
25.	Dickey	A. S. Marshall	Forbes
26.	Emmons and Kidder	E. H. Brant	Linton
27.	Burleigh	Obert A. Olson	Bismarck
28.	Bottineau	Nels Magnuson	Souris
29.	Pt. of Ward	Walter Bond	Minot
30.	Morton	W. E. Martin	Huff
31.	Stark	L. R. Baird	Dickinson
32.	Eddy and Foster	O. H. Olson	New Rockford
33.	Wells	J. L. Hart	Chaseley
34.	Pt. of McHenry	D. H. Hamilton	Eckman
35.	Sheridan	C. G. Ritchie	McClusky
36.	McIntosh and Logan	P. T. Kretschmar	Venturia
37.	Pt. of Richland	C. W. Carey	Lidgerwood

Dist.	County.	Name.	Address
38.	Pt. of Barnes.....	C. J. Olson.....	Valley City
39.	Billings, Bowman, Golden Valley and Slope .....	Gust Wog.....	Belfield
40.	Burke and Divide..	C. E. Erickson.....	Ambrose
41.	Williams and McKenzie .....	C. L. Bakken.....	Tioga
42.	Pierce .....	O. T. Tofsrud.....	Rugby
43.	Renville .....	G. Patterson.....	Donnybrook
44.	Mountrail .....	R. W. Patten.....	Plaza
45.	Pt. of McHenry....	Ole Ettestad.....	Balfour
46.	McLean .....	A. A. Peck.....	Underwood
47.	Grant .....	Fred Pathman.....	Carson
48.	Mercer, Oliver and Dunn .....	F. P. Conrath.....	Stanton
49.	Adams, Hettinger and Sioux .....	Charles A. Seamands.....	Hettinger

In Witness Whereof, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 4th day of January, 1927.

ROBERT BYRNE,  
Secretary of State.

The roll call of holdover senators was called, all present:

Dist.	County.	Name	Address.
1.	Pembina .....	Fred Van Camp.....	St. Thomas
3.	Pt. of Walsh .....	Peder L. Hjelmstad.....	Edmore
5.	Pt. of Grand Forks	J. E. Eastgate.....	Larimore
7.	Pt. of Grand Forks	Walter Schlosser.....	Grand Forks
9.	Pt. of Cass .....	H. J. Rusch.....	Fargo
11.	Pt. of Cass .....	Peter McLachlin.....	Hunter
13.	Sargent .....	R. G. McCrory.....	Cogswell
15.	Pt. of Barnes.....	Frank E. Ployhar.....	Valley City
17.	Nelson .....	L. O. Fredrickson.....	Pekin
19.	Rolette .....	John W. Benson.....	Rolette
21.	Ramsey .....	J. E. Stevens.....	Devils Lake
23.	Stutsman .....	Alfred Steel.....	Jamestown
25.	Dickey .....	A. S. Marshall.....	Forbes
27.	Burleigh .....	Obert A. Olson.....	Bismarck
29.	Pt. of Ward.....	Walter Bond.....	Minot
31.	Stark .....	L. R. Baird.....	Dickinson
33.	Wells .....	J. L. Hart.....	Chaseley
35.	Sheridan .....	C. G. Ritchie.....	McClusky
37.	Pt. of Richland....	C. W. Carey.....	Lidgerwood
39.	Billings, Bowman, Golden Valley and Slope.....	Gust Wog.....	Belfield
41.	Williams and McKenzie .....	C. L. Bakken.....	Tioga
43.	Renville .....	G. Patterson.....	Donnybrook
45.	Pt. of McHenry....	Ole Ettestad.....	Balfour
47.	Grant .....	Fred Pathman.....	Carson
49.	Adams, Hettinger and Sioux .....	Chas. A. Seamands.....	Hettinger

The roll call of the senators elect was called, all answering present:

Dist.	County.	Name.
2.	Pt. of Ward.....	John E. Fleckten
4.	Pt. of Walsh.....	P. J. Murphy
6.	Trail.....	C. Norman Brunsdale
10.	Pt. of Cass.....	John Van Arnam
12.	Pt. of Richland.....	Joseph G. Forbes
14.	Ransom.....	W. G. Crocker
16.	Steele and Griggs.....	P. O. Sathre
18.	Cavalier.....	W. H. Porter
20.	Benson.....	C. W. Fine
22.	Towner.....	S. J. Atkins
24.	La Moure.....	W. D. Lynch
26.	Emmons and Kidder.....	E. H. Brant
28.	Bottineau.....	Nels Magnuson
30.	Morton.....	W. E. Martin
32.	Eddy and Foster.....	O. H. Olson
34.	Pt. of McHenry.....	D. H. Hamilton
36.	McIntosh and Logan.....	P. T. Kretschmar
38.	Pt. of Barnes.....	C. J. Olson
40.	Burke and Divide.....	C. E. Erickson
42.	Pierce.....	O. T. Tofsrud
44.	Mountrail.....	R. W. Patten
46.	McLean.....	A. A. Peck
48.	Mercer, Oliver and Dunn.....	F. P. Conrath

Chief Justice Birdzell then administered the oath of office to the Senators elect and requested that they subscribe to the oath of office.

Senator Rusch moved that W. D. Austin be nominated Secretary of the Senate.

Motion carried.

The question being on the election of W. D. Austin for Secretary of the Senate, the roll was called and there were ayes 49, nays 0. Absent and not voting 0.

Those voting in the affirmative were:

#### ROLL CALL

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Steele
Brant	McCrary	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steele
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam



Messrs.	Messrs.	Messrs.
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Peck	

So W. D. Austin was declared elected Secretary of the Senate.

The President administered the oath of office to W. D. Austin.

Senator Seamands moved that C. E. Thomas be nominated as First Assistant Secretary of the Senate.

Motion carried.

The question being on the election of C. E. Thomas for First Assistant Secretary of the Senate, the roll was called and there were ayes 49, nays 0, absent and not voting 0.

Those voting in the affirmative were: \*

#### ROLL CALL

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCrory	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steele
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Peck	

So C. E. Thomas was declared elected First Assistant Secretary of the Senate.

Senator Van Camp moved the nomination of Barbara Seavey as Desk Stenographer.

Motion carried.

The question being on the election of Barbara Seavey for Desk Stenographer of the Senate, the roll was called and there were ayes 49, nays 0, absent and not voting 0.

Those voting in the affirmative were:

## ROLL CALL

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCrory	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steele
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Peck	

So Barbara Seavey was declared elected Desk Stenographer.

Senator Carey moved the nomination of Oscar Lybeck as Sergeant at Arms.

Motion carried.

The question being the election of Oscar Lybeck for Sergeant at Arms, the roll was called and there were ayes 49, naves 0, absent and not voting 0.

## ROLL CALL

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCrory	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steele
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Peck	

So Oscar Lybeck was declared elected Sergeant at Arms.

The President administered the oath of office to the following employes: C. E. Thomas, Barbara Seavey, Oscar Lybeck.

Senator Murphy moved that a committee consisting of Senators Carey, Atkins, Baird, Patten and Marshall be appointed as Committee on Employment.

Motion carried.

Senator Baird moved that a committee consisting of Senators Stevens, Lynch and Ettestad be appointed to act as Temporary Committee on Rules.

Motion carried.

Senator Stevens moved that a committee consisting of Lieut. Governor Maddock, Senators Murphy, Ployhar, Atkins and Ettestad be selected by the Senate to act as the Committee on Assignments.

Motion carried.

Senator Ettestad moved that a committee of three be appointed by the President to wait upon the Governor and inform him that the Senate is organized and ready for business.

Motion carried.

The President appointed as such committee Senators Ettestad, Baird and Schlosser.

Senator Whitman moved that a committee of three be appointed by the President to notify the House that the Senate is organized and ready for business.

Motion carried.

The President appointed as such committee Senators Whitman, Lynch and Olson of Barnes.

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

Senate stands recessed.

The Senate reassembled pursuant to recess taken, the President presiding.

Senator, Murphy moved that at the completion of the day's business the Senate recess until 1:30 P. M., Wednesday, in respect to the memories of former Senators Cashel, Simpson, Martin, Gross, Albright, and Loftsgaard.

Motion seconded by Senators Baird, Wog, Pathman and Kretschmar.

Sen. Pathman's remarked: "I have known former Senator O. C. Gross as a man of great sincerity and honesty of purpose and therefore desire to second this motion."

Motion carried.

Message from the House that the House is organized and ready for the transaction of business.

Senator Ettestad informed the Senate that the committee appointed to wait upon the Governor had performed its duty and he requested the discharge of the committee.

Senator Murphy moved that the report be accepted and the committee be discharged.

Motion carried.

Senator Hamilton moved that the President appoint a committee of three to act with a like committee of the House to make arrangements for the joint session to receive the Governor's message.

Motion carried.

The President appointed as such committee Senators Hamilton, Ployhar and Whitman.

Senator Hamilton moved the Senate recess until 1:30 P. M. Wednesday.

Motion carried.

Senate stands recessed.

FIRST DAY AFTER RECESS AND SECOND DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 5, 1927.

The Senate reassembled at 1:30 P. M. pursuant to recess taken, the President presiding.

Senator Stevens submitted a majority report of the Committee on Rules.

The Committee on Rules made the following report:

Mr. President: Your Committee on Rules recommend that the Senate Rules of the Nineteenth Legislative Assembly be adopted as the Temporary Rules of the Twentieth Legislative Session, excepting Rule 16, which shall be amended as follows: Strike out lines "1" and "2" and insert in lieu thereof the following:

Section 16—Committee:

The Senate shall appoint a Committee on Committees consisting of five, one of whom shall be the Lieutenant Governor. Such committee shall appoint the following standing committees: Here insert the balance of Section 16 of Senate Rules governing the Nineteenth Legislative Assembly and add the words "a committee of nine to be known as the Committee on Public Safety."

And when so amended recommend that the same be adopted.

J. E. STEVENS,  
Chairman.

Senator Ettestad filed a minority report of the Committee on Rules.

Senator Baird moved that the report of the committee be adopted.

Senator Hamilton moved that the word "majority" be changed to "minority."

Roll Call Demanded.

The question being on the amendment offered by Senator Hamilton, the roll was called, and there were ayes 23, nays 26, absent and not voting 0.

### ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Hamilton	Olson of Eddy
Benson	Hjelmstad	Patten
Brant	McCrary	Patterson
Conrath	Magnuson	Peck
Ettestad	Marshall	Ritchie
Fine	Martin	Sathre
Fleckten	Olson of Barnes	Wog
Fredrickson	Olson of Burleigh	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Schlosser
Baird	Kretschmar	Seamands
Bond	Lynch	Steele
Brunsdale	McLachlin	Stevens
Carey	Murphy	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Erickson	Porter	Whitman
Forbes	Rusch	

So the amendment was lost.

Senator Hamilton explained his vote:

I vote "aye" for the reason that the Constitution defines the powers and duties of the Lieut. Governor. We are setting a dangerous precedent if we curtail any of that power by making him one of the committee. Therefore I vote "aye."

Senator Patterson explained his vote:

I vote "aye" for the reason that I believe this is a wrong step taken to destroy one of the most sacred precedents ever established in the State of North Dakota.

Senator Benson moved that further action on this motion be deferred till the next legislative day.

Motion lost.

Senator Fleckten moved that the Senate do now adjourn.

Motion lost.

Senator Baird moved the report of the majority of the Committee on Rules be adopted.

Motion carried.

Senator Stevens moved that the Committee on Committees, consisting of Lieut. Gov. Maddock, Senators Murphy, Ployhar, Atkins and Ettestad be selected by the Senate to make committee assignments.

Which motion prevailed.

Senator Stevens moved that the President appoint a temporary committee of three on Revision and Correction of the Journal.

Which motion prevailed.

The President appointed as such committee Senators Stevens, Fine and McLachlin.

Senator Stevens moved that a committee of three be appointed to wait upon the Board of Administration in regard to Senate supplies and committee rooms.

Which motion prevailed.

The President appointed as such committee Senators Carey, Patten and Lynch.

Senator Murphy moved that the motion of Senator Stevens appearing on page 7 of the printed Journal of January 4 be stricken from the record.

Motion carried.

Senator Bond moved that the Senate adjourn, which motion prevailed, and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

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## SECOND DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 5, 1927.

### REVISION AND CORRECTION OF THE JOURNAL

The Senate convened at 2 P. M., the President presiding.

Prayer by the Chaplain, Rev. Vater.

Roll call, all present.

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

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

On page 1, change the initials of "O. A. Olson" to "C. J. Olson."

Page 4, after the words "Chief Justice Birdzell then administered the oath to the Senators-elect," add the words "and requested that they subscribe to the oath of office."

Page 7, line 7, amend to read "Temporary on Rules."

Page 8, strike out the word "and" in line 3 and insert the word "to" between the words "Session and receive."

Wherever the word "Chair" appears as referring to the presiding officer insert the word "President."

And when so corrected recommend that the same be approved.

J. E. STEVENS,  
Chairman.

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

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## INTRODUCTION AND FIRST AND SECOND READING OF SENATE BILLS

Senator Rusch introduced:

Senate Bill No. 1. A Bill For an Act to amend and re-enact Section 2202 of the Compiled Laws of the State of North Dakota for the year 1913 as amended and re-enacted by Section 5 of Chapter 199, Session Laws of 1925, relating to giving notice of expiration of period of redemption on property forfeited to the county at tax sale, issuance of tax deeds to the county and sale of property acquired by the county through tax deed.

Which was read the first and second times and referred to the Committee on Taxes and Tax Laws.

Senator Baird asked a return to the 8th Order of Business.

Which request was granted.

Senator Baird moved that a committee of three be appointed to prepare and submit as early as possible a proper measure providing for the adoption of the Supplement to the Code.

Which motion carried.

The President appointed as such committee Senators Lynch, Sathre and Seamands.



Senator Hamilton moved that a committee of three be appointed as a Fact-finding Committee to ascertain and report all facts in connection with the State Mill & Elevator with recommendations of whatever legislative action is necessary; such committee to make its report some time during the session.

Which motion carried.

The President appointed as such committee Senators Hamilton, Schlosser and Fredrickson.

Courtesies of the floor were extended to:

J. E. Davis, Goodrich.

George Murray, Berthold.

Anthony Walton, Minot.

F. E. Whelan, St. Thomas.

Senator Murphy moved that the Senate recess until 1:30 Thursday.

Which motion prevailed.

Senate stands recessed.

W. D. AUSTIN,  
Secretary.

## SECOND DAY AFTER RECESS AND THIRD DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 6, 1927.

The Senate re-assembled at 1:30 P. M., pursuant to recess taken, the president presiding.

Senator Seamands requested a return to the ninth order of business, which request was granted.

The Special Committee appointed by the Lieut. Governor to prepare the measure providing for the adoption of the Supplement to the code, introduced Senate Bill No. 2.

Senate Bill No. 2. A Bill for an Act Declaring that the Courts of this State shall take Judicial Notice of a Publication of Certain Laws of this State Prepared and Published Pursuant to the Provisions of Chapter 158, Session Laws 1925, and Commonly Known and Entitled "Supplement to the Compiled Laws of 1913", and that Amendments and Repeals thereof and Enactments of other Laws referring thereto shall be Deemed to Refer to Laws of the State as Appearing in such Publication.

Which was read the first and second time.

Senator Carey requested a return to the seventh order of business, which request was granted.

Sen. Schlosser moved that the Chairman of the Committee on Employment place all names of employees selected to date for nomination, and that they be voted on in one roll call; the Journal to show individual roll call for each employee, which motion prevailed.

Senator Carey moved the nomination of the following employees:

R. H. Myhre—Bill Clerk.

Ethel Cooley—Enrolling and Engrossing Clerk.

Dorothy Moses—Asst. Enrolling and Engrossing Clerk.

Casper Bye—Doorkeeper and Janitor.  
 Forest R. Thompson—Proof reader.  
 C. T. Evans—Bill Messenger.  
 F. A. McDonald—Postmaster and Voucher Clerk.  
 Jenny Fisher—Stenographer.  
 Lillian Tofsrud—Stenographer.  
 Martha Berkey—Stenographer.  
 Ellen Jaeger—Stenographer.  
 Wallace Maddock—Telephone Messenger.  
 E. T. Judd—Mailing Clerk.  
 M. C. Scherffele—Governor's Messenger.  
 Anthony Walton—Gallery Doorkeeper.  
 Vincent La France—Cloak Room Attendant.  
 Which motion prevailed.

## ROLL CALL

The question being on the election of R. H. Myhre for Bill Clerk, 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.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	McCrary	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Crocker	Martin	Steele
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.
Conrath	Lynch

So R. H. Myhre was elected Bill Clerk.

## ROLL CALL

The question being on the election of Ethel Cooley as Enrolling and Engrossing Clerk, 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.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	McCroroy	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Crocker	Martin	Steele
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.
Conrath	Lynch

So Ethel Cooley was elected Enrolling and Engrossing Clerk.

## ROLL CALL

The question being on the election of Dorothy Moses as Assistant Enrolling and Engrossing Clerk, 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.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	McCroroy	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Crocker	Martin	Steele
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.
Conrath	Lynch

So Dorothy Moses was elected Assistant Enrolling and En-grossing Clerk.

ROLL CALL

The question being on the election of Casper Bye as Door-keeper and Janitor, 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.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	McCrary	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Crocker	Martin	Steele
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.
Conrath	Lynch

So Casper Bye was elected Doorkeeper and Janitor.

ROLL CALL

The question being on the election of Forest Thompson as Proof reader, 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.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	McCrary	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Crocker	Martin	Steele
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam

Messrs.	Messrs.	Messrs.
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.
Conrath	Lynch

So Forest Thompson was elected Proof Reader.

#### ROLL CALL

The question being on the election of C. T. Evans as Bill Messenger, 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.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	McCrary	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Crocker	Martin	Steele
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.
Conrath	Lynch

So C. T. Evans was elected Bill Messenger.

#### ROLL CALL

The question being on the election of F. A. McDonald as Postmaster and Voucher Clerk, 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.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	McCrary	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser

Messrs.	Messrs.	Messrs.
Carey	Marshall	Seamands
Crocker	Martin	Steele
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.
Conrath	Lynch

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

ROLL CALL

The question being on the election of Jenny Fisher as Stenographer, the roll was called, and there were ayes 47, nays 0, absent and not voting 2.

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	McCrory	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Crocker	Martin	Steele
Eastgate	Murphy.	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.
Conrath	Lynch

So Jenny Fisher was elected Stenographer.

ROLL CALL

The question being on the election of Lillian Tofsrud as Stenographer, 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.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter

Messrs.	Messrs.	Messrs.
Benson	Kretschmar	Ritchie
Bond	McCroory	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Crocker	Martin	Steele
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Peck	

Absent and not voting:

Messrs. •	Messrs.
Conrath	Lynch

So Lillian Tofsrud was elected stenographer.

#### ROLL CALL

The question being on the election of Martha Berkey as Stenographer, 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.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	McCroory	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Crocker	Martin	Steele
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.
Conrath	Lynch

So Martha Berkey was elected stenographer.

#### ROLL CALL

The question being on the election of Ellen Jaeger as Stenographer, the roll was called, and there were ayes 47, nays 0, absent and not voting 2.

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar



Messrs.	Messrs.	Messrs.
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	McCroory	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Crocker	Martin	Steele
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.
Conrath	Lynch

So Ellen Jaeger was elected Stenographer.

ROLL CALL

The question being on the election of Wallace Maddock as Telephone Messenger, the roll was called, and there were ayes 47, nays 0, absent and not voting 2.

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	McCroory	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Crocker	Martin	Steele
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.
Conrath	Lynch

So Wallace Maddock was elected Telephone Messenger.

ROLL CALL

The question being on the election of E. T. Judd as Mailing Clerk, the roll was called, and there were ayes 47, nays 0, absent and not voting 2.

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar

Messrs..	Messrs.	Messrs.
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	McCrorry	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Crocker	Martin	Steele
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.
Conrath	Lynch

So E. T. Judd was elected Mailing Clerk.

#### ROLL CALL

The question being on the election of M. C. Scherffele as Governor's Messenger, 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.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	McCrorry	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Crocker	Martin	Steele
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.
Conrath	Lynch

So M. C. Scherffele was elected Governor's Messenger.

#### ROLL CALL

The question being on the election of Anthony Walton as Gallery Doorkeeper, 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.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	McCrorry	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Crocker	Martin	Steele
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.
Conrath	Lynch

So Anthony Walton was elected Gallery Doorkeeper.

#### ROLL CALL

The question being on the election of Vincent La France as Cloakroom attendant, the roll was called, and there were ayes 47, nays 0, absent and not voting 2.

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	McCrorry	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Crocker	Martin	Steele
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.
Conrath	Lynch

So Vincent La France was elected Cloakroom Attendant.

The President administered the oath of office to the following:

Ethel Cooley, Dorothy Moses, Casper Bye, Forest R. Thompson, C. T. Evans, Jenny Fisher, Lillian Tofsrud, Wallace Maddock, E. T. Judd, M. C. Scherffele, Anthony Walton, and Vincent La France.

Senator Bond moved that the Senate do now adjourn, which motion prevailed.

W. D. AUSTIN,  
Secretary.

### THIRD DAY

Senate Chamber,  
Bismarck, N. Dak.  
January 6, 1927.

The Senate convened at 2 P. M., the President presiding.

Prayer by the Chaplain, Rev. Vater.

Roll Call—all members 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 first day after recess and second day and recommend that the same be corrected as follows:

Strike out lines three, four, five and six from the bottom of page 1.

On page 1 after words J. E. Stevens, Chairman, insert the following: Sen. Ettestad filed a minority report of the committee on Rules.

On page three, line 1, change word "on" to "of".

In line two change word "of" to "on".

And when so corrected recommend that the same be approved.

J. E. STEVENS,  
Chairman.

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

Communications protesting the passage of "The Week-Day Church School Bill," signed by Rev. D. Bergstedt of McIntosh County, and 117 others, were read.

Sen. Obert A. Olson introduced a resolution to appoint the official photographer for the Senate of the Twentieth Legislative Assembly of the state of North Dakota.

Whereas: It has been the custom of all assemblies of the North Dakota Senate to have a composite group of the individual members hung in the Senate Chambers, and

Whereas, The Butler Studio of Bismarck offers to make such a group and hang it, framed, in the Senate Chambers at a cost of one dollar for each individual in the group,

Therefore, Be It Resolved, that the Butler Studio of Bismarck, North Dakota, be, and is hereby appointed official photographers for the Senate of the Twentieth Legislative Assembly of the state of North Dakota.

Be It Further Resolved, that the Butler Studio of Bismarck, North Dakota, be, and is hereby awarded the sole privilege of photographing Members of the Senate of the Twentieth Legislative Assembly on the floor of the Senate Chambers.

Sen. Olson moved the adoption of the report, which motion prevailed.

Senator Lynch moved that the rules be suspended and that Senate Bill No. 2 be considered properly engrossed and placed upon third reading and final passage.

Which motion prevailed.

### ROLL CALL

Senate Bill No. 2. A Bill for an Act Declaring that the Courts of this State shall take Judicial Notice of a Publication of Certain Laws of this State Prepared and Published Pursuant to the Provisions of Chapter 158, Session Laws 1925, and Commonly Known and Entitled "Supplement to the Compiled Laws of 1913", and that Amendments and Repeals thereof and Enactments of other Laws referring thereto shall be Deemed to Refer to Laws of the State as Appearing in such Publication.

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.

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCrorry	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steele
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.
Bakken	Martin

So the bill passed and the title was agreed to.

Sen. Ployhar moved that the vote by which Senate Bill No. 2 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The President administered the oath of office to R. H. Myhre and Ellen Jaeger.

Senator Carey asked a return to the seventh order of business, which request was granted.

Sen. Carey moved the nomination of Senator Bond as President pro tem of the Senate.

Sen. Hamilton moved the nomination of Senator Benson as President pro tem of the Senate.

#### ROLL CALL

The question being on the election of President pro tem of the Senate, the roll was called, and there were ayes 25, nays 22, absent and not voting 1. Passed 1.

For Benson

Messrs.	Messrs.	Messrs.
Bakken	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCroory	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Sathre
Fine	Olson of Barnes	Wog
Fleckten	Olson of Burleigh	
Fredrickson	Olson of Eddy	

For Bond

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Seamands
Baird	Lynch	Steele
Bond	McLachlin	Stevens
Brunsdale	Murphy	Tofsrud
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Hart	Schlosser	

Passed

Messrs.  
Benson

Absent and not voting:

Messrs.  
Martin

So Senator Bond was elected President pro tem.

Senator Bond explained his vote.

It is my wish and desire to pass my vote at this time the same as my colleague, Sen. Benson, but inasmuch as I have been advised by friends that it requires a constitutional majority of this body to elect a president pro tem I cast my vote for myself.

Senator Hamilton moved that the vote by which Sen. Bond was elected President pro tem of the Senate be made unanimous.

Which motion prevailed.

Senator Murphy moved that the Senate do now recess until 1:30 Friday.

Which motion prevailed.

Senate stands recessed.

W. D. AUSTIN,  
Secretary.

## THIRD DAY AFTER RECESS AND FOURTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 7, 1927.

The Senate re-assembled at 1:30 p. m. pursuant to recess taken, the President presiding.

Sen. Carey requested a return to the seventh order of business.

Which request was granted.

Sen. Carey moved the nomination of the following employees: Lester Hulett, Bill Room Clerk; Carroll W. Blunt, Special Messenger; John Neibauer, Special Messenger.

Sen. Carey moved that the rules be suspended and the names of the employees be voted on in one roll call; the Journal to show individual roll call for each employee.

Which motion prevailed.

## ROLL CALL

The question being on the election of Lester Hulett as Bill Room Clerk, 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.
Bakken	Hamilton	Patterson
Benson	Hart	Porter
Bond	Hjelmstad	Ritchie
Brant	Kretschmar	Rusch
Brunsdale	Lynch	Sathre
Carey	McCrory	Schlosser
Conrath	McLachlin	Seamands
Crocker	Magnuson	Steele
Eastgate	Marshall	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Peck	



Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Baird	Martin
Murphy	Ployhar	

So Lester Hulett was elected Bill Room Clerk.

ROLL CALL

The question being on the election of Carroll W. Blunt as Special 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.
Bakken	Hamilton	Patterson
Benson	Hart	Porter
Bond	Hjelmstad	Ritchie
Brant	Kretschmar	Rusch
Brunsdale	Lynch	Sathre
Carey	McCrorry	Schlosser
Conrath	McLachlin	Seamands
Crocker	Magnuson	Steele
Eastgate	Marshall	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Baird	Martin
Murphy	Ployhar	

So Carroll Blunt was elected Special Messenger.

ROLL CALL

The question being on the election of John Neibauer as Special 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.
Bakken	Hamilton	Patterson
Benson	Hart	Porter
Bond	Hjelmstad	Ritchie
Brant	Kretschmar	Rusch
Brunsdale	Lynch	Sathre
Carey	McCrorry	Schlosser
Conrath	McLachlin	Seamands
Crocker	Magnuson	Steele
Eastgate	Marshall	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Baird	Martin
Murphy	Ployhar	

So John Neibauer was elected Special Messenger.

The President administered the oath of office to Martha Berkey, F. A. McDonald, Lester Hulett, Carroll W. Blunt, John Neibauer.

Senator Stevens requested a return to the eighth order of business.

Which request was granted.

Senator Stevens moved that the roll call on page 2 of the Journal of the First Day after recess and Second Day be amended to show Sen. Erickson voting in the affirmative instead of the negative.

Which motion prevailed.

Senator Rusch moved that the President appoint a committee of three to confer with a like committee from the House relative to the printing and distribution of the Journals.

Which motion prevailed.

The President appointed as such Committee Senators Rusch, Fine and Brunsdale.

Sen. Baird moved that the names Gross, Albright, and Loftsgaard be inserted after the word Martin in line 34, Page 7, Journal of first day; and that the word "and" be omitted in line 35, and names Pathman, Kretschmar and Hjelmstad be added after name Wog.

After line 35 insert, "Senator Pathman remarked, 'I have known former Senator O. C. Gross as a man of great sincerity and honesty of purpose and therefore desire to second this motion'".

Senator Carey requested a return to the seventh order of business.

Which request was granted.

Sen. Carey gave a verbal report on the selection of committee rooms.

Sen. Eastgate moved that the Senate do now adjourn.

Which motion prevailed.  
Senate stands adjourned.

W. D. AUSTIN,  
Secretary.

## FOURTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 7, 1927.

The Senate convened at 2 P. M., the President presiding.

Prayer by the Chaplain, Rev. Vater.

Roll call, all members present.

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

Mr. President: Your Temporary 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:

In line 2 from bottom of page 2 change name "Crocker" to "Conrath."

In Line 12, from bottom of page 2, change name "Conrath" to "Crocker."

And when so corrected recommend that the same be approved.

J. E. STEVENS,  
Chairman.

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

Senate Bill No. 2 was messaged to the House.

Sen. Whitman moved that a committee of three be appointed to draft suitable resolutions memorializing Congress to pass legislation for farm relief.

Which motion prevailed.

The President appointed as such committee Senators Whitman, Olson of Eddy, and Ettestad.

Sen. Carey moved the adoption of the committee report on securing committee rooms—Room 8 in the Lucas Bldg., Rooms 18 and 20 in the Eltinge Block, and a room in O. A. Olson's office.

## ROLL CALL

The question being on Senator Carey's motion, 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.
Baird	Hamilton	Patterson
Bakken	Hart	Porter
Benson	Hjelmstad	Ritchie

Messrs.	Messrs.	Messrs.
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McCrory	Schlosser
Carey	McLachlin	Seamands
Conrath	Magnuson	Steele
Crocker	Marshall	Stevens
Eastgate	Martin	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Murphy	Ployhar

So the motion prevailed.

Courtesies of the floor were extended to Ex-Senator Aug. E. Johnson, Washburn; Mrs. Alfred Dale, Mrs. Herbert Roberts, Mrs. A. S. Marshall, E. R. Sinkler, Byron Krantz, Fred Hutchinson, W. C. Taylor, Mack V. Traynor.

Senator Stevens moved that the Senate do now adjourn. Which motion prevailed. Senate stands adjourned.

W. D. AUSTIN,  
Secretary.

FIFTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 8, 1927.

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the chaplain, Rev. Vater.

ROLL CALL

All members present.

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

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

On page 3, line 19, after the first word "the" insert "printing and."

And when so corrected recommend that the same be approved.

J. E. STEVENS,  
Chairman.

Senator Stevens moved that the report be adopted.

Which motion prevailed.

The report was adopted.

The President submitted the following list of committee appointments:

## SENATE STANDING COMMITTEES

**AGRICULTURE:** (11 members). Chairman—Ettestad, Tofsrud, Magnuson, Eastgate, Bakken, Seamands, C. J. Olson, Carey, O. H. Olson, Van Camp, Fine.

**APPROPRIATIONS:** (17 members). Chairman—Schlosser, Kretschmar, Benson, Van Camp, Patten, Murphy, Magnuson, Ployhar, Sathre, Baird, Fleckten, Bond, Hamilton, Rusch, Marshall, Steele, O. A. Olson.

**APPORTIONMENT:** (23 members). Chairman—Wog, Bond, Ettestad, Cary, Fleckten, Kretschmar, Martin, Murphy, Sathre, Atkins, O. A. Olson, Ployhar, Peck, Steele, Brant, Stevens, Conrath, Van Arnum, Bakken, Pathman, Patten, Seamands, Ritchie.

**BANKS AND BANKING:** (15 members). Chairman—Tofsrud, O. H. Olson, McLachlan, Patterson, Rusch, Frederickson, Kretschmar, Ritchie, Atkins, Sathre, Porter, Patten, Pathman, Fleckten, Bond.

**CITIES AND MUNICIPAL CORPORATIONS:** (11 members). Chairman—Rusch, Benson, Bond, Martin, Tofsrud, Whitman, Wog, Ployhar, O. A. Olson, Steele, Lynch.

**CORPORATIONS OTHER THAN MUNICIPAL:** (9 members). Chairman—O. A. Olson, Tofsrud, Ritchie, Baird, Erickson, Brunsdale, Magnuson, Seamands, Hjelmstad.

**COUNTIES:** (11 members). Chairman—Benson, Seamands, Ettestad, Bond, Fleckten, Hart, Sathre, Schlosser, Conrath, Porter, Fredrickson.

**EDUCATION:** (11 members). Chairman—Steele, Ettestad, Murphy, Peck, Porter, Marshall, Eastgate, C. J. Olson, Lynch, Crocker, Van Arnam.

**ELECTIONS:** (9 members). Chairman—Carey, Benson, Bond, Patten, Baird, Magnuson, Atkins, Bakken, Stevens.

**ENROLLED AND ENGROSSED BILLS:** (5 members). Chairman—C. J. Olson, Schlosser, Marshall, Hart, Hjelmstad.

**FEDERAL RELATIONS:** (7 members). Chairman—McLachlin, Hamilton, Fine, Hart, Patten, Pathman, Hjelmstad.

**GAME AND FISH:** (9 members). Chairman—Stevens, Peck, Van Camp, Eastgate, Conrath, Atkins, McCrory, Pathman, O. A. Olson.

**HIGHWAY:** (11 members). Chairman—Patten, Atkins, Benson, Lynch, Martin, Tofsrud, Van Camp, McLachlin, Peck, Schlosser, Wog.

**IMMIGRATION:** (9 members). Chairman—McCrorry, Steele, Erickson, Van Camp, Conrath, Seamands, Ritchie, Eastgate, Bakken.

**INDIAN AFFAIRS:** (5 members). Chairman—Seamands, Stevens, Benson, Patten, Fine.

**INSURANCE:** (11 members). Chairman—Murphy, Magnuson, Hjelmstad, Porter, Forbes, Fleckten, Carey, O. A. Olson, Rusch, O. H. Olson, Steele.

**IRRIGATION AND DRAINAGE:** (9 members). Chairman—Van Camp, Bakken, Whitman, McCrorry, Tofsrud, Fleckten, Bond, Fine, McLachlin.

**JUDICIARY:** (17 members). Chairman—Ployhar, Baird, Ettetstad, Wog, Brunsdale, C. J. Olson, Lynch, Brant, Steele, Sathre, Van Arnam, O. A. Olson, Fine, Carey, Stevens, Peck, Crocker.

**LIVESTOCK:** (11 members). Chairman—Martin, Eastgate, Hamilton, McLachlin, Marshall, Seamands, O. H. Olson, Atkins, Ritchie, Van Camp, McCrorry.

**MILEAGE AND PER DIEM:** (3 members). Chairman—Eastgate, Forbes, Erickson.

**MILITARY AFFAIRS:** (9 members). Chairman—Baird, Crocker, Schlosser, Hamilton, Ployhar, Martin, Atkins, McCrorry, Seamands.

**MINES AND MINERALS:** (9 members). Chairman—Fleckten, Pathman, Peck, Baird, Atkins, O. A. Olson, Bond, Wog, Patterson.

**PUBLIC HEALTH:** (9 members). Chairman—Frederickson, Porter, O. A. Olson, Steele, Martin, Stevens, Hjelmstad, Atkins, Patterson.

**PUBLIC LANDS:** (9 members). Chairman—Patterson, Pathman, Brunsdale, Wog, C. J. Olson, Hart, Ritchie, Kretschmar, O. H. Olson.

**PUBLIC PRINTING:** (9 members). Chairman—Porter, Ettetstad, Ployhar, Magnuson, Fine, Crocker, Tofsrud, O. A. Olson, Brunsdale.

**RAILROADS:** (13 members). Chairman—Whitman, Benson, Ettetstad, Brunsdale, Fleckten, Hart, Rusch, Patten, Brant, Kretschmar, Erickson, Eastgate, Forbes.

**REVISION AND CORRECTION OF THE JOURNAL:** (3 members). Chairman—Forbes, Brant, Hart.

**RULES:** (7 members). Chairman—Marshall, Brunsdale, Fleckten, Van Arnam, Sathre, Stevens, Ettetstad.

**STATE AFFAIRS:** (17 members). Chairman—Hamilton, Ployhar, Sathre, Murphy, O. H. Olson, Atkins, Wog, Bond, Brant, Brunsdale, Erickson, Lynch, Marshall, Porter, Patterson, Van Arnam, Frederickson.

**STATISTICS:** (7 members). Chairman—Kretschmar, O. H. Olson, Whitman, C. J. Olson, Schlosser, Marshall, Pathman.

**TAXES AND TAX LAWS:** (11 members). Chairman—Van Arnam, Marshall, Rusch, Ettestad, Tofsrud, C. J. Olson, Whitman, Wog, Brunsdale, Patten, Van Camp.

**TEMPERANCE:** (11 members). Chairman—Crocker, Whitman, Sathre, Tofsrud, Patterson, Van Camp, Hjelmstad, Stevens, C. J. Olson, Kretschmar, Conrath.

**WAREHOUSE AND GRAIN GRADING:** (11 members). Chairman—O. H. Olson, Brunsdale, Brant, McLachlin, Magnuson, Atkins, Frederickson, Hart, Patterson, Pathman, Hjelmstad.

**WAYS AND MEANS:** (9 members). Chairman—Magnuson, Carey, Hamilton, Patterson, Hart, McCrory, Lynch, Steele, Benson.

**WOMEN'S AND CHILDREN'S WELFARE:** (11 members). Chairman—Brunsdale, Conrath, Porter, Peck, Baird, Hjelmstad, Schlosser, Bakken, Stevens, McCrory, Whitman.

#### JOINT COMMITTEES

**PUBLIC BUILDINGS:** (7 members). Chairman—Fine, Rusch, O. H. Olson, Van Camp, Magnuson, Lynch, Patterson.

**CHARITABLE INSTITUTIONS:** (7 members). Chairman—Atkins, Van Camp, Conrath, Hart, Martin, Schlosser, Bakken.

**EDUCATIONAL INSTITUTIONS:** (7 members). Chairman—Peck, Hart, Ettestad, Baird, Frederickson, Murphy, Brant.

**PENAL INSTITUTIONS:** (7 members). Chairman—Hart, Hamilton, Kretschmar, Peck, Forbes, Wog, Baird.

**STATE LIBRARY:** (7 members). Chairman—Lynch, Ettestad, Forbes, McCrory, Carey, Bakken, Hart.

**JOINT RULES:** (7 members). Chairman—Sathre, Marshall, Ployhar, Patterson, Forbes, Peck, Lynch.

**JOINT COMMITTEE ON LABOR:** (7 members). Chairman—Bond, Patterson, Carey, Magnuson, Van Camp, Ritchie, Van Arnam.

**JOINT COMMITTEE ON INSURANCE:** (7 members). Chairman—Brant, Murphy, Wog, Eastgate, Benson, Van Arnam, C. J. Olson.



**PUBLIC SAFETY COMMITTEE:** (7 members). Chairman—Stevens, Steele, Peck, Hjelmstad, Schlosser, Fine, Crocker.

Senator Stevens moved that the report of the President be laid on the table.

#### ROLL CALL

The question being on the motion of Senator Stevens, the roll was called, and there were ayes 26, nays 23, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steele
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman
Hart	Rusch	
Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrorry	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Sathre
Fine	Martin	Wog
Fleckten	Olson of Barnes	

So the motion was carried.

Senator Ettestad explained his vote:

It has been customary for the Lieutenant Governor to appoint the committees. This is supposed to be a session of harmony, and by a mere majority of one laying the assignments on the table takes away from the Lieutenant Governor a precedent established in all states of the Union, and even in the United States Senate.

Therefore, I think these assignments should not be laid upon the table. I vote "no."

Senator Patterson explained his vote:

I wish to vote "no" on this motion for the reason that the assignments of the Lieutenant Governor are entirely within the rights and privileges of the Lieutenant Governor.

It is absolutely unconstitutional, and without any principle whatever to protest these appointments.

Senator Murphy presented the report of the Committee on Assignments.

## SENATE STANDING COMMITTEES

**AGRICULTURE:** McLachlin, (Chairman), Eastgate, Benson, Carey, Magnuson, Tofsrud, C. J. Olson, Seamands, Bakken, Van Camp, Ettestad.

**APPROPRIATIONS:** Kretschmar (Chairman), Carey, Marshall, Ployhar, Benson, Murphy, O. A. Olson, Rusch, Hamilton, Steele, Patten, Bond, Magnuson, Baird, Brant, Van Camp, Whitman.

**APPORTIONMENT:** Van Arnam (Chairman), Atkins, Wog, Bond, Ettestad, Carey, Fleckten, Kretschmar, Martin, Murphy, O. H. Olson, Ployhar, Peck, Baird, Bakken, Eastgate, Patten, Steele, Ritchie, Rusch, Sathre, Seamands, Brant.

**BANKS AND BANKING:** Lynch (Chairman), Pathman, O. H. Olson, Tofsrud, Patterson, McLachlin, Hamilton, Rusch, Frederickson, Kretschmar, Sathre, Atkins, Patten, Hjelmstad, Bond.

**CITIES AND MUNICIPAL CORPORATIONS:** Forbes (Chairman), Steele, O. A. Olson, Bond, Martin, Rusch, Benson, Brunsdale, Wog, Stevens, Conrath.

**CORPORATIONS OTHER THAN MUNICIPAL:** Pathman (Chairman), Van Arnam, Sathre, Bond, Hamilton, Lynch, Patterson, Ployhar, Ritchie.

**COUNTIES:** Ettestad (Chairman), Seamands, Frederickson, Bond, Benson, Schlosser, Fleckten, Porter, Brant, Hart, Forbes.

**EDUCATION:** Steele (Chairman), Murphy, Ettestad, Van Arnam, Peck, Crocker, Marshall, Porter, C. J. Olson, Eastgate, Sathre.

**ELECTIONS:** Carey (Chairman), Baird, Benson, Bond, Patten, Stevens, Bakken, Atkins, Magnuson.

**ENROLLED AND ENGROSSED BILLS:** Schlosser (Chairman), Brunsdale, C. J. Olson, Crocker, Marshall.

**FEDERAL RELATIONS:** Hart (Chairman), Whitman, Hamilton, McLachlin, Patten, Pathman, Hjelmstad.

**GAME AND FISH:** Stevens (Chairman), Eastgate, Hamilton, Atkins, Peck, Whitman, McCrory, Pathman, Conrath.

**HIGHWAYS:** Atkins (Chairman), Van Camp, O. H. Olson, Eastgate, Peck, Porter, Magnuson, Forbes, Wog, Seamands, Bakken.

**IMMIGRATION:** Benson (Chairman), Seamands, McCrory, Steele, Van Camp, Ritchie, Eastgate, Brunsdale, Erickson.

**INDIAN AFFAIRS:** Seamands (Chairman), Stevens, Benson, Hart, Patten.

**INSURANCE:** Murphy (Chairman), Porter, Magnuson, Rusch, Sathre, Carey, Wog, Van Arnam, Fine, Steele, Fredrickson.

**IRRIGATION AND DRAINAGE:** Fleckten (Chairman), Van Camp, Conrath, Whitman, McCrory, Brunsdale, Bakken, McLachlin, Tofsrud.

**JUDICIARY:** Baird (Chairman), Lynch, Sathre, Forbes, Ettestad, Ployhar, C. J. Olson, Stevens, O. A. Olson, Steele, Wog, Atkins, Peck, Schlosser, O. H. Olson, Van Arnam, Patterson.

**LIVESTOCK:** Eastgate (Chairman), Hart, Patterson, McLachlin, Hamilton, Seamands, Martin, Van Camp, Hjelmstad, Van Arnam, Ritchie.

**MILEAGE AND PER DIEM:** Wog (Chairman), Brunsdale, Eastgate.

**MILITARY AFFAIRS:** Brunsdale (Chairman), Baird, Hamilton, Schlosser, Fine, Ployhar, O. A. Olson, Lynch, Martin.

**MINES AND MINERALS:** Hamilton (Chairman), Kretschmar, O. A. Olson, Baird, Wog, Tofsrud, Patterson, Whitman, Pathman.

**PUBLIC HEALTH:** Porter (Chairman), Stevens, Fine, Steele, Hjelmstad, Schlosser, Fredrickson, Lynch, Patterson.

**PUBLIC LANDS:** Patten (Chairman), Pathman, Fine, Van Arnam, Brant, Baird, Conrath, Hart, Kretschmar.

**PUBLIC PRINTING:** Tofsrud (Chairman), Ployhar, Ettestad, Porter, Fine, Crocker, McCrory, Lynch, Marshall.

**PUBLIC SAFETY:** Sathre (Chairman), Bond, Benson, Crocker, Hamilton, Steele, Stevens.

**RAILROADS:** Whitman (Chairman), Kretschmar, McCrory, Rusch, Fine, Lynch, Brant, Forbes, Sathre, Van Camp, Ettestad, Carey, Benson.

**REVISION AND CORRECTION OF THE JOURNAL:** C. J. Olson (Chairman), Schlosser, Kretschmar.

**RULES:** Crocker (Chairman), Stevens, Marshall, Lynch, Sathre, Baird, Fine.

**STATE AFFAIRS:** Ployhar (Chairman), Murphy, Hamilton, Schlosser, C. J. Olson, Porter, O. H. Olson, Atkins, Wog, Lynch, Fleckten, Bond, Erickson, Carey, Fredrickson, Tofsrud, Patterson.

**STATISTICS:** O. H. Olson (Chairman), Whitman, C. J. Olson, Kretschmar, Marshall, Schlosser, Pathman.

**TAX AND TAX LAWS:** Rusch (Chairman), Murphy, Ettestad, Forbes, Benson, Brunsdale, Brant, Van Camp, Wog, Tofsrud, Conrath.

TEMPERANCE: Magnuson (Chairman), McLachlin, Patterson, Van Camp, Hjelmstad, Stevens, McCrory, Tofsrud, Fredrickson, Hart, Crocker.

WAREHOUSE AND GRAIN GRADING: Van Camp (Chairman), Atkins, O. H. Olson, Van Arnam, Magnuson, McLachlin, Fredrickson, Hart, Patterson, Pathman, Hjelmstad.

WAYS AND MEANS: Bond (Chairman), Lynch, Hamilton, Carey, Patterson, Rusch, Benson, Hart, Fleckten, Steele, Peck.

WOMEN'S AND CHILDREN'S WELFARE: Marshall (Chairman), Porter, Conrath, Crocker, Peck, Schlosser, Erickson, Baird, Bakken, Stevens, Whitman.

JOINT COMMITTEE ON PUBLIC BUILDINGS: McCrory (Chairman), Forbes, Erickson, Rusch, Brant, Van Camp, Lynch.

JOINT COMMITTEE ON CHARITABLE INSTITUTIONS: Ritchie (Chairman), Van Camp, Martin, Brunsdale, Bakken, Hart, Schlosser.

JOINT COMMITTEE ON EDUCATIONAL INSTITUTIONS: Peck (Chairman), Crocker, Hjelmstad, Murphy, Fleckten, Steele, Baird.

JOINT COMMITTEE ON PENAL INSTITUTIONS: Patterson (Chairman), Forbes, Hamilton, Stevens, Erickson, Kretschmar, Van Camp.

JOINT COMMITTEE ON STATE LIBRARY: O. A. Olson (Chairman), Hart, Erickson, Lynch, Hjelmstad, Forbes, Carey.

JOINT COMMITTEE ON JOINT RULES: Fredrickson (Chairman), Ployhar, Patterson, Forbes, Peck, Lynch, Van Arnam.

JOINT COMMITTEE ON LABOR: Hjelmstad (Chairman), Bond, Erickson, Whitman, Fleckten, Brunsdale, Stevens.

JOINT COMMITTEE ON INSURANCE: Fine (Chairman), Murphy, Wog, Tofsrud, Magnuson, Eastgate, Van Arnam.

Senator Murphy moved the adoption of the report.

The President ruled that the motion of Senator Murphy was out of order.

Senator Murphy appealed from the decision of the President.

#### ROLL CALL

Roll call on the appeal from the President's decision.

The question being on the appeal from President Maddock's decision, the roll was called, and there were ayes 23, nays 26, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrary	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Sathre
Fine	Martin	Wog
Fleckten	Olson of Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steele
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman
Hart	Rusch	

So the appeal was sustained.

Senator Hamilton explained his vote:

Believing as I do, this committee is unconstitutionally formed because the rule that was changed by which the committee was made included a member who was not of the State Senate. Just a few days ago I renewed my oath to support the Constitution of the United States and of North Dakota. Therefore, I vote "aye."

Senator Sathre explained his vote:

I vote "aye" for the sole reason that this seems to be in direct conflict with an unbroken precedent.

Senator Patterson moved that the motion of Senator Murphy to adopt the committee report be laid on the table.

The motion was lost.

#### ROLL CALL

The question being on the adoption of Senator Murphy's report, the roll was called, and there were ayes 27, nays 22, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Sathre
Baird	Lynch	Schlosser
Bond	McLachlin	Seamands

Messrs.	Messrs.	Messrs.
Brunsdale	Murphy	Steele
Carey	Olson of Burleigh	Stevens
Crocker	Pathman	Tofsrud
Eastgate	Ployhar	Van Arnam
Forbes	Porter	Van Camp
Hart	Rusch	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrary	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Wog
Fine	Martin	
Fleckten	Olson of Barnes	

So the report was adopted.

Senator Benson explained his vote:

In explaining my vote I take the stand that the rules governing this body at the present time are the same as those which governed the preceding body. Rule 23 of that body says:

Rule 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.

I vote "no."

Senator Ettestad explained his vote:

As a member of this committee I feel they have been appointed as fairly as could be expected, but at the same time this is supposed to be a harmonious session and I feel there should not be taken from the Lieutenant Governor the precedent which has existed since the state was organized.

Therefore, I vote "no."

Senator Hamilton explained his vote:

I vote against this measure for the same reason as before; because I question the rule that names the Lieutenant Governor as a member of this Senate. It is unconstitutional.

Senator Patterson explained his vote:

It is unconstitutional in precedent to adopt this report.

I wish to read and quote the statutes you have at the present time that go back to the infancy of our state. (Referred to laws of 1899, rule 35, page 215).

It is unfair for a group of men whether by large majority or a majority of one to come in with a steam roller and ride down a minority, standing upon its principles and rights.

I vote "no."

Senator Sathre explained his vote:

Inasmuch as this question is practically settled on the appeal from the chair I see no good purpose in continuing the contest further.

I vote "aye."

Senator Ployhar moved that the vote by which Senator Murphy's report was carried be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Rusch presented the following report:

Your Committee appointed to confer with a like committee from the House relative to the printing and distribution of the Journal begs leave to make the following report:

Mr. President: Your Select Committee appointed to confer with a like Select 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 will 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.

H. J. RUSCH,  
Chairman.

C. NORMAN BRUNSDALE,  
C. W. FINE.

Senator Rusch moved the adoption of the report.

Which motion prevailed.

Senator Ployhar moved that a committee of three be appointed to confer with a like committee from the House to arrange for a joint session on Friday afternoon, January 14, to hear Ex-Governor Harding of Iowa, speak on the "Great Lakes Waterway."

Which motion prevailed.

The President appointed as such committee Senators Ployhar, Hamilton and Murphy.

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

Senator McLachlin introduced:

Senate Bill No. 3. A Bill for an Act providing that depositories of public funds may, with the consent of proper authorities, deposit and pledge as security in order to obtain the deposit of public funds, bonds, warrants, or bills receivable in an amount equal to the maximum deposit with such depository.

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

Senator Forbes introduced:

Senate Bill No. 4. A Bill for an Act to amend and re-enact Section 4230 of the Compiled Laws of North Dakota for the year 1913.

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

Senator Bond introduced:

Senate Bill No. 5. A Bill for an Act Providing for the discontinuance of the Depositors Guaranty Fund and Limiting the Time to Which Depositors are Guaranteed by Said Fund and the Laws Relating Thereto.

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

Senator W. S. Whitman introduced:

Senate Bill No. 6. A Bill For an Act to appropriate the sum of \$75,000, 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 Grand Forks, Grand Forks County, North Dakota, and the City of East Grand Forks, Polk County, Minnesota, Under the Provisions of Subdivision C of Section 2976 T 15 of the Supplement to the Compiled Laws 1913.

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

Senator Carey moved that the Senate do now adjourn.

Which motion prevailed.

Senate stands adjourned.

W. D. AUSTIN,  
Secretary.

## SEVENTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 10, 1927.

The Senate convened at 2:00 P. M.

The President presiding.

Prayer by the Chaplain, Rev. C. A. Stephens.

Roll call:

Absent, Senators Lynch 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 Fifth day and recommend that the same be corrected as follows:

Strike out everything after the words roll call to the words all Members present.

On Page 11 in line 37 after the word "Therefor" insert the word "To".

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

Senator C. J. Olson moved that the report be adopted, which motion prevailed and the report was adopted.

A petition addressed to Sen. Wog, with 78 signatures, urging legislation to build a bridge connecting the towns of Marmarth, N. Dak., and Camp Crook, S. Dak., was read from the desk.

Two communications regarding the Week Day Church School, signed by H. Elster, and R. J. Nygaard and three others were read from the desk.

Sen. Stevens requested that the Senate proceed with the eighth order of business.

Which request was granted.

Senator Stevens then moved that the Senate object to the consideration of such petitions and communications as refer to the proposed "Week-Day Church School Bill."

Which motion carried.

Message from the House.

House Chamber,  
Bismarck, North Dakota,  
January 10, 1927.

Mr. President: I have the honor to inform you that the House has appointed the following committee consisting of Messrs. Trubshaw, Richardson and Olafson to act with a like committee of the Senate to arrange for a meeting of all members in the House Chamber on January the 14th to listen to an address by ex-Governor Harding, of Iowa.

Very respectfully,

C. R. VERRY,  
Chief Clerk.  
House Chamber,

Bismarck, North Dakota,  
January, 8, 1927.

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

Senate Bill No. 2. A Bill for an Act Declaring that the Courts of this State shall take Judicial Notice of a Publication of Certain Laws of this State Prepared and Published Pursuant to the Provisions of Chapter 158, Session Laws 1925, and Commonly Known and Entitled "Supplement to the Compiled Laws of 1913", and that Amendments and Repeals thereof and Enactments of other Laws referring thereto shall be Deemed to Refer to Laws of the State as Appearing in such Publication.

Which the House has passed unchanged.

Very respectfully,

C. R. VERRY,  
Chief Clerk.

#### INTRODUCTION AND FIRST AND SECOND READING SENATE BILLS

The Committee on Appropriations introduced:

Senate Bill No. 7. A Bill For an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid into or Credited to the General Fund.

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

The Committee on Appropriations introduced:

Senate Bill No. 8. A Bill For an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913, and to Meet Other Requirements Prescribed by the Federal Statutes.

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

The Committee on Appropriations introduced:

Senate Bill No. 9. A Bill For an Act Making 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 Reenacted by Chapter 226, Laws of 1915, and as Amended and Reenacted by the Initiated Law approved November 2nd, 1920, and as Provided for in Chapter 143, Laws of 1923.

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

The Committee on Appropriations introduced:

Senate Bill No. 10. 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 Association.

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

The Committee on Appropriations introduced:

Senate Bill No. 11. A Bill For an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Chapter 145 of the Session Laws of 1923, and Magpie Bounty as Provided For by Chapter 144 of Session Laws of 1923.

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

The Committee on Appropriations introduced:

Senate Bill No. 12. A Bill For an Act Making an Appropriation for Salaries, Clerkhire and Miscellaneous Expenses of the Game and Fish Board.

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

The Committee on Appropriations introduced:

Senate Bill No. 13. A Bill For an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Rents, Repairs, Insurance and Upkeep of Grounds.

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

The Committee on Appropriations introduced:

Senate Bill No. 14. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate.

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

The Committee on Appropriations introduced:

Senate Bill No. 15. A Bill For an Act to Amend and Re-enact Section 11,258 of the Compiled Laws of North Dakota, 1913, relating to the State Prison Revolving Fund.

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

The Committee on Appropriations introduced:

Senate Bill No. 16. A Bill For an Act to Make an Appropriation from the State Prison Revolving Fund for the Construction of Buildings and Improvements and for the Purchase of Land for the State Penitentiary.

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

The Committee on Appropriations introduced:

Senate Bill No. 17. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

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

The Committee on Appropriations introduced:

Senate Bill No. 18. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

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

The Committee on Appropriations introduced:

Senate Bill No. 19. 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 times and referred to the Committee on Appropriations.

Sen. Whitman introduced, by request:

Senate Bill No. 20. A Bill For an Act to regulate the occupation of hairdressers and cosmetologists to create a State Board of Hairdressers and Cosmetologists for the licensing of persons to carry on and to teach such practices, to insure the better education of such practitioners, to provide rules regulating the proper conduct and sanitation of hairdressing and cosmetologist establishments and school for the protection of the public health, and to provide penalties for violation thereof.

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

Sen. Brunsdale and Sathre introduced:

Senate Bill No. 21. A Bill For an Act to Permit Religious Instruction of Pupils Attending Public School, and Defining the Powers of Board of Education, Boards of School Directors and School Officials in Relation thereto.

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

Senator Kretschmar introduced, Concurrent Resolution:

#### CONCURRENT RESOLUTION

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; and

Whereas, the adoption and completion of such project has been requested by the farmers and industries of the Middle and Northwest for many years last past, from the Congress of the United States; and

Whereas, the carriers by rail in this Nation are now demanding increased rates for the transportation of grain and grain products, making the need for such project more acute than at any previous period.

Now, Therefore, Be It Resolved, by the Senate of the Twentieth 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 State of the State of North Dakota send a copy of this Resolution to the President of the United States, 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 Benson asked to return to the eighth Order of Business.

Which request was granted.

Sen. Benson then moved that the President appoint a committee of three to investigate the Workmen's Compensation Bureau, the committee to have authority to employ a stenographer and such help as is necessary to secure a fair and impartial investigation, the report of such investigation to be made to the Senate.

Which motion prevailed.

The President appointed as such committee Senators Benson, McLachlin and Frederickson.

Sen. Kretschmar moved that the absent senators be excused.

Which motion prevailed.

Senator Porter moved the Senate do now adjourn.

Which motion prevailed.

Senate stands adjourned.

W. D. AUSTIN,  
Secretary.

## EIGHTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 11, 1927.

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

Prayer by the Chaplain, Rev. C. A. Stephens.

Roll call.

Absent: Senators Atkins, Baird, Lynch and McLachlin.

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 recommend that the same be corrected as follows:

On page 6, line 21, after the word "asked" strike out the letter "a" and insert the word "to".

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

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

Senator Frederickson submitted the following report:  
Mr. President:

The Joint Committee on Joint Rules beg to leave to report as follows:

We recommend that the Joint Rules of the Nineteenth Legislative Session be adopted as the Joint Rules of the Twentieth Legislative Session, with the added recommendation that Rule 9 be strictly enforced.

L. O. FREDERICKSON,  
Chairman.



Senator Frederickson moved the adoption of the report.

Which motion prevailed.

Senator Rusch submitted a verbal report of the Committee on Printing and Distribution of the Journal.

Senator Stevens moved that the Committee in charge of printing and distribution of the Journal be authorized to have as many additional copies printed as necessary to meet the required mailing list.

Which motion prevailed.

Senator Wog requested a return to the sixth Order of Business.

Which request was granted.

Senator Wog presented the following report.

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

Mr. President: Your committee on Mileage and Per Diem reports that the list of Senators are entitled to the mileage submitted.

GUST WOG,  
Chairman.

District	Name and Address	N. P.	G. N.	Soo	Mil.	Team	Total
1	Fred Van Camp, St. Thomas .....	730				30	760
2	John E. Fleckten, Kenmare .....	278		464			742
3	Peder L. Hjelmstad, Edmore .....	388	342			10	740
4	P. J. Murphy, Grafton .....	730					730
5	J. E. Eastgate, Larimore .....	388	212			10	610
6	W. S. Whitman, Grand Forks .....	388	156				544
7	Walter Schlosser, Grand Forks .....	388	156				544
8	C. Norman Brunsdale, Mayville .....	388	112				500
9	H. J. Rusch, Fargo .....	388					388
10	John Van Arnum, Kindred .....	388				52	440
11	Peter McLachlin, Hunter .....	388	72				460
12	Joseph Forbes, Wahpeton .....	388			96		484
13	R. G. McCrory, Cogswell .....			344		12	356
14	W. G. Crocker, Lisbon .....	498				2	500
15	F. E. Ployhar, Valley City .....	278					278
16	P. O. Sathre, Finley .....	388	138				526
17	L. O. Frederickson, Pekin .....	388	204			16	608
18	W. H. Porter, Calvin .....	388	416				804
19	John W. Benson, Rolette .....	388	208	276			872
20	C. W. Fine, Sheyenne .....	346				8	354
21	J. E. Stevens, Devils Lake .....	388	334				722
22	S. J. Atkins, Cando .....	388	402				790
23	Alfred Steele, Jamestown .....	204					204
24	W. D. Lynch, LaMoure .....	302					302
25	A. S. Marshall, Forbes .....	314	86			8	408

District	Name and Address	N. P.	G. N.	Soo	Mil.	Team	Total
26	E. H. Brant, Linton .....	66					66
27	Obert Olson, Bismarck .....						
28	Nels Magnuson, Souris .....	388	550			16	954
29	Walter Bond, Minot .....	274		366			640
30	W. E. Martin, Huff .....	50				12	62
31	L. R. Baird, Dickinson .....	230					230
32	O. H. Olson, New Rockford .....	326				20	346
33	J. L. Hart, Chaseley .....	358					358
34	D. H. Hamilton, Eckman .....	272		572		12	856
35	C. G. Ritchie, McClusky .....	418					418
36	P. T. Kretschmar, Ventura .....			216			216
37	C. W. Carey, Lidgerwood .....			404		20	424
38	C. J. Olson, Valley City .....	278				21	299
39	Gust Wog, Belfield .....	270				36	306
40	C. E. Erickson, Ambrose .....	588		172		10	760
41	C. L. Bakken, Tioga .....	278	164	366		4	812
42	O. T. Tofsrud, Rugby .....	388	448				836
43	G. Patterson, Donnybrook .....			578		12	590
44	R. W. Patten, Plaza .....			36		14	250
45	Ole Ettestad, Balfour .....			296		10	306
46	A. A. Peck, Underwood .....			132		18	150
47	Fred Pathman, Carson .....	192					192
48	F. P. Conrath, Stanton .....	60					60
49	Charles A. Seamands, Hettinger .....	520			306		826

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

Senator Brunsdale so presented the following:

#### RESOLUTION

Whereas, It is now compulsory under state law for the custodians of county property to have the same insured against loss by fire and tornado with the State of North Dakota, through the State Fire and Tornado Fund, such insurance being co-insurance based upon the true and face value of such property, and,

Whereas, the Court House of Traill County, so insured in compliance with law, is in the opinion of this board, a fire-proof building, and it is not necessary to have the same at all times insured at full value against loss by fire, and this board believes that the laws be so amended that it be optional with County Commissioners to carry fire insurance on fire proof buildings,

Be It Further Resolved, that the legislative members from Traill County be requested to seek to effect such amendments to the laws as will make the insurance of county property against loss by fire optional, in the event that such property is of fire proof construction, and,

Be It Further Resolved, that this board is in favor of having all public owned property insurable by the State Fire

and Tornado Fund, appraised by an appraiser or appraisers, employed by the Insurance Commissioner, the cost of such appraisal to be defrayed by such additional premium as might be necessary, such appraisal being compulsory. And that a copy of this resolution be sent to each of the Legislative Members of Traill County and to the Commissioner of Insurance.

STATE OF NORTH DAKOTA,

County of Traill

I, Gerhard D. Olson, the duly elected and qualified Auditor in Traill County, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board of County Commissioners at a regular meeting held January 6, 1927.

GERHARD D. OLSON,  
County Auditor.

Senator Carey moved the nomination of the following employees:

A. H. Irwin—Asst. Mailing Clerk.

Mrs. Myrtle Hight—Stenographer.

Leo McDonald—Clerk of Appropriations Committee.

H. M. Stroud—Clerk of State Affairs Committee.

Senator Carey moved the above nominations be voted on in one roll call, the Journal to show individual roll call for each employee.

Which motion prevailed.

#### ROLL CALL

The question being on the election of A. H. Irwin as Asst. Mailing 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.
Bakken	Hamilton	Patterson
Benson	Hart	Ployhar
Bond	Hjelmstad	Porter
Brant	Kretschmar	Ritchie
Brunsdale	McCrary	Rusch
Carey	Magnuson	Sathre
Conrath	Marshall	Schlosser
Crocker	Martin	Seamands
Eastgate	Murphy	Steele
Erickson	Olson of Barnes	Stevens
Ettestad	Olson of Burleigh	Tofsrud
Fine	Olson of Eddy	Van Arnam
Fleckten	Pathman	Van Camp
Forbes	Patten	Whitman
Fredrickson	Peck	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Lynch	McLachlin
Baird		

So A. H. Irwin was elected Asst. Mailing Clerk.

The question being on the election of Mrs. Myrtle Hight as Stenographer, the roll was called, and there were ayes 45, nays 0, absent and not voting 4.

#### ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Hamilton	Patterson
Benson	Hart	Ployhar
Bond	Hjelmstad	Porter
Brant	Kretschmar	Ritchie
Brunsdale	McCrary	Rusch
Carey	Magnuson	Sathre
Conrath	Marshall	Schlosser
Crocker	Martin	Seamands
Eastgate	Murphy	Steele
Erickson	Olson of Barnes	Stevens
Ettestad	Olson of Burleigh	Tofsrud
Fine	Olson of Eddy	Van Arnam
Fleckten	Pathman	Van Camp
Forbes	Patten	Whitman
Fredrickson	Peck	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Lynch	McLachlin
Baird		

So Myrtle Hight was elected Stenographer.

#### ROLL CALL

The question being on the election of Lee McDonald as Clerk of Appropriation Committee, 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.
Bakken	Hamilton	Patterson
Benson	Hart	Ployhar
Bond	Hjelmstad	Porter
Brant	Kretschmar	Ritchie
Brunsdale	McCrary	Rusch
Carey	Magnuson	Sathre
Conrath	Marshall	Schlosser
Crocker	Martin	Seamands
Eastgate	Murphy	Steele
Erickson	Olson of Barnes	Stevens
Ettestad	Olson of Burleigh	Tofsrud
Fine	Olson of Eddy	Van Arnam
Fleckten	Pathman	Van Camp
Forbes	Patten	Whitman
Fredrickson	Peck	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Lynch	McLachlin
Baird		

So Leo McDonald was elected Clerk of Committee on Appropriations.

**ROLL CALL**

The question being on the election of H. M. Stroud as Clerk of State Affairs Committee, 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.
Bakken	Hamilton	Patterson
Benson	Hart	Ployhar
Bond	Hjelmstad	Porter
Brant	Kretschmar	Ritchie
Brunsdale	McCrory	Rusch
Carey	Magnuson	Sathre
Conrath	Marshall	Schlosser
Crocker	Martin	Seamands
Eastgate	Murphy	Steele
Erickson	Olson of Barnes	Stevens
Ettestad	Olson of Burleigh	Tofsrud
Fine	Olson of Eddy	Van Arnam
Fleckten	Pathman	Van Camp
Forbes	Patten	Whitman
Fredrickson	Peck	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Lynch	McLachlin
Baird		

So. H. M. Stroud was elected Clerk of State Affairs Com-cused.

Senator Kretschmar moved that all absent Senators be ex-cused.

Which motion prevailed.

**INTRODUCTION AND FIRST AND SECOND READING OF SENATE BILLS**

Senator Murphy introduced:

Senate Bill No. 22. A Bill For an act to authorize a tax levy in cities and towns for the purpose of providing a fund for the maintenance or employment of a band for municipal purposes, and providing for submission of the question of levying a tax for such purpose to the voters of such cities and towns.

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

The Committee on Appropriations introduced:

Senate Bill No. 23. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 200, Session Laws 1923, the same being Section 5220b9 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Depositors' Guaranty Fund Commission.

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

The Committee on Appropriations introduced:

Senate Bill No. 24. A Bill For an Act to Amend and Re-enact Section 5 of the Initiated Measure entitled, "An Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels and for the Disposition of the Revenue Derived Therefrom; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing all Acts or parts of Acts in conflict with the Provisions of this Act," and approved at a State-wide Election held June 30, 1926.

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

The Committee on Appropriations introduced:

Senate Bill No. 25. A Bill For an Act to Amend and Re-enact Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Disposition of Fees Collected by the State Securities Commission.

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

The Committee on Appropriations introduced:

Senate Bill No. 26. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Special Fund Accruing from Fees collected by the State Securities Commission under the Provisions of Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

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

The Committee on Appropriations introduced:

Senate Bill No. 27. A Bill For an Act to Amend and Re-enact Chapter 103, Session Laws 1917, the same being Section 2863b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

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

The Committee on Appropriations introduced:

Senate Bill No. 28. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Fund Accruing from Testers' License Fees Collected and Paid into the Treasury under the provisions of Chapter 103, Session Laws 1917, the same being Section 2863b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

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

The Committee on Appropriations introduced:

Senate Bill No. 29. A Bill For an Act to Amend and Re-enact Sections 12 and 13 of Chapter 91, Session Laws 1925, the same being Sections 2976v12 and 2976v13 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, relating to Auto Transportation Companies.

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

The Committee on Appropriations introduced:

Senate Bill No. 30. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Auto Transportation Fund from Moneys Collected and Credited under the Provisions of Chapter 91, Session Laws 1925, the same being Sections 2976v1 to 2976v16, inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to Auto Transportation Companies.

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

Senator Martin introduced Concurrent Resolution:

### CONCURRENT RESOLUTION

Introduced by Senator Martin

Be It Resolved by the Senate and House of Representatives:

Whereas, during a period of the World War the United States Government established and fixed an arbitrary price upon the value of wheat cereal,

And Further, the Government organized and maintained a corporation which purchased and took over, handled and re-sold all of the wheat grown in the United States, and prescribed certain rules and regulations concerning the sale, distribution and consumption of the same,

And Further, that during the years 1919 and 1920 the United States Government made urgent requests of the farmers and wheat growers of the United States to put forth an effort to increase and swell the volume of wheat for consumption in the United States and for export, in order that a famine situation might be averted,

And Further, that contrary to the implied promise of the United States Government that it would continue to support the market for wheat, and would maintain and guarantee that the price of wheat in 1919 and 1920 upon a price level not to be less than that which was guaranteed and maintained during the period of the actual continuance of the hostile operations of the World War,

And Further, that the Federal Government neglected to redeem its implied promise to so do,

And Further, the market price for wheat for the said years dropped considerably below the minimum price guaranteed by the Federal Government through the Federal Grain Corporation, and that by reason thereof the wheat farmers of the United States sustained tremendous losses on account of the said reduction and price.

Further, that the cost of the production of the 1919 and 1920 wheat crop was vastly enhanced in cost by reason of the scarcity of labor and the consequent high prices paid therefore and the high prices prevailing for all implements, machinery and supplies necessarily used by the wheat farmers of the United States in the production of the said 1919 and 1920 crops.

And Whereas, the said United States or Federal Grain Corporation closed out and ceased its operations with a large surplus in the treasury, which said surplus represented profits realized by the said Federal Grain Corporation during the period of the war when it operated and enjoyed a complete monopoly of the wheat markets of the United States, and through said power and influence it exercised a dominant power over the markets of the world. That in justice and equity the said surplus belongs to the wheat growers of the United States of America, and to be equitably restored to them upon a basis of their actual acreage cultivated and tilled during the period of Federal control of wheat prices of the United States.

Whereas, the Federal Government after the close of the World War and termination of its contract with the manufacturers of war materials and supplies were settled with and paid tremendous sums as a remuneration for losses sustained on account of the contract relation existing between the Federal Government and the said manufacturers.

Whereas Further, the Federal Government settled with paid claims of the railroads and transportation companies with which it had contracts either expressed or implied, for the transportation of war material, soldiers, sailors, and so forth, and that tremendous sums were paid to said transportation companies in settlement of claims which they presented to the Federal Government, many of which claims were not covered by expressed contracts, and many other of said claimants had contracts with the Federal Government where they expressly stipulated and agreed that the Government might cancel and terminate the contracts existing between



said claimants and the Government upon the cessation of war, and the restoration of peace without incurring liability for damage.

Whereas, the Federal Government during the period of war by its rules and regulations assumed to dictate and control the production acreage of wheat grown in the United States during the period of actual hostilities, and for the years 1919 and 1920, being the reconstruction period after the war. And in consequence thereof an implied contract arose between the wheat growers and the Federal Government, and the wheat growers relied upon the said implied contract and in justice and right should be remunerated for their losses in a sum not less than a minimum price guaranteed by the Federal Government for wheat during the period of hostilities, and that the distribution and payment of said claims should be paid upon the basis of the actual acreage grown and harvested.

Whereas, the Federal Government realized a profit at the expense of the wheat grower and that the wheat grower in good faith complied with all the rules, regulations and requests of the Federal Government. It is the sense of the Senate and House of Representatives of the State of North Dakota that in justice and equity Congress should create a commission to accurately survey the situation and receive claims from the wheat growers of the United States based upon their acreage and the losses sustained, and that a sum sufficient be appropriated out of the Treasury of the United States Government to reimburse and pay the wheat growers for their losses upon the basis as above outlined.

Further, that a copy of this resolution be prepared by the Secretary of State of the State of North Dakota and forwarded to each of the senators and congressmen of the State of North Dakota, and to the President and Vice President of the United States, and to each senate and house representatives of each and every state of the Union.

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

Which motion prevailed.

Senator Whitman introduced, by request, Concurrent Resolution:

#### A CONCURRENT RESOLUTION

Introduced by Senator Whitman, by request.

Memorializing the Congress of the United States in the interest of speedy Stabilization of the Dollar which, in our judgment, can best be accomplished by the prompt passage of the Burtness Bill to Stabilize the Buying Power of Money, H. R. 124.

Be It Resolved by the Senate of North Dakota, the House of Representatives concurring:

We, the Twentieth Legislative Assembly of the State of North Dakota, respectfully represent to your honorable bodies that:

FIRST: Our unstable dollar wrongs in turn every class of our population.

Among the effects of instability of the buying power of money are uncertainty, imperiling enterprise; maladjustment of individual prices, throwing supply and demand out of balance; and distortion of credit and industrial contracts and of all statistics written in terms of money. Debtors, employers, merchants, and producers, are wronged by every decline of the commodity price level, and creditors, wage-earners, people on fixed incomes, and consumers, as such by every advance.

SECOND: Eminent economists now predict a prolonged period of price depression.

Another depression must gravely affect not only all producers of raw materials, dealers in merchandise, and owners of real estate, but directly or indirectly all classes of our population. For increase of the dollar's buying power by price depression causes a more general business disturbance and greater economic distress than does the lessening of its buying power by a general price advance. Though both are evils, inflation of the dollar is a greater evil than is a corresponding inflation of prices. If proof of this were needed, it could readily be found in the appalling number of bank, business, and farm bankruptcies since 1921 as compared with the few that occurred during the price inflation, 1915 to 1920. If proof of the equally serious though less obvious effects of a more prolonged and gradual price depression were needed, it could be found in the economic and political history of the two decades prior to 1897. Our vast indebtedness and a large part of the existing state, municipal and private debts were incurred on a price level 35% higher than the present. The burden of those debts therefore was increased by the price slump of 1921 and will be further increased by any future price depression.

THIRD: Stabilization by weight regulation is the only feasible plan.

Three methods of fixing the buying power of money suggest themselves: First, price-fixing of all commodities; second, rigid control of the money-credit supply; and, third, direct stabilization by means of frequent adjustments of the weight of gold in which the currency dollars are made redeemable, coupled with prevention of undue credit contraction or inflation. The first two methods are obviously undesirable—the second because of its interference with commercial credit. The third is the method provided in the Burtness Bill, H. R. 124. It conflicts with no economic law. It will not fix individual prices nor in any way disturb business, even at the start. The Bill does not attack the Federal

Reserve system. Banking and all business will be protected against the unforeseeable risks due to instability of the buying power of the dollar.

Now Therefore, We, the Twentieth Legislative Assembly of the State of North Dakota, realizing the urgent need of a stable measure of prices, indebtedness, incomes, and wealth, and the danger of further delay in its establishment, do hereby respectfully petition your honorable bodies to take prompt steps to stabilize this most important tool of commerce as fully as the pound-weight, the yardstick, and all other measures have been stabilized. And we hereby command to your favorable attention the Burtness Bill to Stabilize the Buying Power of Money, H. R. 124, now in the hands of the House Committee on Banking and Currency.

Be It Resolved, by the Twentieth Legislative Assembly of the State of North Dakota, that our Senators and Representatives in Congress are hereby urged to use all honorable means to induce the Congress of the United States to take prompt and favorable action on the Bill hereinbefore named. Also that the Secretary of the State of North Dakota is hereby instructed to transmit a copy of this Memorial to the President of the United States, to the Presiding Officer of each House of Congress, to the Committee on Banking and Currency of each House, to the Secretary of the Treasury, to the Secretary of Commerce, to the Treasurer of the United States, and to each member of the National Senate and House of Representatives.

Senator Stevens moved the resolution be referred to the Committee on Judiciary.

Which motion prevailed.

Senator Ployhar requested a return to the seventh Order of Business.

Which request was granted.

Senator Ployhar then submitted the following report:  
Mr. President:

Your Special Committee appointed to act with a like committee from the House to arrange for a joint session to hear Governor Harding on the Great Lakes Waterways, beg leave to report that arrangements have been completed and that on Friday, January 14, at three o'clock the house will be ready to receive the senate in joint session to hear Governor Harding.

Respectfully submitted,

FRANK E. PLOYHAR,  
Chairman.

Senator Ployhar moved the adoption of the report.

Which motion prevailed.

Senator Ployhar then moved that the vote by which Senator Benson's resolution to investigate the Workmen's Compensation Bureau was passed be reconsidered and that the investigation be taken before a standing committee.

Which motion prevailed.

Senator Ployhar then moved that the investigation be referred to the Committee on Insurance.

Which motion prevailed.

Senator Carey moved that the employees be sworn in at this time.

Which motion prevailed.

The President administered the oath of office to A. H. Irwin, Leo McDonald, and Myrtle Hight.

Courtesies of the floor were extended to: P. A. Lee, Grand Forks, Col. C. F. Mudgett, Valley City, Carl Bach, M. Capald and Atty. Funke, Minot.

Senator Ployhar moved that the Senate do now adjourn.

Which motion prevailed.

Senate stands adjourned.

W. D. AUSTIN,  
Secretary.

## NINTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 12, 1927.

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

Prayer by the Chaplain, Rev. C. A. Stephens.  
Roll call.

All members present except Senators Atkins, McLachlin and Sathre.

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 and recommend that the same be corrected as follows:

On page 2, line 2 of the Committee report on mileage, after the name "Fleckten," strike out the word "Niobe" and insert the word "Kenmare." On line after the name "Murphy," insert the word "Grafton." In line 8 after the name "Brunsdale" insert the word "Mayville." Line 20 after the name Fine insert the word "Sheyenne." Line 24 after the name insert the name "LaMoure."

Line 47 of said report on page 3 after the name "Pathman" insert the word "Carson."

Line 20 on page 4, strike out "Lee" and insert "Leo." Line 21, strike out "Strand" and insert "Stroud."

Page 6, line 5, strike out "Lee" and insert "Leo." Same line after word "of" insert "committee." On line 6, strike out word "committee." Line 8, strike out the name "Strand" and insert "Stroud" therefor. Line 32, strike out the name "Strand" and insert the name "Stroud."

Line 1, page 3, show mileage for E. H. Brant as 132.

Line 2, page 3, show mileage of Obert Olson as 4.

Line 23, page 3, show mileage of F. P. Conrath as 120.

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

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

#### MESSAGE FROM THE HOUSE

House Chamber,  
Bismarck, North Dakota,  
January 10, 1927.

Mr. President:

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

Which the House has passed unchanged.

Very respectfully,

C. R. VERRY,  
Chief Clerk.

The Committee on Employees moved the nomination of the following employees:

W. A. McClure—Clerk of Judiciary Committee.

Carl L. Sundland—Clerk of Committee on Taxes and Tax Laws.

J. A. T. Bjornson—Clerk of Committee on Banks and Banking.

Senator Carey moved that the rules be suspended and the nominations be voted on in one roll call, the Journal to show individual roll call on each employee.

Which motion prevailed.

#### ROLL CALL

The question being on the election of W. A. McClure as Clerk of the Judiciary Committee, 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.
Baird	Hamilton	Patterson
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCrory	Schlosser

Messrs.	Messrs.	Messrs.
Carey	Magnuson	Seamands
Conrath	Marshall	Steele
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Sathre

So. W. A. McClure was elected Clerk of the Judiciary Committee.

ROLL CALL

The question being on the election of Carl L. Sundland as Clerk of the Committee on Taxes and Tax Laws, 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.
Baird	Hamilton	Patterson
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCrorry	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steele
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Sathre

So. Carl Sundland was elected Clerk of the Committee on Taxes and Tax Laws.

ROLL CALL

The question being on the election of J. A. T. Bjornson as Clerk of the Committee on Banks and Banking, 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.
Baird	Hamilton	Patterson
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCroory	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steele
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Sathre

So. J. A. T. Bjornson was elected Clerk of the Committee on Banks and Banking.

Senator Porter moved that all absent Senators be excused.

Which motion prevailed.

Senator Wog moved that the Committee report on mileage and per diem be amended as follows:

Show mileage for E. H. Brant at 132 miles, Obert Olson at 4 miles, and F. P. Conrath at 120 miles.

Which motion prevailed.

Senator Ployhar requested a return to the fifth order of business.

Which request was granted.

Senator Stevens moved that the reading of the report of the Pardon Board be dispensed with and that the report be printed in the Journal.

Which motion prevailed.

### THIRTEENTH BIENNIAL REPORT OF THE STATE BOARD OF PARDONS

For the Biennial Period ending December 31, 1926

To the Legislative Assembly, and  
The Board of Administration,  
Bismarck, North Dakota.



Dear Sirs:

I herewith transmit the Thirteenth Biennial Report of the State Board of Pardons for the biennial period ending December 31, 1926.

Very truly yours,

A. G. SORLIE,  
Governor.

MEMBERS OF THE BOARD OF PARDONS  
1925-1927

- \* A. G. Sorlie, Governor .....Chairman, Bismarck
- \* A. M. Christianson, Chief Justice .....Bismarck
- \* George F. Shafer, Attorney General .....Bismarck
- E. G. Patterson .....Bismarck
- John L. Hulteng .....Grand Forks
- \* E. G. Larson, Secretary .....Bismarck
- \* ex-officio members.

BIENNIAL REPORT OF THE BOARD OF PARDONS

From January 1, 1925 to December 31, 1926

Pursuant to the powers conferred by Chapter 263, Compiled Laws of 1913, the Board of Pardons has performed functions as a parole board in addition to its constitutional and statutory powers as a Board of Pardons since July 1, 1923.

During the period from January 1, 1925 to December 31, 1926, four regular meetings and thirty-five special and emergency meetings have been held. During that period 504 applications were presented by inmates of the State Penitentiary seeking clemency through the action of the Board of Pardons, such as pardon, commutation of sentence, restoration of citizenship, parole, or fixing determinate sentences in cases where sentences of indeterminate length had been imposed by the Court, such as, for instance, a term of from three to five years.

The total number of applications presented includes applications and re-applications by the same inmate at regular and special meetings held for the consideration of deferred applications or on account of some emergency situation. This consideration is granted under the rule permitting prisoners to file applications once each year, and the further rule permitting additional hearings upon the consent of two members of the board.

The Board has made disposition of the 504 applications as follows:

Denied applications ..... 218

Commutations granted, principally in cases where the remaining time to be served was short, the conduct of the

prisoners good, and where the trial judge and state's attorney recommended clemency; also in cases where a short cut in the sentence in addition to that allowed for "good time" and "extra good time" gave the prisoner a chance to obtain employment .....	81
Paroles granted or temporary paroles extended for the employment of prisoners by responsible persons in cases where such paroles have been recommended by the trial judge, State's attorney .....	73
Permission granted to leave the state in cases of paroled prisoners, where advantageous surroundings, better work and greater opportunity for the permanent employment and rehabilitation of the prisoner were found to be assured .....	5
Pardons, in most instances granted to prisoners who had been paroled from the bench by the District Court and never served time in the state prison, or where paroles had been granted in the past by the Pardon Board and the prisoner requested a pardon for the restoration of his citizenship rights, or where a pardon was recommended by the trial judge or state's attorney. ....	28
Citizenship restored, in some cases where the applicant had served the full term of sentence, or where sentences had been commuted, upon the required proof that the applicants had proven themselves worthy of having their citizenship restored .....	16
Transferred to the State Training School at Mandan, because of the youth of the prisoner and because the training and education to be obtained at the school was more beneficial to the youth than the prison provided .....	9
Prisoners deported .....	1
Indeterminate sentences fixed at a definite term, either upon recommendation of the trial judge or in the best judgment of the Board of Pardons .....	3
Paroles revoked for violations of parole agreement by prisoners, principally in cases paroled from the bench by the District Court .....	12
Paroles reinstated upon recommendation of the Warden and District Judge in cases previously revoked .....	2
Applications deferred to regular meetings in the future, or withdrawn at the request of the applicant .....	56

Recommendations pertaining to the Board of Pardons and the work performed by this board, have been presented to the Legislative Assembly in the Governor's Message to the Legislature, reference to which is hereby made.

This, briefly stated, covers the disposition made by the Board of Pardons in all cases presented during the past two years. All these cases are on file in the Executive Office and these files are open to the inspection of the Legislative

Committee. The Executive Department stands ready to give any assistance to the Committee and such further information as may be required.

Respectfully submitted,

A. G. SORLIE,  
Chairman of the Board of Pardons.

Attest:

E. G. LARSON,  
Secretary of the Board.

**INTRODUCTION AND FIRST AND SECOND READING  
OF SENATE BILLS**

The Committee on Appropriations introduced:

Senate Bill No. 31. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Institution for the Feeble Minded at Grafton, North Dakota.

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

The Committee on Appropriations introduced:

Senate Bill No. 32. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School of Forestry at Bottineau.

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

The Committee on Appropriations introduced:

Senate Bill No. 33. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.

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

The Committee on Appropriations introduced:

Senate Bill No. 34. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School at Valley City, North Dakota.

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

The Committee on Appropriations introduced:

Senate Bill No. 35. A Bill For an Act Making an Appropriation For the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal School, Mayville, North Dakota.

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

The Committee on Appropriations introduced:

Senate Bill No. 36. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School, Minot, North Dakota.

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

Senator Forbes introduced:

Senate Bill No. 37. A Bill For an Act to Amend and Re-enact Section 5552 of the Compiled Laws of North Dakota for the year 1913.

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

Senator Baird introduced:

Senate Bill No. 38. A Bill For an Act Amending and Re-enacting Section 1, Chapter 63, Session Laws of North Dakota for 1915, prescribing the punishment for the crime of Murder in the First Degree.

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

Senator Forbes introduced:

Senate Bill No. 39. A Bill For an Act to Amend and Re-enact Sections 8075 and 8076 of the Compiled Laws of North Dakota for the Year 1913.

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

A Concurrent Resolution.

Introduced by Senator C. J. Olson:

Senate Bill No. 40. A Concurrent Resolution—Constitutional Amendment—Length of Duration of the Sessions of the Legislative Assembly.

A Concurrent Resolution providing for the Amendment of Section 56, Article 2, of the Constitution of the State of North Dakota, Relating to the Length of Time that the Legislative Assembly shall be permitted to be in Regular Session.

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

A Concurrent Resolution.

Introduced by Senator C. J. Olson of Barnes County:

Senate Bill No. 41. A Concurrent Resolution—Constitutional Amendment—Compensation and Salary of Members of Legislative Assembly.

A Concurrent Resolution providing for the Amendment of Section 45, Article 2, of the Constitution of the State of

North Dakota, Relating to the Compensation and Mileage allowed Legislative Members.

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

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

H. M. Stroud and Carl L. Sundland.

Senator Hamilton requested that the investigating committee on the Mill and Elevator be allowed the stenographic services of Miss Berkey two days each week.

Which request was granted.

Senator Whitman requested a return to the ninth order of business.

Which request was granted.

Senators Whitman, Olson of Eddy and Ettestad introduced the following Concurrent Resolution:

#### CONCURRENT RESOLUTION

Introduced by Senators Whitman, Olson of Eddy  
and Ettestad

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

Whereas, agriculture is the basic industry of North Dakota, upon the success of which the prosperity and well-being of all our people depends; and,

Whereas, North Dakota, in common with all other States of the northwest has continuously since 1920, suffered from the deflation following the close of the World War, and from other economic causes which have thrown agriculture out of adjustment with the other primary industries of the United States; and, thereby creating a condition of severe financial hardship among the agricultural population of North Dakota and the northwest; and,

Whereas, all other basic industries in the United States have, in a large measure, been restored to a normal condition of prosperity, while agriculture in general, and grain farming in particular, continues in a state of acute depression, with the cost of production in some instances equaling, and in other cases, exceeding the market prices of such products, and it now appearing that this depression will continue indefinitely, unless the Federal Government is able to bring about a practical solution of this vast economic problem;

Now Therefore, Be Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:

That, the Congress of the United States be, and is hereby memorialized to take cognizance of the depressed condition of agriculture in North Dakota and surrounding states, and of the nature, extent and economic causes of such depression; and, that the Congress is urgently petitioned to adopt such practical legislation as will relieve the American farmers from the depressing effect of foreign competition upon the prices of those agricultural products of which a surplus is produced and exported; and, tend to restore agriculture to a basis of equality with other primary American industries; and

That the Secretary of State transmit this memorial to the President of the United States, the both Houses of Congress and to the Senators and Representatives therein.

**Referred to Committee on State Affairs.**

Courtesies of the floor were extended to:

M. H. Graham, Martin Olson, Clyde Duffy, Martin Houghaug.

Senator Carey moved that the Senate do now adjourn.

Which motion prevailed.

And the Senate stands adjourned.

W. D. AUSTIN,  
Secretary.

TENTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 13, 1927.

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

Prayer by the Chaplain, Rev. C. A. Stephens.

Roll call.

All members present except Senators Atkins, Eastgate, McLachlin and Sathre.

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 Ninth day and recommend that the same be corrected as follows:

On page 2, line 26, after the word "that" insert the words "the rules be suspended and".

On page 8, line 27, after the word "resolution" strike out the balance of line.

On page 8, line 39, after the word "resolution" strike out balance of line.

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

Senator C. J. Olson moved that the report be adopted, which motion prevailed and the report was adopted.

Sen: Hamilton presented a communication in regard to the Week-Day Church School Bill, which was read from the desk.

INTRODUCTION AND FIRST AND SECOND READING  
OF SENATE BILLS

The Committee on Appropriations introduced:

Senate Bill No. 42. A Bill For an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Section 2711 to 2729, Inclusive, of the Compiled Laws of North Dakota for the Year 1913.

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

The Committee on Appropriations introduced:

Senate Bill No. 43. A Bill For an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

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

The Committee on Appropriations introduced:

Senate Bill No. 44. A Bill For an Act Appropriating Funds to Indemnify Owners of Animals Infected With Bovine Tuberculosis.

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

The Committee on Appropriations introduced:

Senate Bill No. 45. A Bill For an Act Making an Appropriation for the Per Diem and General Expenses of the State Live Stock Sanitary Board.

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

Senator Schlosser introduced:

Senate Bill No. 46. A Bill For an Act to Amend and Re-enact Sections 2, 4 and 7 of Chapter 123 of the Sessions Laws of 1919, An Act to Create a State Board of Electricians and Prescribing the Duties Thereof, Providing for the Classification, Examination and Licensing of Electricians and Electrical Workers. Prescribing Fees for Such Examination and License, and Providing for Inspection of Electrical Work Through the State Fire Marshal Under the Direction of the State Board.

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

Senator Van Arnam introduced:

Senate Bill No. 47. A Bill For an Act to Amend and Re-enact Section 2898, Compiled Laws of North Dakota for 1913, Relating to the Manner of Labeling and Branding Seeds Offered for Sale Within the State of North Dakota.

Was read the first and second times and referred to the Committee on Agriculture.



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 they have examined the following bill:

Senate Bill No. 2.

A bill for an act Declaring that the Courts of this State shall take Judicial Notice of a Publication of Certain Laws of this State prepared and published pursuant to the Provisions of Chapter 158, Session Laws 1925, and Commonly Known and Entitled "Supplement to the Compiled Laws of 1913," and that Amendments and Repeals thereof and Enactments of other laws, referring thereto shall be deemed to Refer to Laws of the State as appearing in such Publication.

Also Concurrent Resolution Introduced by Senator Kretschmar regarding the Great Lakes -St. Lawrence Waterway Project.

and find the same correctly Enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved the adoption of the report.

Which motion prevailed.

The report was adopted.

## SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2. A Bill for an Act Declaring that the Courts of this State shall take Judicial Notice of a Publication of Certain Laws of this State Prepared and Published Pursuant to the Provisions of Chapter 158, Session Laws 1925, and Commonly Known and Entitled "Supplement to the Compiled Laws of 1913", and that Amendments and Repeals thereof and Enactments of other Laws referring thereto shall be Deemed to Refer to Laws of the State as Appearing in such Publication.

Also, Concurrent Resolution introduced by Senator Kretschmar memorializing Congress to take action toward the passage of laws insuring the early completion of the Great Lakes-St. Lawrence Waterway Project.

And the President signed the same in the presence of the Senate.

Senator Carey requested a return to the Sixth Order of Business.

Which motion prevailed.

The committee on Rules made the following report:

Mr. President: Your committee on Rules makes the following report:

We recommend the adoption of the Senate Rules of the Nineteenth Legislative Assembly as the Rules of the Twentieth Legislative Assembly except Rule 16 which shall be the following:

16. Committees: The Senate shall appoint a committee on committees consisting of five, one of whom shall be the President of the Senate, or in his absence or inability to act, the President pro tem, which shall appoint the following standing committees:

- On Judiciary, to consist of 17 members.
- On Education, to consist of 15 members.
- On Elections, to consist of 9 members.
- On Appropriations, to consist of 17 members.
- On Railroads, to consist of 13 members.
- On State Affairs, to consist of 17 members.
- On Public Lands, to consist of 9 members.
- On Ways and Means, to consist of 11 members.
- On Agriculture, to consist of 11 members.
- On Warehousing, Grain and Grain Grading, to consist of 11 members.
- On Counties, to consist of 7 members.
- On Engrossment and Enrollment, to consist of 5 members.
- On Banks and Banking, to consist of 15 members.
- On Cities and Municipal Corporations, to consist of 11 members.
- On Indian Affairs, to consist of 5 members.
- On Statistics, to consist of 7 members.
- On Federal Relations, to consist of 7 members.
- On Insurance, to consist of 11 members.
- On Public Printing, to consist of 9 members.
- On Temperance, to consist of 11 members.
- On Mines and Minerals, to consist of 9 members.
- On Rules, to consist of 7 members.
- On Immigration, to consist of 9 members.
- On Highways, Bridges and Ferries, to consist of 11 members.
- On Irrigation and Drainage, to consist of 9 members.
- On Apportionment, to consist of 23 members.

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

On Military Affairs, to consist of 9 members.

On Women's and Children's Welfare, to consist of 11 members.

On Game and Fish, to consist of 9 members.

On Livestock and Animal Husbandry, to consist of 11 members.

On Taxes and Taxation, to consist of 11 members.

On Revision and Correction of the Journal, to consist of 3 members.

On Public Safety, to consist of 9 members.

Also Joint Committees on the following subjects:

On Public Buildings, to consist of 7 members.

On Charitable Institutions, to consist of 7 members.

On Penal Institutions, to consist of 7 members.

On Educational Institutions, to consist of 7 members.

On State Library, to consist of 7 members.

On Joint Rules, to consist of 7 members.

On Insurance, to consist of 7 members.

On Labor, to consist of 7 members.

And that one thousand copies thereof be printed.

SENATOR CROCKER,  
Chairman.

ROLL CALL

The question being on the printing of 1,000 copies of the Twentieth Legislative Assembly Senate Rules and Committees, 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.
Baird	Hjelmstad	Schlusser
Bakken	Kretschmar	Seamands
Benson	Lynch	Steele
Bond	Marshall	Stevens
Brant	Murphy	Tofsrud
Brunsdale	Olson of Burleigh	Van Arnam
Carey	Pathman	Van Camp
Crocker	Ployhar	Whitman
Forbes	Porter	
Hart	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Conrath	Hamilton	Patten
Erickson	McCrory	Patterson
Ettestad	Magnuson	Peck
Fine	Martin	Ritchie
Fleckten	Olson of Barnes	Wog
Fredrickson	Olson of Eddy	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Sathre
Eastgate		

So the motion to print 1,000 copies prevailed.

Senator Carey requested a return to the Eleventh Order of Business.

Which request was granted.

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

Senator Patterson introduced:

Senate Bill No. 48. A Bill For an Act to Prohibit the Mortgaging of any Grain Prior to the Threshing Thereof, and any other Agricultural Crop Prior to its Harvest.

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

#### MESSAGE FROM THE HOUSE

House Chamber,  
Bismarck, North Dakota,  
January 13, 1927.

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

Requesting Congress to enact legislation for stabilization of the price of agricultural products, thereby placing agriculture on an equal basis with other industries.

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

Whereas, agriculture is the basic industry of this nation; and,

Whereas, we believe the stability and prosperity of agriculture is essential to the prosperity and general welfare of the people of this nation; and,

Whereas, agricultural products are being sold below cost of production, which condition is bankrupting farmers, causing heavy decrease in farm population, failure of banks and adversely affecting other business; and,

Whereas, the American farmers are under present conditions placed upon a Competitive basis with cheap labor of foreign countries which is contrary to the recognized policy of the United States;

Now Therefore, Be It Resolved: That the House of Representatives of the State of North Dakota, the Senate concurring, most respectfully urge upon The Congress of the United States, the early enactment of the McNary-Haugen Bill.

And be it further resolved that the Secretary of State of the State of North Dakota be and is hereby instructed to forward a duly authenticated copy of this resolution to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives and to each Representative of the State of North Dakota in the United States Senate and House of Representatives.

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

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Senator Kretschmar requested a return to the Eighth Order of Business.

Which request was granted.

Senator Kretschmar then moved that the absent Senators be excused.

Which motion prevailed.

The President administered the oath of office to W. A. McClure and J. A. T. Bjornson.

Courtesies of the floor were extended to:

Andy Bentley, Chas. Bergman, C. A. Menge, L. O. Fredrickson, Dan Jones, Jay Miller and Frank Loudon.

Senator Murphy moved that the Senate do now adjourn.

Which motion prevailed.

The Senate adjourned.

W. D. AUSTIN,  
Secretary.

## ELEVENTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
January, 14, 1927.

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

Prayer by the Chaplain, Rev. C. A. Stephens.

Roll call.

All members present except Senator Sathre.

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 find the same to be correct.

C. J. OLSON,  
Chairman.

Senator C. J. Olson moved that the report be adopted.

Which motion prevailed and the report was adopted.

Senator Stevens presented a telegram regarding the Week-Day Church School Bill.

Senator Brunsdale presented the following:

## RESOLUTION

Whereas, the law requires Traill County, and the various political sub-divisions thereof, to insure all appointive officers and employees in the North Dakota Workmen's Compensation Bureau, and,

Whereas, the risk of accident or casualty incurred within the scope of employment of many such appointive officers or employees is negligible, and,

Whereas, the cost of such insurance is grossly excessive and is an unfair burden,

Therefore, Be It Resolved, by the Board of County Commissioners of Traill County, North Dakota;

That the Legislature be urged to amend the existing Workmen's Compensation Law so as to leave insurance with the State Workmen's Compensation Bureau by counties and the various sub-divisions thereof optional.

Be It Further Resolved, That copies of these Resolutions be sent to Hon. A. G. Sorlie, Governor of North Dakota; to Walter Maddock, Lieutenant Governor; and to John Carr, Speaker of the House of Representatives, and to the members of the Legislature from Traill County.

Senator Brunsdale presented the following:

#### RESOLUTION

Whereas, the Legislative Committee of the State's Attorneys Conference, have recommended the enactment of a habitual criminal law and of a law providing for the establishment of a State Bureau of Criminal Investigations, and,

Whereas, It is apparent that the establishment of a Bureau of Criminal Investigations is necessary in order to apprehend desperate criminals who commit felonious crimes and who often do not hesitate to commit murder, and,

Whereas, It is also necessary to severely punish habitual criminals in order to safeguard our people from the depredations of such criminals who seasonally infest our State;

Therefore, Be It Resolved, by the County Commissioners of Traill County, North Dakota, that the proposed enactment of a law creating a State Bureau of Criminal Investigations and of a law severely punishing habitual criminals, are endorsed as essential and necessary to insure efficient law enforcement and to protect life and property.

Be It Further Resolved, That copies of these Resolutions be sent to Hon. A. G. Sorlie, Governor of North Dakota, to Walter Maddock, Lieutenant Governor; and to John Carr, Speaker of the House of Representatives, and to the members of the Legislature from Traill County.

Senator Brant presented:

A resolution passed by the Braddock Study and Civic Club of Braddock, N. Dak., a federated womens' club composed of sixteen members, at a regular meeting held January 12, 1927.

#### RESOLUTION

Whereas, the State Department of Health has never received an appropriation sufficient to do the Constructive public health work in the state which conditions warrant, and,

Whereas, the Federal Maternity and Infancy Act Known as the Shepard-Towner Act will expire this year, with its renewal very doubtful, and,

Whereas, the Maternal and Infant Mortality of our state are very high, many of these deaths being preventable if mother and baby had proper care, and,

Whereas, it will be a great loss to the state if the wonderful work of the Child Hygiene Bureau is not continued in the present efficiency. We the members of Braddock Study and Civic Club resolve,

1. That we endorse the efforts of the State Department of Health to save human lives and commend its efficiency.
2. That the appropriation request of the State Department of Health is not unreasonable.
3. That the full amount of money lost by the expiration of the Shepard-Towner Act should be furnished to the State Department of Health by the State Legislature in addition to the amount requested to support their other health work.
4. That a copy of these resolutions be spread upon our minutes, a copy sent to the Emmons County Record, The Emmons County Free Press, and the Hazelton Independent.

And a copy sent to all members of both houses from this district.

ELDORA VIE,  
President.

MARGARET LONG,  
Secretary.

Senator Brunsdale presented:

A Resolution passed by the Woman's Club of Mayville, an organization of women composed of 95 members at their regular meeting held January 11, 1927.

#### RESOLUTION

Whereas, in the past the work of the State Department of Health has been seriously handicapped because of the lack of funds, and

Whereas, The Federal Maternity and Infancy Act, known as the Sheppard-Towner Act, will expire this year with its renewal extremely doubtful, and

Whereas, the splendid work of the Child Hygiene Bureau of the State Department of Health for the past four years will be a comparative loss to the State if not continued in its present efficiency, and

Whereas, the maternal mortality and infant mortality rates are unjustifiably high, many of these deaths being preventable.

We, the members of the Woman's Club at Mayville, in regular meeting resolve:

1. That we indorse the efforts of the State Department



- of Health to save human lives and commend its efficiency;
2. That the appropriation request of the State Department of Health is reasonable and necessary;
  3. That the full amount of money lost by the expiration of the Sheppard-Towner Act should be supplied to the State Department of Health by the State Legislature in addition to the amount requested to support their other health activities, including a sanitary engineer;
  4. That a copy of these resolutions be spread upon the minutes, a copy sent to the press, and a copy sent to all members of both houses from this district.

ALMA H. BERG,  
President.

GUTYE C. OHLQUEST,  
Secretary.

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. 22. A Bill For an act to authorize a tax levy in cities and towns for the purpose of providing a fund for the maintenance or employment of a band for municipal purposes, and providing for submission of the question of levying a tax for such purpose to the voters of such cities and towns.

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 Taxes and Tax Laws made the following report:

Mr. President: Your committee on Taxes and Tax Laws to whom was referred

Senate Bill No. 24. A Bill For an Act to Amend and Re-enact Section 5 of the Initiated Measure entitled, "An Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels and for the Disposition of the Revenue Derived Therefrom; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing all Acts or parts of Acts in conflict with the Provisions of this Act," and approved at a State-wide Election held June 30, 1926.

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. 25. A Bill For an Act to Amend and Re-enact Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Disposition of Fees Collected by the State Securities Commission.

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. 4. A Bill for an Act to amend and re-enact Section 4230 of the Compiled Laws of North Dakota for the year 1913.

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

In line (1) of printed bill after Section 1, insert the word "Amendment."

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.

Senator Carey moved the nomination of L. T. Nelson as Second Assistant Secretary.

#### ROLL CALL

The question being on the election of L. T. Nelson as Second Assistant Secretary, 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.
Baird	Hamilton	Patterson
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCrory	Steele
Carey	Magnuson	Schlosser
Conrath	Marshall	Seamands
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Sathre	McLachlin

So L. T. Nelson was elected Second Assistant Secretary.

Senator Whitman moved that all absent senators be excused.

Which motion prevailed.

### A CONCURRENT RESOLUTION

Introduced by Senator J. E. Fleckten

Whereas it Has Come to the Notice of the Senate and House of Representatives of the State of North Dakota that the Salary of Congressmen and Senators Has from Time to Time Been Increased from the Sum of \$2,500 a Year up to the Present Salary which is \$10,000 a year besides Mileage and other Perquisites. That said Increases in Salary Have Been Made without Popular Demand or Approval, and that the Increase from \$7,500 to \$10,000 Appears to this Legislative Assembly to be an Uncalled for and Unwarranted Increase, and Unnecessary.

Therefore Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:

That the Senators and Representatives in Congress from the State of North Dakota be memorialized and requested to prepare and introduce in Congress a law providing that no increase in the compensation of the members of Congress be hereafter made, until such proposed law shall have been properly submitted to, and approved by, the people of at least two thirds of the various States of the United States.

Further, that a copy of this resolution be prepared by the Secretary of the State of the State of North Dakota and for-

warded to each of the Senators and Congressmen from the State of North Dakota, and to the President and Vice-President of the United States, and to the Legislature of every State in the United States.

**Referred to Committee on Federal Relations.**

**INTRODUCTION AND FIRST AND SECOND READING  
OF SENATE BILLS.**

Senator Murphy introduced:

Senate Bill No. 49. A Bill For an Act to amend and reenact Sections 476, 486, 487, 488, 490, 493, 495, 499, 504, and 505 of the Compiled Laws of the State of North Dakota, for the year 1913, the same being Sections 2, 12, 13, 14, 16, 19, 21, 25, 30, and 31 of Chapter 182 of the Session Laws of 1907, entitled "An act to Regulate the Practice of Pharmacy, and Providing Penalties for Violating the Provisions Thereof."

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

Senator Rusch introduced:

Senate Bill No. 50. A Bill For an Act to Amend and Reenact Section 2163a7 of Supplement to Compiled Laws 1913, being Section Seven of Chapter 318 Laws 1923.

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

Senator Tofsrud introduced:

Senate Bill No. 51. A Bill an Act to Purchase Land for the Site for a Hospital for the Insane at or near Rugby, Pierce County, North Dakota in Accordance with Chapter 146 of the Laws of the Legislative Assembly for the Year 1917, and for Securing Plans for the Same; and Making Appropriation for the Same.

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

Senator Forbes introduced:

Senate Bill No. 52. A Bill For an Act Authorizing Actions to be Commenced and Prosecuted by and against Partnerships and Associations, in Their Firm or Common Name, and making the Judgments in all such Actions Binding upon the Joint Property of all the Members or Associates of such Partnerships or Associations.

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

Senator Forbes introduced:

Senate Bill No. 53. A Bill For an Act Authorizing a Foreign Executor, Administrator, or Guardian to commence

and prosecute or defend a Civil Action in the State of North Dakota.

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

Senator Stevens introduced:

Senate Bill No. 54. A Bill For an Act to Repeal Sections 10,180, 10,181, 10,182 and 10,183, of the Compiled Laws of North Dakota for 1913, Prohibiting the Manufacture and Sale of Snuff in North Dakota and Providing a Penalty Therefor.

Was read the first and second times and referred to the Committee on Temperance.

Senator Eastgate introduced:

Senate Bill No. 55. A Bill For an Act to amend and reenact Sections 189b5, 189b9 and 189b11 of the Supplement to the 1913 Compiled Laws of the State of North Dakota relating to State Hail Insurance.

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

Senator Eastgate introduced:

Senate Bill No. 56. A Bill For an Act to appropriate \$1,000.00 to the North Dakota Poultry Association for the biennial period agreeable with Sections 5118, 5119, and 5120 of the Compiled Laws of 1913 for the State of North Dakota.

Was read the first and second times and referred to the Committee on Appropriation.

Senator Martin introduced:

Senate Bill No. 57. A Bill For an Act to Authorize Counties to issue Bonds and Warrants to procure Seed Grain and Feed for Needy Inhabitants Therein and Providing for the Issuance of Bonds and Warrants for Seed Grain by Counties and Aid by the State in respect thereto, and making an Appropriation Therefor.

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

Senator Bakken introduced:

Senate Bill No. 58. A Bill For an Act providing for the Printing and placing of placards containing the Ten Commandments of the Christian religion, in school rooms and class rooms of the public institutions of learning.

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

Senator O. H. Olson moved that the House resolution referring to the Haugen-McNary bill be adopted.

Senator Forbes moved the following amendment to the resolution:

"In place of the words McNary-Haugen Bill" insert in lieu thereof "some proper farm bill."

The question being on the Amednment offered by Senator Forbes, the roll was called, and there were ayes 14, nays 31, absent and not voting 2.

#### ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Hart	Seamands
Bond	Kretschmar	Steele
Carey	McLachlin	Stevens
Crocker	Murphy	Van Camp
Eastgate	Porter	
Forbes	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Hjelmstad	Patterson
Benson	Lynch	Peck
Brant	McCrory	Ployhar
Brunsdale	Magnuson	Ritchie
Conrath	Marshall	Schlosser
Erickson	Martin	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Whitman
Fleckten	Olson of Eddy	Wog
Fredrickson	Pathman	
Hamilton	Patten	

Absent and not voting:

Messrs.	Messrs.
Atkins	Sathre

So the Amednment was defeated.

The question being on the motion of Senator O. H. Olson to concur in the House Concurrent Resolution pertaining to the McNary-Haugen Bill in Congress.

Which motion prevailed.

The Resolution was concurred in.

Senator Hamilton moved that the vote by which the resolution was concurred in be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Ployhar moved that the Senate do now proceed to the House Chamber for the Joint Session to hear ex-Governor W. L. Harding.

Which motion prevailed.

Courtesies of the floor were extended to La Delle H. Briggle.

The Senate met with the House in Joint Session and was addressed by ex-Governor W. L. Harding, of Iowa, on the subject of the Great Lakes-St. Lawrence Waterway.

The Senate reassembled.

Senator Rusch moved that the Senate do now adjourn.

Which motion prevailed.

The Senate adjourned.

Senate stands adjourned.

W. D. AUSTIN,  
Secretary.

### CALENDAR

Third reading Senate Bills.

Senate Bill No. 4. A Bill for an Act to amend and re-enact Section 4230 of the Compiled Laws of North Dakota for the year 1913.

Senate Bill No. 22. A Bill For an act to authorize a tax levy in cities and towns for the purpose of providing a fund for the maintenance or employment of a band for municipal purposes, and providing for submission of the question of levying a tax for such purpose to the voters of such cities and towns.

Senate Bill No. 24. A Bill For an Act to Amend and Re-enact Section 5 of the Initiated Measure entitled, "An Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels and for the Disposition of the Revenue Derived Therefrom; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing all Acts or parts of Acts in conflict with the Provisions of this Act," and approved at a State-wide Election held June 30, 1926.

Senate Bill No. 25. A Bill For an Act to Amend and Re-enact Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Disposition of Fees Collected by the State Securities Commission.

## TWELFTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 15, 1927.

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

Prayer by the Chaplain, Rev. C. A. Stephens.

Roll call.

All members present except Senators Sathre, Tofsrud and Ployhar.

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

C. J. OLSON,  
Chairman.

Senator C. J. Olson moved that the report be adopted.

Which motion prevailed and the report was adopted.

The Secretary of State presented the following:

RESOLUTIONS PASSED BY THE MEMBERS OF THE  
NORTH DAKOTA LIVESTOCK BREEDERS' ASSOCIA-  
TION AT THEIR ANNUAL MEETING, 1926.

Whereas We, the breeders of live stock in North Dakota, who have done all possible in our power to further the interest in growing good and profitable livestock in the state, deeply feel the need of the encouragement and the financial assistance of the state in our efforts and respectfully petition the Legislature of the State of North Dakota to re-enact Legislation appropriating money for annual assistance to the North Dakota Livestock Breeders' Association, and also to re-enact legislation appropriating money for the maintenance of our agricultural fairs.

Resolved that these resolutions be made a part of the minutes of this meeting and that copies be made and forwarded to the Secretary of State at Bismarck, North Dakota and that he be requested to send said copies to the Senate



and the House of Representatives at the opening of the next Legislative Session.

Resolved Further, that the President be empowered to appoint a Legislative Committee to advise the members of the legislature of the imperative need of this financial assistance.

Senator Wog presented:

A RESOLUTION PASSED BY THE BEACH WOMANS'  
CLUB, AN ORGANIZATION OF WOMEN COMPOSED  
OF THIRTY MEMBERS AT THEIR REGULAR  
MEETING HELD ON JANUARY 10, 1927

Whereas, the Federal Maternity and Infancy Act (Sheppard-Towner Act) will, in all probability, expire this year, and

Whereas, its renewal is dubious, and

Whereas, the child Hygiene Bureau of the State Department of Public Health is able to afford the necessary protection of mothers and infants provided by said Sheppard-Towner Act, and

Whereas, if such appropriation is not made by the Legislature of North Dakota for the support of said Bureau, its valuable work in North Dakota must be discontinued, and

Whereas, our high maternal and infant mortality rates render such appropriation imperative,

We, the members of the Beach Womans' Club, in regular meeting, resolve:

1. That we indorse the efforts of the State Department of Health.
2. That an appropriation be made equalling the money lost by the expiration of the Sheppard-Towner Act and in addition, such other funds as they have requested, to support other health activities, including their sanitary engineer.
3. That a copy of these resolutions be spread upon the minutes and a copy be sent to the members of both houses from this District.

(Mrs.) HELEN B. RUSSELL,  
Legislative Chairman of the  
Seventh District.

SOPHIE M. JAHR,  
President.

MYRTLE E. RUSSELL.

Senator Stevens and Forbes presented telegrams regarding the Week-Day Church School bill.

Senator Whitman presented communications regarding the Week-Day Church School bill.

Senator Hamilton presented the following:

At a regular meeting of the Mothers Club, an organization of Towner, N. D., composed of twelve members the following resolution was duly adopted on January 11th, 1927.

#### RESOLUTION

Whereas, the State Department of Health has never received sufficient appropriation to do the necessary public health work in the state essential to child welfare,

Whereas, the Federal Maternity and Infancy Act known as the Sheppard-Towner Act will expire this year, with its renewal very doubtful, and

Whereas, the splendid work of the Child Hygiene Bureau of the State Department of Health for the past four years will be a comparative loss to the state if not continued in its present efficiency, and

Whereas, the maternal and infant mortality rates are too high, many of these deaths being preventable.

We the member of The Mothers Club of Towner in regular meeting resolve:

1. That we indorse the efforts of the State Department of Health to save human lives and commend its efficiency.
2. That appropriation request of the State Department of Health is reasonable and essential.
3. That the appropriation for the State Department of Health should be sufficient to replace the loss through the expiration of the Sheppard-Towner Act in addition to the sum requested by said Department to carry on its other work.
4. That a copy of these resolutions be spread upon the minutes and a copy sent to all members of both houses from this district.

LIBBIE FOX,

President.

EDNA SOMMUDORF,

Secretary.

January 14th, 1927

To the Senate,  
Twentieth Legislative Assembly,  
State of North Dakota.

Attention: W. D. Austin, Secretary.

Dear Sir:

In compliance with S. 1898, C. L. 1913, I have the honor to submit herewith a report with recapitulation of the gen-

eral enumeration of the several townships, villages, cities and counties of the state taken April 1st, 1925, as provided in Chapter 24, Political Code, C. L. 1913.

Very respectfully,

ROBERT BYRNE,  
Secretary of State.

Senator Stevens moved that the reading of the report be dispensed with at this time.

Which motion prevailed.

### MESSAGE FROM THE GOVERNOR

State of North Dakota  
Bismarck  
January 14, 1927

To the Members of the Senate of the State of North Dakota:

This is to inform you that I have this day approved and have filed with the Secretary of State

Senate Bill No. 2. A Bill for an Act Declaring that the Courts of this State shall take Judicial Notice of a Publication of Certain Laws of this State Prepared and Published Pursuant to the Provisions of Chapter 158, Session Laws 1925, and Commonly Known and Entitled "Supplement to the Compiled Laws of 1913", and that Amendments and Repeals thereof and Enactments of other Laws referring thereto shall be Deemed to Refer to Laws of the State as Appearing in such Publication.

Very truly yours,

A. G. SORLIE,  
Governor.

The committee on Enrollment and Engrossment made the following report:

Mr. President:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 4. A Bill for an Act to amend and re-enact Section 4230 of the Compiled Laws of North Dakota for the year 1913.

Also,

Senate Bill No. 22. A Bill For an act to authorize a tax levy in cities and towns for the purpose of providing a fund for the maintenance or employment of a band for municipal purposes, and providing for submission of the question of levying a tax for such purpose to the voters of such cities and towns.

Also,

Senate Bill No. 24. A Bill For an Act to Amend and Re-enact Section 5 of the Initiated Measure entitled, "An Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels and for the Disposition of the Revenue Derived Therefrom; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing all Acts or parts of Acts in conflict with the Provisions of this Act," and approved at a State-wide Election held June 30, 1926.

And find the same correctly Engrossed.

WALTER H. SCHLOSSER,  
Chairman.

The committee on Enrollment and Engrossment made the following report:

Mr. President:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 25. A Bill For an Act to Amend and Re-enact Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Disposition of Fees Collected by the State Securities Commission.

And find the same correctly Engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved the adoption of the report.

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. 15. A Bill For an Act to Amend and Re-enact Section 11,258 of the Compiled Laws of North Dakota, 1913, relating to the State Prison Revolving Fund.

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.

Senator Benson moved the bill be re-referred to the Appropriations Committee.

Which motion prevailed.

The bill was re-referred.

The committee on Judiciary made the following report:

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

Senate Bill No. 26. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Special Fund Accruing from Fees collected by the State Securities Commission under the Provisions of Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

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

L. R. BAIRD,  
Chairman.

Senator Olson of Burleigh 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. 1. A Bill For an Act to amend and re-enact Section 2202 of the Compiled Laws of the State of North Dakota for the year 1913 as amended and re-enacted by Section 5 of Chapter 199, Session Laws of 1925, relating to giving notice of expiration of period of redemption on property forfeited to the county at tax sale, issuance of tax deeds to the county and sale of property acquired by the county through tax deed.

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

On page 2, in lines 15 and 16 of the printed bill, strike out the word "acquired" and insert the word "acquires".

On page 3, in line 52, of the printed bill, strike out the word "in" where it first appears.

On page 5, in line 90, of the printed bill, strike out the balance of the line after the word "address." Strike out all of line 91 and insert in lieu thereof the following: "If known to the County Auditor and if not known to him, then to the post-office address nearest the real estate."

On page 5, in line 99, of the printed bill, strike out the period after the word "address" and insert the following: "If known to the County Auditor and if not known then to them at the post-office address nearest the real estate."

On page 5, in line 112 of the printed bill, insert the word "as" after the word "party."

On page 5, in line 113, of the printed bill, strike out the period at the end of the line and insert the following: "For

which sum the County Auditor shall give written receipt to the party making payment."

On page 6, in line 130a of the printed bill, strike out the number "6" and insert the number "5" as the subsection number.

On page 7, in line 144, of the printed bill, strike out the word "redemptionner" and insert the word "redemption."

On page 8, in line 183, of the printed bill, after the word "sale" insert the word "the".

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.

Senator Benson moved that all bills introduced by the Appropriation Committee and referred to another committee for consideration be re-referred to the original committee before the bill is submitted for passage.

Which motion prevailed.

Senator Stevens moved that all absent senators be excused.

Which motion prevailed.

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

Senator Whitman introduced:

Senate Bill No. 59. A Bill For an Act relating to and concerning the labeling and branding of flour offered or exposed for sale, or sold, within this state, prescribing regulations and providing penalties for violation thereof.

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

Senator P. L. Hjelmstad introduced Joint Resolution "C".

#### A JOINT RESOLUTION Introduced by Peter L. Hjelmstad

Memorializing Calvin Coolidge, President, and the Congress of the United States pertaining to future wars.

Be It Resolved by the Senate of the State of North Dakota,  
The House of Representatives Concurring:

That we, the members of the state legislature in regular session assembled, representing the people of the commonwealth of North Dakota hereby renew our pledge of loyalty to our God, our Nation and our flag, and to the Commander

in Chief of the Army and Navy to whom we pledge our lives and property, and the lives and property of our posterity UPON INSTANT CALL to defend them against any nation which shall attempt to attack our shores or invade our land.

And we further pledge that should such attack or invasion provoke a declaration of war against such a nation, that this commonwealth will furnish her full quota of the man-power to do the fighting and the dying to make the defense of this nation adequate though the filling of such quota may require submission to conscription or selective draft.

Realizing that "war is hell", that human life is sacred and that bonds mean bondage, we demand in the name of this commonwealth that the power to declare war other than to resist attack or invasion of our own shores, be vested in the voice by referendum vote of the people governed, and in the event of conscription, draft or other compulsory service of the man-power in future wars, we demand that you provide for the conscription of all productive resources and accumulated fortunes in excess of \$500,000.00 before further bonds against the nation in defense of which our volunteer and conscripted men and boys offered up their lives to the end that our returned soldiers, their posterity and those who furnish the food and clothing to sustain them, may not be placed in perpetual bondage to pay interest on those bonds and further swell such fortunes.

AND your memorialists will ever pray.

Senator Bond introduced Concurrent Resolution:

#### CONCURRENT RESOLUTION

Introduced by Senator Walter Bond

Whereas, The Twentieth Session of the Legislature has been duly organized; committees appointed with work now well under way; and

Whereas, Numerous appropriations and other bills have been introduced and good progress made; and

Whereas, There is a demand from the tax payers that we cut expenses wherever possible.

Now, Therefore, Be It Resolved by the Senate, the House of Representatives concurring: That all members introduce bills as early as possible.

That all committees take up and make recommendations promptly; that by united, active effort we endeavor to dispose of all business and close the Session as early as the forty-fifth day, and then adjourn sine die.

Senator Bond moved the adoption of the resolution.

Which motion prevailed and the concurrent resolution was adopted.

## THIRD READING OF SENATE BILLS

## ROLL CALL

Senate Bill No. 4. A Bill for an Act to amend and re-enact Section 4230 of the Compiled Laws of North Dakota for the year 1913.

Was read the third time.

Senator Patten offered the following amendment to Senate bill 25; and moved its adoption.

In line 8 of printed bill change the word "two' to "six".

Which motion prevailed.  
The amendment was adopted.

The question being on the final passage of the bill, as amended, 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.
Atkins	Fredrickson	Patten
Bakken	Hamilton	Peck
Benson	Hart	Patterson
Bond	Hjelmstad	Porter
Brant	Kretschmar	Ritchie
Brunsdale	McCroxy	Rusch
Carey	McLachlin	Seamands
Conrath	Magnuson	Steele
Crocker	Marshall	Stevens
Eastgate	Martin	Van Arnam
Erickson	Murphy	Van Camp
Ettestad	Olson of Barnes	Whitman
Fine	Olson of Burleigh	Wog
Fleckten	Olson of Eddy	
Forbes	Pathman	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Baird	Ployhar	Schlosser
Lynch	Sathre	Tofsrud

So the bill passed and the title was agreed to.

Also,

Senate Bill No. 22. A Bill For an act to authorize a tax levy in cities and towns for the purpose of providing a fund for the maintenance or employment of a band for municipal purposes, and providing for submission of the question of levying a tax for such purpose to the voters of such cities and towns.

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.
Atkins	Hamilton	Patten
Benson	Hart	Patterson
Bond	Hjelmstad	Porter
Brant	Kretschmar	Ritchie
Brunsdale	McCrorry	Rusch
Carey	McLachlin	Seamands
Crocker	Magnuson	Steele
Eastgate	Marshall	Stevens
Erickson	Murphy	Van Arnam
Fine	Olson of Barnes	Van Camp
Forbes	Olson of Burleigh	Whitman
Fredrickson	Olson of Eddy	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Pathman
Conrath	Martin	Peck
Ettestad		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Baird	Ployhar	Schlosser
Lynch	Sathre	Tofsrud

So the bill passed and the title was agreed to.

Also,

#### ROLL CALL

Senate Bill No. 24. A Bill For an Act to Amend and Re-enact Section 5 of the Initiated Measure entitled, "An Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels and for the Disposition of the Revenue Derived Therefrom; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing all Acts or parts of Acts in conflict with the Provisions of this Act," and approved at a State-wide Election held June 30, 1926.

Was read the-third time.

Senator Stevens offered the following amendment to Senate Bill 24; and moved its adoption.

"In line 13 of the printed bill, insert word "to" so as to read 'receipt to the dealer' "

Which motion prevailed.

The amendment was adopted.

The question being on the final passage of the bill, as amended, 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.
Atkins	Fredrickson	Patten
Bakken	Hamilton	Peck
Benson	Hart	Patterson
Bond	Hjelmstad	Porter
Brant	Kretschmar	Ritchie
Brunsdale	McCrary	Rusch
Carey	McLachlin	Seamands
Conrath	Magnuson	Steele
Crocker	Marshall	Stevens
Eastgate	Martin	Van Arnam
Erickson	Murphy	Van Camp
Ettestad	Olson of Barnes	Whitman
Fine	Olson of Burleigh	W. g
Fleckten	Olson of Eddy	
Forbes	Pathman	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Baird	Ployhar	Schlosser
Lynch	Sathre	Tofsrud

So the bill passed and the title was agreed to.

#### ROLL CALL

Senate Bill No. 25. A Bill For an Act to Amend and Re-enact Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Disposition of Fees Collected by the State Securities Commission.

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.
Atkins	Fredrickson	Patten
Bakken	Hamilton	Peck
Benson	Hart	Patterson
Bond	Hjelmstad	Porter
Brant	Kretschmar	Ritchie
Brunsdale	McCrary	Rusch
Carey	McLachlin	Seamands
Conrath	Magnuson	Steele
Crocker	Marshall	Stevens
Eastgate	Martin	Van Arnam
Erickson	Murphy	Van Camp

Messrs.	Messrs.	Messrs.
Ettestad	Olson of Barnes	Whitman
Fine	Olson of Burleigh	Wog
Fleckten	Olson of Eddy	
Forbes	Pathman	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Baird	Ployhar	Schlosser
Lynch	Sathre	Tofsrud

So the bill passed and the title was agreed to.

### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to:  
Silas Bond, Dr. Whellan, Frank Taylor.

Pursuant to the resolution adopted in the Joint Session the President appointed as such committee Senators Benson, Kretschmar and Hamilton.

Senator Rusch moved that the Senate do now adjourn.

Which motion prevailed, and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

### CALENDAR

Third reading of Senate Bill No. 1.

Senate Bill No. 1. A Bill For an Act to amend and re-enact Section 2202 of the Compiled Laws of the State of North Dakota for the year 1913 as amended and re-enacted by Section 5 of Chapter 199, Session Laws of 1925, relating to giving notice of expiration of period of redemption on property forfeited to the county at tax sale, issuance of tax deeds to the county and sale of property acquired by the county through tax deed.

## FOURTEENTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 17, 1927.

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

Prayer by the Chaplain, Rev. I. G. Monson.

Roll call.

All members present except: Senators Lynch 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 Twelfth day and recommend that the same be corrected as follows:

Strike out the word "Messrs." in line 16 on page 9.

And when corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

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

Senators McLachlin, Sathre and Ployhar presented communications regarding the Week Day Church School Bill.

Senator Stevens moved that the receipt of communications from various clubs and organizations urging legislation on different measures be recorded in the Journal but that the reading of same and printing be dispensed with.

Which motion prevailed.

Communications from Lisbon, Wimbledon, Wahpeton, Towner, Carson, Tolna, Crosby and Napoleon regarding the Sheppard-Towner Bill were presented by Senators Crocker, Ployhar, Forbes, Pathman, Fredrickson, Erickson, Kretschmar and Hamilton.

Senator Porter presented the following:

Hampden, North Dakota,  
January 11, 1927.

Dear Sir:

We, the school board of Storlie District, in regular session on this eleventh day of January, 1927, do hereby present the following resolution:

Whereas, the Legislative Committee of the County Superintendents' Association of North Dakota, have adopted a resolution calling for 13 changes in the school laws of North Dakota, and

Whereas, One of the changes reads: "That the present High school tuition be increased from \$1.50 to \$3.00 per week," and

Whereas, We deem such a change of 100 per cent increase for High school tuition unreasonable and unjust to taxpayers of rural districts,

Therefore, Be It Hereby Resolved, that this meeting go on record as vigorously opposed to these changes,

And Be It Further Resolved, that a copy of these resolutions be sent to our County Superintendent of Schools and also to each of our Representatives and Senators.

A. E. BERKLAND,  
President.

NILS HARVELAND,  
THEO. E. OLSON,  
Members.

Senator Stevens moved that the absent Senators be excused.

Which motion prevailed.

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

Senators Rusch and Sathre introduced by request:

Senate Bill No. 60. A Bill For an Act providing for the licensing and regulation of the practice of barbering.

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

Senate Bills No. 4, 22, 24 and 25 were messaged to the House.

Senator Rusch moved that final action on Senate Bill No. 1 be deferred one legislative day.

Which motion prevailed.

## COURTESIES OF THE FLOOR

Courtesies of the floor were extended to:

Superintendent of Schools Waller, Andrew Modine, David Robinson, O. J. Sorlie, and S. J. Boyd.

Superintendent of Schools Waller.

Senators Stevens moved that the Senate do now recess subject to the call of the chair.

Which motion prevailed and the Senate stands recessed.

The Senate reassembled, pursuant to recess taken, the President presiding.

## MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
January 15, 1927.

Mr. President: I have the honor to inform you that the House has appointed the following Representatives: Twichell, McManus and Frojen to act with a like Committee to be appointed by the Senate to draft an appropriate resolution or memorial to the President of the United States relative to the St. Lawrence-Great Lakes waterway and also the Federal Reserve banking system.

Very respectfully,

C. R. VERRY,  
Chief Clerk.

A return was made to the 6th Order of Business.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 47,

Senate Bill No. 47. A Bill For an Act to Amend and Re-enact Section 2898, Compiled Laws of North Dakota for 1913, Relating to the Manner of Labeling and Branding Seeds Offered for Sale Within the State of North Dakota.

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

Strike out lines 14 and 15 and in lieu thereof insert "Provided all seed corn offered for sale under this act shall state the percentage of germination and date of last testing, also the name of the County and State wherein grown."

And when so amended recommend 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 Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 1. A Bill For an Act to amend and re-enact Section 2202 of the Compiled Laws of the State of North Dakota for the year 1913 as amended and re-enacted by Section 5 of Chapter 199, Session Laws of 1925, relating to giving notice of expiration of period of redemption on property forfeited to the county at tax sale, issuance of tax deeds to the county and sale of property acquired by the county through tax deed.

And find the same correctly engrossed.

C. NORMAN BRUNSDALE,  
Acting Chairman.

Senator Brunsdale, acting chairman, moved the adoption of the report, which motion prevailed, and the report was adopted.

#### MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
January 17, 1927.

Mr. President: I have the honor to inform you that the House has appointed a committee to arrange with a like committee of the Senate to prepare a program for Lincoln's Birthday and have appointed the following as such committee: Representatives Muus, Swett and Wilson.

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Senator Stevens moved that the President appoint a committee to be known as "A Committee on the Advisability of Printing of Bills," such committee to report to the Senate, which will decide upon the advisability of printing the bill.

Which motion was defeated.

Senator Bond moved that the President appoint a committee to act with the House committee in preparation of a Lincoln's Birthday program.

Which motion prevailed.

The President appointed as such committee Senators Bond, Olson of Eddy and McLachlin.

Senator Stevens moved that the Committee on Rules submit a plan whereby the printing of lengthy bills be elimin-

ated, and the introduction of similar bills in both Houses may be averted.

Which motion prevailed.

Senator Murphy moved that the Senate do now adjourn.  
Which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

#### CALENDAR

Senate Bill No. 1. A Bill For an Act to amend and re-enact Section 2202 of the Compiled Laws of the State of North Dakota for the year 1913 as amended and re-enacted by Section 5 of Chapter 199, Session Laws of 1925, relating to giving notice of expiration of period of redemption on property forfeited to the county at tax sale, issuance of tax deeds to the county and sale of property acquired by the county through tax deed.

Senate Bill No. 47. A Bill For an Act to Amend and Re-enact Section 2898, Compiled Laws of North Dakota for 1913, Relating to the Manner of Labeling and Branding Seeds Offered for Sale Within the State of North Dakota.



FIFTEENTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 18, 1927.

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

Prayer by the Chaplain, Rev. I. G. Monson.

Roll call, all members present except Senator Tofsrud.

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

C. J. OLSON,  
Chairman.

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

Communications regarding the Week-Day Church School bill were presented from Milnor, Braddock, Carson, Zeeland, Landa, Grand Forks, by Senators McCrary, Brant, Pathman, Kretschmar, Magnuson and Whitman.

Senator McCrary presented a communication from Forman regarding the Sheppard-Towner Act.

Senator Martin presented a resolution from Mandan protesting "Anti-evolution" legislation.

The committee on Enrollment and Engrossment made the following report:

Mr. President:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 47. A Bill For an Act to Amend and Re-enact Section 2898, Compiled Laws of North Dakota for 1913, Relating to the Manner of Labeling and Branding Seeds Offered for Sale Within the State of North Dakota.

And find the same correctly Engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved the adoption of the report, which motion prevailed and the report was adopted.

Mr. President: Your committee on State Affairs to whom was referred:

Senate Bill No. 38. A Bill For an Act Amending and Re-enacting Section 1, Chapter 63, Session Laws of North Dakota for 1915, prescribing the punishment for the crime of Murder in the First Degree.

Have had the same under consideration and recommend that the same be referred back to the Senate without recommendation, and ask that the same be placed on the calendar for third reading.

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. 40. A Concurrent Resolution—Constitutional Amendment—Length of Duration of the Sessions of the 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.

Mr. President: Your committee on State Affairs to whom was referred:

Senate Bill No. 41. A Concurrent Resolution—Constitutional Amendment—Compensation and Salary of Members of Legislative Assembly.

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

In Section 45, line 2, of the printed bill, after the word "services" strike out the words "a salary of"; also after the word "each" in the same line strike out the word "biennial" and insert in lieu thereof the words "regular session"; strike out the balance of the bill to the word "and" in line 10.

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 Appropriations to whom was referred:

Senate Bill No. 6. A Bill For an Act to Appropriate the Sum of \$75,000, 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 Grand Forks, Grand Forks County, North Dakota, and the City of East Grand Forks, Polk County, Minnesota, Under the Provisions of Subdivision C of Section 2976 T 15 of the supplement to the Compiled Laws 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:

Senate Bill No. 7. A Bill For an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid into or Credited to the General 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:

Senate Bill No. 8. A Bill For an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913, 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:

Senate Bill No. 9. A Bill For an Act Making 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 Reenacted by Chapter 226, Laws of 1915, and as Amended and Reenacted by the Initiated Law approved November 2nd, 1920, and as Provided for in Chapter 143, Laws of 1923.

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. 10. 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 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:

Senate Bill No. 26. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Special Fund Accruing from Fees collected by the State Securities Commission under the Provisions of Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

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. 28. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Fund Accruing from Testers' License Fees Collected and Paid into the Treasury under the provisions of Chapter 103, Session Laws 1917, the same being Section 2863b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

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. 42. A Bill For an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Section 2711 to 2729, Inclusive, of the Compiled Laws of North Dakota for the Year 1913.

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

In line one, after the figure one of the Printed Bill, strike out the word "Appropriations" and insert the word "Appropriation".

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.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign Concurrent Resolution.

And the President signed the same in the presence of the Senate.

Senator Whitman moved that the Concurrent Resolution introduced by himself, Senators Olson of Eddy, and Ettetad be withdrawn.

Which motion prevailed.

Senator Porter moved that the absent Senators be excused.

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

Senator Sathre, by request, introduced:

Senate Bill No. 61. A Bill For an Act to Amend and Re-enact Section 4863 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 163, Laws of North Dakota for 1919, Relating to Capital Stock Required by Domestic and Other Stock Insurance Companies.

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

Senator Baird introduced:

Senate Bill No. 62. A Bill For an Act to Amend and Re-enact Section 10994, of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 125, of the Ses-

sion Laws of North Dakota for the Year 1925, Relating to the Time for Taking and Completing Appeals to the Supreme Court in Criminal Cases.

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

Senator Baird introduced:

Senate Bill No. 63. A Bill For an Act to Amend and Re-enact Section 10766 of the Compiled Laws of North Dakota for the Year 1913, Providing the Procedure Where Joint Affidavit Is Filed in Criminal Cases, Alleging Prejudice Against the Judge and Also Asking for a Change in Place of Trial.

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

Senator Baird introduced:

Senate Bill No. 64. A Bill For an Act to Amend and Re-enact Section 11002, Compiled Laws of North Dakota for 1913, Relating to the Duty of the Clerk of the District Court When Appeals in Criminal Cases are taken and Completed.

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

Senator Bakken introduced:

Senate Bill No. 65. A Bill For an Act to Amend and Re-enact, Section 3, of Chapter 162, of the Session Laws of the State of North Dakota for the Year 1919, and Acts Amendatory thereof, relating to the Workmen's Compensation Act.

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

Senator Peck introduced:

Senate Bill No. 66.

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

Senator Olson of Burleigh introduced:

Senate Bill No. 67. A Bill For an Act to Amend and Re-enact Sub-Section 3 of Section 6635c of the Compiled Laws of North Dakota for the Year 1913, Relating to the Incontestable Clause to be Included in the Required Provisions of Life Policies.

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

Senator Whitman introduced Concurrent Resolution "E".

#### CONCURRENT RESOLUTION

Introduced by Mr. Whitman

To create and to define the powers and duties of a State

Commission, to associate with any similar commission created by Act of Congress of the United States and such other commissions as may be created by Act of the Legislatures of the respective States, and with civil committees created by the Sulgrave Institution and other civic bodies, in the commemoration of the most momentous and significant anniversary event in the history of the American people, namely the bi-centennial of the birthday of George Washington, Father and Founder of his Country.

Whereas, A joint resolution has been introduced in the Senate and in the House of Representatives of the Congress of the United States authorizing and making appropriation for a National Commission, of which the President, the Speaker of the House of Representatives and the President pro tem, of the Senate shall, ex officio, be members, to prepare and to carry out a comprehensive, completed plan for the celebration of the two hundredth anniversary of the birth of George Washington on February 22, 1932; and,

Whereas, The significance of this event transcends in importance any other historic event of a similar kind that has ever before been commemorated by the nation; and,

Whereas, Past experience has taught that it takes from five to ten years to complete fitting and adequate plans for the commemoration of outstanding historic events; and,

Whereas, Heretofore the celebration of epochal events has always been marred by the incompleteness of preparations, monuments, etc., etc., necessitating delays in the inauguration of commemorations; and

Whereas, If any commemoration of the bi-centennial of the birth of George Washington that is commensurate with its importance and significance to the American people be held, then the time between the present day and the year 1932 is by no means too long for the completion and carrying out of plans:

Therefore, be it

#### RESOLVED

That the people of the State of North Dakota, represented in the Senate and House of Representatives, do enact as follows:

Section 1. Resolved by the Senate and House of Representatives of the State of North Dakota, that a State Commission is hereby created to consist of fifteen members, of whom three ex-officio members shall be the Governor of the State of North Dakota, the President of the Senate, and the Speaker of the House of Representatives; and of whom six shall be appointed by the Governor, three by the President of the Senate and three by the Spaker of the House of Representatives, to act for the state in connection with the celebration in the year 1932, in the State of North Dakota and elsewhere in the United States, and by the Nation as a whole, of the bi-centennial of the birth of George Washington, who led the American people through a successful revolution, who

presided at the convention which gave to the Republic its constitution, who was the Nation's first President, and who died and has since lived as first in war, first in peace, and first in the hearts of his countrymen; the Commission so created to act with any Commission created under the act of Congress, and with such other Commission as may hereafter be established under the authority of the respective States, and with the civil, national committee established by the Sulgrave Institution, and with such other civic bodies whose activities may relate to such signaling of this eventful anniversary.

Section 2. Such Commission shall continue for a period of one year after the expiration of the celebration, on December 31, 1932, and shall file its annual report within a period of ninety days after the final event of the celebration.

Section 3. Such Commission shall represent the State of North Dakota in respect to the formulation of a plan or plans of celebration, in association with other Commissions and committees, as referred to in Section 1 of this Act; and shall participate in the carrying out of the program so arranged; and with the President of the Senate, and with the Speaker of the House of Representatives, for submission to their respective bodies; and to make therein such recommendations to be acted upon by the ensuing administration and Legislative Assembly of the State of North Dakota as may be deemed advisable and essential in the preparation and carrying out of a fitting and adequate plan for this commemoration.

Section 4. Vacancies in the Commission shall be filled in harmony with the provisions of this Act.

Section 5. This act shall take effect and be in force from and after its passage and approval.

**Referred to Committee on State Affairs.**

#### **INTRODUCTION AND FIRST AND SECOND READING OF SENATE BILLS**

Senator Ployhar introduced:

Senate Bill No. 68. A Bill For an Act to Amend and Re-enact Section 6625 of the Compiled Law of the State of North Dakota for the Year 1913, Relating to Fire Insurance and Adopting and Relating to the Standard Form of Fire Insurance Policy for the State of North Dakota.

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

#### **THIRD READING OF SENATE BILLS**

Senate Bill No. 1. A Bill For an Act to amend and re-enact Section 2202 of the Compiled Laws of the State of North Dakota for the year 1913 as amended and re-enacted by Section 5 of Chapter 199, Session Laws of 1925, relating to giving notice of expiration of period of redemption of



property forfeited to the county at tax sale, issuance of tax deeds to the county and sale of property acquired by the county through tax deed.

Was read the third time.

Senator Lynch moved that the final action on this bill be deferred one legislative day.

Which motion prevailed.

Senator Olson of Burleigh moved that Senate Bill No. 47 be re-referred to the Committee on Agriculture.

Which motion prevailed.

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: Adam A. Lefor, H. Froelich, Jacob Forster, Margaret Alexander, C. H. Porter, F. P. Bennett, C. A. Sorlie, G. H. Garnett, and Nell A. Cooper.

Senator Rusch moved that the Senate do now adjourn.

Which motion prevailed, and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

#### CALENDAR

Senate Bill No. 1. A Bill For an Act to amend and re-enact Section 2202 of the Compiled Laws of the State of North Dakota for the year 1913 as amended and re-enacted by Section 5 of Chapter 199, Session Laws of 1925, relating to giving notice of expiration of period of redemption of property forfeited to the county at tax sale, issuance of tax deeds to the county and sale of property acquired by the county through tax deed.

Senate Bill No. 38. A Bill For an Act Amending and Re-enacting Section 1, Chapter 63, Session Laws of North Dakota for 1915, prescribing the punishment for the crime of Murder in the First Degree.

Senate Bill No. 41. A Concurrent Resolution—Constitutional Amendment—Compensation and Salary of Members of Legislative Assembly.

Senate Bill No. 6. A Bill For an Act to Appropriate the Sum of \$75,000, 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 Grand Forks, Grand Forks County, North Dakota, and the City of East Grand Forks, Polk County, Minnesota, Under the Provisions of Subdivision C of Section 2976 T 15 of the Supplement to the Compiled Laws 1913.

Senate Bill No. 7. A Bill For an Act Making an Ap-

appropriation for the Purpose of Refunding Money Erroneously Paid into or Credited to the General Fund.

Senate Bill No. 8. A Bill For an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913, and to Meet Other Requirements Prescribed by the Federal Statutes.

Senate Bill No. 9. A Bill For an Act Making 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 Reenacted by Chapter 226, Laws of 1915, and as Amended and Reenacted by the Initiated Law approved November 2nd, 1920, and as Provided for in Chapter 143, Laws of 1923.

Senate Bill No. 10. 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 Association.

Senate Bill No. 26. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Special Fund Accruing from Fees collected by the State Securities Commission under the Provisions of Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

Senate Bill No. 28. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Fund Accruing from Testers' License Fees Collected and Paid into the Treasury under the provisions of Chapter 103, Session Laws 1917, the same being Section 2863b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

Senate Bill No. 42. A Bill For an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Section 2711 to 2729, Inclusive, of the Compiled Laws of North Dakota for the Year 1913.

## SIXTEENTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 19, 1927.

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

Prayer by the Chaplain, Rev. I. G. Monson.  
Roll call.

All members present except: Senator Tofsrud.

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

C. J. OLSON,  
Chairman.

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

Senator Olson of Barnes presented a communication from Valley City regarding legislation on the sale of snuff.

Communications regarding the Sheppard-Towner Bill from Harvey and Bismarck were presented by Senators Hart and O .A. Olson.

Communications on the Week Day Church School from New Leipzig, New England, Grand Forks, Cathay, Esmond, Fillmore and Valley City were presented by Senators Pathman, Seamands, Whitman, Hart, Fine and C. J. Olson.

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 27. A Bill For an Act to Amend and Re-enact Chapter 103, Session Laws 1917, the same being Section 2863b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

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. 29. A Bill For an Act to Amend and Re-enact Sections 12 and 13 of Chapter 91, Session Laws 1925, the same being Sections 2976v12 and 2976v13 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, relating to Auto Transportation Companies.

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

After the word amended, line 3, page 2 of the printed bill, insert the words "and re-enacted."

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. 30. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Auto Transportation Fund from Moneys Collected and Credited under the Provisions of Chapter 91, Session Laws 1925, the same being Sections 2976v1 to 2976v16, inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to Auto Transportation Companies.

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 Concurrent Resolution introduced by Senator Martin.

Printed on page 8 of the Journal, January 11, 1927.

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 Agriculture to whom was referred:

Senate Bill No. 47. A Bill For an Act to Amend and Re-enact Section 2898, Compiled Laws of North Dakota for 1913, Relating to the Manner of Labeling and Branding Seeds Offered for Sale Within the State of North Dakota.

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 Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 6. A Bill For an Act to Appropriate the Sum of \$75,000, 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 Grand Forks, Grand Forks County, North Dakota, and the City of East Grand Forks, Polk County, Minnesota, Under the Provisions of Subdivision C of Section 2976 T 15 of the supplement to the Compiled Laws 1913.

Also,

Senate Bill No. 7. A Bill For an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid into or Credited to the General Fund.

Also,

Senate Bill No. 8. A Bill For an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913, and to Meet Other Requirements Prescribed by the Federal Statutes.

Also,

Senate Bill No. 9. A Bill For an Act Making 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 Reenacted by Chapter 226, Laws of 1915, and as Amended and Reenacted by the Initiated Law approved November 2nd, 1920, and as Provided for in Chapter 143, Laws of 1923.

Also,

Senate Bill No. 10. 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 Association.

Also,

Senate Bill No. 26. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Special Fund Accruing from Fees collected by the State Securities Commission under the Provisions of Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

Also,

Senate Bill No. 28. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Fund Accruing from Testers' License Fees Collected and Paid into the Treasury under the provisions of Chapter 103, Session Laws 1917, the same being Section 2863b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

Also,

Senate Bill No. 38. A Bill For an Act Amending and Re-enacting Section 1, Chapter 63, Session Laws of North Dakota for 1915, prescribing the punishment for the crime of Murder in the First Degree.

Also,

Senate Bill No. 41. A Concurrent Resolution—Constitutional Amendment—Compensation and Salary of Members of Legislative Assembly.

Also,

Senate Bill No. 42. A Bill For an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Section 2711 to 2729, Inclusive, of the Compiled Laws of North Dakota for the Year 1913.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved the adoption of the report, which motion prevailed and the report was adopted.

Senator Kretschmar moved that the absent Senator be excused.

Which motion prevailed.

Senator Peck moved that Senate Bill No. 66 be not printed.  
Which motion prevailed.

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

Senator McLachlin introduced:

Senate Bill No. 69. A Bill For an Act providing for the discontinuance of the Depositors Guaranty Fund, as estab-

lished by Chapter 200 of the Session Laws of 1923 and embodied in Chapter 31B of the Supplement to the 1913 Compiled Laws of North Dakota, being sections 5220B1 to 5220B41 thereof, limiting the time up to which deposits shall be guaranteed by said Fund, providing the extent to which guaranteed deposits shall be paid, the manner of administering such fund, and the duties of the Depositors Guaranty Fund Commission with reference to the administration of such Fund until guaranteed deposits shall have been paid to the extent provided, and repealing such parts of said Chapter 200 Session Laws of 1923, embodied in Chapter 31B Supplement to the 1913 Compiled Laws of North Dakota, and any other Acts or parts of Acts as are inconsistent herewith.

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

Senator Whitman introduced:

Senate Bill No. 70. A Bill For an Act Authorizing Cities and School Districts to Take Out Group Life Insurance on Its Employees.

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

Senator Van Arnam introduced:

Senate Bill No. 71. A Bill For an Act to Amend and reenact Section 8122 of the Supplement to the Compiled Laws of North Dakota, 1913, relating to the time allowed for the reinstatement of a contract for deed after service of notice of cancellation thereof.

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

Senator Fredrickson introduced:

Senate Bill No. 72. A Bill For an Act to Amend and Reenact Section 6707, Compiled Laws, 1913, Relating to Contract Liens upon Crops, and Requiring all Contracts for Liens to Secure the Purchase Price or Rental of Land to be Filed for Record.

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

Senator Sathre introduced:

Senate Bill No. 73. A Bill For an Act Requiring Public Utilities to Obtain from the Board of Railroad Commissioners Certificates of Public Convenience and Necessity before Beginning the Construction or Operation of Public Utility Plants or Systems or the Exercising of any Rights or Privileges Under any Franchise or Certificate Hereafter Granted, or Under any Franchise Heretofore Granted, the Exercise of Which has not been commenced within one year from the Granting Thereof, or has been suspended or Dis-

continued for More Than One Year, and Prescribing the Procedure to be Followed in Such Matters.

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

Senator Sathre introduced:

Senate Bill No. 74. A Bill For an Act Authorizing and Empowering the Board of Railroad Commissioners to appoint Examiners for the Purpose of Holding Hearings, and Prescribing the Powers and Duties of Such Examiners.

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

Senator Bond introduced:

Senate Bill No. 75. A Bill For an Act to Amend and Re-enact Section 4059, Compiled Laws 1913, as amended by Chapter 71, Session Laws 1915, and as amended by Chapter 178, Session Laws 1917, and as amended by Chapter 96, Session Laws 1921, and now Section 4059 of the Supplement to the Compiled Laws 1913.

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

Senators Stevens and Peck introduced:

#### CONCURRENT RESOLUTION

Whereas, present economic conditions are such that it is impossible for members of the Twentieth Legislative Assembly to fully and properly discharge the duties of the office to which they were elected without a pecuniary loss to themselves; and,

Whereas, at the time when the amount of compensation to the members of the Legislative Assembly was fixed there was no contemplation of the enormous amount of work and expense Legislative Members would incur at this time in connection with Committee work.

Therefore, be it resolved by the Senate of the Twentieth Legislative Assembly, the House of Representatives, concurring therein that there shall be and is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of Nineteen Thousand Four Hundred and Forty Dollars (\$19,440.00), or so much thereof as may be necessary to reimburse the Members of the Twentieth Legislative Assembly for legitimate expenses incurred in the discharge of their duties on Committee work, the same to be paid to the members of the Legislative Assembly at the rate of two dollars (\$2.00) per day for Legislative expense at the same time and in the same manner that Legislative per diem is paid.

Section 2. Emergency. Whereas, the amount herein provided for is necessary to enable the members of this Legis-



lative Assembly to properly discharge the duties of the office to which they were elected.

Therefore, this Act shall become effective at once.

Senator Stevens moved that the resolution be referred to the Committee on Judiciary.

Which motion prevailed.

Senator Baird moved that Senate Bill No. 5 be re-referred to the Committee on Banks and Banking.

Which motion prevailed.

Senator Rusch moved that Senate Bill No. 1 be re-referred to the Committee on Tax and Tax Laws, which motion prevailed.

Senator Baird moved that final action on Senate Bill No. 38 be deferred one legislative day.

Which motion prevailed.

#### MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
January 19, 1927.

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

House Bill No. 31. A Bill For an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials as Provided by Chapter 175, Session Laws of North Dakota for 1917.

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

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

#### ROLL CALL

Senate Bill No. 41, a Concurrent Resolution.

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.
Atkins	Fredrickson	Peck
Baird	Hart	Patterson
Bakken	Hjelmstad	Ployhar
Benson	Kretschmar	Rusch
Bond	Lynch	Sathre

Messrs.	Messrs.	Messrs.
Brant	McCrorry	Steele
Brunsdale	Marshall	Schlosser
Carey	Martin	Seamands
Conrath	Murphy	Stevens
Crocker	Olson of Barnes	Van Camp
Eastgate	Olson of Eddy	Whitman
Erickson	Pathman	Wog
Fine	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Ettestad	Fleckten	Forbes
McLachlin	Magnuson	Olson of Burleigh
Ritchie	Van Arnam	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Hamilton	Porter	Tofsrud

So the bill was passed and the title was agreed to.

Senator Patterson explained his vote: I vote "aye" on this bill, not that I intend to or will be back two years hence, but in view of my experience attending sessions here for the past 10 years a man cannot come down here, with the small amount allowed, and fill his duties as expected on \$5 a day. Some years ago each member was furnished railroad transportation and he got lodging at less than he can at the present time. I vote "aye."

Senator Ritchie explained his vote: I vote "no" for the simple reason that I have lived a good while in this old world and have always been taught to curtail expenses. Some of the gentlemen have said that they can't afford to come down or that \$5 per day doesn't pay their expenses. Five dollars does bear mine, and two years ago I was able to send just half of my salary home and I live just good enough for me and I think I am as good as the rest of you. I put up at one of the best hotels and eat just as good grub as Bismarck affords. The country at large is hard pressed and they have sent us down here to provide some means whereby this load can be lifted. We as their representatives come down and boost our own salaries. I don't think it is a very good example. Therefore I vote "no."

Senator Stevens explained his vote: I vote "aye" on this proposition but simply want to add that I will take off my hat to the Senator from Sheridan on the way he gets by on one-half of his salary.

Senator Van Arnam explained his vote: As a newly elected member I feel as though I am in the position of a traveling institution of public charity, but I have agreed to devote my time for the munificent sum of \$5 per day and during the remainder of my time, though I realize that \$5 per day won't pay my expenses, I have accepted it and I bow to the inevitable.

## ROLL CALL

Senate Bill No. 6. A Bill For an Act to Appropriate the Sum of \$75,000, 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 Grand Forks, Grand Forks County, North Dakota, and the City of East Grand Forks, Polk County, Minnesota, Under the Provisions of Subdivision C of Section 2976 T 15 of the supplement to the Compiled Laws 1913.

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.
Atkins	Hart	Patterson
Baird	Hjelmstad	Peck
Bakken	Kretschmar	Ployhar
Bond	Lynch	Sathre
Brant	McLachlin	Rusch
Brunsdale	Magnuson	Schlosser
Crocker	Marshall	Seamands
Eastgate	Martin	Steele
Erickson	Murphy	Stevens
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Forbes	Olson of Eddy	Whitman
Fredrickson	Pathman	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fleckten	Ritchie
Carey	McCrorry	
Conrath	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Hamilton	Porter	Tofsrud

So the bill passed and the title was agreed to.

Senator Whitman moved that the vote by which Senate Bill No. 6 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## ROLL CALL

Senate Bill No. 7. A Bill For an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid into or Credited to the General 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 0, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Baird	Hart	Peck
Bakken	Hjelmstad	Ployhar
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCrary	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steele
Crocker	Martin	Stevens
Eastgate	Murphy	Van Arnam
Erickson	Olson of Barnes	Van Camp
Ettestad	Olson of Burleigh	Whitman
Fine	Olson of Eddy	Wog
Fleckten	Pathman	
Forbes	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Hamilton	Porter	Tofsrud

So the bill passed and the title was agreed to.

### ROLL CALL

Senate Bill No. 8. A Bill For an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913, 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 38, nays 4, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Patterson
Baird	Kretschmar	Peck
Brant	Lynch	Ritchie
Brunsdale	McCrary	Rusch
Carey	McLachlin	Sathre
Conrath	Magnuson	Schlosser
Crocker	Marshall	Seamands
Eastgate	Martin	Steele
Erickson	Murphy	Stevens
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Forbes	Olson of Eddy	Wog
Fredrickson	Pathman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Hjelmstad	Patten
Fleckten		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benson	Ployhar	Whitman
Bond	Porter	
Hamilton	Tofsrud	

So the bill passed and the title was agreed to.

ROLL CALL

Senate Bill No. 9. A Bill For an Act Making 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 Reenacted by Chapter 226, Laws of 1915, and as Amended and Reenacted by the Initiated Law approved November 2nd, 1920, and as Provided for in Chapter 143, Laws of 1923.

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.
Atkins	Forbes	Pathman
Baird	Fredrickson	Patten
Bakken	Hart	Patterson
Benson	Hjelmstad	Peck
Brant	Kretschmar	Ritchie
Brunsdale	Lynch	Rusch
Carey	McLachlin	Sathre
Conrath	Magnuson	Schlosser
Crocker	Marshall	Seamands
Eastgate	Martin	Steele
Erickson	Murphy	Stevens
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bond	Ployhar	Whitman
Hamilton	Porter	
McCrorry	Tofsrud	

So the bill passed and the title was agreed to.

ROLL CALL

Senate Bill No. 10. 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 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.
Atkins	Forbes	Peck
Baird	Fredrickson	Patterson
Benson	Hart	Rusch
Bond	Kretschmar	Sathre
Brant	Lynch	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steele
Conrath	Marshall	Stevens
Crocker	Martin	Van Arnam
Eastgate	Murphy	Van Camp
Erickson	Olson of Barnes	Whitman
Ettestad	Olson of Burleigh	Wog
Fine	Olson of Eddy	
Fleckten	Pathman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Patten	Ritchie
Hjelmstad		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Hamilton	Ployhar	Tofsrud
McCrory	Porter	

So the bill passed and the title was agreed to.

#### ROLL CALL

Senate Bill No. 26. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Special Fund Accruing from Fees collected by the State Securities Commission under the Provisions of Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

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.
Atkins	Forbes	Patten
Baird	Fredrickson	Peck

Bakken	Hart	Patterson
Benson	Hjelmstad	Ritchie
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steele
Crocker	Martin	Stevens
Eastgate	Murphy	Van Arnam
Erickson	Olson of Barnes	Van Camp
Ettestad	Olson of Burleigh	Whitman
Fine	Olson of Eddy	Wog
Fleckten	Pathman	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Hamilton	Ployhar	Tofsrud
McCrorry	Porter	

So the bill passed and the title was agreed to.

ROLL CALL

Senate Bill No. 28. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Fund Accruing from Testers' License Fees Collected and Paid into the Treasury under the provisions of Chapter 103, Session Laws 1917, the same being Section 2863b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

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.
Atkins	Forbes	Patten
Baird	Fredrickson	Peck
Bakken	Hart	Patterson
Benson	Hjelmstad	Ritchie
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steele
Crocker	Martin	Stevens
Eastgate	Murphy	Van Arnam
Erickson	Olson of Barnes	Van Camp
Ettestad	Olson of Burleigh	Whitman
Fine	Olson of Eddy	Wog
Fleckten	Pathman	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Hamilton	Ployhar	Tofsrud
McCrorry	Porter	

So the bill passed and the title was agreed to.

### ROLL CALL

Senate Bill No. 42. A Bill For an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Section 2711 to 2729, Inclusive, 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 0, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Patten
Baird	Fredrickson	Peck
Bakken	Hart	Patterson
Benson	Hjelmstad	Ritchie
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale -	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steele
Crocker	Martin	Stevens
Eastgate	Murphy	Van Arnam
Erickson	Olson of Barnes	Van Camp
Ettestad	Olson of Burleigh	Whitman
Fine	Olson of Eddy	Wog
Fleckten	Pathman	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Hamilton	Ployhar	Tofsrud
McCrorey	Porter	

So the bill passed and the title was agreed to.

### INTRODUCTION AND FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 31. A Bill For an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials as Provided by Chapter 175, Session Laws of North Dakota for 1917.

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

The President administered the oath of office to L. T. Nelson.

Senate Bill No. 6 was messaged to the House.



## COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: O. P. Olmstead, T. J. Dahl, W. W. Smith, A. Benson, Paul W. Boehm, Edgar Mattson, J. B. Wineman, Franz Shubert, A. A. Ludwigs, R. R. Halstad, G. F. Hunt, County Superintendent Dobbins, Ray Heddens, H. H. Dahl, J. E. Davies, H. E. Johnson.

Senator Patten moved that the Senate do now adjourn. Which motion prevailed, and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

## CALENDAR

Senate Bill No. 27. A Bill For an Act to Amend and Re-enact Shapter 103, Session Laws 1917, the same being Section 2863b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

Senate Bill No. 29. A Bill For an Act to Amend and Re-enact Sections 12 and 13 of Chapter 91, Session Laws 1925, the same being Sections 2976v12 and 2976v13 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, relating to Auto Transportation Companies.

Senate Bill No. 30. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Auto Transportation Fund from Moneys Collected and Credited under the Provisions of Chapter 91, Session Laws 1925, the same being Sections 2976v1 to 2976v16, inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to Auto Transportation Companies.

Senate Bill No. 38. A Bill For an Act Amending and Re-enacting Section 1, Chapter 63, Session Laws of North Dakota for 1915, prescribing the punishment for the crime of Murder in the First Degree.

Senate Bill No. 47. A Bill For an Act to Amend and Re-enact Section 2898, Compiled Laws of North Dakota for 1913, Relating to the Manner of Labeling and Branding Seeds Offered for Sale Within the State of North Dakota.

And Concurrent Resolution by Senator Martin, printed on page 8 of Journal of January 11, 1927.

## SEVENTEENTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 20, 1927.

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the Chaplain, Rev. I. G. Monson.  
Roll call.

All members present except: Senators Porter and Whitman.

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

C. J. OLSON,  
Chairman.

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

Communications regarding the Sheppard-Towner Act from Williston, Tioga, St. Thomas, Anamoose and Stanley were presented by Senators Bakken, Van Camp, Ettestad and Patten.

Senator Magnuson presented a telegram from Bottineau regarding the Week Day Church School Bill.

Senator C. J. Olson presented communications from Valley City regarding House Bill 24.

## MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
January 20, 1927.

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

House Bill No. 8. A Bill For an Act Making an Appropriation for the Care of Insane Patients Whose Residence Can Not Be Determined and Whose Care Must Be Borne by the State.

House Bill No. 21. A Bill For an Act Making an Appro-

ropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State, in compliance with the Provisions of Sections 3993 to 3998, inclusive, of the Compiled Laws for 1913.

House Bill No. 26. 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 as Prescribed by Section 2562 of the Compiled Laws of 1913.

House Bill No. 46. 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 1913.

House Bill No. 47. 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.

House Bill No. 48. A Bill For an Act Making an Appropriation to Pay the Burial Expenses of Inmates of the Penitentiary and State Training School as Prescribed by Chapter 12, Laws of 1915.

House Bill No. 49. A Bill For an Act Making an Appropriation to Pay for the Burial Expense of Honorably Discharged Sailors, Soldiers and Marines of the United States War of the Rebellion and Erection of Head Stones Therefor, as Authorized by Sections 3181, 3182, 3183, and 3184 of the Compiled Laws of 1913.

House Bill No. 30. A Bill For an Act Making an Appropriation for the Florence Crittenton Home at Fargo, North Dakota.

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

Very respectfully,  
C. R. VERRY.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 1. A Bill For an Act to amend and re-enact Section 2202 of the Compiled Laws of the State of North Dakota for the year 1913 as amended and re-enacted by Section 5 of Chapter 199, Session Laws of 1925, relating to giving notice of expiration of period of redemption of property forfeited to the county at tax sale, issuance of tax deeds to the county and sale of property acquired by the county through tax deed.

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

Amendment to Title.

Strike out present title and insert in lieu thereof: "For an Act to Amend and Re-enact Section 2202 of the Supple-

ment to the Compiled Laws of 1913, relating to giving Notice of Expiration of Period of Redemption on property forfeited to the county at tax sale, issuance of tax deeds to county and sale by county of property acquired by tax deed."

Amendment to Section 1 of Senate Bill No. 1.

Strike out all of lines 1, 2, 3 and 4 and insert in lieu thereof: "Section 1. Amendment. That Section 2202 of the Supplement to the Compiled Laws of 1913, be amended and re-enacted to read as follows".

In paragraph (d) on page 4 of the engrossed bill in line 4 after the word "Deeds" insert a period, strike out the rest of the paragraph (d) beginning with the word "provided" and insert the following in place thereof: "It shall be the duty of the register of deeds upon request of the county auditor to furnish him with a certified list giving the names, and so far as they appear on the records in the office of the register of deeds, the addresses of all persons who appear to be interested as owners, mortgagees, lien holders or otherwise in such real estate which has been sold to the county for taxes as may be specified by the county auditor in making such request."

In paragraph E on page 4, line 6 of the engrossed bill after the word "required" insert "as far as possible", after the words "notices in", strike out the word "each" and insert "any given".

In sub-section 5, page 5 of the engrossed bill in the fifth line from the bottom strike out the words "Signature of".

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.

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 37. A Bill For an Act to Amend and Re-enact Section 5552 of the Compiled Laws of North Dakota for the year 1913.

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

In line 1 of the Printed Bill, after Section 1, insert the word "Amendment", and in line 2 after the word "is", insert the word "Hereby".

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 Temperance to whom was referred:

Senate Bill No. 54. A Bill For an Act to Repeal Sections 10,180, 10,181, 10,182 and 10,183, of the Compiled Laws of North Dakota for 1913, Prohibiting the Manufacture and Sale of Snuff in North Dakota and Providing a Penalty Therefor.

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

NELS MAGNUSON,  
Chairman.

Senator Magnuson 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. 58. A Bill For an Act providing for the Printing and placing of placards containing the Ten Commandments of the Christian religion, in school rooms and class rooms of the public institutions of learning.

Have had the same under consideration and recommend that the same be re-referred back to the Senate without recommendation, and ask that the same be placed on the calendar for third reading.

ALFRED STEEL,  
Chairman.

Senator Steel 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. 12. A Bill For an Act Making an Appropriation for Salaries, Clerkhire and Miscellaneous Expenses of the 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. 13. A Bill For an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Rents, Repairs, Insurance and Upkeep of 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:

Senate Bill No. 14. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate.

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. 43. 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:

Senate Bill No. 44. A Bill For an Act Appropriating Funds to Indemnify 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:

Senate Bill No. 45. A Bill For an Act Making an Appropriation for the Per Diem and General Expenses 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.

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

Senate Bill No. 56. A Bill For an Act to appropriate \$1,000.00 to the North Dakota Poultry Association for the biennial period agreeable with Sections 5118, 5119, and 5120 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.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 27. A Bill For an Act to Amend and Re-enact Shapter 103, Session Laws 1917, the same being Section 2863b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

Also,

Senate Bill No. 29. A Bill For an Act to Amend and Re-enact Sections 12 and 13 of Chapter 91, Session Laws 1925, the same being Sections 2976v12 and 2976v13 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, relating to Auto Transportation Companies.

Also,

Senate Bill No. 30. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Auto Transportation Fund from Moneys Collected and Credited under the Provisions of Chapter 91, Session Laws 1925, the same being Sections 2976v1 to 2976v16, inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to Auto Transportation Companies.

Also,

Senate Bill No. 47. A Bill For an Act to Amend and Re-enact Section 2898, Compiled Laws of North Dakota for 1913, Relating to the Manner of Labeling and Branding Seeds Offered for Sale Within the State of North Dakota.

Also,

Concurrent Resolution introduced by Senator Martin.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

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

Senator Carey introduced:

Senate Bill No. 76. A Bill For an Act to Amend Chapter 162 of the Session Laws of North Dakota for 1919 as Amended by Chapter 73 of the Special Session Laws of North Dakota for the year 1919 and Chapter 141, 142, 143, 144 and 145 of the Session Laws of North Dakota for the year 1921 and Chapters 347, 349 and 350 of the Session Laws of North Dakota for the year 1923 and by Chapters 84, 220, 221, 222, 223, 225 and 226 of the Session Laws of North Dakota for the year 1925 by adding Sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40 relating to and providing for the benefit of employees insured and the dependents of employees killed in hazardous employments, fixing the duties and liability of employers and employees and providing additional methods of securing the payment of obligations arising in favor of insured employees and their dependents and providing for partial support of the North Dakota Workmen's Compensation Bureau from insurance companies and by repealing all acts and parts of acts insofar as they are in conflict with the aforesaid added sections.

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

Senator Martin introduced:

Senate Bill No. 77. A Bill For an Act Creating a Revolving Fund at the State Training School, Providing that the State Board of Administration shall Transfer Funds from State Prison Revolving Fund as Provided in Article 13 of Chapter 17 of the Compiled Laws of 1913, the Sum of \$25,000 to be Used in Providing Suitable Buildings, and Installing Suitable Machinery for the Manufacture of Motor Vehicle License Tags, Coffins, Caskets and Undertakers Fixtures and Supplies, and Providing for the Employment of the Inmates of the State Training School, and Providing for the Distribution of the Profits Derived therefrom to the Support and Maintenance of the Inmates thereof and Compensation to such Inmates for such Labor Performed.

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

The Committee on Appropriations introduced:

Senate Bill No. 78. A Bill For an Act Making an Appropriation to provide for the Payment of a Deficit in the State Wolf Bounty Fund.

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



Senator O. H. Olson introduced:

Senate Bill No. 79. A Bill For an Act to amend and re-enact Section 2132a1, 2132a5 and 2132a9 of the 1913-1925 Supplement to the 1913 Compiled Laws of North Dakota, known as the Classification of Acre Property Law.

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

Senate Bills 7, 8, 9, 10, 26, 28, 41 and 42 were messaged to the House.

THIRD READING OF SENATE BILLS

Senate Bill No. 27. A Bill For an Act to Amend and Re-enact Shapter 103, Session Laws 1917, the same being Section 2863b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

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.
Atkins	Fredrickson	Patten
Baird	Hamilton	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCrorry	Sathre
Carey	McLachlin	Schlcsser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettetstad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Wog
Forbes	Pathman	

Absent and not voting:

Messrs.	Messrs.
Porter	Whitman

So the bill passed and the title was agreed to.

Senate Bill No. 29. A Bill For an Act to Amend and Re-enact Sections 12 and 13 of Chapter 91, Session Laws 1925, the same being Sections 2976v12 and 2976v13 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, relating to Auto Transportation Companies.

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.
Atkins	Fredrickson	Patten
Baird	Hamilton	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCrorry	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steele
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Wog
Forbes	Pathman	

Absent and not voting:

Messrs.	Messrs.
Porter	Whitman

So the bill passed and the title was agreed to.

Senate Bill No. 30. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Auto Transportation Fund from Moneys Collected and Credited under the Provisions of Chapter 91, Session Laws 1925, the same being Sections 2976v1 to 2976v16, inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to Auto Transportation Companies.

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.
Atkins	Fredrickson	Patten
Baird	Hamilton	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCrorry	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands

Messrs.	Messrs.	Messrs.
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Wog
Forbes	Pathman	

Absent and not voting:

Messrs.	Messrs.
Porter	Whitman

So the bill passed and the title was agreed to.

Senator Stevens moved that Senate Bill No. 38 be made a Special Order of Business at 3 P. M., on Tuesday, January 25.

Which motion prevailed.

Senate Bill No. 47. A Bill For an Act to Amend and Re-enact Section 2898, Compiled Laws of North Dakota for 1913, Relating to the Manner of Labeling and Branding Seeds Offered for Sale Within 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 47, nays 0, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patten
Baird	Hamilton	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCrary	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Wog
Forbes	Pathman	

Absent and not voting:

Messrs.	Messrs.
Porter	Whitman

So the bill passed and the title was agreed to.

Concurrent Resolution introduced by Senator Martin.

Was read the third time.

The question being on the final passage of the Concurrent Resolution, 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.
Atkins	Fredrickson	Patten
Baird	Hamilton	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCrary	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Martin	Tofsrud
Erickson	Murphy	Van Arnam
Ettestad	Olson of Barnes	Van Camp
Fine	Olson of Burleigh	Wog
Fleckten	Olson of Eddy	
Forbes	Pathman	

Those voting in the negative were:

Seamands

Absent and not voting:

Messrs.	Messrs.
Porter	Whitman

So the Concurrent Resolution was passed.

#### FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 8. A Bill For an Act Making and Appropriation 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 times and referred to the Committee on Appropriations.

House Bill No. 21. A Bill For an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State, in compliance with the Provisions of Sections 3993 to 3998, inclusive, of the Compiled Laws for 1913.

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

House Bill No. 26. 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 as Prescribed by Section 2562 of the Compiled Laws of 1913.

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

House Bill No. 30. A Bill For an Act Making an Appropriation for the Florence Crittenton Home at Fargo, North Dakota.

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

House Bill No. 46. 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 1913.

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

House Bill No. 47. 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.

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

House Bill No. 48. A Bill For an Act Making an Appropriation to Pay the Burial Expenses of Inmates of the Penitentiary and State Training School as Prescribed by Chapter 12, Laws of 1915.

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

House Bill No. 49. A Bill For an Act Making an Appropriation to Pay for the Burial Expense of Honorably Discharged Sailors, Soldiers and Marines of the United States War of the Rebellion and Erection of Head Stones Therefor, as Authorized by Sections 3181, 3182, 3183, and 3184 of the Compiled Laws of 1913.

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

Senator Ettestad requested a return to the 8th Order of Business.

Senator Benson moved that the absent Senators be excused.

Senator Ployhar moved that Senate Bill No. 3 be withdrawn, and re-referred to the Committee on Banks and Banking.

Which motion prevailed.

Senator Stevens moved that all members of the North Dakota Educational Association, and all County Superintendents and teachers be granted the courtesy of the Senate; and on behalf of the Senate assured them a welcome.

Courtesies of the floor were extended to: Faith Stevens, O. H. Pippin, Margaret Alexander, Mrs. A. M. Brown, Mrs.

Alvina Wick, S. A. Fischer, G. A. Lenhart, H. W. Allen, H. H. Hanson, Curtis Jenkins, Mr. Brame, Mrs. Thompson, Mrs. Bratcher, Miss Irons, Ingman Sweinland, Jennie E. Kreiseth, Sander Peterson, ex-Senator Lentz, Olga Peterson, Geo. I. Rodsater, H. H. Steele, H. E. Johnson, R. L. Frazier, F. E. Thompson, E. E. Gloege, I. A. Mackoff, Daniel Erlenbusch, F. S. Schumacher, Erma Smith, Ulga Peterson, Mary E. Stannard, Miss Collins, Anna Nelson, O. J. Thompson, F. L. Wagendorf.

✓ Senator Hjelmstad moved that the Senate do now adjourn.  
Which motion prevailed, and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

#### CALENDAR

Senate Bill No. 1. A Bill For an Act to amend and re-enact Section 2202 of the Compiled Laws of the State of North Dakota for the year 1913 as amended and re-enacted by Section 5 of Chapter 199, Session Laws of 1925, relating to giving notice of expiration of period of redemption on property forfeited to the county at tax sale, issuance of tax deeds to the county and sale of property acquired by the county through tax deed.

Senate Bill No. 12. A Bill For an Act Making an Appropriation for Salaries, Clerkhire and Miscellaneous Expenses of the Game and Fish Board.

Senate Bill No. 13. A Bill For an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Rents, Repairs, Insurance and Upkeep of Grounds.

Senate Bill No. 14. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate.

Senate Bill No. 37. A Bill For an Act to Amend and Re-enact Section 5552 of the Compiled Laws of North Dakota for the year 1913.

Senate Bill No. 43. A Bill For an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Senate Bill No. 44. A Bill For an Act Appropriating Funds to Indemnify Owners of Animals Infected With Bovine Tuberculosis.

Senate Bill No. 45. A Bill For an Act Making an Appropriation for the Per Diem and General Expenses of the State Live Stock Sanitary Board.

Senate Bill No. 54. A Bill For an Act to Repeal Sections 10,180, 10,181, 10,182 and 10,183, of the Compiled Laws of

North Dakota for 1913, Prohibiting the Manufacture and Sale of Snuff in North Dakota and Providing a Penalty Therefor.

Senate Bill No. 56. A Bill For an Act to appropriate \$1,000.00 to the North Dakota Poultry Association for the biennial period agreeable with Sections 5118, 5119, and 5120 of the Compiled Laws of 1913 for the State of North Dakota.

Senate Bill No. 58. A Bill For an Act providing for the Printing and placing of placards containing the Ten Commandments of the Christian religion, in school rooms and class rooms of the public institutions of learning.

## EIGHTEENTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 21, 1927.

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

Prayer by the Chaplain, Rev. I. G. Monson.

Roll call.

All members present except: Senators Hamilton, Rusch and Whitman.

## MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
January 21, 1927.

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

House Bill No. 1. A Bill For an Act to provide for the Election and Appointment of United States Senator in Congress from this State in case of a Vacancy in such Office.

House Bill No. 4. A Bill For an Act to Amend and Re-enact Section 3684a2 of the Supplement to the Compiled Laws of North Dakota for the year 1913.

House Bill No. 36. A Bill For an Act Making an Appropriation 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 the Year 1915.

House Bill No. 37. A Bill For an Act Making an Appropriation for the Inspection and Eradication of Bee Diseases, Under the Provisions of Chapter 140, Session Laws of North Dakota for the Year 1923.



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

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

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

On page 2, line 5, strike out the word "Senate" and insert in lieu thereof the word "House". Strike out the title following the figure 26 and insert title of House Bill 26.

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

Senator C. J. Olson moved that the report be adopted, which motion prevailed and the report was adopted.

Telegrams regarding the Week Day Church School Bill were presented from Bottineau and Esmond by Senators Magnuson and Fine.

Communications regarding the Sheppard-Towner Bill from Minot, Kulm, McClusky, Rugby and Milnor were presented by Senators Fleckten, Tofsrud, McCrory, Ritchie and Kretschmar.

Senator Fleckten presented a communication from Minot regarding child clinic legislation.

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 52. A Bill For an Act Authorizing Actions to be Commenced and Prosecuted by and against Partnerships and Associations, in Their Firm or Common Name, and making the Judgments in all such Actions Binding upon the Joint Property of all the Members or Associates of such Partnerships or Associations.

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

In Section 2, line 4, of the printed bill, after the word "obtained", insert the following: "Or unless the names of all such partners or associates are named as plaintiffs in the title of said action". And in Section 2, line 5, of the printed bill, after the word "obtained" place a comma and insert the words "when necessary" comma.

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. 53. A Bill For an Act Authorizing a Foreign Executor, Administrator, or Guardian to commence and prosecute or defend a Civil Action in the State of North Dakota.

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. 62. A Bill For an Act to Amend and Re-enact Section 10994, of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 125, of the Session Laws of North Dakota for the Year 1925, Relating to the Time for Taking and Completing Appeals to the Supreme Court in Criminal Cases.

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

In Section 1, line 1, of the printed bill, after the word "Section 1." insert the word "Amendment".

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. 63. A Bill For an Act to Amend and Re-enact Section 10766 of the Compiled Laws of North Dakota for the Year 1913, Providing the Procedure Where Joint Affidavit Is Filed in Criminal Cases, Alleging Prejudice Against the Judge and Also Asking for a Change in Place of Trial.

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

In Section 1, line 1, of the printed bill, after the word "Section 1." insert the word "Amendment".

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. 64. A Bill For an Act to Amend and Re-enact Section 11002, Compiled Laws of North Dakota for 1913, Relating to the Duty of the Clerk of the District Court When Appeals in Criminal Cases are taken and Completed.

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

Strike out all of lines 1 and 2 of the printed bill, and insert in lieu thereof:

Section 1. Amendment. That Section 11002 of the Compiled Laws of North Dakota for 1913, be, and the same is, hereby amended and re-enacted to read as follows:

Section 11002.

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: A majority of your Committee on Judiciary to whom was referred:

Senate Bill No. 48. A Bill For an Act to Prohibit the Mortgaging of any Grain Prior to the Threshing Thereof, and any other Agricultural Crop Prior to its Harvest.

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

Signed:- L. R. Baird, Alfred Steel, Frank E. Ployhar, Walter H. Schlosser, W. D. Lynch, Joseph G. Forbes, J. E. Stevens, John Van Arnam, S. J. Atkins.

The Committee on Judiciary made the following report:

Mr. President: A minority of your Committee on Judiciary to whom was referred:

Senate Bill No. 48. A Bill For an Act to Prohibit the Mortgaging of any Grain Prior to the Threshing Thereof, and any other Agricultural Crop Prior to its Harvest.

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

At the end of Section 1 add the following: "Provided, however, this Act shall not apply to mortgages given to procure seed and feed, to seed such crop." And that Section 2 be stricken out.

And when so amended recommend the same do pass.

Signed:- G. Patterson, Ole Ettestad, P. O. Sathre, O. H. Olson, C. J. Olson, Gust Wog, O. A. Olson.

Senator Baird moved the majority report be adopted.

Senator Patterson moved the substitution and adoption of the minority report.

The question being on Senator Patterson's motion, 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.
Bakken	Hjelmstad	Patten
Benson	McCrary	Patterson
Brant	Magnuson	Peck
Conrath	Marshall	Ritchie
Erickson	Martin	Sathre
Ettestad	Olson of Barnes	Wog
Fine	Olson of Burleigh	
Fleckten	Olson of Eddy	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Porter
Baird	Hart	Schlosser
Bond	Kretschmar	Seamands
Brunsdale	Lynch	Steel
Carey	McLachlin	Stevens
Crocker	Murphy	Tofsrud
Eastgate	Pathman	Van Arnam
Forbes	Ployhar	Van Camp

Absent and not voting:

Messrs.	Messrs.	Messrs.
Hamilton	Rusch	Whitman

So the motion was defeated.

Senator Patterson explained his vote:

Mr. President: It appears that the only objection to this (Senate Bill No. 48) is that it is unconstitutional. In the early days our prairies and wooded lands had an abundance of game and no laws to protect it. And as the years went by the game was destroyed to such an extent that it became necessary to protect it; and today we have laws on our statutes which makes it a fine to disturb, take, catch, kill or otherwise molest such game out of season and in open season there is a bag limit in some instances. When this land was opened it was for the homesteaders, and farmers came in and turned the great plains into productive farms. They had no protection. There was no closed season on the farmer, open season all the year 'round. There was no bag limit to the extent that they could go in the effort to drive him out of the state. Sharks of every kind were in here, disturbing him and annihilating him. I don't know how

much longer they can stand it. I am in favor of giving the farmer as much protection as a prairie dog. It is easy for someone to come in and work for some protective measure. It is easy to turn him down and forget about him. I want to quote a little poetry:

#### OLD FRIENDS

So many of us soon forget  
 The friends we leave behind.  
 With earnest vows we part, and yet  
 They seldom come to mind;  
 With newfound interests each day  
 Is fully occupied;  
 We go serenely on our way  
 And seem quite satisfied.

In search of greater happiness  
 We bid old friends goodbye—  
 A parting word, a last caress,  
 A deep regretful sigh—  
 Then all too soon, in lands afar,  
 The welcome that we find  
 Bids us forget how fond we are  
 Of those we leave behind.

But sometime in the lives of all,  
 No matter where we roam,  
 We'll hear again the faithful call  
 Of those old friends at home.  
 And then it is that memory  
 With tender touch will play  
 Some old familiar melody—  
 A song of yesterday.

And with that song to guide our feet  
 To haunts we used to know  
 We'll yet find time—perhaps—to greet  
 Those friends of long ago.  
 Their cordial smiles will show how well  
 Their hearts have stood the test  
 Of our neglect. Then can we tell  
 Why old-time friends are best!

We are annihilating the farmer, his wife and his children, driving them out and making conditions unbearable for them. I am absolutely opposed to a system established year by year where a high powered salesman comes along and browbeats him into buying something he does not need, then another one comes along and gets him to sign a mortgage. What is the result? It is threshed out then with the collector and he proceeds to take the last bit of grain after the threshing, leaving the poor farmer sitting out there facing the winter with nothing for compensation.

It is high time we should draw some safeguards about the farmers of the state as well as fur-bearing animals.

The question being on original motion, 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.
Atkins	Hart	Porter
Baird	Kretschmar	Seamands
Bond	Lynch	Steel
Brunsdale	McLachlin	Stevens
Carey	Murphy	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Patterson	Van Camp
Forbes	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Olson of Barnes
Benson	Fredrickson	Olson of Burleigh
Brant	Hjelmstad	Olson of Eddy
Conrath	McCroy	Patten
Erickson	Magnuson	Peck
Ettestad	Marshall	Ritchie
Fine	Martin	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Hamilton	Sathre	Whitman
Rusch	Schlosser	

So the majority report of the committee was adopted.

Senate Bills 27, 29, 30 and 47 and Concurrent Resolution introduced by Senator Martin regarding the stabilization of the price of wheat were messaged to the House.

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

Senate Bill No. 31. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Institution for the Feeble Minded at Grafton, North Dakota.

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" strike out the figures \$188,159.00 and insert the figures \$313,159.00.

Insert line 40½ "2-Boys Dormitory \$125,000.00".

In line 53 strike out the figures \$188,159.00 and insert the figures \$313,159.00.

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 Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 12. A Bill For an Act Making an Appropriation for Salaries, Clerkhire and Miscellaneous Expenses of the Game and Fish Board.

Also,

Senate Bill No. 13. A Bill For an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Rents, Repairs, Insurance and Upkeep of Grounds.

Also,

Senate Bill No. 14. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate.

Also,

Senate Bill No. 37. A Bill For an Act to Amend and Re-enact Section 5552 of the Compiled Laws of North Dakota for the year 1913.

Also,

Senate Bill No. 43. A Bill For an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Also,

Senate Bill No. 44. A Bill For an Act Appropriating Funds to Indemnify Owners of Animals Infected With Bovine Tuberculosis.

Also,

Senate Bill No. 45. A Bill For an Act Making an Appropriation for the Per Diem and General Expenses of the State Live Stock Sanitary Board.

Also,

Senate Bill No. 54. A Bill For an Act to Repeal Sections 10,180, 10,181, 10,182 and 10,183, of the Compiled Laws of North Dakota for 1913, Prohibiting the Manufacture and Sale of Snuff in North Dakota and Providing a Penalty Therefor.

Also,

Senate Bill No. 56. A Bill For an Act to appropriate \$1,000.00 to the North Dakota Poultry Association for the biennial period agreeable with Sections 5118, 5119, and 5120 of the Compiled Laws of 1913 for the State of North Dakota.

Also,

Senate Bill No. 58. A Bill For an Act providing for the Printing and placing of placards containing the Ten Com-

mandments of the Christian religion, in school rooms and class rooms of the public institutions of learning.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Senator Stevens moved that all absent Senators be excused.

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

Senator Seamands introduced:

Senate Bill No. 80. A Bill For an Act to Amend and Re-enact Section 3029 of the Compiled Laws of North Dakota for the year 1913, relating to the method of obtaining a Peddler's License.

Was read the first and second times and referred to the Committee on Ways and Means.

Senator R. W. Patten introduced:

Senate Bill No. 81. A Bill For an Act Providing that Each County Treasurer shall Receive Deposits for the Bank of North Dakota, and Providing for the Establishment of Branch Banks of the Bank of North Dakota, Providing for the Control, Operation and Management of such Branch Banks, Providing for the Transaction of Banking Business therein, and Repealing Acts or Parts of Acts in Conflict Herewith.

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

Senator R. W. Patten introduced:

Senate Bill No. 82. A Bill For an Act Providing for the Creation of Rural Credit Associations, Providing how Formed, Power of, Purpose of, Qualification of Members, Number of Members, Liability of Members, Officers of, Funds how Deposited, Profit how Derived, Regulation of Interest Rates, Loans to Members how Made, and Terms thereof, Repealing Clause.

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

Senator Ployhar moved that the President appoint a committee of three to escort Former Lieutenant Governor Burdick to the chair.

Which motion prevailed.



The President appointed as such committee Senators Ployhar, Fine and Porter.

Former Lieutenant Governor Burdick then addressed the Senate.

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

Senator Van Camp introduced:

Senate Bill No. 83. A Bill For an Act to Amend and Re-enact Section 2645 of the Supplement to the Compiled Laws of 1913, relating to Wolf Bounty.

Was read the first and second times and referred to the Committee on Ways and Means.

Senator Atkins introduced:

Senate Bill No. 84. A Bill For an Act Authorizing the School Board of any School District whose Property is not Required by Law to be Insured against Loss by Fire or Tornado by the State Fire and Tornado Fund to Insure the Property of such District against such Loss in Mutual Fire Insurance Companies or in Old Line Fire Insurance Companies.

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

Senator Forbes introduced:

Senate Bill No. 85. A Bill For an Act to Amend and Re-enact Section 8099a of the Supplement to the Compiled Laws of 1913.

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

Senator Baird introduced:

Senate Bill No. 86. A Bill For an Act to amend and re-enact Section 2212 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the payment of all delinquent real estate taxes as a condition precedent to the recording of deeds or other instruments transferring title to lands.

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

Senators McLachlin and Hjelmstad introduced:

Senate Bill No. 87. A Bill For an Act to Regulate Grain and Seed Warehouses; Defining Public Warehouses and Providing for the Bonding, Licensing and Supervision thereof and the Weighing, Storing, Buying, and Handling of Grain and Seeds; Prescribing the duties and powers of the Board of Railroad Commissioners in relation thereto; Providing for the Appointment of a Licensed Federal Inspector, and such

other employees as may be deemed necessary to carry out the provisions of this Act and make an Appropriation therefor; Providing Penalties and Repealing Sections: 3100, 3101, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3135, 3136, 3137.

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

Senator Van Arnam introduced:

Senate Bill No. 88. A Bill For an Act to Amend and Re-enact Section 10,917 of the Compiled Laws of North Dakota for the year 1913 relating to causes for granting a new trial.

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

### THIRD READING OF SENATE BILLS

Senate Bill No. 1. A Bill For an Act to amend and re-enact Section 2202 of the Compiled Laws of the State of North Dakota for the year 1913 as amended and re-enacted by Section 5 of Chapter 199, Session Laws of 1925, relating to giving notice of expiration of period of redemption on property forfeited to the county at tax sale, issuance of tax deeds to the county and sale of property acquired by the county through tax deed.

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.
Atkins	Fredrickson	Peck
Baird	Hart	Patterson
Bakken	Hjelmstad	Ployhar
Benson	Kretschmar	Porter
Bond	Lynch	Ritchie
Brant	McCrory	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Wog
Fleckten	Pathman	
Forbes	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Hamilton	Rusch	Whitman

So the bill passed and the title was agreed to.

Senate Bill No. 12. A Bill For an Act Making an Ap-

propriation for Salaries, Clerkhire and Miscellaneous Expenses of the 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 40, nays 5, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Patten
Baird	Hjelmstad	Ployhar
Bakken	Kretschmar	Porter
Benson	Lynch	Ritchie
Bond	McCroory	Sathre
Brant	McLachlin	Schlosser
Brunsdale	Magnuson	Seamands
Carey	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fleckten	Olson of Burleigh	Van Camp
Forbes	Olson of Eddy	
Fredrickson	Pathman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Conrath	Fine	Wog
Erickson	Peck	

Absent and not voting:

Messrs.	Messrs.
Hamilton	Rusch
Patterson	Whitman

So the bill passed and the title was agreed to.

Senate Bill No. 13. A Bill For an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Rents, Repairs, Insurance and Upkeep of Grounds.

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.
Atkins	Fredrickson	Pathman
Baird	Hart	Patten
Bakken	Hjelmstad	Ployhar
Benson	Kretschmar	Porter
Bond	Lynch	Sathre
Brant	McCroory	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Martin	Tofsrud
Erickson	Murphy	Van Arnam
Ettestad	Olson of Barnes	Van Camp
Fleckten	Olson of Burleigh	
Forbes	Olson of Eddy	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Conrath	Patterson	Ritchie
Fine	Peck	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Hamilton	Whitman	Rusch

So the bill passed and the title was agreed to.

Senate Bill No. 14. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses 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 44, nays 0, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Patten
Baird	Fredrickson	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Ritchie
Brunsdale	McCrary	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Wog
Fleckten	Pathman	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Hamilton	Rusch	Whitman
Martin	Stevens	

So the bill passed and the title was agreed to.

Senate Bill No. 37. A Bill For an Act to Amend and Re-enact Section 5552 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 0, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Patten
Baird	Fredrickson	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Ritchie
Brunsdale	McCrary	Sathre

Messrs.	Messrs.	Messrs.
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Wog

Absent and not voting:

Messrs.	Messrs.
Hamilton	Rusch
Martin	Whitman

So the bill passed and the title was agreed to.

Senate Bill No. 43. 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 45, nays 0, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Patten
Baird	Fredrickson	Peck
Bakken	Hart	Patterson
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Ritchie
Brunsdale	McCrory	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steele
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Wog

Absent and not voting:

Messrs.	Messrs.
Hamilton	Rusch
Martin	Whitman

So the bill passed and the title was agreed to.

Senate Bill No. 44. 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 45, nays 1, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patten
Baird	Hart	Patterson
Bakken	Hjelmstad	Peck

Messrs.	Messrs.	Messrs.
Benson	Kretschmar	Ployhar
Bond	Lynch	Porter
Brant	McCrorry	Ritchie
Brunsdale	McLachlin	Sathre
Carey	Magnuson	Schlosser
Crocker	Marshall	Seamands
Eastgate	Martin	Steele
Erickson	Murphy	Stevens
Ettestad	Olson of Barnes	Tofsrud
Fine	Olson of Burleigh	Van Arnam
Fleckten	Olson of Eddy	Van Camp
Forbes	Pathman	Wog

Those voting in the negative were:

Messrs.		
Conrath		
Absent and not voting:		
Messrs.	Messrs.	Messrs.
Hamilton	Rusch	Whitman

So the bill passed and the title was agreed to.

Senate Bill No. 45. A Bill For an Act Making an Appropriation for the Per Diem and General Expenses 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 46, nays 0, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Peck
Baird	Hart	Patterson
Bakken	Hjelmstad	Ployhar
Benson	Kretschmar	Porter
Bond	Lynch	Ritchie
Brant	McCrorry	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steele
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Wog
Fleckten	Pathman	
Forbes	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Hamilton	Rusch	Whitman

So the bill passed and the title was agreed to.

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: P. E. Schley, Sam Lyman, George Reishus, Hazel McKay, Jennie Skrinseth.

Senator Van Camp moved that the Senate do now adjourn.

Which motion prevailed, and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

### CALENDAR

Senate Bill No. 54. A Bill For an Act to Repeal Sections 10,180, 10,181, 10,182 and 10,183, of the Compiled Laws of North Dakota for 1913, Prohibiting the Manufacture and Sale of Snuff in North Dakota and Providing a Penalty Therefor.

Senate Bill No. 56. A Bill For an Act to appropriate \$1,000.00 to the North Dakota Poultry Association for the biennial period agreeable with Sections 5118, 5119, and 5120 of the Compiled Laws of 1913 for the State of North Dakota.

Senate Bill No. 58. A Bill For an Act providing for the Printing and placing of placards containing the Ten Commandments of the Christian religion, in school rooms and class rooms of the public institutions of learning.

Senate Bill No. 31. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Institution for the Feeble Minded at Grafton, North Dakota.

Senate Bill No. 52. A Bill For an Act Authorizing Actions to be Commenced and Prosecuted by and against Partnerships and Associations, in Their Firm or Common Name, and making the Judgments in all such Actions Binding upon the Joint Property of all the Members or Associates of such Partnerships or Associations.

Senate Bill No. 53. A Bill For an Act Authorizing a Foreign Executor, Administrator, or Guardian to commence and prosecute or defend a Civil Action in the State of North Dakota.

Senate Bill No. 62. A Bill For an Act to Amend and Re-enact Section 10994, of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 125, of the Session Laws of North Dakota for the Year 1925, Relating to the Time for Taking and Completing Appeals to the Supreme Court in Criminal Cases.

Senate Bill No. 63. A Bill For an Act to Amend and Re-enact Section 10766 of the Compiled Laws of North Dakota for the Year 1913, Providing the Procedure Where Joint Affidavit Is Filed in Criminal Cases, Alleging Prejudice Against the Judge and Also Asking for a Change in Place of Trial.

Senate Bill No. 64. A Bill For an Act to Amend and Re-enact Section 11002, Compiled Laws of North Dakota for 1913, Relating to the Duty of the Clerk of the District Court When Appeals in Criminal Cases are taken and Completed.

## NINETEENTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 22, 1927.

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

Prayer by the Chaplain, Rev. I. G. Monson.

Roll call.

All members present except: Senators Conrath, Hart, Kretschmar, Ployhar, Rusch and Whitman.

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

On page 5, in second line after "Wog" strike out the word "Alfrid" and insert the letter "O".

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

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

Senate Bills 1, 12, 13, 14, 37, 43, 44 and 45 were messaged to the House.

Communications from Williston and Portal regarding the Sheppard-Towner Act were presented by Senators Bakken and Erickson.

Senator Porter moved that all absent Senators be excused.

## MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
January 22, 1927.

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



House Bill No. 22. A Bill For an Act Making an Appropriation to Pay the Salary, Travel Expense and Miscellaneous Items of the State Transportation Officer.

House Bill No. 33. A Bill For an Act to amend and re-enact Section 189B5 of the Supplement to the 1913 Compiled Laws of North Dakota; Relating to Crops Insured against Hail loss.

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

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Senator Patterson moved that the vote by which Senate Bill 48 was indefinitely postponed be reconsidered.

Which motion prevailed.

Senator Patterson moved that the minority report recommending that Senate Bill 48 as amended do pass, be substituted for the majority report.

Which motion prevailed.

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

Senators Atkins and Magnuson introduced:

Senate Bill No. 91. A Bill For an Act to Repeal Sections 3 and 4 of Chapter 154, Session Laws of the State of North Dakota for the Year 1925 Relating to Insurance of Public Buildings.

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

Senator Sathre introduced:

Senate Bill No. 92. A Bill For an Act to Amend and Re-enact Section 9688, of the Compiled Laws of North Dakota for 1913, Relating to the Racing of Animals for Wager.

Was read the first and second times and referred to the Committee on Ways and Means.

Senator Fredrickson introduced:

Senate Bill No. 93.

Was read the first and second times and referred to the Committee on Livestock.

Senators Sathre and Atkins introduced:

Senate Bill No. 94. A Bill For an Act Fixing the Salaries and Providing for the Payment of Necessary Expenses of

the Judges of the Supreme and District Court of the State of North Dakota.

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

Senator Carey introduced:

Senate Bill No. 95. A Bill For an Act Making an Appropriation for the Payment of Compiled Laws of 1913 Purchased by the Secretary of State for Official Purposes.

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

Senator Hamilton introduced:

Senate Bill No. 96.

Was read the first and second times and referred to the Committee on Livestock.

Senator Hamilton moved that Senate Bills 96 and 93 be referred to the Committee on Livestock, without printing.

Which motion prevailed.

Senator Van Arnam introduced:

Senate Bill No. 89. A Bill For an Act to Amend and Re-enact Section 3610 of the Compiled Laws of North Dakota, for the year 1913, Relating to Election of Officers.

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

Also,

Senate Bill No. 90. A Bill For an Act to Amend and Re-enact Section 3612 of the Compiled Laws of North Dakota, for the year 1913, Relating to Appointive Officers.

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

### THIRD READING OF SENATE BILLS

Senate Bill No. 54. A Bill For an Act to Repeal Sections 10,180, 10,181, 10,182 and 10,183, of the Compiled Laws of North Dakota for 1913, Prohibiting the Manufacture and Sale of Snuff in North Dakota 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 30, nays 12, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Fredrickson	Patterson
Bakken	Hamilton	Porter

Messrs.	Messrs.	Messrs.
Benson	McCrorry	Ritchie
Bond	McLachlin	Schlosser
Brant	Murphy	Seamands
Brunsdale	Olson of Burleigh	Steele
Crocker	Olson of Eddy	Stevens
Eastgate	Pathman	Tofsrud
Ettestad	Patten	Van Arnam
Fleckten	Peck	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Martin
Carey	Hjelmstad	Olson of Barnes
Erickson	Magnuson	Sathre
Fine	Marshall	Van Camp

Absent and not voting:

Messrs.	Messrs.	Messrs.
Conrath	Lynch	Rusch
Hart	Ployhar	Whitman
Kretschmar		

So the bill passed and the title was agreed to.

Senator Stevens moved that the vote by which Senate Bill No. 54 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 56. A Bill For an Act to appropriate \$1,000.00 to the North Dakota Poultry Association for the biennial period agreeable with Sections 5118, 5119, and 5120 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 33, nays 9, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hjelmstad	Porter
Benson	McCrorry	Ritchie
Bond	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Crocker	Martin	Steele
Eastgate	Murphy	Stevens
Ettestad	Olson of Burleigh	Tofsrud
Forbes	Pathman	Van Arnam
Fredrickson	Peck	Van Camp

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fine	Olson of Eddy .
Brant	Fleckten	Patten
Erickson	Olson of Barnes	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Conrath	Lynch	Rusch
Hart	Ployhar	Whitman
Kretschmar		

So the bill passed and the title was agreed to.

Senate Bill No. 58. A Bill For an Act providing for the Printing and placing of placards containing the Ten Commandments of the Christian religion, in school rooms and class rooms of the public institutions of learning.

Was read the third time.

Senator Eastgate moved that further consideration of Senate Bill 58 be indefinitely postponed.

Which motion prevailed.

Senator Baird requested a return to the 6th Order of Business.

Which request was granted.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 31. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Institution for the Feeble Minded at Grafton, North Dakota.

Also,

Senate Bill No. 52. A Bill For an Act Authorizing Actions to be Commenced and Prosecuted by and against Partnerships and Associations, in Their Firm or Common Name, and making the Judgments in all such Actions Binding upon the Joint Property of all the Members or Associates of such Partnerships or Associations.

Also,

Senate Bill No. 53. A Bill For an Act Authorizing a Foreign Executor, Administrator, or Guardian to commence and prosecute or defend a Civil Action in the State of North Dakota.

Also,

Senate Bill No. 62. A Bill For an Act to Amend and Re-enact Section 10994, of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 125, of the Session Laws of North Dakota for the Year 1925, Relating to the Time for Taking and Completing Appeals to the Supreme Court in Criminal Cases.

Also,

Senate Bill No. 63. A Bill For an Act to Amend and Re-enact Section 10766 of the Compiled Laws of North Dakota for the Year 1913, Providing the Procedure Where Joint Affidavit Is Filed in Criminal Cases, Alleging Prejudice Against the Judge and Also Asking for a Change in Place of Trial.

Also,

Senate Bill No. 64. A Bill For an Act to Amend and Re-enact Section 11002, Compiled Laws of North Dakota for 1913, Relating to the Duty of the Clerk of the District Court When Appeals in Criminal Cases are taken and Completed.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

### THIRD READING OF SENATE BILLS

Senate Bill No. 31. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Institution for the Feeble Minded at Grafton, 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 0, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Peck
Baird	Fredrickson	Patterson
Bakken	Hamilton	Porter
Benson	Hjelmstad	Ritchie
Bond	McCrory	Sathre
Brant	McLachlin	Schlosser
Brunsdale	Magnuson	Seamands
Carey	Marshall	Steele
Crocker	Murphy	Stevens
Eastgate	Olson of Barnes	Tofsrud

Messrs.	Messrs.	Messrs.
Erickson	Olson of Burleigh	Van Arnam
Ettestad	Olson of Eddy	Van Camp
Fine	Pathman	Wog
Fleckten	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Conrath	Lynch	Rusch
Hart	Martin	Whitman
Kretschmar	Ployhar	

So the bill passed and the title was agreed to.

Senate Bill No. 52. A Bill For an Act Authorizing Actions to be Commenced and Prosecuted by and against Partnerships and Associations, in Their Firm or Common Name, and making the Judgments in all such Actions Binding upon the Joint Property of all the Members or Associates of such Partnerships or Associations.

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 10, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Sathre
Baird	Fredrickson	Schlosser
Benson	Hjelmstad	Seamands
Bond	McLachlin	Steele
Brant	Marshall	Stevens
Brunsdale	Murphy	Tofsrud
Carey	Olson of Barnes	Van Arnam
Crocker	Olson of Burleigh	Van Camp
Eastgate	Pathman	Wog
Fine	Porter	
Fleckten	Ritchie	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Erickson	Magnuson	Patterson
Ettestad	Martin	Peck
Hamilton	Olson of Eddy	
McCrorry	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bakken	Kretschmar	Rusch
Conrath	Lynch	Whitman
Hart	Ployhar	

So the bill passed and the title was agreed to.

Senate Bill No. 53. A Bill For an Act Authorizing a Foreign Executor, Administrator, or Guardian to commence

and prosecute or defend a Civil Action in the State of North Dakota.

Was read the third time.

Senator Baird offered the following amendment:

In line 8 of the printed bill, after the word "be" insert the words "or has been."

Which motion prevailed.

The question being on the final passage of the bill, as amended, 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.
Atkins	Flechten	Pathman
Baird	Forbes	Patten
Bakken	Fredrickson	Porter
Benson	Hjelmstad	Ritchie
Bond	McCrorry	Sathre
Brant	McLachlin	Schlosser
Brunsdale	Magnuson	Seamands
Carey	Marshall	Steele
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Hamilton	Patterson	Peck

Absent and not voting:

Messrs.	Messrs.	Messrs.
Conrath	Lynch	Whitman
Hart	Ployhar	
Kretschmar	Rusch	

So the bill passed and the title was agreed to.

Senator Benson moved that final action on Senate Bill 62 be deferred one legislative day.

Which motion prevailed.

Senate Bill No. 63. A Bill For an Act to Amend and Re-enact Section 10766 of the Compiled Laws of North Dakota for the Year 1913, Providing the Procedure Where Joint Affidavit Is Filed in Criminal Cases, Alleging Prejudice Against the Judge and Also Asking for a Change in Place 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 39, nays 0, absent and not voting 10.

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Fleckten	Peck
Baird	Forbes	Patterson
Bakken	Fredrickson	Porter
Benson	Hjelmstad	Ritchie
Bond	McCroxy	Sathre
Brant	McLachlin	Schlosser
Brunsdale	Magnuson	Seamands
Carey	Marshall	Steele
Crocker	Murphy	Stevens
Eastgate	Olson of Barnes	Tofsrud
Erickson	Olson of Burleigh	Van Arnam
Ettestad	Olson of Eddy	Van Camp
Fine	Patten	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Conrath	Lynch	Rusch
Hamilton	Martin	Whitman
Hart	Pathman	
Kretschmar	Ployhar	

So the bill passed and the title was agreed to.

Senate Bill No. 64. A Bill For an Act to Amend and Re-enact Section 11002, Compiled Laws of North Dakota for 1913, Relating to the Duty of the Clerk of the District Court When Appeals in Criminal Cases are taken and Completed.

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 0, absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Porter
Baird	Fredrickson	Ritchie
Bakken	Hjelmstad	Sathre
Benson	McCroxy	Schlosser
Bond	McLachlin	Seamands
Brant	Magnuson	Steele
Brunsdale	Marshall	Stevens
Carey	Murphy	Tofsrud
Crocker	Olson of Barnes	Van Arnam
Erickson	Olson of Burleigh	Van Camp
Ettestad	Olson of Eddy	Wog
Fine	Patten	
Fleckten	Patterson	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Conrath	Kretschmar	Peck
Eastgate	Lynch	Ployhar



Messrs.  
Hamilton  
Hart

Messrs.  
Martin  
Pathman

Messrs.  
Rusch  
Whitman

So the bill passed and the title was agreed to.

Senate Bill 54 was messaged to the House.

#### FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 1. A Bill For an Act to provide for the Election and Appointment of United States Senator in Congress from this State in case of a Vacancy in such Office.

Was read the first and second times and referred to the Committee on Elections and Election Privileges.

House Bill No. 4. A Bill For an Act to Amend and Re-enact Section 3684a2 of the Supplement to the Compiled Laws of North Dakota for the year 1913.

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

House Bill No. 36. A Bill For an Act Making an Appropriation 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 the Year 1915.

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

House Bill No. 37. A Bill For an Act Making an Appropriation for the Inspection and Eradication of Bee Diseases, Under the Provisions of Chapter 140, Session Laws of North Dakota for the Year 1923.

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

House Bill No. 22. A Bill For an Act Making an Appropriation to Pay the Salary, Travel Expense and Miscellaneous Items of the State Transportation Officer.

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

House Bill No. 33. A Bill For an Act to amend and re-enact Section 189B5 of the Supplement to the 1913 Compiled Laws of North Dakota; Relating to Crops Insured against Hail loss.

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

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: A. J. Fordahl, J. R. Turner, J. T. Nelson and W. B. Powell.

Senator Bond moved that the Senate do now adjourn.

Which motion prevailed.

And the Senate adjourned.

W. D. AUSTIN,  
Secretary.

#### CALENDAR

Senate Bill No. 48. A Bill For an Act to Prohibit the Mortgaging of any Grain Prior to the Threshing Thereof, and any other Agricultural Crop Prior to its Harvest.

Senate Bill No. 62. A Bill For an Act to Amend and Re-enact Section 10994, of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 125, of the Session Laws of North Dakota for the Year 1925, Relating to the Time for Taking and Completing Appeals to the Supreme Court in Criminal Cases.

TWENTY-FIRST DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 24, 1927.

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the Chaplain, Rev. A. J. Malmquist.

Roll Call, all members present except Senators Kretchmar and Porter.

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

C. J. OLSON,  
Chairman.

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

Senate Bills 31, 52, 53, 56, 63 and 64 were messaged to the House.

PETITIONS AND COMMUNICATIONS

Communications regarding the Sheppard-Towner Bill from Barton, Aneta and Minot were presented by Senators Tofsrud, Fredrickson and Fleckten.

Senator C. J. Olson presented a letter from Valley City regarding Senate Bills 60 and 20.

Pres. Maddock presented a telegram from Fargo regarding the Anti-Snuff law.

The committee on Enrollment and Engrossment made the following report:

Mr. President:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 48. A Bill For an Act to Prohibit the Mortgaging of any Grain Prior to the Threshing Thereof, and any other Agricultural Crop Prior to its Harvest.

And find the same correctly Engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved the report be adopted. Which motion prevailed and the report of the committee was adopted.

Mr. President: Your committee on Banks and Banking to whom was referred

Senate Bill No. 23. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 200, Session Laws 1923, the same being Section 5220b9 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Depositors' Guaranty Fund Commission.

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.

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

Senator Baird introduced:

Senate Bill No. 97. A Bill For an Act to Amend and Re-enact Section 7844 of the Compiled Laws of North Dakota for the year 1913, Relating to the Power of and Proceedings had in the Supreme Court on Appeals.

Which was read the first and second times and referred to the Committee on Judiciary.

Senator Olson of Barnes introduced:

Senate Bill No. 98. A Bill For an Act Relating to Deficiency Judgments.

Which was read the first and second times and referred to the Committee on State Affairs.

Senator Schlosser introduced Senate Bill No. 99.

Which was read the first and second times and referred to the committee on Judiciary.

Also, Senate Bill No. 100 was read the first and second times and referred to the Committee on Judiciary.

Senator Schlosser requested that printing of Senate Bills 99 and 100 be withheld until reported on by the committee, which request was granted.

Senator Van Arnam introduced:

Senate Bill No. 101. A Bill For an Act to Amend and Re-enact Section 8849 of the Compiled Laws of North Dakota, 1913, Relating to Decrees of Distribution in County Court.

Which was read the first and second times and referred to the Committee on Judiciary.

Senator Hjelmstad requested a return to the 8th Order of Business.

Which request was granted.

Senator Hjelmstad then moved that the vote by which Senate Bill 52 was passed be reconsidered.

Which motion prevailed.

Senator Hjelmstad moved that Senate Bill No. 52 be re-referred to the Committee on Judiciary.

Which motion prevailed.

Senator Benson moved that all communications show the attitude of the signers on proposed legislation, desk reading and Journal so to state.

Senator Patterson moved that final action on Senate Bill 48 be deferred until Wednesday.

Which motion prevailed.

## MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
January 24, 1927.

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

Senate Bill No. 24. A Bill For an Act to Amend and Re-enact Section 5 of the Initiated Measure entitled, "An Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels and for the Disposition of the

Revenue Derived Therefrom; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing all Acts or parts of Acts in conflict with the Provisions of this Act," and approved at a State-wide Election held June 30, 1926.

Which the House has passed unchanged.

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
January 24, 1927.

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

House Bill No. 13. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses of the School for the Deaf at Devils Lake, North Dakota.

House Bill No. 19. A Bill For an Act Making an Appropriation for Use by the Board of Administration in Administering Child Welfare Laws.

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

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 62. A Bill For an Act to Amend and Re-enact Section 10994, of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 125, of the Session Laws of North Dakota for the Year 1925, Relating to the Time for Taking and Completing Appeals to the Supreme Court in Criminal Cases.

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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Ritchie
Bond	Lynch	Rusch

Messrs.	Messrs.	Messrs.
Brant	McCrary	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steele
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	

Absent and not voting:

Messrs.	Messrs.
Kretschmar	Porter

So the bill passed and the title was agreed to.

Courtesies of the floor were extended to: M. A. Johnson, Aslak Olsness, Mrs. Sprague, W. M. Stern, Father Raith, A. B. Dill and Mr. Rown.

Senator Murphy requested a return to the Eighth Order of business. Which request was granted.

Senator Murphy then moved that all absent senators be excused. Which motion prevailed.

Senator Benson moved that the Senate do now adjourn, which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

#### CALENDAR

Senate Bill No. 23. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 200, Session Laws 1923, the same being Section 5220b9 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Depositors' Guaranty Fund Commission.

#### SPECIAL ORDER FOR 3 O'CLOCK P. M.

Senate Bill No. 38. A Bill For an Act Amending and Re-enacting Section 1, Chapter 63, Session Laws of North Dakota for 1915, prescribing the punishment for the crime of Murder in the First Degree.

## TWENTY-SECOND DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 25, 1927.

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

Prayer by the Chaplain, Rev. A. J. Malmquist.

Roll call.

All members present.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-first day and recommend that the same be corrected as follows:

On page 1 in line 7 from the bottom of page insert letter "d" in name "Fredrickson". On page 5 in line 18 in place of "Alsak" substitute the word "Aslak".

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

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

Senate Bill No. 62 was messaged to the House.

## COMMUNICATIONS

Senators Bond, Lynch, Forbes and Hjelmstad presented telegrams against the repeal of the Snuff Bill, the Smoking in Public Dining Halls and against the repeal of the Volstead act.

Senator Bond presented communications from Minot favoring the Sheppard-Towner Act.



Senator Fredrickson presented petition from the Seventeenth Legislative District urging the passage of Senate Bill No. 21.

Senator Olson of Burleigh presented petition against capital punishment.

Senator Martin presented petition in favor of teaching scientific facts in schools that do not tend to lower the morals of our children.

#### MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
January 24, 1927.

Mr. President: I have the honor to inform you that the House returns herewith Senate Bill No. 52 which the Senate has requested.

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Also,

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

House Bill No. 28. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection.

House Bill No. 11. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal and Industrial School at Ellendale.

House Bill No. 12. A Bill For an Act Making an Appropriation for the Payment of Salaries and Wages, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses of the State School of Science at Wahpeton, North Dakota.

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

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Also,

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

Senate Bill No. 4. A Bill for an Act to amend and re-enact Section 4230 of the Compiled Laws of North Dakota for the year 1913.

Which the House has amended.

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Senator Nels Magnuson presented the following Resolution:

Bottineau, North Dakota,  
January 20, 1927.

Whereas, the present laws on our statute books regulating games of chance, gambling devices and skin games at our county and state fairs are so impossible of proper interpretation by our attorney general, county attorneys and peace officers, thereby creating a continual annoyance to fair managers in not knowing how to protect the public from fake concessions and gambling joints of every kind and nature, therefore,

Be It Resolved, that we, the directors of the Bottineau County Agricultural Society hereby go on record as favorable to some remedial legislation that will clarify our present laws, making them more definite in determining the legal from illegal concessions or gambling devices.

And, Whereas, in a recent decision of the North Dakota Supreme Court it was declared that horse racing in this state for any stake, prize or purse is strictly forbidden by law, and whereas, it is the general opinion throughout the country that horse racing is of great interest and may yet be looked upon as one of the cleanest sports at our fairs and public exhibitions, therefore, Be It Resolved that, the directors of the Bottineau County Agricultural Society memorialize our state representatives to use their influence and support for a measure for the repeal of the present law relating to horse racing.

Respectfully submitted,

BOTTINEAU COUNTY AGRICULTURAL SOCIETY,

By F. A. BRAINARD, President,  
OLAF L. VINGE, Vice President,  
S. H. WILSON, Secretary.

Office of State Examiner,  
State of North Dakota,  
Bismarck,  
January 21, 1927.

To the Twentieth Legislative Assembly  
of the State of North Dakota,  
Bismarck, North Dakota.

Gentlemen:

In compliance with Section 10, Chapter 152, Session Laws of North Dakota for the year 1919, we herewith submit you

copies of the following reports made by this Department:

State Mill and Elevator .....	Dated, 6-30-25
State Mill and Elevator .....	Dated, 12-31-25
State Mill and Elevator .....	Dated, 6-30-26

I would respectfully request that when these reports have met the requirements of the Senate that they may be duly transmitted to the House, as I am unable to furnish duplicate copies without removing permanent files from this office.

Very truly your,

GILBERT SEMINGSON,  
State Examiner.

Office of State Examiner,  
State of North Dakota,  
Bismarck,  
January 22, 1927.

To the Legislative Assembly of the  
State of North Dakota.

Gentlemen:

I submit herewith Audit of the Depositors Guaranty Fund, made by O. B. Lund, Auditor and Accountant, for the period beginning November 1, 1924, and ending November 30, 1926, together with Balance Sheet for the month of December, 1926, and a Condensed Combined Statement of the Condition of the Fund for the nine and one-half years, beginning July 1, 1917, and ending December 31, 1926. Also a Report on the Disposition of Claims in Closed Banks, and a Compilation of Total Deposits in Closed Banks and their Classification.

Respectfully,

GILBERT SEMINGSON,  
Secretary.

Office of State Examiner,  
State of North Dakota,  
Bismarck,  
January 21, 1927.

To the Twentieth Legislative Assembly  
of the State of North Dakota,  
Bismarck, North Dakota.

Gentlemen:

In compliance with Section 23, Chapter 147, Session Laws of North Dakota for the year 1919, we herewith submit you copies of the following reports made by this Department:  
Bank of North Dakota .....Dated, 9-10-25  
Bank of North Dakota .....Dated, 9-30-26

I would respectfully request that when these reports have met the requirements of the Senate that they be duly trans-

mitted to the House, as I am unable to furnish duplicate copies without removing permanent files from this office.

Very truly yours,

GILBERT SEMINGSON,  
State Examiner.

Senator Rusch moved that the letters of transmittal be printed in the Journal.

Which motion prevailed.

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 51. A Bill an Act to Purchase Land for the Site for a Hospital for the Insane at or near Rugby, Pierce County, North Dakota in Accordance with Chapter 146 of the Laws of the Legislative Assembly for the Year 1917, and for Securing Plans for the Same; and Making Appropriation for the Same.

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. 70. A Bill For an Act Authorizing Cities and School Districts to Take Out Group Life Insurance on Its Employees.

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. 74. A Bill For an Act Authorizing and Empowering the Board of Railroad Commissioners to appoint Examiners for the Purpose of Holding Hearings, and Prescribing the Powers and Duties of Such Examiners.

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. 77. A Bill For an Act Creating a Revolving Fund at the State Training School, Providing that the State Board of Administration shall Transfer Funds from State Prison Revolving Fund as Provided in Article 13 of Chapter 17 of the Compiled Laws of 1913, the Sum of \$25,000 to be Used in Providing Suitable Buildings, and Installing Suitable Machinery for the Manufacture of Motor Vehicle License Tags, Coffins, Caskets and Undertakers Fixtures and Supplies, and Providing for the Employment of the Inmates of the State Training School, and Providing for the Distribution of the Profits Derived therefrom to the Support and Maintenance of the Inmates thereof and Compensation to such Inmates for such Labor Performed.

Have had the same under consideration and recommend that the same be returned to the Senate without recommendation and request same be placed on the calendar for third reading.

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 Cities and Municipal Corporations to whom was referred:

Senate Bill No. 73. A Bill For an Act Requiring Public Utilities to Obtain from the Board of Railroad Commissioners Certificates of Public Convenience and Necessity before Beginning the Construction or Operation of Public Utility Plants or Systems or the Exercising of any Rights or Privileges Under any Franchise or Certificate Hereafter Granted, or Under any Franchise Heretofore Granted, the Exercise of Which has not been commenced within one year from the Granting Thereof, or has been suspended or Discontinued for More Than One Year, and Prescribing the

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

In line 9 on page 2 of the printed bill strike out the word "theretofore" and insert in place thereof the word "heretofore".

And when so amended recommend the same do pass.

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 75. A Bill For an Act to Amend and Re-enact Section 4059, Compiled Laws 1913, as amended by Chapter 71, Session Laws 1915, and as amended by Chapter 178, Session Laws 1917, and as amended by Chapter 96, Session Laws 1921, and now Section 4059 of the Supplement to the Compiled Laws 1913.

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

In line 32 of the printed bill strike out the word "herebefore" and insert in place thereof the word "hereinbefore".

In line 39 of the printed bill insert the word "a" between the words "of" and "direct".

In line 64 of the printed bill strike out the words "Sinking fund on Bond" and insert after the word "interest" and before the word "and" where it first appears in such line the following words "on bonds and to provide a sinking fund for the payment of such bonds".

In line 64 of the printed bill strike out the semi-colon.

And when so amended recommend the same do pass.

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 89. A Bill For an Act to Amend and Re-enact Section 3610 of the Compiled Laws of North Dakota, for the year 1913, Relating to Election of Officers.

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

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 90. A Bill For an Act to Amend and Re-enact Section 3612 of the Compiled Laws of North Dakota, for the year 1913, Relating to Appointive Officers.

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

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 4. A Bill For an Act to Amend and Re-enact Section 3684a2 of the Supplement to the Compiled Laws of North Dakota for the year 1913.

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

JOSEPH G. FORBES,  
Chairman.

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

Mr. President: Your Committee on Federal Relations to whom was referred:

Resolution B.

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

J. L. HART,  
Chairman.

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

Mr. President: Your Committee on Federal Relations to whom was referred:

Resolution C.

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

J. L. HART,  
Chairman.

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

Senator Hamilton moved the following:

Whereas, the state and district officers of the State Federated Women's Clubs of North Dakota are in session in Bismarck, I move you, Mr. President, that an invitation be extended to these officers to attend the sessions of the Senate and that the courtesies of the floor be extended to them without further action on the part of the Senate.

I further move that the President appoint a committee of three to extend such invitation to the President, Directors and District Presidents of the State Federated Women's Clubs of North Dakota now in Bismarck.

Which motion prevailed and the President appointed as such Committee Senators Murphy, Steele and Sathre.

INTRODUCTION AND FIRST AND SECOND READING  
OF SENATE BILLS

Senator Hjelmstad introduced:

Senate Bill No. 102. A Bill For an Act to Amend and Re-enact Section 7419 of the Compiled Laws of the State of North Dakota, for 1913, Pertaining to Transfer of Paper and Filing Fees, when Place of Trial is Changed.

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

Senator Tofsrud introduced:

Senate Bill No. 103. A Bill For an Act to Amend and Re-enact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to Holidays.

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

Senator Tofsrud introduced:

Senate Bill No. 104. A Bill For an Act to Amend and Re-enact Section 2166 of the Supplement to the Compiled Laws of 1913 Relating to Delinquent Personal Property Taxes.

Was read the first and second times and referred to the Committee on Tax and Tax Laws.

## FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 13. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses of the School for the Deaf at Devils Lake, North Dakota.

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

House Bill No. 19. A Bill For an Act Making an Appropriation for Use by the Board of Administration in Administering Child Welfare Laws.

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

House Bill No. 11. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal and Industrial School at Ellendale.

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



House Bill No. 12. A Bill For an Act Making an Appropriation for the Payment of Salaries and Wages, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses of the State School of Science at Wahpeton, North Dakota.

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

House Bill No. 28. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection.

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

Senator Ployhar moved that the Senate recess until 3:00 P. M.

Which motion prevailed.

And the Senate stands recessed.

The Senate reassembled at 3:00 P. M., pursuant to recess taken, the President presiding.

### SPECIAL ORDER

Third reading of Senate Bill 38.

Senate Bill No. 38. A Bill For an Act Amending and Re-enacting Section 1, Chapter 63, Session Laws of North Dakota for 1915, prescribing the punishment for the crime of Murder in the First Degree.

Was read the third time.

Senator Erickson offered the following amendment:

In line 4 after word "every" insert the word "male".

Which motion was lost.

The question being on the final passage of the bill, the roll was called, and there were ayes 19, nays 30, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Murphy	Seamands
Bond	Ployhar	Steele
Brunsdale	Porter	Stevens
Eastgate	Ritchie	Van Arnam
Hart	Rusch	Van Camp
Kretschmar	Sathre	
McLachlin	Schlosser	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Fleckten	Olson of Barnes
Bakken	Forbes	Olson of Burleigh
Benson	Fredrickson	Olson of Eddy
Brant	Hamilton	Pathman
Carey	Hjelmstad	Patten
Conrath	Lynch	Peck
Crocker	McCrorry	Patterson
Erickson	Magnuson	Tofsrud
Ettestad	Marshall	Whitman
Fine	Martin	Wog

So the bill was lost.

Senator Bakken explained his vote:

God gave us life and is the only one that can give, therefore God should be the only one to be allowed to take life. I vote "no".

Senator Crocker explained his vote:

I have devoted nearly half a century of life to the boys and girls of North Dakota. Some of them are parents, some of them are grandparents, and a few are in this audience. I have but a few more years to live; but it would be a sad ending to a busy life to feel that by my vote on this bill any of my dear boys and girls would have had to give up their life. I vote "no".

Senator Eastgate explained his vote:

I vote "aye" on this bill because I want to go back to the Middle Ages, and further if you please, to be on an even footing with some of these fellows who come into this state with murder in their hearts. I vote "aye".

Senator Fine explained his vote:

I wish to vote "no" on this bill because the average individual in this world is the product of two things, his heritage and his environment; in the second place society is largely to blame for the many crimes committed by the individual. We are beginning at the wrong end.

Senator Hjelmstad explained his vote:

I vote "no" for the following reasons: The good book tells us in one passage, it says: "Vengeance is mine" says the Lord. God gave us life, and is the only one that can give us life, and therefore is the only one that should take life. Death punishment is simply legalized murder. Death punishment is a relic handed down to us from the dark ages of the past. There was a time that the death penalty was handed out to such as horse thieves and those practicing witchcraft were burned at the stake. Mr. President, the death penalty has no place in our civilization of the twentieth century. It never has reduced crime in the past, and I therefore believe it will not reduce crime in the future.

Twelve years ago I helped to repeal the capital punishment law, and in the twelve years since, I have become more convinced that it was the right thing to do. Mr. President, I vote "no".

Senator Sathre explained his vote:

I wish to vote "aye" on this bill for the reason that I have full faith and confidence in our jury system and because of the fact that no man may be convicted of crime in the first degree without evidence beyond reasonable doubt.

Senator Stevens explained his vote:

I am voting just the opposite of what I did two years ago. I vote "aye" for the reason that when I took the oath of office I swore to support the Constitution of the United States and the Constitution of my State and to discharge my duties as a senator, and as long as my conscience dictates to me as it does I must vote "aye".

Senator Van Arnam explained his vote:

Much as I regret being placed in this position, I have given this due consideration, and I firmly believe that this crime wave can be stopped only by the most stringent legislation. I vote "aye".

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: Mesdames Dickinson, Waldo, A. V. Brown, C. E. Thomas, J. H. McKay, Agnes Lang, A. O. Henderson, Alphonse Boley, Al Nichols, W. H. Stutsman, B. W. Shaw, Margaret Bingenheimer, E. A. Testevin, R. A. Demars, Geo. Laney, Erick Oman, E. H. Maercklin. Miss Marie Delvo, W. H. Hutchinson, W. A. Hart, G. H. Lick, A. G. Nelson, J. W. Callan, Jos. Rown, H. E. McFall, George Laney, Erick Oman, Geo. Wentz, Fred Wentz.

Senator Seamands moved that the Senate do now adjourn.

Which motion prevailed, and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

#### CALENDAR

Senate Bill No. 48. A Bill For an Act to Prohibit the Mortgaging of any Grain Prior to the Threshing Thereof, and any other Agricultural Crop Prior to its Harvest.

Senate Bill No. 23. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 200, Session Laws 1923, the same being Section 5220b9 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Depositors' Guaranty Fund Commission.

Senate Bill No. 73. A Bill For an Act Requiring Public Utilities to Obtain from the Board of Railroad Commissioners Certificates of Public Convenience and Necessity before Beginning the Construction or Operation of Public Utility Plants or Systems or the Exercising of any Rights or Privileges Under any Franchise or Certificate Hereafter Granted, or Under any Franchise Heretofore Granted, the Exercise of Which has not been commenced within one year from the Granting Thereof, or has been suspended or Discontinued for More Than One Year, and Prescribing the Procedure to be Followed in Such Matters.

Senate Bill No. 74. A Bill For an Act Authorizing and Empowering the Board of Railroad Commissioners to appoint Examiners for the Purpose of Holding Hearings, and Prescribing the Powers and Duties of Such Examiners.

Senate Bill No. 75. A Bill For an Act to Amend and Re-enact Section 4059, Compiled Laws 1913, as amended by Chapter 71, Session Laws 1915, and as amended by Chapter 178, Session Laws 1917, and as amended by Chapter 96, Session Laws 1921, and now Section 4059 of the Supplement to the Compiled Laws 1913.

Senate Bill No. 77. A Bill For an Act Creating a Revolving Fund at the State Training School, Providing that the State Board of Administration shall Transfer Funds from State Prison Revolving Fund as Provided in Article 13 of Chapter 17 of the Compiled Laws of 1913, the Sum of \$25,000 to be Used in Providing Suitable Buildings, and Installing Suitable Machinery for the Manufacture of Motor Vehicle License Tags, Coffins, Caskets and Undertakers Fixtures and Supplies, and Providing for the Employment of the Inmates of the State Training School, and Providing for the Distribution of the Profits Derived therefrom to the Support and Maintenance of the Inmates thereof and Compensation to such Inmates for such Labor Performed.

House Bill No. 4. A Bill For an Act to Amend and Re-enact Section 3684a2 of the Supplement to the Compiled Laws of North Dakota for the year 1913.

Concurrent Resolution "B" introduced by Senator Fleckten.

Concurrent Resolution "C" introduced by Senator Hjelmstad.

## TWENTY-THIRD DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 26, 1927.

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

Prayer by the Chaplain, Rev. A. J. Malmquist.

Roll call, all members present.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-second day and recommend that the same be corrected as follows:

On page 10, line 21, strike out "Roll Call". In line 30 after "bill" strike out "as". In line 31 strike out "amended".

On page 11, line 24, strike out the word "one" and insert in lieu thereof the word "any".

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

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

Senator O. H. Olson presented a telegram from Carrington protesting repeal of House Bill 14 and the resolution to Congress on the Volstead act.

Senator Crocker presented a wire protesting the repeal of the Volstead act from Lisbon. Also the same from Hettinger by Senator Seamands, including a protest of House Bill 14.

Senator Forbes presented a letter from Wahpeton favoring Sheppard-Towner legislation.

Senator Ritchie presented a resolution from Denhoff against evolution, and the Week Day Church Bill, and favoring daily reading of the Bible in schools.

Mr. President: Your Committee on Insurance to whom was referred:

Senate Bill No. 84. A Bill For an Act Authorizing the School Board of any School District whose Property is not Required by Law to be Insured against Loss by Fire or Tornado by the State Fire and Tornado Fund to Insure the Property of such District against such Loss in Mutual Fire Insurance Companies or in Old Line Fire Insurance Companies.

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:

Senate Bill No. 78. A Bill For an Act Making an Appropriation to provide for the Payment of a Deficit in the State Wolf Bounty 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:

Senate Bill No. 32. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School of Forestry at Bottineau.

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. 15. A Bill For an Act to Amend and Re-enact Section 11,258 of the Compiled Laws of North Dakota, 1913, relating to the State Prison Revolving Fund.

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: A majority of your Committee on Banks and Banking to whom was referred:

Senate Bill No. 3. A Bill for an Act providing that depositories of public funds may, with the consent of proper authorities, deposit and pledge as security in order to obtain the deposit of public funds, bonds, warrants, or bills receivable in an amount equal to the maximum deposit with such depository.

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

In Section 1, line 2, of the printed bill, after the word "funds", insert the following: "of counties, cities, school districts, towns, villages and townships".

In line 3, strike out the words, "state, state institutions or".

In line 4, after the word "funds", insert the following: "of, such public corporations".

In Section 2, line 3, strike out the words "the State Treasurer, in the case of state or,"; and in line 4, strike out the words "state institution funds, or with", and in the same line, strike out the words "in all other cases".

In line 7, Section 1 of the printed bill, strike out the period and insert in lieu thereof a "semi-colon" and, insert the following: "provided that the provisions of this Act shall not apply to the Bank of North Dakota".

In line 7, after the word "amount", insert the following: "the listed market value or par value of which (whichever is lower) shall be".

In line 8, strike out the words, "must have a".

In line 9, strike out the words, "market value of at least par, and"; also in said line 9, strike out the words, "by the State Board".

In line 10, strike out the words, "of Auditors as to state and state institution funds, and".

In line 11, strike out the words, "in the case of other", and insert in lieu thereof the words "of such".

In line 18, strike out the words, "the State Board of Auditors, or".

In line 19, strike out the comma after the word "corporations"; and in the same line, strike out the words, "as the case may be,".

In lines 33 and 34, page 3, of the printed bill, strike out the words, "the State Board of Auditors, or".

In line 35, strike out the words, "as the case may be".

In line 38, strike out the words, "the State Treasurer, or".

In line 39, strike out the words, "as the case may be,".

In lines 40 and 41, strike out the words, "the State Treasurer, or to".

In line 42, strike out the words, "in case the receipt is issued by a County Treasurer,".

In line 43, strike out the words, "in each case".

In line 44, change the period after the word "depository" to a semi-colon, and add the following: "provided, however, that in lieu of depositing such bonds, directly with said County Treasurer as above provided, said bank depository, at its expense, may deposit the required amount and class of bonds approved by such governing board with a depository within this state, authorized by law to receive, safely deposit and keep such bonds and approved by the State Banking Board of this state, which said depository shall issue its trust receipt in triplicate running to said County Treasurer of the proper County, guaranteeing to safely deposit, keep and return such bonds to such treasurer upon his demand in case of default in the payment of the public funds secured by the deposit of such bonds, which said trust receipt shall be in such form as shall be prescribed by said banking board. One of said trust receipts shall be delivered to the clerk of the proper governing board, one to the bank depository and one to the said County Treasurer. Substitution of bonds and disposal thereof by said County Treasurer in case of default shall be made as hereinbefore provided".

In line 2, Section 3, strike out the words "heretofore or".

In Section 3, line 3, of the printed bill, after the word "with" insert the following: "one of the bond depositories above provided for, for the protection and benefit of".

In line 17, page 4, of the printed bill, strike out the word "pledge", and insert in lieu thereof the word "pledgee".

In lines 19 and 20, page 4, of the printed bill, strike out the words "Sections seven, eight and nine of Chapter ninety-two, Laws of 1925", and insert in lieu thereof "Sections 7, 8 and 9 of Chapters 5191a7, 5191a8 and 5191a9 of the Supplement to 1913 Compiled Laws of North Dakota".

After line 20 of the printed bill, page 4, insert the following: "Section 4. The total amount of assets pledged for deposits under the terms of this act shall not at any time exceed the Capital and Surplus of the Bank".

In line 1, Section 4, of the printed bill, page 4, strike out the words "Section 4", and insert in lieu thereof the following: "Section 5".



And when so amended, recommend that the same do pass.

Signed

FRED PATHMAN,  
 WALTER BOND,  
 PETER McLACHLIN,  
 O. T. TOFSRUD,  
 W. D. LYNCH,  
 S. J. ATKINS,  
 P. O. SATHRE,  
 L. O. FREDRICKSON,  
 P. T. KRETSCHMAR.

Mr. Lynch moved that the majority report be adopted.

Mr. President: A minority of your Committee on Banks and Banking to whom was referred:

Senate Bill No. 3. A Bill for an Act providing that depositories of public funds may, with the consent of proper authorities, deposit and pledge as security in order to obtain the deposit of public funds, bonds, warrants, or bills receivable in an amount equal to the maximum deposit with such depository.

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

G. PATTERSON,  
 PEDER L. HJELMSTAD,  
 O. H. OLSON,  
 R. W. PATTEN.

Senator Patterson moved that the minority report be adopted.

Senator Patterson moved that the minority report be accepted in place of the majority report.

Senator Lynch moved to amend by striking out word "minority" and substitute the word "majority".

Roll call demanded.

The question being on the adoption of the motion by Senator Lynch, the roll was called, and there were ayes 29, nays 20, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Sathre
Baird	Lynch	Schlosser
Benson	McLachlin	Seamands
Brunsdale	Marshall	Steele
Carey	Murphy	Stevens
Crocker	Olson of Burleigh	Tofsrud
Eastgate	Pathman	Van Arnam
Forbes	Ployhar	Van Camp
Fredrickson	Porter	Whitman
Hart	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Olson of Eddy
Bond	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrary	Peck
Erickson	Magnuson	Ritchie
Ettestad	Martin	Wog
Fine	Olson of Barnes	

So the amendment was adopted and the majority report accepted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 23. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 200, Session Laws 1923, the same being Section 5220b9 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Depositors' Guaranty Fund Commission.

Also,

Concurrent Resolution C.

Also,

Senate Bill No. 73. A Bill For an Act Requiring Public Utilities to Obtain from the Board of Railroad Commissioners Certificates of Public Convenience and Necessity before Beginning the Construction or Operation of Public Utility Plants or Systems or the Exercising of any Rights or Privileges Under any Franchise or Certificate Hereafter Granted, or Under any Franchise Heretofore Granted, the Exercise of Which has not been commenced\*within one year from the Granting Thereof, or has been suspended or Discontinued for More Than One Year, and Prescribing the Procedure to be Followed in Such Matters.

Also,

Senate Bill No. 74. A Bill For an Act Authorizing and Empowering the Board of Railroad Commissioners to appoint Examiners for the Purpose of Holding Hearings, and Prescribing the Powers and Duties of Such Examiners.

Also,

Senate Bill No. 75. A Bill For an Act to Amend and Re-enact Section 4059, Compiled Laws 1913, as amended by Chapter 71, Session Laws 1915, and as amended by Chapter 178, Session Laws 1917, and as amended by Chapter 96, Session Laws 1921, and now Section 4059 of the Supplement to the Compiled Laws 1913.

Also,

Senate Bill No. 77. A Bill For an Act Creating a Revolving Fund at the State Training School, Providing that the State Board of Administration shall Transfer Funds from

State Prison Revolving Fund as Provided in Article 13 of Chapter 17 of the Compiled Laws of 1913, the Sum of \$25,000 to be Used in Providing Suitable Buildings, and Installing Suitable Machinery for the Manufacture of Motor Vehicle License Tags, Coffins, Caskets and Undertakers Fixtures and Supplies, and Providing for the Employment of the Inmates of the State Training School, and Providing for the Distribution of the Profits Derived therefrom to the Support and Maintenance of the Inmates thereof and Compensation to such Inmates for such Labor Performed.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 24. A Bill For an Act to Amend and Re-enact Section 5 of the Initiated Measure entitled, "An Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels and for the Disposition of the Revenue Derived Therefrom; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing all Acts or parts of Acts in conflict with the Provisions of this Act," and approved at a State-wide Election held June 30, 1926.

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 24. A Bill For an Act to Amend and Re-enact Section 5 of the Initiated Measure entitled, "An Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels and for the Disposition of the Revenue Derived Therefrom; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing all Acts or parts of Acts in conflict with the Provisions of this Act," and approved at a State-wide Election held June 30, 1926.

And the President signed the same in the presence of the Senate.

Senator Forbes moved that the Senate concur in the House amendments to Senate Bill 4.

Which motion prevailed.

Senator Forbes moved that the rules be suspended, Senate Bill 4 be considered properly engrossed, and placed upon third reading and final passage.

Which motion prevailed.

Senate Bill No. 4. A Bill for an Act to amend and re-enact Section 4230 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 by the House, 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.
Atkins	Fredrickson	Patten
Baird	Hamilton	Peck
Bakken	Hart	Patterson
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Ritchie
Brunsdale	McCrary	Rusch
Carey	McLachlin	Sathre
Conrath	Magnuson	Schlosser
Crocker	Marshall	Seamands
Eastgate	Martin	Steele
Erickson	Murphy	Stevens
Ettestad	Olson of Barnes	Tofsrud
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog

Absent and not voting:

Messrs.  
Van Arnam

So the bill passed and the title was agreed to.

A return was made to the Sixth Order of Business.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bill:

Concurrent Resolution B.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

## CONCURRENT RESOLUTION NO. "G"

Introduced by A. A. Peck

Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring, that

Whereas, the farmers of the State of North Dakota living on and farming lands adjacent to the Indian Reservations located in this State have, each year, for the past 20 years, suffered severe damage, inconvenience and hardship due to the trespassing of Indian livestock from these reservations on said farm lands, and,

Whereas, individual and collective appeals by these farmers to the Department of the Interior during all of these years has secured from the Department no effective action to check this trespassing, and,

Whereas, it appears that the Federal laws and department rulings offer no legal redress to said farmers for such trespassing upon their farm lands, therefore,

Be It Resolved, that a protest be submitted to the Department of Interior against the injustice being done to these farmers, and,

Be It Further Resolved, that we suggest, as an aid to keeping said livestock upon the said reservations, that a severe penalty be imposed by the Department of the Interior upon anyone who shall be found guilty of cutting or destroying Indian Reservation boundary fence, or gates, or of leaving such gates open, and that we suggest that the Department of the Interior make such ruling, or cause such legislation to be enacted as will make the Indian livestock subject to the laws of the State of North Dakota when such livestock shall be found trespassing on lands outside these reservations or Indian allotments.

Referred to Committee on Indian Affairs.

INTRODUCTION AND FIRST AND SECOND READING  
OF SENATE BILLS

Senator Pathman introduced:

Senate Bill No. 105. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 160 of the Session Laws of 1919 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, as Amended and Re-enacted by Chapter 232 of the Session Laws of North Dakota for the Year 1923, Relating to State Hail Insurance.

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

Also,

Senator Pathman introduced:

Senate Bill No. 106. A Bill For an Act to Amend and Re-enact Section 26 of Chapter 160 of the Session Laws of 1919, as Amended by Chapter 38 of the Special Session Laws of the Sixteenth Legislative Assembly of the State of North Dakota for the Year 1921, as Amended and Re-enacted by Chapter 232 of the Sessions Laws of North Dakota for the Year 1923, Relating to State Hail Insurance, as Amended and Re-enacted by Chapter 151 of the Session Laws of North Dakota for the Year 1925 Relating to State Hail Insurance and Actions Against the Department.

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

Senator C. J. Olson introduced:

Senate Bill No. 107. A Bill For an Act Amending and Re-enacting Section 10,548CL 1913, Forbidding Delay in the Proceedings Against Any Accused Person, Providing that Notice be Given to Accused Persons of his Right to Consult with an Attorney, Providing Penalties for Any State's Attorney or Officer Having the Accused in Charge, Denying to an Attorney the Privilege of Interviewing Any Accused Person, and Providing Regulations Therefor.

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

Senator Magnuson introduced:

Senate Bill No. 108. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 159 of the Session Laws for the Year 1919, Relating to Readjustment of Rates.

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

Senators Baird, Hamilton and Schlosser introduced:

Senate Bill No. 109. A Bill For an Act Creating the Officer of Veterans' Service Commission; Providing the Qualifications, the Manner of Appointment, Duties, Salary, Tenure of Office of Such Officer, Providing an Appropriation Therefor, and Declaring an Emergency.

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

Senator Van Arnam introduced:

Senate Bill No. 110. A Bill For an Act Providing For the Compulsory Licensing of Non-residents Making Auction Sales Within this State; Providing for the Manner of Payment of License Fee, and Providing a Penalty for the Violation Thereof.

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

Senator O. A. Olson introduced:

Senate Bill No. 111. A Bill For an Act Authorizing the Board of Administration of the State of North Dakota to Erect Upon the Capitol Grounds a Building to be Used for Executive Purposes and to be Known as the Agricultural Building of North Dakota.

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

Senate Bill No. 48. A Bill For an Act to Prohibit the Mortgaging of any Grain Prior to the Threshing Thereof, and any other Agricultural Crop Prior to its Harvest.

Was read the third time.

Senator Stevens offered the following amendment: After the words "seed and feed" add the words "household necessities".

Which motion prevailed.

The question being on the final passage of the bill, as amended, the roll was called, and there were ayes 22, nays 27, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Hamilton	Patten
Benson	Hjelmstad	Peck
Brant	McCrory	Patterson
Conrath	Magnuson	Ritchie
Erickson	Marshall	Sathre
Ettestad	Martin	Wog
Fine	Olson of Barnes	
Fleckten	Olson of Eddy	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Rusch
Baird	Kretschmar	Schlosser
Bond	Lynch	Seamands
Brunsdale	McLachlin	Steele
Carey	Murphy	Stevens
Crocker	Olson of Burleigh	Tofsrud
Eastgate	Pathman	Van Arnam
Forbes	Ployhar	Van Camp
Fredrickson	Porter	Whitman

So the bill was lost.

#### MESSAGE FROM THE HOUSE

House Chamber,  
Bismarck, North Dakota,  
January 24, 1927.

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

House Bill No. 86. A Bill For an Act to Amend and Re-enact Section 3237 of the Compiled Laws of North Dakota for 1913, Pertaining to When County Seat Deemed Changes.

House Bill No. 88. A Bill For an Act to Repeal Sections 1707 and 1708 of the Compiled Laws of North Dakota for 1913, Relating to the Care, Maintenance and Instruction of Blind Children under School Age.

House Bill No. 18. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Public Health.

House Bill No. 68. A Bill For an Act to Appropriate \$3,000.00 to the North Dakota State Corn Show for the Biennial period Ending July 1, 1929, Agreeable with Chapter 108 of the Session Laws of 1925.

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

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Senate Bill No. 23. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 200, Session Laws 1923, the same being Section 5220b9 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Depositors' Guaranty 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 28, nays 21, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Lynch	Schlosser
Baird	McLachlin	Seamands
Bond	Martin	Steele
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman
Hart	Rusch	
Kretschmar	Sathre	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Olson of Barnes
Benson	Fredrickson	Olson of Eddy
Brant	Hamilton	Patten
Conrath	Hjelmstad	Peck
Erickson	McCrorry	Patterson
Ettestad	Magnuson	Ritchie
Fine	Marshall	Wog

So the bill passed and the title was agreed to.



Senator Murphy moved that the Senate do now recess for fifteen minutes in honor to the officers of the Women's Federated Clubs of this state, and that Mesdames Jones, Lauder and Carey be extended an invitation to address the Senate.

Which motion prevailed.

The Senate reassembled pursuant to recess taken, during which time Mrs. Jones and Mrs. Lauder had addressed the Senate, speaking on the work of state clubs.

Senate Bill No. 73. A Bill For an Act Requiring Public Utilities to Obtain from the Board of Railroad Commissioners Certificates of Public Convenience and Necessity before Beginning the Construction or Operation of Public Utility Plants or Systems or the Exercising of any Rights or Privileges Under any Franchise or Certificate Hereafter Granted, or Under any Franchise Heretofore Granted, the Exercise of Which has not been commenced within one year from the Granting Thereof, or has been suspended or Discontinued for More Than One Year, and Prescribing the Procedure to be Followed in Such Matters.

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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Ployhar
Bakken	Kretschmar	Porter
Benson	Lynch	Ritchie
Bond	McCrary	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Conrath	Martin	Steele
Crocker	Murphy	Stevens
Eastgate	Olson of Barnes	Tofsrud
Erickson	Olson of Burleigh	Van Arnam
Ettestad	Olson of Eddy	Van Camp
Fine	Pathman	Whitman
Fleckten	Patten	Wog
Forbes	Peck	

Absent and not voting:

Messrs.	Messrs.
Hart	Hjelmstad

So the bill passed and the title was agreed to.

Senate Bill No. 74. A Bill For an Act Authorizing and Empowering the Board of Railroad Commissioners to appoint Examiners for the Purpose of Holding Hearings, and Prescribing the Powers and Duties of Such Examiners.

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.
Atkins	Fredrickson	Ployhar
Baird	Hamilton	Porter
Bakken	Kretschmar	Ritchie
Benson	Lynch	Rusch
Bond	McCrory	Sathre
Brant	McLachlin	Schlosser
Brunsdale	Magnuson	Seamands
Carey	Marshall	Steele
Conrath	Martin	Stevens
Crocker	Murphy	Tofsrud
Eastgate	Olson of Barnes	Van Arnam
Erickson	Olson of Burleigh	Van Camp
Ettestad	Olson of Eddy	Whitman
Fine	Pathman	Wog
Fleckten	Peck	
Forbes	Patterson	

Those voting in the negative were:

Messrs.  
Patten

Absent and not voting:

Messrs.	Messrs.
Hart	Hjelmstad

So the bill passed and the title was agreed to.

Senate Bill No. 75. A Bill For an Act to Amend and Re-enact Section 4059, Compiled Laws 1913, as amended by Chapter 71, Session Laws 1915, and as amended by Chapter 178, Session Laws 1917, and as amended by Chapter 96, Session Laws 1921, and now Section 4059 of the Supplement to the Compiled Laws 1913.

Was read the third time.

Senator Forbes offered the following amendment: On page two of the printed bill in line 23 strike out the comma after the word "engineer".

Which motion prevailed.

Senator Fleckten offered the following amendment: In page 3, line 36 of the printed bill, change word "majority" to "two-thirds".

Which motion prevailed.

The question being on the final passage of the bill, as amended, the roll was called, and there were ayes 49, nays 0, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCrorry	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steele
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Peck	

So the bill passed and the title was agreed to.

Senate Bill No. 77. A Bill For an Act Creating a Revolving Fund at the State Training School, Providing that the State Board of Administration shall Transfer Funds from State Prison Revolving Fund as Provided in Article 13 of Chapter 17 of the Compiled Laws of 1913; the Sum of \$25,000 to be Used in Providing Suitable Buildings, and Installing Suitable Machinery for the Manufacture of Motor Vehicle License Tags, Coffins, Caskets and Undertakers Fixtures and Supplies, and Providing for the Employment of the Inmates of the State Training School, and Providing for the Distribution of the Profits Derived therefrom to the Support and Maintenance of the Inmates thereof and Compensation to such Inmates for such Labor Performed.

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 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Bond	Hjelmstad	Patterson
Brant	McCrorry	Peck
Conrath	Magnuson	Ritchie
Erickson	Marshall	Sathre
Fine	Martin	Wog
Fleckten	Olson of Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Brunsdale	McLachlin	Steele

Messrs.	Messrs.	Messrs.
Carey	Murphy	Stevens
Crocker	Olson of Burleigh	Tofsrud
Eastgate	Pathman	Van Arnam
Ettestad	Ployhar	Van Camp
Forbes	Porter	Whitman
Hart	Rusch	

So the bill was lost.

### THIRD READING OF HOUSE BILLS

House Bill No. 4. A Bill For an Act to Amend and Re-enact Section 3684a2 of the Supplement to 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 46, nays 3, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Ployhar
Baird	Hart	Porter
Bakken	Hjelmstad	Ritchie
Benson	Kretschmar	Rusch
Bond	Lynch	Sathre
Brant	McCrorry	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steele
Conrath	Marshall	Stevens
Crocker	Martin	Tofsrud
Eastgate	Murphy	Van Arnam
Ettestad	Olson of Barnes	Van Camp
Fine	Olson of Burleigh	Whitman
Fleckten	Olson of Eddy	Wog
Forbes	Pathman	
Fredrickson	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Erickson	Patten	Peck

So the bill was passed and the title agreed to.

Senate Concurrent Resolution B.

Was read the third time.

The question being on the final passage of the Concurrent Resolution, 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.
Bakken	Forbes	Olson of Eddy
Benson	Fredrickson	Patten
Brant	Hamilton	Patterson
Conrath	Hart	Peck
Erickson	Hjelmstad	Ritchie
Ettestad	Magnuson	Sathre
Fine	Marshall	Stevens
Fleckten	Martin	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Lynch	Rusch
Baird	McCroy	Schlosser
Bond	McLachlin	Seamands
Brunsdale	Murphy	Steele
Carey	Olson of Barnes	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Kretschmar	Porter	Whitman

Absent and not voting:

Messrs.  
Olson of Burleigh

So the resolution was declared passed by the President.

Concurrent Resolution C.

Was read the third time.

Senator Stevens offered the following amendment:

After the last word of the Resolution as printed in the Journal, add the following:

Provided, however, that in the event our country should be invaded, and the machineries of election destroyed before referendum could be invoked, then it shall be the duty of the Governors of the various states of the American union to immediately convene the Legislatures thereof in special session, in order that we may memorialize in prayer our invading enemy to grant us an Armistice until such time as we can be ready to defend the land of our birth or adoption in such manner as a liberty loving and loyal people should at all times be prepared to do.

Which motion was lost.

Senator Eastgate moved that further consideration of Concurrent Resolution C be indefinitely postponed.

Which motion prevailed.

## FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 18. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Public Health.

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

House Bill No. 68. A Bill For an Act to Appropriate \$3,000.00 to the North Dakota State Corn Show for the Biennial period Ending July 1, 1929, Agreeable with Chapter 108 of the Session Laws of 1925.

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

House Bill No. 86. A Bill For an Act to Amend and Re-enact Section 3237 of the Compiled Laws of North Dakota for 1913, Pertaining to When County Seat Deemed Changes.

Was read the first and second times and referred to the Committee on Counties.

House Bill No. 88. A Bill For an Act to Repeal Sections 1707 and 1708 of the Compiled Laws of North Dakota for 1913, Relating to the Care, Maintenance and Instruction of Blind Children under School Age.

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

## COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: E. M. Anderson, Mr. and Mrs. F. O. Klinger, M. N. Reider, Ed Sucket, H. C. Houson, L. V. Duncanson, G. C. Jensen and David Johnson

Senator Patten moved that the Senate do now adjourn.

Which motion prevailed, and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

## CALENDAR

Senate Bill No. 3. A Bill for an Act providing that depositories of public funds may, with the consent of proper authorities, deposit and pledge as security in order to obtain the deposit of public funds, bonds, warrants, or bills receivable in an amount equal to the maximum deposit with such depository.

Senate Bill No. 32. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School of Forestry at Bottineau.

Senate Bill No. 78. A Bill For an Act Making an Appropriation to provide for the Payment of a Deficit in the State Wolf Bounty Fund.

Senate Bill No. 84. A Bill For an Act Authorizing the School Board of any School District whose Property is not Required by Law to be Insured against Loss by Fire or Tornado by the State Fire and Tornado Fund to Insure the Property of such District against such Loss in Mutual Fire Insurance Companies or in Old Line Fire Insurance Companies.

## TWENTY-FOURTH DAY

Senate Chamber,  
Bismarck, North Dakota.  
January 27, 1927.

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the Chaplain, Rev. A. J. Malmquist.

Roll call.

All members present except: Senators Carey and Hart.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-third day and recommend that the same be corrected as follows: On page 2, line 12, strike out letter "O" and insert letter "P".

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

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

House Bill No. 4 and Senate Bills Nos. 23, 73, 74 and 75 and Concurrent Resolution "B" were messaged to the House.

Senator Stevens presented petition from Devils Lake protesting House Bill 14, also repeal of the Volstead Act.

Senator Brunsdale presented a telegram from Hatton protesting against Senate Bill 54, House Bill 14 and changing the Volstead Act.

Senator Fine presented a resolution favoring the Shepard-Towner Act.

Senator Brunsdale presented a letter from Grandin favoring Senate Bill 21.

Senator Ettestad presented a petition from Anamoose favoring a compulsory Hail Insurance Law.



Senator Hjelmstad presented a petition from Conway protesting anti-evolution legislation.

### REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 11. A Bill For an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Chapter 145 of the Session Laws of 1923, and Magpie Bounty as Provided For by Chapter 144 of Session Laws of 1923.

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

In line three of the printed bill after the word "of" strike out the figures "\$140,000.00" and insert the figures "\$75,000.00".

Strike out Section 2.

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 Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 3. A Bill for an Act providing that depositories of public funds may, with the consent of proper authorities, deposit and pledge as security in order to obtain the deposit of public funds, bonds, warrants, or bills receivable in an amount equal to the maximum deposit with such depository.

Also,

Senate Bill No. 32. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School of Forestry at Bottineau.

Also,

Senate Bill No. 78. A Bill For an Act Making an Appropriation to provide for the Payment of a Deficit in the State Wolf Bounty Fund.

Also,

Senate Bill No. 84. A Bill For an Act Authorizing the School Board of any School District whose Property is not

Required by Law to be Insured against Loss by Fire or Tornado by the State Fire and Tornado Fund to Insure the Property of such District against such Loss in Mutual Fire Insurance Companies or in Old Line Fire Insurance Companies.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bill:

Senate Bill No. 4. A Bill for an Act to amend and re-enact Section 4230 of the Compiled Laws of North Dakota for the year 1913.

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Senator Lynch moved that Senate Bill 3 be re-referred to the Committee on Banks and Banking.

Which motion prevailed, and the bill was so re-referred.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 4. A Bill for an Act to amend and re-enact Section 4230 of the Compiled Laws of North Dakota for the year 1913.

And the President signed the same in the presence of the Senate.

Senator Ettestad moved that the vote by which Senate Bill 77 was lost be reconsidered.

Which motion prevailed.

Senator Ettestad then moved that Senate Bill 77 be re-referred to the Committee on State Affairs.

Which motion prevailed.

Senator Peck moved that Senate Bill 66 be withdrawn from the committee.

Which motion prevailed.

Senator Stevens moved that all absent Senators be excused.

Which motion prevailed.

#### MESSAGE FROM THE HOUSE

House Chamber,  
Bismarck, North Dakota  
January 26, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 41. A Concurrent Resolution providing for the Amendment of Sec. 45, Article 2, of the Constitution of the State of North Dakota, relating to the Compensation and Mileage allowed legislative members.

Which the House has amended as follows:

After the word route at the end of Senate Bill strike out the period and insert semi-colon followed by the words "which compensation and mileage shall be in full of all services, expenses and allowances for each two year period."

Very respectfully,

C. R. VERRY,  
Chief Clerk.

House Chamber,  
Bismarck, North Dakota,  
January 27, 1927.

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

House Bill No. 65. A Bill For an Act to Amend and Re-enact Section 2212 of the Supplement to the Compiled Laws of 1913 of the State of North Dakota; 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 and declaring an emergency exists.

House Bill No. 95. A Bill For an Act to Amend and Re-enact Section 4609c30 of the Supplement to the Compiled Laws 1913.

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

Very respectfully,

C. R. VERRY,  
Chief Clerk.

House Chamber,  
Bismarck, North Dakota,  
January 27, 1927.

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

Senate Bill No. 37. A Bill For an Act to Amend and Re-enact Section 5552 of the Compiled Laws of North Dakota for the year 1913.

Senate Bill No. 6. A Bill For an Act to Appropriate the Sum of \$75,000, 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 Grand Forks, Grand Forks County, North Dakota, and the City of East Grand Forks, Polk County, Minnesota, Under the Provisions of Subdivision C of Section 2976 T 15 of the supplement to the Compiled Laws 1913.

Which the House has passed unchanged.

Very respectfully,

C. R. VERRY,  
Chief Clerk.

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

Senator Baird introduced:

#### CONCURRENT RESOLUTION H

Whereas, it has been duly made known to the proper authorities of the State of North Dakota that the Secretary of War of the United States has in his possession, as trustee, certain moneys known as "Other Funds", which had been collected for their own use and benefit by certain National Guard organizations, that were broken up as units for and as a result of the World War, and have not been reconstituted; and

Whereas it further appears that the Secretary of War, as trustee, desires to turn over to a substitute trustee, duly authorized by the State of North Dakota, such portion of the said funds as equitably belongs to the National Guard of North Dakota.

Now Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives concurring, that the Governor of North Dakota is hereby authorized to receive such funds as trustee, and to distribute them for the benefit of the National Guard of this State in such manner as his judgment shall dictate.

Was read the first and second times and referred to the Committee on Military Affairs.

The Committee on Appropriations introduced:

Senate Bill No. 112. A Bill For an Act to Provide for the Payment of an Existing Deficit in the Department of Public Instruction.

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

The Committee on Appropriations introduced:

Senate Bill No. 113. A Bill For an Act Making an Appropriation to Provide for the Payment of a Deficit in the General Maintenance Fund of the State Training School at Mandan, North Dakota.

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

Senator Brunsdale introduced:

Senate Bill No. 114. A Bill For an Act to Regulate, Concerning, Relating to the Production, Inspection, Testing, Analysis and Certification of Seeds, Offered or Exposed for Sale, or Sold as North Dakota Registered Certified Seed, Providing for Rules and Regulations with Reference Thereto, Prescribing Penalties for Violations of the Act, Providing for a Schedule of Equitable Fees, and Making an Appropriation.

Was read the first and second times and referred to the Committee on Agriculture.

Senator Baird introduced:

Senate Bill No. 115. A Bill For an Act to Provide for the Compilation, Publication and Distribution of the Record of the Citizens of North Dakota Who Rendered Military Service on Behalf of the State and Assisted in the Administration of the Selective Service Act During the World War.

Was read the first and second times and referred to the Committee on Military Affairs.

Senator Tofsrud introduced:

Senate Bill No. 116. A Bill For an Act to Amend and Re-enact Section 2618 of the Supplement to the Compiled Laws of 1913, Relating to the Herd Law.

Was read the first and second times and referred to the Committee on Livestock.

Senator Magnuson introduced:

Senate Bill No. 117. A Bill For an Act Providing for an Election to Grant Authority to Governing Boards of Cities and Villages to Sell Electric Light Plants Owned by Such Cities and Villages, and Specifying the Procedure for Such Sale.

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

Senator Magnuson introduced:

Senate Bill No. 118. A Bill For an Act to Amend and Re-enact Section 2125, Compiled Laws 1913.

Was read the first and second times and referred to the Committee on Counties.

Senator Rusch introduced:

Senate Bill No. 119. A Bill For an Act Relating to Insurance upon Lives of Directors, Officers, Agents and Employes of Corporations and Prescribing What Shall Constitute Evidence of Due Authority for all Corporate Actions with Reference Thereto.

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

Senator Stevens introduced:

Senate Bill No. 120. A Bill For an Act Declaring all Racing or Trial of Speed by or Between Automobiles or Other Motor Driven Vehicles a Common Nuisance, Making Anyone Participating, Aiding or Abetting Therein Guilty of a Misdemeanor, and Providing Additional Penalty Therefor.

Was read the first and second times and referred to the Committee on Public Safety.

### THIRD READING OF SENATE BILLS

Senate Bill No. 32. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School of Forestry at Bottineau.

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.
Atkins	Fredrickson	Patten
Baird	Hamilton	Peck
Bakken	Hjelmstad	Ployhar
Benson	Lynch	Ritchie
Bond	McCrary	Rusch
Brant	McLachlin	Sathre
Brunsdale	Marshall	Schlosser
Conrath	Magnuson	Seamands
Crocker	Martin	Steele
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patterson	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Carey	Kretschmar	Porter
Hart		

So the bill passed and the title was agreed to.

Senate Bill No. 78. A Bill For an Act Making an Appropriation to provide for the Payment of a Deficit in the State Wolf Bounty 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 3, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Ployhar
Baird	Lynch	Porter
Benson	McCrorry	Rusch
Bond	McLachlin	Sathre
Brant	Magnuson	Schlosser
Brunsdale	Marshall	Seamands
Conrath	Martin	Steele
Crocker	Murphy	Stevens
Eastgate	Olson of Barnes	Tofsrud
Erickson	Olson of Burleigh	Van Arnam
Ettestad	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman
Fredrickson	Patterson	Wog
Hamilton	Patten	
Hjelmstad	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fine	Ritchie

Absent and not voting:

Messrs.	Messrs.	Messrs.
Carey	Fleckten	Hart

So the bill passed and the title was agreed to.

Senate Bill No. 84. A Bill For an Act Authorizing the School Board of any School District whose Property is not Required by Law to be Insured against Loss by Fire or Tornado by the State Fire and Tornado Fund to Insure the Property of such District against such Loss in Mutual Fire Insurance Companies or in Old Line Fire 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 40, nays 6, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Porter
Baird	Lynch	Rusch
Bakken	McCrory	Sathre
Bond	McLachlin	Schlosser
Brant	Magnuson	Seamands
Brunsdale	Marshall	Steele
Conrath	Martin	Stevens
Crocker	Murphy	Tofsrud
Eastgate	Olson of Burleigh	Van Arnam
Erickson	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman
Fredrickson	Peck	Wog
Hamilton	Patterson	
Hjelmstad	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fine	Patten
Ettestad	Olson of Barnes	Ritchie

Absent and not voting:

Messrs.	Messrs.	Messrs.
Carey	Fleckten	Hart

So the bill passed and the title was agreed to.

#### FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 65. A Bill For an Act to Amend and Re-enact Section 2212 of the Supplement to the Compiled Laws of 1913 of the State of North Dakota; 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 and declaring an emergency exists.

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

House Bill No. 95. A Bill for An Act to Amend and re-enact Section 4609c30 of the Supplement to the Compiled Laws of 1913.

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

Senator Hamilton requested a return to the Eighth Order of Business.

Which request was granted.

Senator Hamilton moved that the motion by which Senate Bill 77 was re-referred to the State Affairs Committee be reconsidered.

Which motion prevailed.



Senator Hamilton further moved that Senate Bill 77 be re-referred to the Committee on Ways and Means.

Which motion prevailed.

Senator Stevens requested a return to the Ninth Order of Business.

Which request was granted.

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: N. J. Cruden, N. C. Jenson, Mr. Zimmerman, K. Kittison, Ralph Ingerson, James Wenstrom, Carl Danielson, Geo. McFarland, Henry Finkle, V. A. Corbett and E. J. Thomas.

Senator Patten moved that the Senate do now adjourn.

Which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

#### CALENDAR

Senate Bill No. 11. A Bill For an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Chapter 145 of the Session Laws of 1923, and Magpie Bounty as Provided For by Chapter 144 of Session Laws of 1923.

## TWENTY-FIFTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 28, 1927.

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

Prayer by the chaplain, Rev. A. J. Malmquist.

Roll call.

All members present except Senators Carey and Wog.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 24th day and find same to be correct.

C. J. OLSON,  
Chairman.

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

Senate Bills Nos. 32, 78 and 84 were messaged to the House.

## REPORT OF STANDING COMMITTEES

Mr. President: Your committee on State Affairs to whom was referred:

Senate Bill No. 20. A Bill For an Act to regulate the occupation of hairdressers and cosmetologists to create a State Board of Hairdressers and Cosmetologists for the licensing of persons to carry on and to teach such practices, to insure the better education of such practitioners, to provide rules regulating the proper conduct and sanitation of hairdressing and cosmetologist establishments and school for the protection of the public health, and to provide penalties for violation thereof.

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

In line 2, Section 7 of the printed bill, strike out the word "ten" in writing and figures, and insert the word "six" in writing and figures in lieu thereof.

In line 5, Section 7 of the printed bill, strike out the figures \$3000.00 and insert the figures \$1200.00 in lieu thereof.

In line 4, Section 22 of the printed bill, before the word "Court" insert the word "District".

In line 6, Section 22 of the printed bill, after the period following the word resides, strike out the remainder of the line and all of line 7.

In line 6, Section 24, of the printed bill, strike out the words "upon male persons."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Sen. 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. 46. A Bill For an Act to Amend and Re-enact Sections 2, 4 and 7 of Chapter 123 of the Sessions Laws of 1919, An Act to Create a State Board of Electricians and Prescribing the Duties Thereof, Providing for the Classification, Examination and Licensing of Electricians and Electrical Workers. Prescribing Fees for Such Examination and License, and Providing for Inspection of Electrical Work Through the State Fire Marshal Under the Direction of the State Board.

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

In Section 1, line 1 of the printed bill, after the words "Section 2" insert "4 and 7" and in Section 1 line 2 after the word "reenacted" insert "to read".

In Section 2 line 18 of the printed bill, strike out the word "interstate".

In Section 4 line 2 of the printed bill, change the word "twenty-five" in writing and in figures to "fifteen" in writing and figures.

In Section 4 line 3 of the printed bill, change the word "ten" in writing and figures to "seven" in writing and figures.

In Section 4 line 8 of the printed bill, change the word "ten" in writing and figures to "seven" in writing and figures, and in the same line the word "five" in writing and figures to "three" in writing and figures.

In Section 4 line 12 of the printed bill, after the words "dues of" change the word "five" in writing and figures to "three" in wwriting and figures.

In Section 7 line 1, of the printed bill, after the word "engage" insert the words "as a profession".

In Section 7 line 9 of the printed bill, after the word "and" insert the word "the."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Sen. 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 Concurrent Resolution E. Introduced by Senator Whitman and printed in the Senate Journal of January 18, 1927.

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

FRANK E. PLOYHAR,  
Chairman.

Sen. Ployhar 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. 50. A Bill For an Act to Amend and Re-enact Section 2163a7 of Supplement to Compiled Laws 1913, being Section Seven of Chapter 318 Laws 1923.

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

Correct the Title to read "For an Act to Amend and Re-enact Section 2163a7 of the Supplement to the Compiled Laws of the State of North Dakota 1913, being Section Seven of Chapter 318 Laws of 1923."

In line 1 of the printed bill at the beginning of the line insert "Section 1 Amendment"; after the word "of" insert the word "the" and after the word "Supplement" insert the word "the" and after the word "Laws" insert the following: "of the State of North Dakota".

In line 4, page 1 of the printed bill at the beginning of the line insert the following "Section 2163a7."

On page 2 in line 14 after the second word of insert the word "the" and after the second word "to" insert the word "the".

On page 2 line 15 at the beginning of the line insert the following: "of the State of North Dakota" and after 1923 strike out the comma and insert a semicolon.

And when so amended recommend the same do pass.

L. R. BAIRD,  
Chairman.

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

Mr. President: Your committee on Judiciary to whom was re-referred:

Senate Bill No. 52. A Bill For an Act Authorizing Actions to be Commenced and Prosecuted by and against Partnerships and Associations, in Their Firm or Common Name, and making the Judgments in all such Actions Binding upon the Joint Property of all the Members or Associates of such Partnerships or Associations.

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

L. R. BAIRD,  
Chairman.

Sen. 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. 71. A Bill For an Act to Amend and re-enact Section 8122 of the Supplement to the Compiled Laws of North Dakota, 1913, relating to the time allowed for the reinstatement of a contract for deed after service of notice of cancellation thereof.

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

L. R. BAIRD,  
Chairman.

Sen Baird moved that the report be adopted.

Sen. Van Arnam moved that Senate Bill 71 be re-referred to the committee.

Which motion was lost.

The question being on the original motion of Sen. Baird the question was put and the motion prevailed and the report was adopted.

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

Senate Bill No. 86. A Bill For an Act to amend and re-enact Section 2212 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the payment of all delinquent real estate taxes as a condition precedent to the recording of deeds or other instruments transferring title to lands.

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

On page 1 line 8 of the printed bill strike out the words "including delinquent hail indemnity taxes."

On page 2 line 11 and 12 of the printed bill strike out the words "or delinquent hail indemnity taxes due thereon."

On page 2 line 15 of the printed bill strike out the words "or delinquent hail indemnity taxes."

On page 2 line 19 of the printed bill strike out the words "and indemnity hail taxes."

And when so amended recommend the same do pass.

L. R. BAIRD,  
Chairman.

Sen. 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. 101. A Bill For an Act to Amend and Re-enact Section 8849 of the Compiled Laws of North Dakota, 1913, Relating to Decrees of Distribution in County Court.

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

L. R. BAIRD,  
Chairman.

Sen. Baird 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. 35. A Bill For an Act Making an Appropriation For the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal School, Mayville, North Dakota.

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

P. T. KRETSCHMER,  
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. 36. A Bill for an Act Making an appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State School Minot, North Dakota.

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

In line Three of the Printed Bill after the word "of" strike out the figures \$287,450.00 and insert the figures \$287,950.00. In line Thirty-six strike out the figures \$3,500.00 and insert the figures \$4,000.00. In line Forty-two strike out the figures \$287,450.00 and insert the figures \$287,950.00.

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. 33. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.

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

In Line Three of the Printed Bill after the word "of" strike out the figures \$144,500.00 and insert the figures \$152,500.00. In line Nine strike out the figures \$117,000.00 and insert the figures \$125,000.00. In line Twenty strike out the figures \$1,000.00 and insert the figures \$1,100.00. In line Twenty-three strike out the figures \$146,300.00 and insert the figures \$154,300.00. In line Twenty-six strike out the figures \$131,300.00 and insert the figures \$139,300.00. In line Forty-three strike out the figures \$144,500.00 and insert the figures \$152,500.00.

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.

Mr. President:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 11. A Bill For an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Chapter 145 of the Session Laws of 1923, and Magpie Bounty as Provided For by Chapter 144 of Session Laws of 1923.

And find the same correctly Engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Mr. President:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 6. A Bill For an Act to Appropriate the Sum of \$75,000, 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 Grand Forks, Grand Forks County, North Dakota, and the City of East Grand Forks, Polk County, Minnesota, Under the Provisions of Subdivision C of Section 2976 T 15 of the supplement to the Compiled Laws 1913.

Also,

Senate Bill No. 37. A Bill For an Act to Amend and Re-enact Section 5552 of the Compiled Laws of North Dakota for the year 1913.

And find the same correctly Enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 6. A Bill For an Act to Appropriate the Sum of \$75,000, 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 Grand Forks, Grand Forks County, North Dakota, and the City of East Grand Forks, Polk County, Minnesota, Under the Provisions of Subdivision C of Section 2976 T 15 of the supplement to the Compiled Laws 1913.

Senate Bill No. 37. A Bill For an Act to Amend and Re-enact Section 5552 of the Compiled Laws of North Dakota for the year 1913.

And the President signed the same in the presence of the Senate.

#### MESSAGE FROM THE HOUSE

House Chamber,  
Bismarck, North Dakota,  
January 27, 1927.

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



House Bill No. 56. A Bill For an Act to Amend and Re-enact Sections 4089a1, 4089a2, 4089a3 and 4089a4 of the Supplement to the Compiled Laws of North Dakota for the year 1913, providing that Townships and Municipalities may contribute to the support of District Fair Association.

House Bill No. 59. A Bill For an Act to Amend Section 714A5 Supplement to the 1913 Compiled Laws of North Dakota, relating to the designation of depositories for public funds.

House Bill No. 87. A Bill For an Act to Amend and Re-enact Section 8 of Chapter 17, Session Laws of 1921, the same being Section 2790b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Preservation and Control of Artesian Waters of this State.

House Bill No. 23. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the State Historical Society.

House Bill No. 85. A Bill For an Act to Amend Section 951 Compiled Laws of North Dakota 1913 Providing for Inspectors and Judges of Election, Their Qualifications and Duties.

House Bill No. 53. A Bill For an Act Providing for the Issuance of Duplicate Bonds, Warrants or other Obligations of the State of North Dakota, or of Any of the Political Subdivisions thereof in Case the Originals are Mutilated, Defaced, or Lost, and Prescribing the Procedure Therefor.

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

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Also,

Mr. President: I have the honor to return:

Senate Bill No. 25. A Bill For an Act to Amend and Re-enact Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Disposition of Fees Collected by the State Securities Commission.

Which the House has amended as follows:

Strike out the word and figures "Section 22" where the same occurs at the beginning of the second paragraph of the body of the printed bill, as the same was passed by the Senate, and strike out the parenthesis surrounding the words and figures "Section 5235a22" where the same occurs following the said words and figures "Section 22."

Very respectfully,

C. R. VERRY,  
Chief Clerk

Also,

Mr. President: I have the honor to return:

Senate Bill No. 27. A Bill For an Act to Amend and Re-enact Shapter 103, Session Laws 1917, the same being Section 2863b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

Which the House has amended as follows:

In the title of the bill correct the same so that the word "of" follows the figures and letter "2863b7".

In the second paragraph of the bill where the word and figure "Section 1" occurs followed by the word and figures "Section 2863b7" in parenthesis, strike out the words and figures "Section 1", and strike out the parenthesis around "Section 2863b7".

On Line 3 of the Engrossed Bill strike out the words "excepting merchants dealing in manufactured butter".

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Also,

Mr. President: I have the honor to return:

Senate Bill No. 29. A Bill For an Act to Amend and Re-enact Sections 12 and 13 of Chapter 91, Session Laws 1925, the same being Sections 2976v12 and 2976v13 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, relating to Auto Transportation Companies.

Which the House has amended as follows:

In the second paragraph of the body of the bill as passed by the Senate strike out the word and figures "Section 12" where the same appears at the beginning of such paragraph, also strike out the parenthesis around the words and figures "Section 2976v12" as the same now follows the words and figures "Section 12". In Section 2 of the bill as passed by the Senate strike out the words and figures "Section 13" as same appear at the beginning of the second paragraph in said section, also strike out the parenthesis around the words and figures "Section 2976v12", as the same appears following the words and figures "Section 13".

Very respectfully,

C. R. VERRY,  
Chief Clerk.

#### REPORT OF JOINT SELECT COMMITTEE A RESOLUTION

Whereas, The late Senator John L. Cashel, of Grafton, Walsh County, represented the Fourth Legislative District

in the North Dakota Senate in the Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth and Thirteenth Legislative Assembly; and,

Whereas, The late Senator Leslie A. Simpson, of Dickinson, Stark County, represented the Thirty-first Legislative District in the North Dakota Senate in the Seventh, Eighth, Ninth, Tenth, Eleventh and Twelfth Legislative Assemblies; and,

Whereas, The late Senator Christ Albright, of Ashley, McIntosh County, represented the Thirty-sixth Legislative District in the North Dakota Senate in the Tenth and Eleventh Legislative Assemblies; and,

Whereas, The late Senator A. L. Martin, of Sentinel Butte, Billings County, represented the Thirty-ninth Legislative District in the North Dakota Senate in the Eleventh and Twelfth Legislative Assemblies; and,

Whereas, The late Senator O. T. Loftsgard, of Hoople, Walsh County, represented the Third Legislative District in the North Dakota Senate in the Thirteenth and Fourteenth Legislative Assemblies; and,

Whereas, The late Senator O. C. Gross, of Raleigh, Grant County, represented the Forty-seventh Legislative District in the North Dakota Senate in the Seventeenth and Eighteenth Legislative Assemblies; and,

Whereas, The late Representative A. R. Swendseid, of Petersburg, Nelson County, represented the Seventeenth Legislative District in the House in the Tenth and Eleventh Legislative Assemblies; and,

Whereas, The late Representative H. C. Harty, of Omenee, Bottineau County, represented the Twenty-eighth Legislative District in the House in the Twelfth, Thirteenth, and Fourteenth Legislative Assemblies; and,

Whereas, The late Representative Frederick Frank, of Deering, Ward County, represented the Twenty-ninth Legislative District in the House in the Nineteenth Legislative Assembly; and,

Whereas, These men represented their respective districts and constituencies with eminent ability; and,

Whereas, The Supreme Ruler of the Universe has seen fit to remove from our midst these well known and esteemed citizens;

Therefore, Be It Resolved; By the North Dakota Senate and House of Representatives assembled in joint session that

we deeply regret the passing of these men from our midst, because of their contribution to the welfare and up-building of the communities in which they lived and the high level unselfish service with which they discharged their duties in their respective legislative bodies. Let it be said of each and all of them, they gave to their State an ever abiding faith, loyalty and love.

Be It Therefore Resolved, that we offer their families and friends of these, our departed members, our most profound and heartfelt sympathy; and that copies of these resolutions be sent to the families of the deceased members and spread upon the minutes of the joint session of the two legislative bodies in which they so ably and faithfully served.

Senator Murphy moved that the resolution be adopted, that it appear in the Journal, and that an enrolled copy be mailed to the family of each deceased Senator, which motion prevailed.

Senator Hamilton moved that further consideration of Senate Bill 96 be withdrawn.

Which motion prevailed.

Senator Fredrickson moved that Senate Bill 93 be printed and that the name of Senator Hamilton be added to that of Senator Frederickson.

Which motion prevailed.

Senator Baird moved that Senate Bill 99 and 100 be printed.

Which motion prevailed.

Senator C. J. Olson moved that the Senate do concur in the House Amendment to Senate Bill 41, that the same be considered properly engrossed, the rules be suspended and the bill placed on third reading and final passage.

Which motion prevailed.

Senator Stevens moved that the absent Senators be excused.

Which motion prevailed.

### THIRD READING OF SENATE BILLS

Senate Bill No. 41. A Concurrent Resolution providing for the Amendment of Section 45, Article 2, of the Constitution of the State of North Dakota, Relating to the Compensation and Mileage allowed Legislative Members.

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 7, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Peck
Baird	Hjelmstad	Ployhar
Bakken	Kretschmar	Porter
Benson	Lynch	Ritchie
Bond	McCrary	Rusch
Brant	Marshall	Sathre
Brunsdale	Martin	Schlosser
Conrath	Murphy	Seamands
Crocker	Olson of Barnes	Steel
Eastgate	Olson of Burleigh	Stevens
Erickson	Olson of Eddy	Van Camp
Fine	Pathman	Whitman
Fredrickson	Patten	
Hamilton	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Ettestad	McLachlin	Van Arnam
Fleckten	Magnuson	
Forbes	Tofsrud	

Absent and not voting:

Messrs.	Messrs.
Carey	Wog

So the bill passed and the title was agreed to.

Senator Kretschmar moved that the Senate do concur in the House amendment to Senate Bill 27, that the same be considered properly engrossed, the rules be suspended and the bill placed on third reading and final passage.

Which motion prevailed.

Senate Bill No. 27. A Bill For an Act to Amend and Re-enact Chapter 103, Session Laws 1917, the same being Section 2863b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

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 1, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Peck
Baird	Hjelmstad	Ployhar
Bakken	Kretschmar	Porter
Benson	Lynch	Ritchie
Bond	McCrary	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Conrath	Marshall	Seamands

Messrs.	Messrs.	Messrs.
Crocker	Martin	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fleckten	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman
Fredrickson	Patten	
Hamilton	Patterson	

Those voting in the negative were:

Messrs.  
Fine

Absent and not voting:

Messrs.	Messrs.
Carey	Wog

So the bill passed and the title was agreed to.

Senator Kretschmar moved that the Senate do concur in the House Amendment to Senate Bill 29, that the same be considered properly engrossed, the rules be suspended and the bill placed on third reading and final passage.

Which motion prevailed.

Senate Bill No. 29. A Bill For an Act to Amend and Re-enact Sections 12 and 13 of Chapter 91, Session Laws 1925, the same being Sections 2976v12 and 2976v13 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, relating to Auto Transportation Companies.

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 0, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Peck
Bakken	Hjelmstad	Ployhar
Benson	Kretschmar	Porter
Bond	Lynch	Ritchie
Brant	McCrorry	Rusch
Brunsdale	McLachlin	Sathre
Conrath	Magnuson	Schlosser
Crocker	Marshall	Seamands
Eastgate	Martin	Steel
Erickson	Murphy	Stevens
Ettestad	Olson of Barnes	Tofsrud
Fine	Olson of Burleigh	Van Arnam
Fleckten	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman
Fredrickson	Patten	

Absent and not voting:

Messrs.	Messrs.
Carey	Wog

So the bill passed and the title was agreed to.

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

Senator Olson of Burleigh Introduced:

Senate Bill No. 121. A Bill For an Act providing a twelve hour day for railway employees operating trains in the State of North Dakota.

Was read the first and second times and referred to the Committee on Railroads.

Senator Ployhar introduced:

Senate Bill No. 122. A Bill For an Act relating to the sale of public utilities owned by municipalities and providing for election to determine same.

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

Senator Schlosser Introduced:

Senate Bill No. 123. A Bill For an Act to regulate the Practice of Professional Engineering and Land Surveying in the State of North Dakota.

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

### THIRD READING SENATE BILLS

Senate Bill No. 11. A Bill For an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Chapter 145 of the Session Laws of 1923, and Magpie Bounty as Provided For by Chapter 144 of Session Laws of 1923.

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 6, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Peck
Baird	Hart	Patterson
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Ritchie
Brunsdale	McCrory	Rusch

Messrs.	Messrs.	Messrs.
Conrath	Marshall	Schlosser
Crocker	Martin	Seamands
Eastgate	Murphy	Steel
Ettestad	Olson of Barnes	Tofsrud
Fine	Olson of Burleigh	Van Camp
Fleckten	Pathman	Whitman
Fredrickson	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	McLachlin	Stevens
Forbes	Sathre	Van Arnam

Absent and not voting:

Messrs.	Messrs.	Messrs.
Carey	Magnuson	Wog
Erickson	Olson of Eddy	

So the bill passed and the title was agreed to.

#### FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 23. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the State Historical Society.

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

House Bill No. 53. A Bill For an Act Providing for the Issuance of Duplicate Bonds, Warrants or other Obligations of the State of North Dakota, or of Any of the Political Subdivisions thereof in Case the Originals are Mutilated, Defaced, or Lost, and Prescribing the Procedure Therefor.

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

House Bill No. 56. A Bill For an Act to Amend and Re-enact Sections 4089a1, 4089a2, 4089a3 and 4089a4 of the Supplement to the Compiled Laws of North Dakota for the year 1913, providing that Townships and Municipalities may contribute to the support of District Fair Association.

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

House Bill No. 59. A Bill For an Act to Amend Section 714A5 Supplement to the 1913 Compiled Laws of North Dakota, relating to the designation of depositories for public funds.

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



House Bill No. 85. A Bill For an Act to Amend Section 951 Compiled Laws of North Dakota 1913, Providing for Inspectors and Judges of Election, their Qualifications and Duties.

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

House Bill No. 87. A Bill For an Act to Amend and Re-enact Section 8 of Chapter 17, Session Laws 1921, the Same Being Section 2790b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Preservation and Control of Artesian Waters of this State.

Was read the first and second times and referred to the Committee on Ways and Means.

Senator Murphy requested a return to the Seventh Order of Business. Which request was granted.

Senator Murphy then moved that the name of Albert G. Lowe, of Pierce County, who represented the Forty-second district in the Fifteenth and Sixteenth Legislative Assemblies be included in the report of the Joint Select Committee. Which motion prevailed.

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: John L. Hulteng, John Solstad, Dr. L. B. Greene, A. L. Porter, W. H. Kodell, N. N. Brakke, Henry Fink, T. E. La Tourrette, Wellington Right, James McKechnie, Dr. Johns, A. B. Severson, G. N. Burnson, U. J. Dowrey, Oscar Lindstrom, Mrs. D. T. Ritchey, and Finsted McClusky.

Senator Ployhar moved that the Senate do now adjourn.

Which motion prevailed, and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

#### CALENDAR

Senate Bill No. 20. A Bill For an Act to regulate the occupation of hairdressers and cosmetologists to create a State Board of Hairdressers and Cosmetologists for the licensing of persons to carry on and to teach such practices, to insure the better education of such practitioners, to provide rules regulating the proper conduct and sanitation of hairdressing and cosmetologist establishments and school for the protection of the public health, and to provide penalties for violation thereof.

Senate Bill No. 33. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.

Senate Bill No. 35. A Bill For an Act Making an Appropriation For the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal School, Mayville, North Dakota.

Senate Bill No. 36. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School, Minot, North Dakota.

Senate Bill No. 46. A Bill For an Act to Amend and Re-enact Sections 2, 4 and 7 of Chapter 123 of the Sessions Laws of 1919, An Act to Create a State Board of Electricians and Prescribing the Duties Thereof, Providing for the Classification, Examination and Licensing of Electricians and Electrical Workers. Prescribing Fees for Such Examination and License, and Providing for Inspection of Electrical Work Through the State Fire Marshal Under the Direction of the State Board.

Senate Bill No. 50. A Bill For an Act to Amend and Re-enact Section 2163a7 of Supplement to Compiled Laws of the State of North Dakota 1913, being Section Seven of Chapter 318 Laws 1923.

Senate Bill No. 52. A Bill For an Act Authorizing Actions to be Commenced and Prosecuted by and against Partnerships and Associations, in Their Firm or Common Name, and making the Judgments in all such Actions Binding upon the Joint Property of all the Members or Associates of such Partnerships or Associations.

Senate Bill No. 86. A Bill For an Act to amend and re-enact Section 2212 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the payment of all delinquent real estate taxes as a condition precedent to the recording of deeds or other instruments transferring title to lands.

Senate Bill No. 101. A Bill For an Act to Amend and Re-enact Section 8849 of the Compiled Laws of North Dakota, 1913, Relating to Decrees of Distribution in County Court.

Concurrent Resolution "E" printed in Senate Journal of the Fifteenth day, Page 7.

## TWENTY-SIXTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 29, 1927.

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

Prayer by the chaplain, Rev. I. G. Monson.

Roll call.

All members present except Senators Atkins, Bond, Brant, Murphy and Wog.

Senator Stevens moved that the vote by which the Joint Committee report was accepted be reconsidered for the purpose of amendment.

Which motion prevailed, and the President re-referred the report to the joint committee.

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 3, line 13, after the word "to insert the word "whom".

Strike out all of line 39 except the last word and insert in lieu thereof the following: "In line 4, page 1 of the printed bill at the beginning of".

In line 42, page 3, after the word "word" insert "to".

On page 10, from bottom of page strike out lines 3, 4, 5 and 6. On page 11 from bottom of page on line 2 after "amended" insert "by the House".

On page 16 in line 6 change the word "election" to "elections" and strike out "and election laws".

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

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

Senate Bill No. 11 was messaged to the House.

#### MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
January 29, 1927.

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

House Bill No. 69. A Bill For an Act to Amend and Re-enact Section 189c6 of the Supplement to the Compiled Laws 1913, Relating to Insurance on Municipally Owned Property.

House Bill No. 92. A Bill For an Act Providing for the Investment of Moneys in the Workmen's Compensation Fund.

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

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Senator Carey presented a communication from Fargo, protesting the proposed repeal of the Volstead Act.

Senator Ployhar moved that the reading of the State Affairs Committee report on Senate Bill 57 be dispensed with.

Which motion prevailed.

#### REPORT 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. 57. A Bill For an Act to Authorize Counties to issue Bonds and Warrants to procure Seed Grain and Feed for Needy Inhabitants Therein and Providing for the Issuance of Bonds and Warrants for Seed Grain by Counties and Aid by the State in respect thereto, and making an Appropriation Therefor.

Have had the same under consideration and recommend that all after Senate Bill No. 57 be stricken out and that the following be inserted:

Introduced by Senators Martin and Peck.

A Bill for an Act to authorize Counties to issue Bonds, Certificates of Indebtedness or Warrants to procure Seed Grain and Feed for Needy Inhabitants Therein and Providing for the Issuance of Bonds, Warrants and Certificates of Indebtedness for Seed Grain by Counties and Aid by the State in respect thereto.

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

Section 1. In any county of the state where the crops for any preceding year have been a total or partial failure by reason of drouth, hail or other cause, it shall be lawful for, and it shall be the duty of, the board of county commissioners of such county, to issue the bonds of the county under and pursuant to the provisions of this article, and with the proceeds derived from the sale thereof, to purchase seed grain and feed for the inhabitants thereof who are in need of seed grain and feed, and are unable to procure the same, whenever said board shall be petitioned in writing so to do by not less than fifty freeholders resident in the county; and said board at a meeting called as hereinafter provided to consider said petition, shall by a majority vote determine that the prayer of the petitioners should be granted; provided that all such petitions shall be filed with the county auditor on or before the twenty-fifth day of March; and thereupon it shall be the duty of said officer to forthwith call a meeting of the board of county commissioners of his county to consider said petition; and provided, further that the total amounts of bonds issued by any county under the provisions of this article shall not, with the then existing indebtedness of the county exceed the limit of indebtedness fixed by the constitution in such case; that said bonds shall be in denominations of from one hundred to five hundred dollars; shall bear a rate of interest not exceeding six per cent per annum, payable semi-annually at such place and time as shall be determined by the board, and that all bonds issued under the provisions of this article, shall become due and payable in not less than one or more than five years from the date thereof, the date of maturity to be fixed by the county board at the time of the issuance thereof with the above limitation.

Section 2. Such bonds shall be signed by the chairman of the board of county commissioners and be attested by the county auditor, who shall affix the seal of the county thereto and shall have indorsed thereon a certificate signed by the county auditor stating that said bonds are issued pursuant to law and are within the debt limit.

Section 3. Counties issuing bonds, warrants or certificates of indebtedness under the provisions of this act may sell and dispose of the same in the manner and form now

provided by law for the sale of county bonds, warrants and certificates of indebtedness. Provided, however, that the same shall not be sold below par.

Section 4. For the purpose of securing prompt payment of the principal and interest of said bonds, there shall be levied by the board of county commissioners at the time and in the manner other taxes are levied, such sums as shall be sufficient to pay such interest, and in addition thereto a sinking fund tax shall be annually levied sufficient to pay and retire said bonds at their maturity, and it shall be the duty of the county treasurer to pay promptly the interest upon the said bonds as the same fall due. No tax or fund provided for the payment of such bonds, either principal or interest, shall at any time be used for any other purpose; provided, however, that the board of county commissioners may deposit any part or portion of the sinking fund herein provided for, in the Bank of North Dakota, and receive interest on the same which shall be credited to the sinking fund. It shall be the duty of the treasurer when said bond or any coupons attached thereto are paid, to cancel the same by writing upon the face thereof the word "paid" and the date of payment. Before the bonds are delivered to the purchaser, the treasurer of the county shall register them in a book to be provided for that purpose, known as the bond register, in which register he shall enter the number of each bond, its date, date of maturity, amount, rate of interest, to whom and where payable; provided that said treasurer shall receive a per centum at the discretion of the county commissioners, not to exceed one per cent for the receiving and disbursing of the amount received from the sale of said bonds, said per centum to be covered into the treasury as a part of the salary fund. The board of county commissioners may issue warrants instead of bonds, as now provided by law for the issuance of warrants before this act became effective, if in their judgment the best interests of the county are thereby served; provided, that such warrants shall not be issued in any amount to exceed five per cent of the assessed valuation of such county, provided; further, that such warrants shall not be sold below par; and provided, further, that such warrants shall not be term warrants.

Section 5. The fund arising from the sale of said bonds shall be applied exclusively by said board for the purchase of seed grain and feed, for residents of the state who farm land within the county who are unable to procure the same; provided that the county commissioners shall determine the amount of seed and feed or either, which each applicant shall receive and that in no case shall any one person feed in an amount not exceeding \$300 (three hundred dollars) in value and seed to sow and plant more than two hundred (200) acres of land, and provided further, that the county auditor shall issue to each applicant an order for the number of bushels of each kind of seed grain, together with the amount of feed, that has been allowed by the board, to be furnished to any one applicant.

Section 6. In providing for the purchase of seed grain and feed or either, the commissioners may in lieu of issuing bonds, order warrants drawn upon the general fund of the county or issue certificates of indebtedness in the manner now provided by law to pay for the feed and seed grain purchased under the general provisions of this article; provided, that such warrants or certificates of indebtedness shall not be sold below par, and provided, further, that such warrants shall not be term warrants.

Section 7. All persons entitled to, and wishing to avail themselves of the benefit of this article, shall file with the county auditor, on or before the thirtieth day of March an application duly sworn to before said county auditor, or some other officer authorized to administer oaths. Said application shall contain a true statement of the number of acres the applicant has plowed or prepared for seeding; how many acres the applicant intends to have plowed or prepared for seeding; how many bushels of what kind of grain he will require to seed the ground so prepared as aforesaid; how many bushels of grain the applicant harvested in the preceding year, and the amount, and kind of grain and feed that he has in his possession; that the applicant has not procured and is not able to procure the necessary seed grain for the current year; that he desires the same for seed and feed and no other purpose, and that he will not sell or dispose of the same or any part thereof, but will use the same and the whole thereof in seeding the land prepared or to be prepared for crop. Said application shall also contain a true and full description of all the real and personal property owned by the applicant, and the encumbrances thereon; and a true description by government subdivisions of the land upon which the applicant intends to sow said seed grain. All applications filed under the provisions of this article shall be consecutively numbered and shall be open to public inspection, and no application shall be considered by the board of county commissioners except such as have been made and filed in the manner prescribed in this section; provided, that the board of county commissioners may in their discretion consider any application although made after the time so specified. If the applicant is a renter, the owner of the land shall sign the application with him, unless an exception is made by the county commissioners in such instance. If the owner of the land is a resident and married, his wife shall also sign the application and notes.

Section 8. The board of county commissioners of each county issuing bonds or warrants under the provisions of this article are hereby appointed and constitute a board of examination and adjustment of the applications for seed grain and feed filed under the preceding section, and it shall be the duty of said board to meet at the county auditor's office within five days after the filing of said petition, or as soon thereafter as possible, to examine and consider separately each application filed under the provisions of this article, and to determine who are entitled to the benefits

thereof, and the amount to which each applicant is entitled, and said board shall on or before the twenty-fifth day of March, deliver and file with the county auditor, its adjustment of the said applications, which shall be signed by the chairman of the board.

Section 9. The county auditor of each county shall as soon as the county commissioners, shall have performed the duty prescribed in the preceding sections issue to each applicant demanding it an order for the number of bushels of each kind of seed grain and amount of feed which has been allowed to said applicant, unless otherwise directed by the Board or the Chairman thereof; provided, that in no event shall seed be furnished for more than two hundred (200) acres or more than the actual number of acres possessed and cultivated by such applicant; provided, however, that said order shall not be delivered until said applicant shall have signed a contract in duplicate, which contract shall have the same force and effect as a promissory note, attested by the county auditor to the effect that said applicant for and in consideration of the ..... bushels of seed grain and ..... of feed received from ..... County, promise to pay to said county .....dollars, the amount of cost of said seed grain and feed; and if the applicant be a renter the owner of the land must also sign same; that the amount of such indebtedness shall become due and payable on the first day of October in each year, in which said seed grain and feed is furnished together with interest, on such amount from the date of the bonds provided for herein, at the rate not to exceed six per cent per annum, and in no case at a greater rate of interest than the said bonds draw, and if such indebtedness be not paid on or before the fifteenth day of October in that year it shall then be the duty of the county auditor of said county to cause the amount of said indebtedness to be entered upon the tax lists of said county then in the hands of the county treasurer as a lien against the land owned by the applicant for which said seed and feed were furnished, to be collected as taxes are, and the sum so entered and levied shall be a lien upon the real estate owned by said person, for which said seed and feed were furnished, until said indebtedness is fully paid, when it shall be the duty of the proper officer to cancel the same; provided, that such indebtedness shall not be subject to the penalty provided for taxes, nor shall it bear a greater rate of interest than six per cent per annum.

Provided further, that if the applicant is a renter the owner of the land shall also sign the contract with him, and if married and residing in the state his wife shall also sign with him, except in case where an exception is made by an order on the board of county commissioners, and where the owner signed such contract, the county shall in addition have a lien upon all real estate of such owner upon which said seed and grain was sown.

If the indebtedness be not paid on or before November first, of such year, or if the sheriff shall have reason to believe that any person who shall have received aid under



this act is about to remove from the county, or is about to sell and dispose of his grain without first paying to the county the amount due, it shall be his duty to take and sell a sufficient amount of grain of such applicant to pay such indebtedness, including the cost of seizure, in the same manner as now provided for the collection of taxes in Section 2166 of the Supplement to the Compiled Laws of North Dakota for 1913.

It shall be the duty of the County Treasurer to collect said notes as they fall due and upon payment of the same to satisfy the lien in the office of the register of deeds and return the note to the debtor. It shall further be the duty of the county treasurer to deliver to the state's attorney a statement of all contracts which remain unpaid on the first day of January, following the said year, and it shall be the duty of the state's attorney to immediately in behalf of and in the name of said county to commence an action for the placing of such indebtedness in judgment, or for the foreclosure of the lien securing any of said notes in accordance with the laws providing for the foreclosure of liens or of mortgages. The county commissioners may from year to year extend the time of payment and take new and additional security whenever crop failures justify and require such extension.

Section 10. The county auditor shall file and record such contract in the office of the register of deeds of such county and under the filing of the contracts provided for in Section 8, the county shall acquire a just and valid lien upon the crops of grain and feed raised each year by the person receiving seed grain and feed to the amount of the sum then due to the county upon said contract, which shall as to the crops covered thereby have priority over all other liens and incumbrances thereon, except threshers liens.

The county shall in addition have a lien, if the owner of the real estate has signed the application and note, upon all real estate described in the application upon which said grain is to be sown, which shall have priority over all encumbrances except those existing at the time this act goes into effect. And the filing and recording of said contract shall be held and considered to be full and sufficient notice to all parties of the existence and extent of said lien upon said crops of grain and feed raised, and upon said land, which shall continue in force until the amount covered by said contract shall be fully paid.

Section 11. On the first day of September following the furnishing of any seed or feed under the provisions of this act, the county treasurer shall mail to each person having obtained aid under the provisions of this act, a statement of the amount which will be due upon his note on the date it becomes due.

Section 12. Any person or persons, who contrary to the provisions of this article, sell, transfer, take or carry away, or in any manner dispose of the seed grain and feed or any

part thereof, furnished by the county under this Act, or shall use or dispose of said grain and feed or any part thereof, for any other purpose than that of planting or sowing and feeding the same as stated in this application, or shall sell, transfer, take or carry away, or in any manner dispose of the crop, or any part thereof, produced from the sowing or planting of said seed grain, shall be guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than fifty dollars, nor more than one thousand dollars, or may be imprisoned in the county jail for a term of not less than ninety days, and shall pay all the costs of prosecution, and whoever under any of the provisions herein shall be found guilty of false swearing shall be deemed to have committed perjury and shall upon conviction suffer the penalties of that crime, and upon the filing of said application in the office of the register of deeds, and the sowing of the seed obtained thereunder, any seizure thereof or interference therewith, except by the applicant and those in his employ, for the purpose of harvesting, threshing and marketing the same to pay the debt as aforesaid, shall be deemed a conversion thereof.

Section 13. Whenever a bond or warrant issue has been determined upon by the board of county commissioners, it shall be the duty of the county auditor, forthwith, to give notice by mail of that fact to all farmers whose names appear on the assessment and tax lists, whether owners or renters, informing them that application blanks may be had from the county auditor, and that assistance will be given him in filling out said blanks.

If more seed grain is applied for than can be supplied by the commissioners under the provisions of this article, a pro rata distribution shall be made by them among those who shall have been found entitled to the benefits of this article. The commissioners shall have the right to refuse any application which they may deem improper to grant, and they may revise their adjustment of applications at any time before final distribution.

Section 14. It shall be the duty of the commissioners providing seed grain and feed under the provisions of this article, to purchase the same at the lowest price at which suitable grain can be obtained, and to furnish the same to applicants at the actual cost thereof to the commissioners, with transportation and handling charges added, if any there be, and any person requiring or extorting from any applicant a greater price shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine or imprisonment, or both, as the court may determine. Any official, or agent of any official, who conspires with others to make any profit directly or indirectly out of the transaction for himself or for them, or accepts or extorts from any applicant a greater price than that authorized therein, shall be guilty of a felony and upon conviction shall be sentenced to the penitentiary for a term of not less than one nor more than five years. Provided, that the commissioners shall charge ten (10) per cent of the actual cost

of the seed and feed or either of them to the applicant to defray the cost of collection which shall be refunded if the applicant pays the amount due the county without expense.

Section 15. All money received by the county treasurer in payment of debts incurred under the provisions of this article, shall be paid into, and become a part of the sinking fund herein provided for, and be used exclusively in the payment of bonds or warrants issued hereunder.

Section 16. Immediately after the board of county commissioners has made an estimate of the amount of seed grain or feed or both required, it shall notify the commissioner of agriculture and labor, and he shall assist and cooperate with the board in procuring said grain and feed. The board may advertise for offers of seed grain or feed or both, in one or two newspapers within the county, and give the same such other publicity as it may deem advisable. Where price and quality are equal, preference shall be given to grain and feed offered for sale within the county.

The board and the commissioner of agriculture and labor shall take samples from the grain offered which in their judgment is most suitable for seed, and shall transmit them to the state seed commissioner at the Agricultural College for analysis and germination test. The state seed commissioner shall make a prompt report of such test, classifying the samples as to their fitness for seed, which report shall be filed in the county auditor's office and in the office of the commissioner of agriculture and labor, and shall be open to public inspection.

No contract shall be made for any lot of seed grain which in its viability (growth power), its varietal purity, and its freedom from noxious seeds, is unsatisfactory for use as bulk seed for sowing the general crop.

After the grain has been delivered to the board of county commissioners a second test may be made, if in the opinion of the commissioner of agriculture and labor time permits, before it is distributed to the farmers. In no event shall any grain be sold to the farmers by the county as seed which is unsuitable for the growing of the general crop.

Section 17. The commissioner of agriculture and labor shall prepare such uniform blanks as it shall deem necessary for the purpose of this act and supply the same to the county auditor of any county issuing bonds.

Section 18. No bonds issued or proceeding had heretofore under Chapter 24 of the Political Code of the Compiled Laws of North Dakota for 1913, or any subsequent Acts pertaining to feed and seed bonds, shall be invalidated or in any manner made void by this act.

Section 19. Whereas it is necessary and proper that the state of North Dakota in its sovereign capacity should enact suitable legislation to aid and assist, destitute and needy farmers, who by reason of drouth, rust, hail or other cause

are unable to purchase seed grain or feed to farm lands within the State of North Dakota, and whereas, it is necessary in the best interests of the state to protect such needy and destitute farmers that aid be given as herein provided, therefore, it is the intention of this act to give aid and assistance to such farmers and that this act shall be liberally construed to effectuate that purpose and if for any reason any part or portion thereof shall be declared to be unconstitutional it shall not affect the other part or portion thereof.

Section 20. It is the duty of the boards of commissioners of the various counties that may be affected by this act to exercise careful discretion in the purchase and distribution of feed under the provisions hereof and such boards are authorized and empowered to incur all reasonable and necessary expense to effect the payment and collection of the notes and indebtedness resulting therefrom.

Section 21. Provided further that in case Congress shall appropriate money for relief to be advanced to the needy farmers for the purchase of seed and feed, then in that event the county commissioners shall co-operate with the Federal Government agencies to the end that the relief herein provided shall co-ordinate therewith without conflict or duplication.

Section 22. All laws and parts of laws in conflict herewith are hereby repealed.

Section 23. Whereas an emergency exists in that there has been a crop failure in many parts of the state, and no adequate relief is provided for by law, and whereas it is necessary for the immediate preservation of public peace, health and safety that immediate relief be given, therefore this act shall take effect and be in force from and after its passage and approval.

And when so amended recommend the same do pass.

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 Appropriations to whom was referred:

Senate Bill No. 95. A Bill For an Act Making an Appropriation for the Payment of Compiled Laws of 1913 Purchased by the Secretary of State for Official Purposes.

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 Military Affairs to whom was referred:

**Senate Bill No. 115.** A Bill For an Act to Provide for the Compilation, Publication and Distribution of the Record of the Citizens of North Dakota Who Rendered Military Service on Behalf of the State and Assisted in the Administration of the Selective Service Act During the World War.

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

C. N. BRUNSDALE,  
Chairman.

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

Mr. President: Your committee on Military Affairs to whom was referred:

Concurrent Resolution H.

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

C. N. BRUNSDALE,  
Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred:

**Senate Bill No. 92.** A Bill For an Act to Amend and Re-enact Section 9688, of the Compiled Laws of North Dakota for 1913, Relating to the Racing of Animals for Wager.

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

In line 1 on page 1 after Section 1, insert the word "amendment".

On page 2 line 14, after the word "Associations" strike out the period and insert a comma and the following words, "or at any picnic or public celebration."

Section 2. Emergency. 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.

WALTER BOND,  
Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 83. A Bill For an Act to Amend and Re-enact Section 2645 of the Supplement to the Compiled Laws of 1913, relating to Wolf Bounty.

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

WALTER BOND,  
Chairman.

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

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 36. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School, Minot, North Dakota.

Senate Bill No. 33. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.

Concurrent Resolution E.

Senate Bill No. 86. A Bill For an Act to amend and re-enact Section 2212 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the payment of all delinquent real estate taxes as a condition precedent to the recording of deeds or other instruments transferring title to lands.

Senate Bill No. 101. A Bill For an Act to Amend and Re-enact Section 8849 of the Compiled Laws of North Dakota, 1913, Relating to Decrees of Distribution in County Court.

Senate Bill No. 35. A Bill For an Act Making an Appropriation For the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal School, Mayville, North Dakota.

Senate Bill No. 20. A Bill For an Act to regulate the occupation of hairdressers and cosmetologists to create a State Board of Hairdressers and Cosmetologists for the licensing of persons to carry on and to teach such practices, to insure the better education of such practitioners, to provide rules regulating the proper conduct and sanitation of hairdressing and cosmetologist establishments and school for the protection of the public health, and to provide penalties for violation thereof.

Senate Bill No. 46. A Bill For an Act to Amend and Re-enact Sections 2, 4 and 7 of Chapter 123 of the Sessions Laws of 1919, An Act to Create a State Board of Electricians and Prescribing the Duties Thereof, Providing for the Classification, Examination and Licensing of Electricians and Electrical Workers. Prescribing Fees for Such Examination and

License, and Providing for Inspection of Electrical Work Through the State Fire Marshal Under the Direction of the State Board.

Senate Bill No. 50. A Bill For an Act to Amend and Re-enact Section 2163a7 of Supplement to Compiled Laws of the State of North Dakota 1913, being Section Seven of Chapter 318 Laws 1923.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 29. A Bill For an Act to Amend and Re-enact Sections 12 and 13 of Chapter 91, Session Laws 1925, the same being Sections 2976v12 and 2976v13 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, relating to Auto Transportation Companies.

Senate Bill No. 41. A Concurrent Resolution providing for the Amendment of Section 45, Article 2, of the Constitution of the State of North Dakota, Relating to the Compensation and Mileage allowed Legislative Members.

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 29. A Bill For an Act to Amend and Re-enact Sections 12 and 13 of Chapter 91, Session Laws 1925, the same being Sections 2976v12 and 2976v13 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, relating to Auto Transportation Companies.

Senate Bill No. 41. A Concurrent Resolution providing for the Amendment of Section 45, Article 2, of the Constitution of the State of North Dakota, Relating to the Compensation and Mileage allowed Legislative Members.

House Bill No. 4. A Bill For an Act to Amend and Re-enact Section 3684a2 of the Supplement to the Compiled Laws of North Dakota for the year 1913.

And the President signed the same in the presence of the Senate.

January 28, 1927.

To the Members of the Senate of the State of North Dakota:

This is to inform you that I have this day approved and filed with the Secretary of State:

Senate Bill No. 4. A Bill for an Act to amend and re-enact Section 4230 of the Compiled Laws of North Dakota for the year 1913.

Very truly yours,  
A. G. SORLIE,  
Governor.

January 28, 1927.

To the Members of the Senate of the State of North Dakota:

This is to inform you that I have this day approved and filed with the Secretary of State:

Senate Bill No. 6. A Bill For an Act to appropriate the Sum of \$75,000. 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 Grand Forks, Grand Forks County, North Dakota, and the City of East Grand Forks, Polk County, Minnesota, Under the Provisions of Subdivision C of Section 2976T15 of the Supplement to the Compiled Laws 1913.

Very truly yours,  
A. G. SORLIE,  
Governor.

January 28, 1927.

To the Members of the Senate of the State of North Dakota:

This is to inform you that I have this day approved and filed with the Secretary of State:

Senate Bill No. 24. A Bill For an Act to Amend and Re-enact Section 5 of the Initiated Measure entitled, "An Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels and for the Disposition of the Revenue Derived Therefrom; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing all Acts or parts of Acts in conflict with the Provisions of this Act," and approved at a State-wide Election held June 30, 1926.

Very truly yours,  
A. G. SORLIE,  
Governor.



January 28, 1927.

To the Members of the Senate of the State of North Dakota:

I have the honor to inform you that I have this day approved and filed with the Secretary of State:

Senate Bill No. 37. A Bill For an Act to Amend and Re-enact Section 5552 of the Compiled Laws of North Dakota for the year 1913.

Very truly yours,  
A. G. SORLIE,  
Governor.

Senator Van Camp moved that all absent senators be excused.

Which motion prevailed.

Senator Kretschmar moved that the Senate do concur in the House amendment to Senate Bill No. 25, that the same be considered properly engrossed, the rules be suspended and the bill placed on third reading and final passage.

Which motion prevailed.

### THIRD READING OF SENATE BILLS

Senate Bill No. 25. A Bill For an Act to Amend and Re-enact Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Disposition of Fees Collected by the State Securities 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 42, nays 0, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Hamilton	Peck
Bakken	Hart	Patterson
Benson	Hjelmstad	Ployhar
Brunsdale	Kretschmar	Porter
Carey	McCrory	Ritchie
Conrath	McLachlin	Sathre
Crocker	Magnuson	Schlosser
Eastgate	Marshall	Seamands
Erickson	Martin	Steele
Ettestad	Olson of Barnes	Stevens
Fine	Olson of Burleigh	Tofsrud
Fleckten	Olson of Eddy	Van Arnam
Forbes	Pathman	Van Camp
Fredrickson	Patten	Whitman

**Absent and not voting:**

Messrs.	Messrs.	Messrs.
Atkins	Lynch	Rusch
Bond	Murphy	Wog
Brant		

So the bill passed and the title was agreed to.

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

The Committee on Appropriations introduced:

Senate Bill No. 124. A Bill For an Act to Amend and Re-enact Section 2844 of the Supplement to the Compiled Laws of 1913.

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

Senators Sathre and Forbes introduced:

Senate Bill No. 125. A Bill For an Act to Amend and Re-enact Section 6745 of the Compiled Laws of North Dakota for 1913.

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

Senator Sathre, by request, introduced:

Senate Bill No. 126. A Bill For an Act to Amend and Re-enact Sections 2, 3, 5, 6, 10, 12, and 21 of Chapter 182, Session Laws 1923, the same being Sections 5235a2, 5235a3, 5235a5, 5235a6, 5235a10, 5235a12 & 5235a21 of the Supplement to the 1913 Compiled Laws of North Dakota 1913-1925, Relating to the Definition of Securities, Indemnity Bond and Fees Collected by the State Securities Commission.

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

Senator Ployhar introduced:

Senate Bill No. 127. A Bill For an Act to Amend and Re-enact Section 7567 of the Supplement to Compiled Laws of North Dakota for 1913.

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

Senator Martin moved that final action on Senate Bill No. 20 be deferred one legislative day.

Which motion was lost.

### THIRD READING OF SENATE BILLS

Senate Bill No. 20. A Bill For an Act to regulate the occupation of hairdressers and cosmetologists to create a State Board of Hairdressers and Cosmetologists for the licensing

of persons to carry on and to teach such practices, to insure the better education of such practitioners, to provide rules regulating the proper conduct and sanitation of hairdressing and cosmetologist establishments and school for the protection of the public health, and to provide penalties for violation thereof.

Was read the third time.

Senator Fine offered the following amendment: In Section 9, line 1 of printed bill, change word "once" to "twice."

Which motion prevailed.

Senator Martin moved that further action on the bill be indefinitely postponed.

Which motion was lost.

The question being on the final passage of the bill, as amended, the roll was called, and there were ayes 28, nays 15, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Hjelmstad	Schlosser
Brunsdale	Kretschmar	Seamands
Carey	Olson of Barnes	Steele
Crocker	Olson of Burleigh	Stevens
Eastgate	Pathman	Tofsrud
Fine	Patterson	Van Arnam
Forbes	Ployhar	Van Camp
Fredrickson	Porter	Whitman
Hamilton	Rusch	
Hart	Sathre	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Martin
Benson	McCrory	Olson of Eddy
Conrath	McLachlin	Patten
Erickson	Magnuson	Peck
Ettestad	Marshall	Ritchie

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Brant	Murphy
Bond	Lynch	Wog

So the bill passed and the title was agreed to.

Senator Whitman moved that the vote by which Senate Bill No. 20 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 33. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, 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 0, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Ritchie
Brunsdale	Kretschmar	Sathre
Carey	McCrary	Schlosser
Conrath	McLachlin	Seamands
Crocker	Magnuson	Steel
Eastgate	Marshall	Stevens
Erickson	Martin	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	
Fredrickson	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Lynch	Porter
Bond	Murphy	Rusch
Brant	Patterson	Wog

So the bill passed and the title was agreed to.

Senate Bill No. 35. A Bill For an Act Making an Appropriation For the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal School, Mayville, 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 0, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Brunsdale	McCrary	Rusch
Carey	McLachlin	Sathre
Conrath	Magnuson	Schlosser
Crocker	Marshall	Seamands
Eastgate	Olson of Barnes	Steel
Erickson	Olson of Burleigh	Stevens
Ettestad	Olson of Eddy	Tofsrud
Fine	Pathman	Van Arnam
Fleckten	Patten	Van Camp
Forbes	Patterson	
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Murphy
Bond	Lynch	Whitman
Brant	Martin	W. g

So the bill passed and the title was agreed to.

Senate Bill No. 36. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School, Minot, 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 0, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Hamilton	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Brunsdale	McCrorry	Rusch
Carey	McLachlin	Sathre
Conrath	Magnuson	Schlosser
Crocker	Marshall	Seamands
Eastgate	Olson of Barnes	Stevens
Erickson	Olson of Burleigh	Tofsrud
Ettestad	Olson of Eddy	Van Arnam
Fine	Pathman	Van Camp
Fleckten	Patten	Whitmar
Forbes	Patterson	
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Murphy
Bond	Lynch	Steel
Brant	Martin	Wog

So the bill passed and the title was agreed to.

Senate Bill No. 46. A Bill For an Act to Amend and Re-enact Sections 2, 4 and 7 of Chapter 123 of the Sessions Laws of 1919, An Act to Create a State Board of Electricians and Prescribing the Duties Thereof, Providing for the Classification, Examination and Licensing of Electricians and Electrical Workers. Prescribing Fees for Such Examination and License, and Providing for Inspection of Electrical Work Through the State Fire Marshal Under the Direction of the State Board.

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 4, absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Hjelmstad	Porter
Bakken	Kretschmar	Ritchie
Benson	McCrory	Rusch
Carey	McLachlin	Schlosser
Crocker	Magnuson	Seamands
Eastgate	Marshall	Steele
Ettestad	Olson of Barnes	Stevens
Fine	Olson of Burleigh	Tofsrud
Fleckten	Olson of Eddy	Van Arnam
Forbes	Pathman	Van Camp
Fredrickson	Patterson	Whitman
Hamilton	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.
Conrath	Patten
Erickson	Peck

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Sathre
Bond	Lynch	Wog
Brant	Martin	
Brunsdale	Murphy	

So the bill passed and the title was agreed to.

Senate Bill No. 50. A Bill For an Act to Amend and Re-enact Section 2163a7 of Supplement to Compiled Laws of the State of North Dakota 1913, being Section Seven of Chapter 212 Laws 1923.

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 1, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Carey	Kretschmar	Ritchie
Conrath	McCrory	Rusch
Crocker	McLachlin	Schlosser
Eastgate	Magnuson	Seamands
Erickson	Marshall	Steele
Ettestad	Olson of Barnes	Stevens
Fine	Olson of Burleigh	Tofsrud
Fleckten	Olson of Eddy	Van Arnam
Forbes	Pathman	Van Camp
Fredrickson	Patterson	Whitman

Those voting in the negative were:

Messrs.  
Patten

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Brunsdale	Murphy
Bond	Lynch	Sathre
Brant	Martin	Wog

So the bill passed and the title was agreed to.

Senator Forbes moved that final action on Senate Bill No. 52 be deferred until February 1.

Which motion prevailed.

Senator Baird moved that final action on Senate Bill No. 86 be deferred one legislative day.

Which motion prevailed.

Senate Bill No. 101. A Bill For an Act to Amend and Re-enact Section 8849 of the Compiled Laws of North Dakota, 1913, Relating to Decrees of Distribution in County Court.

Was read the third time.

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

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Brunsdale	Kretschmar	Ritchie
Carey	McCroory	Rusch
Conrath	McLachlin	Schlosser
Crocker	Magnuson	Seamands
Eastgate	Marshall	Steele
Erickson	Olson of Barnes	Stevens
Ettestad	Olson of Burleigh	Tofsrud
Fine	Olson of Eddy	Van Arnam
Fleckten	Pathman	Van Camp
Forbes	Patten	Whitman
Fredrickson	Patterson	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Lynch	Sathre
Bond	Martin	Wog
Brant	Murphy	

So the bill passed and the title was agreed to.

Senate Bill No. 20 was messaged to the House.

## Concurrent Resolution E.

Was read the third time.

The question being on the final passage of the Concurrent Resolution, 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.
Baird	Hjelmstad	Ritchie
Bakken	Kretschmar	Rusch
Brunsdale	McLachlin	Sathre
Carey	Magnuson	Schlcsser
Conrath	Marshall	Seamands
Crocker	Olson of Barnes	Steel
Eastgate	Olson of Burleigh	Stevens
Ettestad	Olson of Eddy	Tofsrud
Fine	Pathman	Van Arnam
Forbes	Patterson	Van Camp
Fredrickson	Peck	Whitman
Hamilton	Ployhar	
Hart	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Erickson	Fleckten

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Lynch	Murphy
Bond	McCrorry	Patten
Brant	Martin	Wog

So the bill passed and the title was agreed to.

## FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 69. A Bill For an Act to Amend and Re-enact Section 189c6 of the Supplement to the Compiled Laws 1913, Relating to Insurance on Municipally Owned Property.

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

House Bill No. 92. A Bill For an Act Providing for the Investment of Moneys in the Workmen's Compensation Fund.

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

## COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: Odin Overby, Arnold Berg, John J. Lamelle, Carl Hanson, V. D. Marshall, Mr. and Mrs. E. J. Brotherton, and Gertrude Gordon.



SATURDAY, JANUARY 29, 1927

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Senator Ployhar moved that the Senate do now adjourn.  
Which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

## TWENTY-EIGHTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
January 31, 1927.

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

Prayer by the Chaplain, Rev. F. H. Davenport.

Roll call.

All members present except Senators Bond, Brant and Schlosser.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-sixth day and find the same correct.

C. J. OLSON,  
Chairman.

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

Senator O. A. Olson presented a communication from McKenzie protesting proposed repeal of the Volstead Act; also one from Bismarck protesting the repeal of House Bills 110 and 114, also Section 217, Article 20 of the state constitution.

President Maddock presented a petition from Bismarck favoring retaining the present Volstead Act.

Senator Pathman presented a petition from Leith favoring the Sheppard-Towner Act.

## MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
January 31, 1927.

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

Senate Bill No. 63. A Bill For an Act to Amend and Re-enact Section 10766 of the Compiled Laws of North Dakota for the Year 1913, Providing the Procedure Where Joint Affidavit Is Filed in Criminal Cases, Alleging Prejudice Against the Judge and Also Asking for a Change in Place of Trial.

Senate Bill No. 64. A Bill For an Act to Amend and Re-enact Section 11002, Compiled Laws of North Dakota for 1913, Relating to the Duty of the Clerk of the District Court When Appeals in Criminal Cases are taken and Completed.

Which the House has passed unchanged.

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
January 31, 1927.

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

House Bill No. 104. A Bill for an Act to Legalize the Execution and Acknowledgement of Certain Deeds, Mortgages, and Other Instruments in Writing, and the Record Thereof, and Making the Same or Certified Copies Thereof, Admissible in Evidence.

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

Very respectfully,

C. R. VERRY,  
Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Insurance to whom was referred:

Senate Bill No. 55. A Bill For an Act to amend and re-enact Sections 189b5, 189b9 and 189b11 of the Supplement to the 1913 Compiled Laws of the State of North Dakota relating to State Hail Insurance.

Have had the same under consideration and recommend that the same be returned without recommendation to the Senate and placed on the calendar for third reading.

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 Insurance to whom was referred:

Senate Bill No. 67. A Bill For an Act to Amend and Re-enact Sub-Section 3 of Section 6635c of the Compiled Laws of North Dakota for the Year 1913, Relating to the Incontestable Clause to be Included in the Required Provisions of Life Policies.

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 Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 57. A Bill For an Act to Authorize Counties to issue Bonds and Warrants to procure Seed Grain and Feed for Needy Inhabitants Therein and Providing for the Issuance of Bonds and Warrants for Seed Grain by Counties and Aid by the State in respect thereto, and making an Appropriation Therefor.

Also,

Senate Bill No. 83. A Bill For an Act to Amend and Re-enact Section 2645 of the Supplement to the Compiled Laws of 1913, relating to Wolf Bounty.

Also,

Senate Bill No. 92. A Bill For an Act to Amend and Re-enact Section 9688, of the Compiled Laws of North Dakota for 1913, Relating to the Racing of Animals for Wager.

Also,

Senate Bill No. 95. A Bill For an Act Making an Appropriation for the Payment of Compiled Laws of 1913 Purchased by the Secretary of State for Official Purposes.

Also,

Senate Bill No. 115. A Bill For an Act to Provide for the Compilation, Publication and Distribution of the Record of the Citizens of North Dakota Who Rendered Military Service on Behalf of the State and Assisted in the Administration of the Selective Service Act During the World War.

Also,

Concurrent Resolution H.

And fine the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser 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 they have examined the following bills:

Senate Bill No. 27. A Bill For an Act to Amend and Re-enact Chapter 103, Session Laws 1917, the same being Section 2863b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

Also,

Senate Bill No. 25. A Bill For an Act to Amend and Re-enact Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Disposition of Fees Collected by the State Securities Commission.

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser 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. 25. A Bill For an Act to Amend and Re-enact Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Disposition of Fees Collected by the State Securities Commission.

Senate Bill No. 27. A Bill For an Act to Amend and Re-enact Chapter 103, Session Laws 1917, the same being Section 2863b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

And the President signed the same in the presence of the Senate.

Senate Bills Nos. 33, 35, 36, 46, 50 and 101 and Concurrent Resolution "E" were messaged to the House.

Senator Van Camp moved that all absent Senators be excused.

Which motion prevailed.

## FIRST AND SECOND READING OF SENATE BILLS

Senator Pathman, by request, introduced:

Senate Bill No. 128. A Bill For an Act to Amend and Re-enact Section 3436 of the Compiled Laws of North Dakota for 1913, Relating to Kind of Material to be Used in Re-establishing Lost Section or Quarter Section Corners and Provisions to Establish Witness Corners Where a Monument at the True Point is Impractical and the Manner of Identifying Such Witness Corners.

Was read the first and second times and referred to the Committee on Ways and Means.

Senator Pathman, by request, introduced:

Senate Bill No. 129. A Bill For an Act Providing for Re-establishing Section or Quarter Section Corners or Other Federal or State Monuments Destroyed Through Road, Street, Ditch or Other Public Works; Providing for Witness Corners, Where a Monument at the True Point is Impractical, the Manner of Identifying Such Witness Corners and Provisions by Whom and in Which Manner the Cost is to be Met.

Was read the first and second times and referred to the Committee on Ways and Means.

Senator Hamilton introduced:

Senate Bill No. 130. A Bill For an Act Making an Appropriation for the Purchase and Erection of an Iron Fence Around the Roosevelt Cabin, Which is Located Upon the Capitol Grounds, and For the Purchase and Erection of a Flag Pole at the Memorial Building.

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

Senator O. A. Olson, by request, introduced:

Senate Bill No. 131. A Bill For an Act Relating to and Covering Protection of Battery Service Station Owners of Electric Storage Batteries Upon Which the Word "Rental" or any Other Word, Mark or Character is Printed, Painted, Stamped or Attached to Identify the Same, and Providing Penalties.

Was read the first and second times and referred to the Committee on Ways and Means.

Senator Whitman introduced:

Senate Bill No. 132. A Bill For an Act Regulating the Licensing of Plumbers and Providing for the Supervision and Inspection of Plumbing, and Adoption and Enforcement of Minimum, Uniform Standards Therefore, and to Repeal All Acts and Parts of Acts in Conflict Herewith.

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

Senator Baird moved that Senate Bill 86 be re-referred to the Committee on Judiciary.

Which motion prevailed and the bill was so re-referred.

Senator Ployhar moved that final action on Senate Bill No. 57 be deferred one legislative day.

Which motion prevailed.

Senator Van Camp moved that final action on Senate Bill 83 be deferred one legislative day.

Which motion prevailed.

### THIRD READING OF SENATE BILLS

Senate Bill No. 92. A Bill For an Act to Amend and Re-enact Section 9688, of the Compiled Laws of North Dakota for 1913, Relating to the Racing of Animals for Wager.

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.
Atkins	Hart	Patterson
Baird	Hjelmstad	Ployhar
Bakken	Kretschmar	Porter
Benson	Lynch	Ritchie
Brunsdale	McCrary	Rusch
Carey	McLachlin	Sathre
Conrath	Magnuson	Seamands
Crocker	Marshall	Steele
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog
Fredrickson	Patten	
Hamilton	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bond	Brant	Schlosser

So the bill passed and the title was agreed to. Emergency clause declared carried.

Senate Bill No. 95. A Bill For an Act Making an Appropriation for the Payment of Compiled Laws of 1913 Purchased by the Secretary of State for Official Purposes.

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.
Atkins	Hamilton	Peck
Baird	Hart	Patterson
Bakken	Hjelmstad	Ployhar
Benson	Kretschmar	Porter
Brunsdale	Lynch	Ritchie
Carey	McCrary	Rusch
Conrath	McLachlin	Sathre
Crocker	Magnuson	Seamands
Eastgate	Marshall	Steele
Erickson	Murphy	Stevens
Ettestad	Olson of Barnes	Tofsrud
Fine	Olson of Burleigh	Van Arnam
Fleckten	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman
Fredrickson	Patten	Wog

Those voting in the negative were:

Messrs.  
Martin

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bond	Brant	Schlosser

So the bill passed and the title was agreed to. Emergency clause declared carried.

Senate Bill No. 115. A Bill For an Act to Provide for the Compilation, Publication and Distribution of the Record of the Citizens of North Dakota Who Rendered Military Service on Behalf of the State and Assisted in the Administration of the Selective Service Act During the World War.

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.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Rusch
Brunsdale	Lynch	Sathre
Carey	McCrary	Seamands
Conrath	McLachlin	Steele



Messrs.	Messrs.	Messrs.
Crocker	Magnuson	Stevens
Eastgate	Marshall	Tofsrud
Erickson	Murphy	Van Arnam
Ettestad	Olson of Barnes	Van Camp
Fine	Olson of Burleigh	Whitman
Fleckten	Olson of Eddy	Wog
Forbes	Pathman	
Fredrickson	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Martin	Patten	Ritchie

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bond	Brant	Schlosser

So the bill passed and the title was agreed to.

Concurrent Resolution H.

Was read the third time.

The question being on the passage of Concurrent Resolution H, 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.
Atkins	Hamilton	Peck
Baird	Hart	Patterson
Bakken	Hjelmstad	Ployhar
Benson	Kretschmar	Porter
Brunsdale	Lynch	Rusch
Carey	McCrory	Sathre
Crocker	McLachlin	Seamands
Eastgate	Magnuson	Steele
Erickson	Marshall	Stevens
Ettestad	Murphy	Tofsrud
Fine	Olson of Barnes	Van Arnam
Fleckten	Olson of Burleigh	Van Camp
Forbes	Olson of Eddy	Whitman
Fredrickson	Pathman	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Martin	Patten	Ritchie

Absent and not voting:

Messrs.	Messrs.
Bond	Conrath
Brant	Schlosser

So the Concurrent Resolution passed.

## FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 104. A Bill for an Act to Legalize the Execution and Acknowledgement of Certain Deeds, Mortgages, and Other Instruments in Writing, and the Record Thereof, and Making the Same or Certified Copies Thereof, Admissible in Evidence.

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

Senator Stevens moved that a committee of three be appointed to confer with a like committee of the House regarding memorial services for Representative O'Neill.

Which motion prevailed, and the President appointed as such committee Senators Stevens, Fine and Ployhar.

Senator Murphy moved that the Senate do now recess, subject to the call of the Chair.

Which motion prevailed and the Senate recessed.

The Senate re-assembled at 3:00 P. M., pursuant to recess taken.

A verbal message was received from the House that the House was ready to meet the Senate in joint memorial service for the late J. W. O'Neill, Representative from Renville County.

Senator Stevens moved that the Senate do now recess to meet with the House in memorial service.

Which motion prevailed and the Senate recessed for the joint session.

## AFTER RECESS

Senator Ployhar moved that the Senate do now adjourn.

Which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

TWENTY-NINTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 1, 1927.

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

Prayer by the Chaplain, Rev. Paul Wright.

Roll call.

All members present except: Senator Sathre.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-eighth day and find the same correct.

C. J. OLSON,  
Chairman.

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

Senate Bills Nos. 92, 95 and 115 and Concurrent Resolution H were messaged to the House.

MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
February 1, 1927.

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

House Bill No. 112. A Bill for an Act Providing for the Establishment, Maintenance and Operation, for the Benefit of the State, of a Plant at the State Penitentiary for the Manufacture of Automobile License Tags and Road Markers, and Making an Appropriation Therefor.

House Bill No. 73. A Bill For an Act providing for the Deposition of Forfeiture and Pecuniary Penalties.

House Bill No. 102. A Bill for an Act to Amend and Re-enact Section 3535 of the Compiled Laws of North Dakota, year 1913 relating to per diem and mileage of witnesses.

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

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Senator Magnussen presented petitions from Westhope protesting the proposed repeal of the Volstead Act.

The President of the Senate presented a similar petition from Fargo.

Senator Seamands presented a letter from New England favoring the Sheppard-Towner Bill.

Senators Martin and Marshall presented petitions from Judson and Fullerton protesting passage of anti-evolution legislation.

Senator Erickson presented a communication from Crosby favoring the Sheppard-Towner Act.

THE INDUSTRIAL COMMISSION  
OF NORTH DAKOTA  
Bismarck

February 1, 1927.

Senate Chamber,  
Twentieth Legislative Assembly,  
Bismarck, N. D.

Mr. President:

I have the honor to transmit herewith for your information certified copies of the minutes of two meetings of the North Dakota Industrial Commission, held January 24 and January 31, 1927, at which meetings the subject of taxes payable by the State of North Dakota upon lands held by the state under foreclosure of real estate mortgages, was considered by the Commission.

Respectfully submitted,

N. D. INDUSTRIAL COMMISSION,

By JOHN GAMMONS,  
Secretary.

Meeting of the Industrial Commission January 24, 1927, held in the Governor's office at 4:15 o'clock P. M.

Present: Governor A. G. Sorlie, Attorney General Geo. F. Shafer and Commissioner of Agriculture and Labor Joseph A. Kitchen.

Meeting called to order by Governor A. G. Sorlie.

Mr. C. R. Green, Manager and Director General of the Bank of North Dakota, appeared before the Commission and presented the following communication:

January 19, 1927.

To the Industrial Commission,  
Capitol Building,  
Bismarck, North Dakota,

Gentlemen:

We are herewith submitting to you for your consideration and attention copy of an Opinion handed down this week by the Supreme Court which very materially affects the State with reference to taxes on lands, upon which loans have been made by the Bank of North Dakota, as Agent for the State. This involves taxes on about 97,000 acres of land, which is either in the process of foreclosure, or has gone to Sheriff's Deed and title held by the State Treasurer as Trustee for the State.

This Opinion discloses that the State of North Dakota is liable for all taxes accrued and delinquent up to the time that it received Sheriff's Deed. It exempts, however, such land from further taxation so long as it is owned by the State.

Before these deeds can be filed, it will be necessary to have all taxes against the land paid. Under the Bond Act passed in 1923 (chapter 242-1923) all taxes accruing and past due on lands held under mortgages by the State of North Dakota, and which were either under foreclosure or held by deed, were to be cancelled and abated. A suit was started in Burleigh County to test out the 1923 law. The District Court held that all taxes accruing after Sheriff's Deed was obtained would be abated but that the taxes unpaid before the deed was issued would have to be paid by the State. A cross appeal was taken from this decision by the Bank of North Dakota and the County of Burleigh, and the decision of the Supreme Court this week sustains the decision of the District Court.

This leaves the State of North Dakota facing the problem of how to take care of these taxes in order to protect the land which it has obtained on these foreclosures. Since the decision of the lower court, we have served an injunction on all County Auditors restraining them from disposing of the lands affected where deeds had been called for by the holders of the tax certificates. Now that the Supreme Court decision has been handed down, undoubtedly action will be commenced immediately to force us to dissolve the injunctions and pay the taxes, and if this is not done, the State will lose the title to such lands on Tax Deeds.

Up to this time the Bank of North Dakota has protected the State's property where tax certificates were held by

individuals and where we could not restrain the Auditor from selling the property. We have invested in these taxes, up to this time, \$120,000.00, and the Management feels that we have about all the money invested in such taxes that we can safely advance. As you know, the Bank has no available funds, except its deposits, most of which is public money, and must not be invested in any "frozen assets" such as lands. Such funds can only safely be invested in quick liquid securities that can readily be turned into cash. As the amount required to take care of all these delinquent taxes will run into big money, we feel that the legislature should be asked to provide a revolving fund sufficient to take care of it. The amount immediately necessary, and which must be taken care of at once, will amount to approximately \$400,000.00 in addition to what already has been paid, and that amount will possibly increase rather than diminish, as the payment of these taxes can only be taken care of through sales of land and profits from the crops raised on said lands. We further feel that the State itself will not lose any money, as the income from sales of land and crops should about hold this fund even and eventually retire it entirely.

We therefore suggest to your Commission that the Governor present this matter to the legislature by special message and that the Industrial Commission use its best efforts to have a law passed to provide funds to take care of this unfortunate situation.

We might add, further, that the legislature passed an Act in 1923 for the purpose of taking care of this past due tax situation, and that in 1925 an attempt was made in the legislature to repeal the law. However, when properly explained, the bills were withdrawn so that, as a matter of fact, two legislative sessions have seen the necessity of taking care of this tax situation, but the method provided has been annulled by the Supreme Court's decision.

Yours very truly,

C. R. GREEN,

Manager and Director General.

Mr. Shafer suggested that in view of the recent decision by the Supreme Court, it be the sense of the Industrial Commission that the question of making provision for the payment of accrued and delinquent taxes, on lands acquired by the State through foreclosure, be made the subject of a special message by the Governor to the Legislature, and that the foregoing communication from Mr. C. R. Green, Manager and Director General of the Bank of North Dakota, be transmitted with such message.

Further action on the matter was deferred until a study could be made of the decision rendered by the Supreme Court.

Upon motion made and carried the meeting adjourned.

A. G. SORLIE,  
Governor and Chairman.

GEO. F. SHAFER,  
Attorney General.

JOSEPH A. KITCHEN,  
Commissioner of Agriculture  
and Labor.

JOHN GAMMONS,  
Secretary North Dakota  
Industrial Commission.

I, John Gammons, the duly appointed, qualified and acting secretary of the Industrial Commission, do hereby certify that the above resolution was duly passed by the North Dakota Industrial Commission, consisting of A. G. Sorlie, Governor, Geo. F. Shafer, Attorney General, and Joseph A. Kitchen, Commissioner of Agriculture and Labor, all of whom were present, and is a part of the records of said meeting, incorporated and made a part of the official minutes of said meeting, and has been duly recorded in the Industrial Commission Minute Book; and that the signatures thereto affixed are genuine.

Dated at Bismarck, N. D., this 1st day of February, A. D. 1927.

(Seal)

JOHN GAMMONS,  
Secretary North Dakota  
Industrial Commission.

Meeting of the Industrial Commission January 31, 1927, held in the Governor's office at 4:30 o'clock P. M.

Present: Governor A. G. Sorlie, Attorney General Geo. F. Shafer and Commissioner of Agriculture and Labor Joseph A. Kitchen.

Meeting called to order by Governor A. G. Sorlie.

The secretary presented for the consideration of the Commission a letter from Mr. C. R. Green, Manager and Director General of the Bank of North Dakota, supplementing his letter to the Commission under date of January 19, as follows:

January 29, 1927.

To the Industrial Commission,  
Bismarck, North Dakota.  
Attention: John Gammons, Secretary.

Dear Sir: Re: Unpaid Taxes.

Complying with your request for additional information regarding the amount of money which will be required to pay the past due taxes on lands on which the State holds mort-

gages and which are now under foreclosure, or deed, beg to advise as follows:

Taxes covering the years 1919, 1920, 1921, 1922, 1923, 1924 and 1925 on foreclosed loans held by the State of North Dakota, are approximately \$520,000. \$120,000 of this amount has been paid by the Bank of North Dakota in order to protect the State's interest. Of this amount approximately 35 per cent of the certificates and subsequent tax payments is held by individuals, or, in other words, \$182,000. The balance of 65 per cent of the total amount, or \$338,000 is held by counties. Basing our conclusions on past experience we estimate that under ordinary conditions it will require an additional \$200,000 to take care of the taxes for the biennium period of 1926 and 1927, and, using the same estimates as above, \$75,000 of this would be held by individuals and \$125,000 by counties. The amount necessary, as stated in our letter of January 19, 1927, to cover unpaid taxes, dealt with taxes up to and including 1925.

Very truly yours,

C. R. GREEN,  
Manager and Director General.

Mr. Shafer moved that the attention of the Legislature be invited to the situation resulting from the Supreme Court's recent decision affecting taxes on State lands obtained through foreclosure of mortgages by the Bank of North Dakota; and that the Legislature be urged to investigate this situation and adopt such legislation as it may deem to be proper and necessary to protect the interests of the State in the lands involved.

Which motion was duly seconded by Mr. Kitchen and carried unanimously.

Upon motion duly made and carried the meeting adjourned.

Very truly yours,

A. G. SORLIE,  
Governor and Chairman.

GEO. F. SHAFER,  
Attorney General.

JOSEPH A. KITCHEN,  
Commissioner of Agriculture  
and Labor.

JOHN GAMMONS,  
Secretary North Dakota  
Industrial Commission.

I, John Gammons, the duly appointed, qualified and acting secretary of the Industrial Commission, do hereby certify that the above resolution was duly passed by the North Dakota Industrial Commission, consisting of A. G. Sorlie, Governor, Geo. F. Shafer, Attorney General, and Joseph A.



Kitchen, Commissioner of Agriculture and Labor, all of whom were present, and is a part of the records of said meeting, incorporated and made a part of the official minutes of said meeting, and has been duly recorded in the Industrial Commission Minute Book; and that the signatures thereto affixed are genuine.

Dated at Bismarck, N. D., this 1st day of February, A. D. 1927.

(Seal)

JOHN GAMMONS,  
Secretary North Dakota  
Industrial Commission.

Senator Ployhar moved that a special Committee of five, consisting of Senators Kretschmar, Porter, Atkins, Fredrickson and Marshall be appointed to act with a like committee from the house; such joint committee to report its recommendations together with any laws proposed to meet the situation.

#### COMMUNICATION FROM THE GOVERNOR

February 1, 1927.

VETO.

To the Senate of the State of North Dakota:

I herewith return:

Senate Bill No. 29. A Bill For an Act to Amend and Re-enact Sections 12 and 13 of Chapter 91, Session Laws 1925, the same being Sections 2976v12 and 2976v13 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, relating to Auto Transportation Companies.

Without my approval.

I object to this bill upon the ground and for the reason that the fees collected under the provisions of this statute by the Railroad Commission are intended and used for the regulation and supervision of auto transportation companies and bus lines operating in the state, and not for the General Fund.

Since no provision is made in the budget for expenditures necessary for this work I have vetoed the bill to enable the Railroad Commission to take care of this branch of the work of the department.

Very truly yours,

A. G. SORLIE,  
Governor.

The message from the Governor was referred to the State Affairs Committee.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 39. A Bill For an Act to Amend and Re-enact Sections 8075 and 8076 of the Compiled Laws of North Dakota for the Year 1913.

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

On page 1, line 1, after Section 1 insert the word "amendment".

On page 1, line 2 after the word "is" insert the word "hereby".

On page 2, line 19 after the word "mentioned" insert the following: "and without the service of the notice provided for in Section 8099a of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913".

On page 2, line 21 after the word "instrument" insert the words "except a mortgage".

On page 2, line 1, of Section 2, after "Section 2" insert the word "Amendment".

On page 2, line 4, of Section 2, strike out the word "the" and insert in lieu thereof the word "a".

On page 2, line 5, of Section 8076, after the word "attorney" insert the words "by advertisement".

On page 2, line 8 of Section 8076, after the word "located" insert the words "on or".

On page 2, line 9, of Section 8076, strike out the period, insert a semi-colon and add the following: "provided, that any person, firm or corporation not owning such mortgage, but controlling the same shall, in addition to furnishing such power of attorney, furnish such agent or attorney making such foreclosure a copy of the instrument authorizing such control, and a failure to do so shall invalidate the foreclosure."

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. 85. A Bill For an Act to Amend and Re-enact Section 8099a of the Supplement to the Compiled Laws of 1913.

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

On page 1, line 4, of the printed bill, strike out the word "Amendment" and insert in lieu thereof the word "Notice".

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. 88. A Bill For an Act to Amend and Re-enact Section 10,917 of the Compiled Laws of North Dakota for the year 1913 relating to causes for granting 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.

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 97. A Bill For an Act to Amend and Re-enact Section 7844 of the Compiled Laws of North Dakota for the year 1913, Relating to the Power of and Proceedings had in the Supreme Court on Appeals.

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. 99. A Bill For An Act to Amend and Re-enact Section 8519, Compiled Laws of 1913, Relating to the Practice of Law by County Judges.

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

On page 1 of the printed bill that Section 1 be amended to read as follows:

"Section 1. Amendment. That Section 8519 of the Compiled Laws for 1913 be and the same is hereby amended and re-enacted to read as follows:"

On page 1, line 11 of the printed bill, strike out the period and insert a semi-colon and in the word "nor" change the capital letter to a small letter "n".

On page 1, line 13 of the printed bill, strike out the word "all".

On page 1, line 14 of the printed bill, strike out the words "not possessing increased jurisdiction".

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. 53. A Bill For an Act Providing for the Issuance of Duplicate Bonds, Warrants or other Obligations of the State of North Dakota, or of Any of the Political Subdivisions thereof in Case the Originals are Mutilated, Defaced, or Lost, and Prescribing the Procedure Therefor.

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. 65. A Bill For an Act to Amend and Re-enact Section 2212 of the Supplement to the Compiled Laws of 1913 of the State of North Dakota; 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 and declaring an emergency exists.

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

On page one in Section 2212 of the engrossed bill beginning with the word "and" in line ten strike out the following "and for any other delinquent taxes or special assessments or installments of special assessments."

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. 95. A Bill For an Act to Amend and Re-enact Section 4609c30 of the Supplement to the Compiled Laws 1913.

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

On page 1 of the engrossed bill in Section 1 after the figure "1" insert the word "Amendment."

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 Counties to whom was referred:

House Bill No. 86. A Bill For an Act to Amend and Re-enact Section 3237 of the Compiled Laws of North Dakota for 1913, Pertaining to When County Seat Deemed Changed.

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 Banks and Banking to whom was referred:

Senate Bill No. 5. A Bill for an Act Providing for the discontinuance of the Depositors Guaranty Fund and Limiting the Time to Which Depositors are Guaranteed by Said Fund and the Laws Relating Thereto.

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

W. D. LYNCH,  
Chairman.

Senator Lynch 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. 69. A Bill For an Act providing for the discontinuance of the Depositors Guaranty Fund, as established by Chapter 200 of the Session Laws of 1923 and embodied in Chapter 31B of the Supplement to the 1913 Compiled Laws of North Dakota, being sections 5220B1 to 5220B41 thereof, limiting the time up to which deposits shall be guaranteed by said Fund, providing the extent to which guaranteed deposits shall be paid, the manner of administering such fund, and the duties of the Depositors Guaranty Fund Commission with reference to the administration of such Fund until guaranteed deposits shall have been paid to the extent provided, and repealing such parts of said Chap-

ter 200 Session Laws of 1923, embodied in Chapter 31B Supplement to the 1913 Compiled Laws of North Dakota, and any other Acts or parts of Acts as are inconsistent herewith.

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

W. D. LYNCH,  
Chairman.

Senator Lynch 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: A majority of your Committee on Banks and Banking to whom was re-referred engrossed:

Senate Bill No. 3. A Bill for an Act providing that depositories of public funds may, with the consent of proper authorities, deposit and pledge as security in order to obtain the deposit of public funds, bonds, warrants, or bills receivable in an amount equal to the maximum deposit with such depository.

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

After the word "pledged", in line 1, section 4, of the engrossed bill, insert the following: "under Section 3".

In line 1, Section 4, of the engrossed bill, strike out the word "for".

In line 2, Section 4, of the engrossed bill, strike out the words "deposits under the terms".

W. D. LYNCH,  
P. T. KRETSCHMAR,  
S. J. ATKINS,  
H. J. RUSCH,  
FRED PATHMAN,  
WALTER BOND.

Mr. Lynch moved that the report be adopted.

Mr. President: A minority of your Committee on Banks and Banking to whom was re-referred engrossed:

Senate Bill No. 3. A Bill for an Act providing that depositories of public funds may, with the consent of proper authorities, deposit and pledge as security in order to obtain the deposit of public funds, bonds, warrants, or bills receivable in an amount equal to the maximum deposit with such depository.

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

O. H. OLSON,  
D. H. HAMILTON,  
PEDER L. HJELMSTAD,  
R. W. PATTEN.

Senator O. H. Olson moved the substitution of the word "minority" for "majority".

Which motion was defeated.

The question being upon the original motion by Senator Lynch, the question was put and the motion prevailed and the majority report was adopted.

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 21. A Bill For an Act to Permit Religious Instruction of Pupils Attending Public School, and Defining the Powers of Board of Education, Boards of School Directors and School Officials in Relation thereto.

Have had the same under consideration and recommend that the same be referred back to the Senate without recommendation, and ask that the same be placed on the calendar for third reading.

ALFRED STEEL,  
Chairman.

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

Mr. President:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 67. A Bill For an Act to Amend and Re-enact Sub-Section 3 of Section 6635c of the Compiled Laws of North Dakota for the Year 1913, Relating to the Incontestable Clause to be Included in the Required Provisions of Life Policies.

Senate Bill No. 55. A Bill For an Act to amend and re-enact Sections 189b5, 189b9 and 189b11 of the Supplement to the 1913 Compiled Laws of the State of North Dakota relating to State Hail Insurance.

And find the same correctly engrossed.

C. N. BRUNSDALE,  
Acting Chairman.

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

Mr. President:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 64. A Bill For an Act to Amend and Re-enact Section 11002, Compiled Laws of North Dakota for 1913, Relating to the Duty of the Clerk of the District Court When Appeals in Criminal Cases are taken and Completed.

Senate Bill No. 63. A Bill For an Act to Amend and Re-enact Section 10766 of the Compiled Laws of North Dakota for the Year 1913, Providing the Procedure Where Joint Affidavit Is Filed in Criminal Cases, Alleging Prejudice Against the Judge and Also Asking for a Change in Place of Trial.

And find the same correctly enrolled.

C. N. BRUNSDALE,  
Acting Chairman.

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

#### MESSAGES FROM THE HOUSE

February 1, 1927.

Mr. President: I have the honor to inform you that the House has appointed the following members to act with a like committee of the Senate to confer on the report of the Industrial Commission:

REP. GUDMESTAD,  
REP. MILLER,  
REP. McMANUS,  
REP. TWICHELL,  
REP. STREICH.

Very respectfully,

C. R. VERRY,  
Chief Clerk.

February 1, 1927.

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

A Concurrent Resolution introduced by J. E. Fleckten.

Which the house has indefinitely postponed.

Very respectfully,

C. R. VERRY,  
Chief Clerk.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:



Senate Bill No. 63. A Bill For an Act to Amend and Re-enact Section 10766 of the Compiled Laws of North Dakota for the Year 1913, Providing the Procedure Where Joint Affidavit Is Filed in Criminal Cases, Alleging Prejudice Against the Judge and Also Asking for a Change in Place of Trial.

Senate Bill No. 64. A Bill For an Act to Amend and Re-enact Section 11002, Compiled Laws of North Dakota for 1913, Relating to the Duty of the Clerk of the District Court When Appeals in Criminal Cases are taken and Completed.

And the President signed the same in the presence of the Senate.

#### SELECT COMMITTEE REPORT

Senator Murphy presented the following:

#### JOINT RESOLUTION

Whereas, the late Senator John L. Cashel, of Grafton, Walsh County, represented the Fourth Legislative District in the North Dakota Senate in the Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth and Thirteenth Legislative Assemblies; and,

Whereas, the late Senator Leslie A. Simpson, of Dickinson, Stark County, represented the Thirty-first Legislative District in the North Dakota Senate in the Seventh, Eighth, Ninth, Tenth, Eleventh and Twelfth Legislative Assemblies; and,

Whereas, the late Senator Christ Albright, of Ashley, McIntosh County, represented the Thirty-sixth Legislative District in the North Dakota Senate in the Tenth and Eleventh Legislative Assemblies; and,

Whereas, the late Senator A. L. Martin, of Sentinel Butte, Billings County, represented the Thirty-ninth Legislative District in the North Dakota Senate in the Eleventh and Twelfth Legislative Assemblies; and,

Whereas, the late Senator O. T. Loftsgard, of Hoople, Walsh County, represented the Third Legislative District in the North Dakota Senate in the Thirteenth and Fourteenth Legislative Assemblies; and,

Whereas, the late Senator O. C. Gross, of Raleigh, Grant County, represented the Forty-seventh Legislative District in the North Dakota Senate in the Seventeenth and Eighteenth Legislative Assemblies; and,

Whereas, the late Representative A. R. Swendseid, of Petersburg, Nelson County, represented the Seventeenth Legislative District in the House in the Tenth and Eleventh Legislative Assemblies; and,

Whereas, the late Representative H. C. Harty, of Omemee, Bottineau County, represented the Twenty-eighth Legislative District in the House in the Twelfth, Thirteenth, and Fourteenth Legislative Assemblies; and,

Whereas, the late Representative Frederick Frank, of Deering, Ward County, represented the Twenty-ninth Legislative District in the House in the Nineteenth Legislative Assembly; and,

Whereas, the late Representative Albert G. Lowe, of Pierce County, represented the Forty-second Legislative District in the House in the Fifteenth and Sixteenth Legislative Assemblies; and,

Whereas, the late Representative William R. Johnston, of Forest River, Walsh County, represented the Fourth Legislative District in the House in the Third, Sixth and Sixteenth Legislative Assemblies; and,

Whereas, the late Representative Ole E. Olsgard, of McVille, Nelson County, represented the Seventeenth Legislative District in the House in the First Legislative Assembly; and,

Whereas, the late Representative R. N. Stevens represented the Fourteenth Legislative District in the House in the First Legislative Assembly, and the Twenty-seventh Legislative District in the Sixth, Ninth, and Tenth Legislative Assemblies; and,

Whereas, these men represented their respective districts and constituencies with eminent ability; and,

Whereas, The Supreme Ruler of the Universe has seen fit to remove from our midst these well known and esteemed citizens;

Therefore, Be It Resolved, By the North Dakota Senate and House of Representatives assembled in joint session that we deeply regret the passing of these men from our midst, because of their contribution to the welfare and up-building of the communities in which they lived and the high level unselfish service with which they discharged their duties in their respective legislative bodies. Let it be said of each and all of them, they gave to their state an ever abiding faith, loyalty and love.

Be It Therefore Resolved, that we offer their families and friends of these, our departed members, our most profound and heartfelt sympathy; and that copies of these resolutions be sent to the families of the deceased members and spread upon the minutes of the joint session of the two legislative bodies in which they so ably and faithfully served.

Senator Murphy moved that the resolution be adopted by a rising vote, and that the resolution be printed in the Journal and an enrolled copy be sent each family of the deceased members.

Which motion prevailed.

Senator Magnuson moved that the absent Senator be excused.

Which motion prevailed.

Senator McLachlin moved that Senate Bill 3 be re-printed.

Which motion prevailed.

## INTRODUCTION AND FIRST AND SECOND READING OF SENATE BILLS

Senator Baird Introduced:

Senate Bill No. 133. A Bill For an Act to Amend and Re-enact Section 7598 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Dismissal of Actions in the Courts of Record of this State which have been Pending for a Period of Five Years, Wherein the Plaintiff or his Successor in Interest has Neglected to Prosecute said Action.

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

Senator Carey introduced:

Senate Bill No. 134. A Bill For an Act to Repeal Sections 917, 918 and 919 of the Compiled Laws of North Dakota of the year 1913; Relating to Registration of Voters.

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

Senator Stevens introduced:

Senate Bill No. 135. A Bill For an Act Forbidding any Person to Act or be Appointed as Game Warden, Deputy Game Warden, or Special Deputy Game Warden who is in the Employ or Acting Agent of any Person or Persons who Own, Operate, Hold or Possess any Land, or Lease upon Land, for Hunting Purposes and Making a Violation thereof a Misdemeanor.

Was read the first and second times and referred to the Committee on Game and Fish.

Senator Kretschmar introduced:

Senate Bill No. 136. A Bill For An Act to Prevent the Procreation of Feeble-minded, Insane, Epileptic, Habitual Criminals, Moral Degenerates and Sexual Perverts, Who May be Inmates of State Institutions, Authorizing and Providing for the Sterilization of Such Persons and Providing for Appeals to the District Court in Certain Cases; and Repealing Sections. 11429 to 11438 inclusive of the Compiled Laws of North Dakota for 1913.

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

Senator Hamilton moved that the Senate do now recess for 30 minutes.

Which motion prevailed.

The Senate reassembled at 3:30 P. M., pursuant to recess taken, the President presiding.

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

Senator Rusch introduced:

Senate Bill No. 137.

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

Senator Benson moved that final action on Senate Bill 52 be deferred one legislative day.

Which motion prevailed.

Senator Ployhar moved that Senate Bill 57 be placed at the foot of the calendar.

Which motion prevailed.

#### THIRD READING OF SENATE BILLS

Senate Bill No. 83. A Bill For an Act to Amend and Re-enact Section 2645 of the Supplement to the Compiled Laws of 1913, relating to Wolf Bounty.

Was read the third time.

Senator Tofsrud offered the following amendment: In line 8 of the printed bill, strike out the word \$2.50 and insert \$3.50 in lieu thereof. In line 9 of the printed bill change word \$1.00 to \$2.00.

Which motion was lost.

Senator Van Camp offered the following amendment: In line 8 of the printed bill change the word and figure \$2.50 to \$3.00. In line 9 of the printed bill change the figure and word \$1.00 to \$1.50.

Which motion prevailed.

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.
Atkins	Hart	Porter
Baird	Kretschmar	Ritchie
Bakken	Lynch	Rusch
Bond	McLachlin	Schlosser
Brunsdale	Marshall	Seamands
Carey	Murphy	Steel
Conrath	Olson of Barnes	Stevens
Crocker	Olson of Burleigh	Van Arnam
Eastgate	Pathman	Van Camp
Erickson	Peck	Whitman
Forbes	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fredrickson	Olson of Eddy
Brant	Hamilton	Patten
Ettestad	Hjelmstad	Patterson
Fine	McCrary	Tofsrud
Fleckten	Magnuson	Wog

Absent and not voting:

Messrs.	Messrs.
Martin	Sathre

So the bill passed and the title was agreed to.

Senator Benson moved that final action on Senate Bill 55 be deferred one legislative day.

Which motion prevailed.

Senate Bill No. 67. A Bill For an Act to Amend and Re-enact Sub-Section 3 of Section 6635c of the Compiled Laws of North Dakota for the Year 1913, Relating to the Incontestable Clause to be Included in the Required Provisions of Life Policies.

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.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCrary	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steel
Crocker	Marshall	Stevens
Conrath	Murphy	Tofsrud
Eastgate	Olson of Barnes	Van Arnam

Messrs.	Messrs.	Messrs.
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Patterson	

Those voting in the negative were:

Messrs.  
Erickson

Absent and not voting:

Messrs.                      Messrs.  
Martin                      Sathre

So the bill passed and the title was agreed to. Emergency clause declared carried.

Senate Bill No. 57. A Bill For an Act to Authorize Counties to issue Bonds and Warrants to procure Seed Grain and Feed for Needy Inhabitants Therein and Providing for the Issuance of Bonds and Warrants for Seed Grain by Counties and Aid by the State in respect thereto, and making an Appropriation Therefor.

Was read the third time.

Senator Lynch offered the following Amendments to Senate Bill No. 57 as engrossed:

In line 10, Section 1 of the engrossed bill, strike out the word "fifty" and insert in lieu thereof the word "1% of the".

In line 12, Section 1, of the engrossed bill, strike out the word "shall" and insert in lieu thereof the word "may". Strike out the word "that" and insert in lieu thereof the word "if".

In line 22, Section 1, of the engrossed bill, strike out the words "one-hundred to five hundred" and insert in lieu thereof the words "five-hundred to one thousand".

In Section 6 of the engrossed bill, strike out the "period" in the last line and insert in lieu thereof a "semi-colon" and the following proviso:

"Provided further, that no bonds, warrants, or certificates of indebtedness, shall be issued, under this act, by or in any county which has not been reimbursed or repaid at least sixty per centum (60%) of the amount of any and all bonds, warrants, and certificates of indebtedness which have been heretofore issued by such County for the purpose of furnishing seed or feed of any kind to or for the inhabitants of such County, or to aid or assist such inhabitants in the obtaining or procuring of seed or feed".

In line 5 of Paragraph 2, Section 9, Page 6 of the Journal strike out the word "on" and insert in lieu thereof the word "of".

In Section 20, Paragraph 10, Journal line 4 after word "of" insert the words "seed and".

Which motion prevailed and the amendments were adopted.

Senator Ployhar offered the following amendment: In section 17, line 2, change the word "it" to "he".

Which motion prevailed.

Senator Ployhar offered a further amendment: In section 7, line 3 of engrossed bill change word "thirtieth" to word "tenth", and in section 8 line 11 of the engrossed bill change word "twenty-fifth" to word "tenth".

Which motion prevailed.

Senator Hamilton offered the following amendment: In section 13, line 3 of the engrossed bill, strike out balance of the line after the word "notice by", all of line 4 and line 5 to and including word "then" and insert in lieu thereof "publication in the official paper of the county".

Which motion prevailed.

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.
Atkins	Fredrickson	Peck
Baird	Hamilton	Patten
Bakken	Hart	Patterson
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Ritchie
Brunsdale	McCrorry	Schlosser
Carey	McLachlin	Seamands
Conrath	Magnuson	Stevens
Crocker	Marshall	Tofsrud
Eastgate	Murphy	Van Arnam
Erickson	Olson of Barnes	Van Camp
Fine	Olson of Burleigh	Whitman
Fleckten	Olson of Eddy	Wog
Forbes	Pathman	

Those voting in the negative were:

Messrs.	Messrs.
Ettestad	Steel

Absent and not voting:

Messrs.	Messrs.	Messrs.
Martin	Rusch	Sathre

So the bill passed and the title was agreed to. Emergency clause declared carried.

## FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 73. A Bill For an Act Providing for the Deposition of Forfeiture and Pecuniary Penalties.

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

House Bill No. 102. A Bill For an Act to Amend and Re-enact Section 3535 of the Compiled Laws of North Dakota, year 1913 Relating to Per Diem and Mileage of Witnesses.

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

House Bill No. 112. A Bill for an Act Providing for the Establishment, Maintenance and Operation, for the Benefit of the State, of a Plant at the State Penitentiary for the Manufacture of Automobile License Tags and Road Markers, and Making an Appropriation Therefor.

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

## COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: Amos Ewen, Mr. Lee, F. F. Buchard, W. W. Felson, Mrs. Frank Ployhar, Oscar Lindstrom, C. W. Pathman, H. G. Renfrow, W. I. Struble, August Bern, Herman Paulson, Ray Johnson, M. C. Sandness, F. Horn, H. O. Bratsberg, E. N. Boswort, Mrs. Multimyer, and W. T. Krebsbach.

Senator Benson moved that the Senate do now recess until 1:45 P. M., Wednesday.

Which motion prevailed and the Senate stands recessed.

W. D. AUSTIN,  
Secretary.



TWENTY-NINTH DAY AFTER RECESS AND  
THIRTIETH DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 2, 1927.

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

## MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
February 2, 1927.

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

House Bill No. 75. A Bill For an Act to Amend Subdivision 6 of Section 10628 of the Compiled Laws of North Dakota for 1913, Relating to the Arraignment of, and the Receiving of Pleas of Guilty in Criminal Cases Before District Judges.

House Bill No. 119. A Bill For an Act to Amend and Re-enact Sub-division 3 of Section 6637, Compiled Laws of 1913, Relating to Form and Provisions Required in Insurance Policies.

House Bill No. 175. A Bill For an Act Making an Appropriation for Medical and Hospital Expenses of the Last Sickness, and For Funeral Expenses, of Hon. J. W. O'Neill, Who Died in Bismarck While in the Performance of His Duties as a Member of the Twentieth Legislative Assembly.

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

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

## FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 175. A Bill For an Act Making an Appropriation for Medical and Hospital Expenses of the Last Sickness, and For Funeral Expenses, of Hon. J. W. O'Neill, Who Died in Bismarck While in the Performance of His Duties as a Member of the Twentieth Legislative Assembly.

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

## MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
February 2, 1927.

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

Senate Bill No. 62. A Bill For an Act to Amend and Re-enact Section 10994, of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 125, of the Session Laws of North Dakota for the Year 1925, Relating to the Time for Taking and Completing Appeals to the Supreme Court in Criminal Cases.

Which the House has passed unchanged.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 2, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 53. A Bill For an Act Authorizing a Foreign Executor, Administrator, or Guardian to commence and prosecute or defend a Civil Action in the State of North Dakota.

Which the House has amended as follows:

After the word "administrator" in the title of the printed bill, strike out the comma. After the word "action" in the title insert the words "or proceeding".

After the word "administrator" in line 1 of the printed bill, strike out the comma.

After the word "administrator" in line 6 of the printed bill, strike out the comma.

In line 2, after the word "action" insert the words "or proceeding". Also after the word "action" in the title, insert the words "or proceeding".

In line 7 of the printed bill, strike out the words "Judge of the County" and insert in lieu thereof the words "Clerk of the District".

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Senator Kretschmar moved that the Senate do now adjourn.

Which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

## THIRTIETH DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 2, 1927.

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

Prayer by the Chaplain, Rev. Paul Wright.

Roll call.

All members present.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-ninth day and recommend that the same be corrected as follows:

On page 18, strike out lines 12 and 13.

On page 20 in line 10 from the bottom of page after the word "any" add the following: "County which has not been reimbursed or repaid at least sixty".

On page 22 after line 27, add "W. D. Austin, Secretary".

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

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

Senate Bills Nos. 25, 27, 63 and 64 were delivered to the Governor.

Senator Seamands presented a communication from New England protesting proposed raised tuition for non-resident high school students.

Senator Fredrickson presented a resolution from Pekin favoring the Week Day Church School Bill.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 110. A Bill For an Act Providing For the Compulsory Licensing of Non-residents Making Auction Sales Within this State; Providing for the Manner of Payment of License Fee, and Providing a Penalty for the Violation Thereof.

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

In line 4, Section 2 of the printed bill after the word "Dollars" change the semi-colon to a period.

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. 103. A Bill For an Act to Amend and Re-enact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to Holidays.

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

In line 12 of Section 7279 of the printed bill, change the spelling of the word "Eirikson" to "Erikson".

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 Judiciary to whom was referred:

Senate Bill No. 102. A Bill For an Act to Amend and Re-enact Section 7419 of the Compiled Laws of the State of North Dakota, for 1913, Pertaining to Transfer of Paper and Filing Fees, when Place of Trial is Changed.

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.

#### MAJORITY REPORT

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 100. A Bill For An Act to Repeal Chapter 38 of the Session Laws of 1921, Being Sections 9191a1 to 9192a15 Inclusive, of the Supplement of the Laws of North Dakota for 1913, Relating to the Conciliation of Controversies.

Have had the same under consideration and a majority of your committee recommend that the same do pass.

**L. R. BAIRD,**  
**WALTER H. SCHLOSSER,**  
**W. D. LYNCH,**  
**J. E. STEVENS,**  
**FRANK E. PLOYHAR,**  
**OLIVER A. OLSON,**  
**JOSEPH G. FORBES,**  
**ALFRED STEEL,**  
**S. J. ATKINS,**  
**JOHN VAN ARNAM.**

Senator Baird moved that the report of the majority be adopted.

#### MINORITY REPORT

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 100. A Bill For An Act to Repeal Chapter 38 of the Session Laws of 1921, Being Sections 9191a1 to 9192a15 inclusive, of the Supplement of the Laws of North Dakota for 1913, Relating to the Conciliation of Controversies.

Have had the same under consideration and a minority of your committee recommend that the same be indefinitely postponed.

A. A. PECK,  
OLE ETTESTAD,  
GUST WOG,  
C. J. OLSON,  
G. PATTERSON,  
O. H. OLSON.

Senator O. H. Olson moved that the word "minority" be substituted for "majority".

Which motion was lost.

The question being upon the original motion, the question was put and the motion prevailed, and the majority report was adopted.

Mr. President: Your Committee on Railroads to whom was referred:

Senate Bill No. 121. A Bill For an Act providing a twelve hour day for railway employees operating trains in the State of North Dakota.

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.

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

Senate Bill No. 112. A Bill For an Act to Provide for the Payment of an Existing Deficit in the Department of Public Instruction.

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. 175. A Bill For an Act Making an Appropriation for Medical and Hospital Expenses of the Last Sickness, and For Funeral Expenses, of Hon. J. W. O'Neill, Who Died in Bismarck While in the Performance of His Duties as a Member of the Twentieth Legislative Assembly.

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

In line 11 of the bill, after the word "dollar", strike out balance of line, and in line 12, the first two words "is necessary".

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 Kretschmar moved that the rules be suspended, and that House Bill 175 be placed upon its third reading and final passage.

Which motion prevailed.

### THIRD READING OF HOUSE BILLS

House Bill No. 175. A Bill For an Act Making an Appropriation for Medical and Hospital Expenses of the Last Sickness, and For Funeral Expenses, of Hon. J. W. O'Neill, Who Died in Bismarck While in the Performance of His Duties as a Member of the Twentieth 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 49, nays 0, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCrary	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steele
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Peck	

So the bill passed and the title was agreed to. Emergency clause declared carried.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 21. A Bill For an Act to Permit Religious Instruction of Pupils Attending Public School, and Defining the Powers of Board of Education, Boards of School Directors and School Officials in Relation thereto.

Also,

Senate Bill No. 99. A Bill For An Act to Amend and Re-enact Section 8519, Compiled Laws of 1913, Relating to the Practice of Law by County Judges.

Also,

Senate Bill No. 97. A Bill For an Act to Amend and Re-enact Section 7844 of the Compiled Laws of North Dakota

for the year 1913, Relating to the Power of and Proceedings had in the Supreme Court on Appeals.

Also,

Senate Bill No. 85. A Bill For an Act to Amend and Re-enact Section 8099a of the Supplement to the Compiled Laws of 1913.

Also,

Senate Bill No. 39. A Bill For an Act to Amend and Re-enact Sections 8075 and 8076 of the Compiled Laws of North Dakota for the Year 1913.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,

Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Senator Stevens moved that Senators Rusch, Olson of Barnes, and Fine be appointed as a committee to investigate the Journal printing for the purpose of curtailing expense incurred by needless repetitions in printing.

Which motion prevailed.

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

Senator Van Camp introduced:

Senate Bill No. 138. A Bill For an Act to Regulate the Sale of Malt Sugar, Malt Extract, and Malt Syrup and to Prevent the Use of the Same in the Manufacture of Intoxicating Liquor and to Prescribe Regulations Therefor.

Was read the first and second times and referred to the Committee on Temperance.

Senators Whitman and Hamilton introduced:

Senate Bill No. 139. A Bill For an Act to Amend and Re-enact Section 10183a5 of the Supplement to the Compiled Laws of 1913, Relating to the Sale of Cigarettes and Cigarette Papers and Tubes Used and Prepared for the Making of Cigarettes; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof; and Providing Penalties for Violations of this Act.

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

Senator Carey introduced:

Senate Bill No. 140. A Bill For an Act to Amend and Re-enact Section 1008 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Return and Disposition of Election Ballots and Compensation of Election Officers.

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

Senator Patterson introduced:

Senate Bill No. 141. A Bill For an Act Providing that the Question of Operating and Conducting Moving Picture Shows

in Any County in the State of North Dakota on the First Day of the Week Shall Upon Petition of a Certain Percentage of the Electors Therein Be Submitted to the Electors Thereof for Decision; Providing the Form of the Ballot to be Used at Such Election; and Providing that Upon a Favorable Vote of the Electors Voting Upon the Question, It Shall Thereafter Be Lawful to Operate and Conduct Moving Picture Shows Therein on Said Day.

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

Senator Patterson introduced:

Senate Bill No. 142. A Bill For an Act to Amend and Re-enact Section 696, Compiled Laws of 1913, as Amended by Chapter 249, Sessions Laws of 1917; Relating to Filling Vacancies in Public Offices.

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

House Bill 175 returned to the House.

Senate Bill No. 52 was messaged to the House.

### THIRD READING OF SENATE BILLS

Senate Bill No. 52. A Bill For an Act Authorizing Actions to be Commenced and Prosecuted by and against Partnerships and Associations, in Their Firm or Common Name, and making the Judgments in all such Actions Binding upon the Joint Property of all the Members or Associates of such Partnerships or Associations.

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 19, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Sathre
Baird	Kretschmar	Schlosser
Bond	Lynch	Seamands
Brant	McLachlin	Steel
Brunsdale	Martin	Stevens
Carey	Murphy	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Fleckten	Porter	Whitman
Forbes	Rusch	Wog
Those voting in the negative were:		
Bakken	Hamilton	Olson of Eddy
Benson	Hjelmstad	Patten
Conrath	McCrorry	Patterson
Erickson	Magnuson	Peck
Ettestad	Marshall	Ritchie
Fine	Olson of Barnes	
Fredrickson	Olson of Burleigh	

So the bill passed and the title was agreed to.

Senator Forbes moved that the vote by which Senate Bill No. 52 was passed be reconsidered and the motion to reconsider be laid on the table.



Which motion prevailed.

Senator Atkins moved that final action on Senate Bill 3 be deferred one legislative day.

Which motion prevailed.

Senate Bill No. 21. A Bill For an Act to Permit Religious Instruction of Pupils Attending Public School, and Defining the Powers of Board of Education, Boards of School Directors and School Officials in Relation thereto.

Was read the third time.

Senator Ployhar moved that the Senate do now proceed with the calendar.

Which motion prevailed.

The question being on the final passage of the bill, the roll was called, and there were ayes 16, nays 33, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Benson	Magnuson	Sathre
Brunsdale	Marshall	Schlosser
Forbes	Olson of Barnes	Stevens
Erickson	Olson of Eddy	Tofsrud
Hjelmstad	Pathman	
McLachlin	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Fleckten	Patten
Baird	Fredrickson	Peck
Bakken	Hamilton	Ritchie
Bond	Hart	Porter
Brant	Kretschmar	Rusch
Carey	Lynch	Seamands
Conrath	McCrorry	Steel
Crocker	Martin	Van Arnam
Eastgate	Murphy	Van Camp
Ettestad	Patterson	Whitman
Fine	Olson of Burleigh	Wog

So the bill was lost.

Senator Hamilton moved that the vote by which Senate Bill No. 21 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The following Senators explained their votes:

Senator Fine: I vote "no" because I sincerely believe that it will interfere seriously with the continuity and effectiveness of the work done in our rural schools.

Senator Fleckten: I vote "no" for the reason that I believe it will hamper the public schools materially. The laws we now have on our statute books according to our superintendent of schools, hamper the schools at the present time more than he would like to have it. Further I am opposed to compulsory religious training and that is what this bill will do, if passed.

Senator Hamilton: Believing as I do, that this is an entering wedge that will eventually lead to the inculcating start-

ing in that direction, and believed with all red-blooded Americans that Church and State should be kept separate. I vote "no".

Senator Pathman: I vote "aye" because I have received petitions voicing the sentiment of about 200 from Grant County, in favor of this bill. Further, I have heard no voice to the contrary and for that reason I vote "aye".

Senator Sathre: I vote "aye" on this bill for the reason that my vote represents thus, the wishes of at least 120,000 people of this state who are entitled to recognition. Further, for the reason that I don't believe this bill in any way conflicts with constitutional rights and privileges.

Senator Van Arnam: I desire to vote "no" on this bill because I believe the control of our schools should be kept in the hands of those who have the supervision of it. Experience in teaching leads me to believe that it will materially interfere with the success of our schools, nor accomplish the desire of the bill.

Senator Bakken:

I vote "no" on this bill for this reason; that a few days ago we had the Ten Commandment bill requiring that the Ten Commandments be hung in our public schools and the author and defender of this bill voted against the Ten Commandment bill. It looks to me as though there is a selfish motive in this bill, therefore I vote "No".

Senator Baird moved that Senate Bill 39 be re-referred to the Judiciary Committee.

Which motion prevailed.

Senate Bill No. 85. A Bill For an Act to Amend and Re-enact Section 8099a of the Supplement to 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 46, nays 0, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Porter
Benson	Hjelmstad	Ritchie
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McCrary	Schlosser
Carey	McLachlin	Seamands
Conrath	Magnuson	Steel
Crocker	Marshall	Tofsrud
Eastgate	Martin	Van Arnam
Erickson	Murphy	Van Camp
Ettestad	Olson of Barnes	Whitman
Forbes	Olson of Burleigh	Wog
Fine	Olson of Eddy	
Fleckten	Patten	

**Absent and not voting:**

Messrs.	Messrs.	Messrs.
Pathman	Ployhar	Stevens

So the bill passed and the title was agreed to.

Senate Bill No. 97. A Bill For an Act to Amend and Re-enact Section 7844 of the Compiled Laws of North Dakota for the year 1913, Relating to the Power of and Proceedings had in the Supreme Court on Appeals.

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.
Atkins	Fredrickson	Peck
Baird	Hamilton	Patterson
Bakken	Hjelmstad	Ployhar
Benson	Kretschmar	Porter
Bond	Lynch	Ritchie
Brant	McCrorry	Rusch
Brunsdale	McLachlin	Sathre
Carey	Magnuson	Schlosser
Conrath	Marshall	Seamands
Crocker	Martin	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog

**Absent and not voting:**

Messrs.  
Hart

So the bill passed and the title was agreed to. Emergency clause declared carried.

Senate Bill No. 99. A Bill For An Act to Amend and Re-enact Section 8519, Compiled Laws of 1913, Relating to the Practice of Law by County Judges.

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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Sathre
Brant	McCrorry	Schlosser
Brunsdale	McLachlin	Seamands

Messrs.	Messrs.	Messrs.
Carey	Magnuson	Steel
Conrath	Marshall	Stevens
Crocker	Olson of Barnes	Tofsrud
Eastgate	Olson of Burleigh	Van Arnam
Erickson	Olson of Eddy	Whitman
Ettestad	Pathman	Wog
Fine	Patten	
Forbes	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fleckten	Murphy	Van Camp
Martin	Rusch	

Absent and not voting:

Messrs.  
Hart

So the bill passed and the title was agreed to.

Senator Bakken moved that further action on Senate Bill 55 be indefinitely postponed.

Roll call demanded.

The question being on Senator Bakken's motion, the roll was called, and there were ayes 24, nays 25, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Burleigh
Benson	Hamilton	Olson of Eddy
Brant	Hjelmstad	Patten
Conrath	McCrorry	Peck
Erickson	Magnuson	Patterson
Ettestad	Marshall	Ritchie
Fine	Martin	Sathre
Fleckten	Olson of Barnes	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Seamands
Baird	Lynch	Steel
Bond	McLachlin	Stevens
Brunsdale	Murphy	Tofsrud
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Hart	Schlosser	

So the Motion was defeated.

Senate Bill No. 55. A Bill For an Act to amend and reenact Sections 189b5, 189b9 and 189b11 of the Supplement to the 1913 Compiled Laws of the State of North Dakota 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 25, nays 24, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Seamands
Baird	Lynch	Steel
Bond	McLachlin	Stevens
Brunsdale	Murphy	Tofsrud
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Hart	Schlosser	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Burleigh
Benson	Hamilton	Olson of Eddy
Brant	Hjelmstad	Patten
Conrath	McCrorry	Patterson
Erickson	Magnuson	Peck
Ettestad	Marshall	Ritchie
Fine	Martin	Sathre
Fleckten	Olson of Barnes	Wog

So the bill passed and the title was agreed to.

Senator Eastgate moved that the vote by which Senate Bill No. 55 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 119. A Bill For an Act to Amend and Re-enact Sub-division 3 of Section 6637, Compiled Laws of 1913, Relating to Form and Provisions Required in Insurance Policies.

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

House Bill No. 75. A Bill For an Act to Amend Subdivision 6 of Section 10628 of the Compiled Laws of North Dakota for 1913, Relating to the Arraignment of, and the Receiving of Pleas of Guilty in Criminal Cases Before District Judges.

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

Senator Baird moved that House Bill 53 be re-referred to the Committee on Judiciary.

Which motion prevailed and the bill was so re-referred.

## THIRD READING OF HOUSE BILLS

House Bill No. 65. A Bill For an Act to Amend and Re-enact Section 2212 of the Supplement to the Compiled Laws of 1913 of the State of North Dakota; 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 and declaring an emergency exists.

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 15, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Seamands
Baird	Hart	Steel
Bakken	Kretschmar	Stevens
Benson	McLachlin	Tofsrud
Bond	Murphy	Van Arnam
Brunsdale	Pathman	Van Camp
Carey	Ployhar	Whitman
Crocker	Rusch	Wog
Eastgate	Sathre	
Forbes	Schlosser	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brant	Fleekten	Olson of Barnes
Conrath	Hjelmstad	Olson of Eddy
Erickson	McCrary	Patten
Ettestad	Magnuson	Patterson
Fine	Marshall	Peck

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fredrickson	Martin	Porter
Lynch	Olson of Burleigh	Ritchie

So the bill passed and the title was agreed to. Emergency clause declared lost.

House Bill No. 86. A Bill for an Act to amend and re-enact Section 3237 of the Compiled Laws of North Dakota for 1913, pertaining to when County Seat deemed changed.

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 2, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Rusch
Bond	McCrary	Sathre
Brant	McLachlin	Schlosser

Brunsdale	Magnuson	Seamands
Carey	Marshall	Steel
Crocker	Murphy	Stevens
Eastgate	Olson of Barnes	Tofsrud
Erickson	Olson of Burleigh	Van Arnam
Ettestad	Olson of Eddy	Van Camp
Fine	Pathman	Whitman
Fleckten	Patten	Wog
Forbes	Peck	

Those voting in the negative were:

Messrs.	Messrs.
Benson	Conrath

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fredrickson	Lynch	Porter
Kretschmar	Martin	Ritchie

So the bill passed and the title was agreed to.

House Bill No. 95. A Bill For an Act to Amend and Re-enact Section 4609c30 of the Supplement to the Compiled Laws 1913.

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.
Atkins	Forbes	Peck
Baird	Hart	Ployhar
Benson	Hjelmstad	Rusch
Bond	McCrory	Sathre
Brant	McLachlin	Schlosser
Brunsdale	Magnuson	Seamands
Carey	Marshall	Steel
Conrath	Murphy	Stevens
Crocker	Olson of Barnes	Tofsrud
Eastgate	Olson of Burleigh	Van Arnam
Erickson	Olson of Eddy	Van Camp
Ettestad	Patten	Whitman
Fine	Pathman	Wog
Fleckten	Patterson	

Those voting in the negative were:

Messrs.  
Bakken

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fredrickson	Lynch	Ritchie
Hamilton	Martin	
Kretschmar	Porter	

So the bill passed and the title was agreed to.

## MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
February 2, 1927.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 175.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

## COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: L. L. Russell, Martin Flom, Paul Messner, Jr., Florence Baird, Mrs. David Harris, J. J. Coyle, Aug. Krantz and Judge F. J. Graham.

Senator Ployhar moved that the Senate do now adjourn.

Which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.



## THIRTY-FIRST DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 3, 1927.

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

Prayer by the Chaplain, Rev. Paul Wright.

Roll call, all members present.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 29th day after recess and 30th day and recommend that the same be corrected as follows:

At the top of page 2 insert the following: "Message from the House." On page 4 in line 38 strike out the last "L" in Alfred and insert the letter "d."

On page 10 after line 23 insert the following: Senator Bakken:

I vote "No" on this bill for this reason: that a few days ago we had the Ten Commandment bill requiring that the Ten Commandments be hung up in our public schools and the author and defender of this bill voted against the Ten Commandment bill. It looks to me as though there is a selfish motive in this bill, therefore I vote No.

In line ten, page 10, change figures "4000" to "200."

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

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

Senator Stevens moved that all communications, etc., pertaining to legislation on which final action has been taken, be disregarded by the desk, and no mention be made of same communications in the Journal.

Which motion prevailed.

Senator Pathman moved that the figure "4000" be changed to "209" in line 10 page 10 of the Journal of February 2.

Which motion prevailed.

Senator Van Camp moved that the reading of the Committee report on Senate Bill 87 be dispensed with, and that the report be printed in the Journal.

Which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Warehouse and Grain Grading to whom was referred:

Senate Bill No. 87. A Bill For an Act to Regulate Grain and Seed Warehouses; Defining Public Warehouses and Providing for the Bonding, Licensing and Supervision thereof and the Weighing, Storing, Buying, and Handling of Grain and Seeds; Prescribing the duties and powers of the Board of Railroad Commissioners in relation thereto; Providing for the Appointment of a Licensed Federal Inspector, and such other employees as may be deemed necessary to carry out the provisions of this Act and make an Appropriation therefor; Providing Penalties and Repealing Sections: 3100, 3101, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3135, 3136, 3137.

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

Strike out everything after the words "a bill" and insert the following:

"For an Act to Regulate Grain and Seed Warehouses; Defining Public Warehouses and Providing for the Bonding, Licensing and Supervision thereof and the Weighing, Storing, Buying, and Handling of Grain and Seeds; Prescribing the duties and the powers of the Board of Railroad Commissioners in relation thereto; Providing for the Appointment of a Federal Licensed Inspector, and such other employees as may be deemed necessary to carry out the provisions of this Act and making an appropriation therefor; Providing Penalties and Repealing Sections: 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3117, 3123, 3135, 3136, 3137.

Be it Enacted by the Legislative Assembly of the State of North Dakota.

Section 1. Board of Railroad Commissioners, Powers and Duties. The duties imposed by the provisions of this act and the powers conferred herein devolve upon the Board of Railroad Commissioners.

Section 2. Board entitled The Commission. Hereinafter throughout this Act, whenever the title "The Commission" is used it is understood to mean "The Board of Railroad Commissioners."

Section 3. To Supervise Handling, Weighing and Storing of Grain. The Commission shall exercise general supervision of the public warehouses of this State, including the handling, weighing and storing of grain and seeds, and the management of public warehouses; it shall investigate all complaints of fraud and injustice, unfair practices and unfair discrimination, and shall make all proper rules and regulations for carrying out and enforcing any law in this State regarding the same.

Section 4. Authorized to Employ. The Commission is hereby authorized to employ a Federal Licensed Inspector whose duties are hereinafter prescribed, and such other employes as may be necessary to carry out the provisions of this Act.

Section 5. Duties of Inspector. If any dispute or disagreement arises between the person receiving and the person delivering the grain at any public warehouse in this State as to the proper grade or dockage, or both, of any grain, an average sample of at least three pints of said grain in dispute may be taken by both parties interested together. Such sample shall be certified to by both the owner and the warehouseman as being a true and representative sample of the grain in dispute on the day upon which the grain was delivered. Such sample shall be forwarded in a suitable container by parcel post or express, prepaid with the name and address of both parties, to the Commission for inspection by a Federal Licensed Inspector employed by the Commission who will examine said grain and adjudge what grade or dockage, or both, said sample of grain is entitled to under the inspection rules and grades as promulgated by the Secretary of Agriculture of the United States. If the grain in question is damp or otherwise out of condition, such sample shall be placed in an airtight container.

Section 6. Printing and Publishing Rules. The rules and regulation so established shall be printed and published by the Commission in such manner as to give the greatest publicity thereto, and the same shall be in force and effect until changed or abrogated by such Commission in a like public manner.

Section 7. Public Warehouses Defined. All buildings, elevators and warehouses, and all grist and flour mills, cereal and feed mills and seed houses, doing a shipping business in this state, erected and operated, or which may hereafter be erected or operated by any person, association, copartnership or corporation, for the purpose of buying, selling, storing, shipping or handling grain and seeds for profit, are declared public warehouses and the person, association, copartnership or corporation owning or operating such buildings, elevators, mills or warehouses, which are now, or may be hereafter located or doing business within this State, whether such owners or operators reside within this State or not, are public warehousemen within the meaning of this section. Provided, that nothing in this Act contained shall be construed to require any person or persons operating a flour, cereal or feed mill or seed house doing a manufacturing business only, to receive, store or purchase at said mill or seed house any kind of grain.

Section 8. License, How Obtained. Fee. A license must be obtained through the Commission to expire on the first day of August of each year for each public warehouse in operation in this State. No license so issued shall describe more than one public warehouse nor grant permission to operate any other public warehouse than the one described therein. The license fee, which must accompany the application is hereby fixed at ten dollars for each warehouse. The fees collected under this Act shall be paid into the State Treasury and credited to the Grain Elevator and Warehouse Fund for carrying out the provisions of this Act and shall be disbursed on vouchers issued by the Commission.

Section 9. Track Buyers, License and Bond. Any person, firm or corporation desiring to purchase grain from producers for the purpose of loading the same in cars on the track of any railroad company in this State for shipment shall be known as track buyers, and shall procure a license therefor from the Commission before transacting such business. The fee for such license shall be ten dollars per annum for each station. Any such track buyer must pay cash for grain so purchased and such track buyer shall be subject to the same laws, rules and regulations as may govern public warehouses, insofar as they may apply, for the protection of sellers of grain.

Section 10. Bonds to be Filed. Before any license is issued to any public warehouseman, such warehouseman shall file with the Commission a bond in such sum as it shall prescribe, which sum shall not be less than five thousand dollars for anyone Warehouse. Such bonds shall cover the period of the license and shall run to the State of North Dakota for the benefit of all persons storing or selling grain and seeds in such warehouses. They shall be conditioned upon the faithful performance of his duties as a public warehouseman and all of the provisions of law relating to the storage and purchase of grain and seeds by such warehouseman and the rules and regulations of the Commission relating thereto. The Commission is authorized to require such increases in the amount of bonds from time to time as it may deem necessary for the protection of the holders of storage receipts and cash tickets or checks. The surety on such bonds must be a corporate surety company, authorized to do such business within the State of North Dakota, provided, however, that the Commission may accept a bond executed by personal sureties, in lieu of a surety bond, when in its judgment such personal surety bond will properly protect the holders of storage receipts and cash tickets or checks. One bond only need be given for any line of elevators, mills, or warehouses owned, controlled or operated by one individual, firm or corporation, and such bond shall be construed to cover such elevators, mills or warehouses as a whole and not a specific amount to each of such elevators. Every such bond shall specify the location of each public warehouse intended to be covered thereby, and shall, at all times, be in a sufficient sum to protect the holders of outstanding storage receipts and cash tickets or checks.

Section 11. License to be Posted. Penalty. The license thus obtained shall be posted in a conspicuous place in the

public warehouse so licensed. Any public warehouseman who shall transact business without first procuring a license **as herein provided**, shall upon conviction, be fined in the sum of not less than twenty-five dollars for each day such business is carried on. The Commission shall revoke the license of any warehouse for cause upon notice and hearing.

Section 12. Scale Ticket. Every public warehouseman, upon receiving grain into his warehouse, shall issue for each load of grain so received a uniform scale ticket. Such ticket shall be bound in books of convenient size, shall be consecutively numbered and provision made in said books for at least one carbon copy of each ticket. One carbon copy of each ticket shall be retained in said book and shall remain as a permanent record. The original ticket shall be delivered to the person from whom the grain is received upon receipt of each load of grain. All such tickets shall be signed by the warehouseman, his agent or manager. All scale tickets shall be converted into either cash or storage tickets at the close of each day's business. The office copy of each scale ticket shall show the number of the cash ticket or storage ticket issued in lieu thereof.

Section 13. Cheating or False Weighing. Penalty. Any person, who shall knowingly cheat, or falsely weigh any wheat or other agricultural product, or who shall violate any of the provisions of this Act, where punishment is not elsewhere in this Act provided for, shall be guilty of a misdemeanor, and shall on conviction thereof, be subject to a fine of not less than two hundred dollars nor more than one thousand dollars or be imprisoned in the penitentiary for a period of not exceeding one year, in the discretion of the Court.

Section 14. Federal Grades to Control. Grades to be Posted. All public warehousemen shall purchase and store grain and seeds in accordance with the official grades established from time to time by the Secretary of Agriculture of the United States, except as otherwise provided in rules and regulations applicable thereto adopted by Federal officials pursuant to law. They shall post in a conspicuous place in their warehouse the official grades so established and also any change that may be made from time to time.

Section 15. Grading of Grain. All public warehousemen shall, before testing for grade any grain handled by them remove therefrom and make due allowance for any dockage of such grain made by reasons of the presence of straw, weed seeds, dirt or any other foreign matter.

Section 16. Penalty. Any public warehouseman within this State, who shall violate the provisions of the foregoing section shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than ten dollars nor more than one hundred dollars or by imprisonment in the county jail for not less than ten nor more than thirty days, or by both such fine and imprisonment.

Section 17. Standard Weight to be Used. Exception. No person purchasing, selling or storing grain in any public

warehouse in this State, shall use any other measure for such grain than the standard bushel, and no other number of pounds shall be used or called a bushel than the number of pounds provided by law as the standard weight of the kind of grain in question; provided, however, that during the months of October and November, not exceeding eighty-two pounds, and during the months of December and January, not exceeding seventy-six pounds may be used as the standard bushel of new ear corn.

Section 18. Storage and Delivery Charges. Terminal Delivery. Every public warehouseman shall receive for storage, so far as the capacity of his warehouse will permit, all grain tendered to him without discrimination of any kind, provided, that such grain is sound and in a warehouseable condition. Upon date of delivery of grain for storage a warehouse receipt shall be issued to the owner or his agent, which shall state the place and date when the grain was received, the name of the owner of the grain, the kind and grade of the grain according to the official standards established by the Secretary of Agriculture of the United States, the gross weight, dockage, and net weight of the grain as per North Dakota standard weight. All receipts shall be consecutively numbered, and no two receipts bearing the same number and series shall be issued during the same year. No receipt shall be issued except upon actual delivery of grain into such warehouse. No warehouseman shall insert in any such receipt any language in any wise limiting or modifying his liability as imposed by the laws of this state. Such receipt shall contain either on its face or reverse side the following specific warehouse and storage contract:

"This grain is received, insured and stored subject to the following charges; one thirtieth of one per cent per gross bushel per day from date of delivery, but not to exceed ten cents per gross bushel for one year; provided, however, that if such grain be sold within twenty days no storage shall be charged. Upon surrender of this receipt and payment or tender of a delivery charge per gross bushel of four cents of flax, three cents on wheat or rye, and two cents on other grains, and all other stated lawful charges accrued up to the time of said surrender of this receipt, the above amount, kind and grade of grain will be delivered to the person named above or his order as rapidly as due diligence, care and prudence will permit. At the option of the holder of this receipt, the amount, kind and grade of grain for which this receipt is issued shall, on his demand, be delivered back to him, at any terminal point customarily shipped to, or at the place where received, upon the payment of the above charges for receiving, handling, storage and insurance; and in case of terminal delivery, the payment in addition to the above, of the regular freight charges on the gross amount called for by this ticket, or in lieu thereof, a receipt issued by a bonded warehouse or elevator company doing business at such terminal point. Nothing in this receipt shall be construed to require the delivery of the identical grain specified herein, but an equal amount of grain of the same kind and grade, shall be delivered to him."

Public warehousemen may also insert in the said receipt the following provision:

"If any of the grain embraced in this receipt shall prove to be covered by a chattel mortgage or other lien, or the partial or absolute title prove to be in some other than the person to whom this receipt was issued, the same shall, if discovered before the delivery of the grain, be sufficient reason for the refusal to deliver to the holder of the receipt, or if discovered after the delivery of the grain such delivery shall be deemed an over delivery for which said holder of this receipt, to whom such delivery is made, shall be accountable."

Provided, further, that grain placed in a special bin shall be excepted from the provisions of this section.

Section 19. Purchase by Warehouseman. Form of Receipt. There may be printed on such storage receipt, a receipt executed by the owner for use in case the grain represented thereby is purchased by such warehouseman. The warehouseman shall record such purchase, as to the amount paid per bushel, on the stub record of his storage receipt book. Such receipt shall be in substantially the following form:

Received from \_\_\_\_\_,  
Dollars and \_\_\_\_\_ Cents, net in full payment for the  
grain represented by this storage receipt. Gross price per  
bushel \_\_\_\_\_, storage per bushel \_\_\_\_\_,  
net price per bushel \_\_\_\_\_. I hereby certify  
that I am the owner of the grain for which this receipt was  
issued, and that there are no liens, chattel mortgages or other  
claims against the grain represented by this receipt.

Dated \_\_\_\_\_ 19 \_\_\_\_\_. Signed \_\_\_\_\_  
Owner.

Provided, that nothing in this section contained shall be construed to affect in any manner the conditions of the storage contract specified in Section 18 of this Act.

Section 20. Issuance of Informal Memoranda Forbidden. The failure to issue such receipt, as directed, or the issuance of slips, memoranda or any other form of receipt embracing a different warehouse or storage contract shall be deemed a misdemeanor.

Section 21. Records to be Kept. Every public warehouseman shall keep, in proper books, a record of all grain received, stored and shipped, stating the weight, grade and dockage for dirt or other causes, the name of the owner, price paid and storage charged collected.

Section 22. Stub Record. Numbering Receipts. Special Bin. Attached to the receipt shall be a stub record or carbon copy showing the serial number and date of receipt; kind and grade of grain and the gross weight, dockage and net weight; such record to remain in the possession of the warehouseman for inspection by the Commission and persons properly interested. All special bin receipts and stub records thereof shall have plainly marked thereon the words "Special Bin."

**Section 23. Reports.** On the last day of each month public warehousemen licensed and bonded under this act, shall prepare and submit to the Commission a sworn report giving facts and information called for on the form of report prepared by said Commission. Such report may be called for more frequently, if, in the judgment of the Commission, it becomes necessary. Reports must be filed not later than the tenth of the following month. Failure to file this report promptly will be considered cause for revoking the warehouse license after due notice and hearing. All public warehousemen engaged in the handling or sale of any other commodity than grain shall keep an entirely separate account of their grain business and under no circumstances shall their grain account and other accounts be mixed. The Commission may also require special reports from warehousemen at such times as it may deem expedient. No license shall be re-issued to any public warehouseman who fails to make reports as required herein.

**Section 24. Discrimination Prohibited.** No public warehouseman shall discriminate in the buying, receiving and handling grain or in the charges made or the service rendered to owners of stored grain, nor shall such warehouseman discriminate in the receiving of grain offered for sale or storage, nor in regard to the persons offering such grain for sale or storage; provided, that no public warehouseman shall be required to receive for storage any grain which is heating or otherwise out of condition. Storing grain free of charge is hereby prohibited.

**Section 25. Liability of Warehousemen. Definition of Grain.** Public warehousemen shall be liable to the owner for the delivery of the kind, grade and quantity of grain called for by said receipts. The term "Grain" is held to signify and include the following products: Wheat, Durum, Oats, Rye, Barley, Buckwheat, Flaxseed, Speltz and Corn. The term "Seeds" shall be construed to mean Clover, Millet, Alfalfa and all other Grass Seeds.

**Section 26. Delivery.** On the return and surrender of any receipt and payment of all lawful charges, the grain represented therein shall be deliverable to the owner, and shall not be subject to any further charge for storage after demand for delivery shall have been made and proper facilities for receiving or shipping the same have been provided. The owner of the receipt shall order the receptacle or receptacles in which the grain covered by his receipt is to be transported, and the grain shall be delivered when the receptacle so ordered is in proper condition for loading and placed at the warehouse.

**Section 27. Refusal to Deliver. Larceny.** Every warehouseman who shall, after demand, and payment or tender of storage charges, wilfully neglect or refuse to deliver to the person making such demand, the full amount of grain of the grade and kind to which he is entitled, or to pay the market value thereof, shall be guilty of larceny.

**Section 28. Bailment Not a Sale. Insolvency.** Whenever any grain shall be delivered to any public elevator or ware-



house in this State, and the receipt issued therefor provides for the delivery of a like amount and grade to the holder thereof in return, such delivery shall be a bailment and not a sale of the grain so delivered, and in no case shall the grain so stored be liable to seizure upon process of any court in any action against such bailee, except actions by owners of such warehouse receipts to enforce the terms thereof, but such grain shall at all times, in the event of the failure or insolvency of such bailee, be first applied exclusively to the redemption of outstanding warehouse receipts for grain so stored with such bailee, and in such event all grain on hand in any particular elevator or warehouse, whether the same be stored or not, shall be applied to the satisfaction of receipts issued by such warehouse.

Section 29. Grain to be Kept Insured for Benefit of Owner. All grain, whether on storage ticket or deposit with the warehouseman, shall be kept insured at the expense of such warehouseman for the benefit of the owner, provided, that no insurance policy covering grain in a public warehouse shall be transferred or assigned, except insofar as the same shall cover grain not stored, to any person for any purpose whatever, and the owner of storage tickets issued by any public warehouse shall have a first lien, to the extent of the value of the grain at the time of destruction at the place where stored, on all such insurance for any loss or injury sustained by them on account of the destruction or injury of such grain by fire or tornado or any other cause covered by such insurance policy.

Section 30. Warehouse Not to be Closed Without Permission. Every licensed public warehouse shall be kept open for business in order to serve the public. Upon application and sufficient cause shown, the Commission may allow any warehouse to be closed for such length of time as may be stated in the order issued therein. Provided, that application to close shall provide for redemption of outstanding storage tickets satisfactory to said Commission. Any such public warehouseman who shall close his warehouse without first having received permission from the Commission to close, shall be guilty of a misdemeanor and the license issued may be revoked by the Commission.

Section 31. Transfer of Warehouse. Redemption of Storage Tickets. Whenever the owner, lessee or manager of a public elevator or warehouse licensed to do business in this State, desires to transfer said elevator or warehouse, either by sale or lease to any other individual, firm or corporation, he shall first notify the Commission of his intention to transfer said elevator or warehouse, giving the name and address of the proposed leasee or purchaser, and shall furnish a statement of all proper claims that may be filed or pending against said person, firm, corporation or association as pertaining to the storage, inspection and marketing of grain and seeds during the term of said license, together with a statement of the number of bushels of grain of each kind and grade in store in said elevator or warehouse, and of the number and amount of storage tickets outstanding, and the names

and addresses of such ticket holders, and shall surrender to the Commission his license for cancellation and the proposed lessee or purchaser shall apply in due form for a new license and tender a new bond for approval by the Commission, whereupon, it, first being duly satisfied that all of the outstanding storage tickets have been redeemed, or that the redemption thereof has been provided for, may issue a new license for the unexpired portion of the license period to said lessee or purchaser. No sale, lease or transfer of any elevator or warehouse, will be recognized or permitted by the Commission except where made in accordance with the above provision.

Section 32. Refund of License Fee Authorized. The Commission is hereby authorized to refund the license fee of a public warehouse, or so much thereof as in its judgment would be just and reasonable when satisfactory proof is furnished said Commission that such warehouse has been transferred to some other person, and application is made by the new owner for a license for the same warehouse, for the unexpired period for which the original license was issued. Provided, that where a warehouse is destroyed by fire or other cause, the license fee may be prorated in such amount as the Commission may determine.

Section 33. Destruction of Warehouse, Duty to Notify Commission. In case of the destruction by fire or other cause of any licensed public warehouse, it shall be the duty of the licensee thereof to notify the Commission by telegraph or registered mail within twenty-four hours after such loss.

Section 34. Going out of Business. Redemption of Receipts. Where a public warehouseman ceases business through destruction of warehouse by fire or other causes, or through insolvency, such warehouseman shall redeem all outstanding storage receipts at the price prevailing on the date the warehouse was destroyed, or closed because of insolvency, and the holder of such receipts upon due notice must accept this price and surrender the receipts.

Section 35. Repeal. Sections 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114 as amended by Chapter 342, Laws 1923, 3115, 3116, as amended by Chapter 216, Laws of 1925, 3117, 3123, 3135, 3136, 3137, and all other Acts and parts of Acts in conflict herewith are hereby repealed, it being specifically provided that nothing in this Act shall repeal any of the provisions contained in Chapter 250, Session Laws of 1917, known as the Uniform Warehouse Receipt Act".

And when so amended recommend same do pass.

FRED VAN CAMP,  
Chairman.

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

**Mr. President:** Your Committee on Insurance to whom was referred:

Senate Bill No. 108. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 159 of the Session Laws for the Year 1919, Relating to Readjustment of Rates. Hence Thereto.

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 Insurance to whom was referred:

Senate Bill No. 119. A Bill For an Act Relating to Insurance upon Lives of Directors, Officers, Agents and Employees of Corporations and Prescribing What Shall Constitute Evidence of Due Authority for all Corporate Actions with Refer-

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

In Section 2, on line 2 of the Original Bill substitute the word "approval" for the word "publication".

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.

**Mr. President:** A Majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 81. A Bill For an Act Providing that Each County Treasurer shall Receive Deposits for the Bank of North Dakota, and Providing for the Establishment of Branch Banks of the Bank of North Dakota, Providing for the Control, Operation and Management of such Branch Banks, Providing for the Transaction of Banking Business therein, and Repealing Acts or Parts of Acts in Conflict Herewith.

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

**S. J. ATKINS,**  
**WALTER H. SCHLOSSER,**  
**P. J. MURPHY,**  
**WALTER BOND,**  
**O. T. TOFSRUD,**  
**W. D. LYNCH,**  
**C. W. CAREY,**  
**W. H. PORTER,**  
**L. O. FREDRICKSON,**  
**FRANK E. PLOYHAR.**

Senator Ployhar moved that the majority report be adopted.

Mr. President: A Minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 81. A Bill For an Act Providing that Each County Treasurer shall Receive Deposits for the Bank of North Dakota, and Providing for the Establishment of Branch Banks of the Bank of North Dakota, Providing for the Control, Operation and Management of such Branch Banks, Providing for the Transaction of Banking Business therein, and Repealing Acts or Parts of Acts in Conflict Herewith.

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

G. PATTERSON,  
GUST WOG,  
JOHN E. FLECKTEN,  
C. J. OLSON,  
D. H. HAMILTON,  
O. H. OLSON.

Senator Hamilton moved that the word "minority" be substituted for the word "majority".

Roll call demanded.

The question being on the motion by Senator Hamilton, 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.
Bakken	Fleckten	Olson of Barnes
Benson	Hamilton	Olson of Eddy
Brant	Hjelmstad	Patten
Conrath	McCrary	Patterson
Ettestad	Magnuson	Peck
Erickson	Marshall	Ritchie
Fine	Martin	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Sathre
Baird	Lynch	Schlosser
Bond	McLachlin	Seamands
Brunsdale	Murphy	Steel
Carey	Olson of Burleigh	Stevens
Crocker	Pathman	Tofsrud
Eastgate	Ployhar	Van Camp
Forbes	Porter	Van Arnam
Hart	Rusch	Whitman

Absent and not voting:

Messrs.  
Fredrickson

So the motion was defeated.

The question being on the original motion, the question was put, and the motion prevailed and the majority report of the Committee was adopted.

Mr. President: A Majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 82. A Bill For an Act Providing for the Creation of Rural Credit Associations, Providing how Formed, Power of, Purpose of, Qualification of Members, Number of Members, Liability of Members, Officers of, Funds how Deposited, Profit how Derived, Regulation of Interest Rates, Loans to Members how Made, and Terms thereof, Repealing Clause.

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

S. J. ATKINS,  
WALTER H. SCHLOSSER,  
P. J. MURPHY,  
WALTER BOND,  
O. T. TOFSRUD,  
W. D. LYNCH,  
C. W. CAREY,  
W. H. PORTER,  
L. O. FREDRICKSON,  
FRANK E. PLOYHAR.

Senator Ployhar moved that the Majority report be adopted.

Mr. President: A Minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 82. A Bill For an Act Providing for the Creation of Rural Credit Associations, Providing how Formed, Power of, Purpose of, Qualification of Members, Number of Members, Liability of Members, Officers of, Funds how Deposited, Profit how Derived, Regulation of Interest Rates, Loans to Members how Made, and Terms thereof, Repealing Clause.

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

G. PATTERSON,  
GUST WOG,  
JOHN E. FLECKTEN,  
C. J. OLSON,  
D. H. HAMILTON,  
O. H. OLSON.

Senator Hamilton moved the substitution of the word "minority" for "majority".

Roll call demanded.

The question being on the motion by Senator Hamilton, the roll was called, and there were ayes 21, nays 28, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Olson of Barnes
Benson	Hamilton	Olson of Eddy
Brant	Hjelmstad	Patten
Conrath	McCrory	Patterson
Erickson	Magnuson	Peck
Ettestad	Marshall	Ritchie
Fine	Martin	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman
Fredrickson	Rusch	
Hart	Sathre	

So the motion was defeated.

The question being on the original motion, the question was put and the motion prevailed and the majority report of the Committee was adopted.

Mr. President: A Majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 98. A Bill For an Act Relating to Deficiency Judgments.

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

S. J. ATKINS,  
WALTER H. SCHLOSSER,  
P. J. MURPHY,  
WALTER BOND,  
O. T. TOFSRUD,  
W. D. LYNCH,  
C. W. CAREY,  
W. H. PORTER,  
FRANK E. PLOYHAR.

Senator Ployhar moved that the Majority report be adopted.

Mr. President: A Minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 98. A Bill For an Act Relating to Deficiency Judgments.

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

G. PATTERSON,  
GUST WOG,  
JOHN E. FLECTEN,  
C. J. OLSON,  
D. H. HAMILTON,  
L. O. FREDERICKSON,  
O. H. OLSON.

Senator C. J. Olson moved the substitution of the word "minority" for "majority".

Roll call demanded.

The question being on the motion by Senate C. J. Olson, the roll was called, and there were ayes 23, nays 26, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrary	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Sathre
Fine	Martin	Wog
Fleckten	Olson of Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steele
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman
Hart	Rusch	

So the motion was defeated.

The question being upon the original motion, the question was put and the motion prevailed, and the majority report of the committee was adopted.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills: .

Senate Bill No. 103. A Bill For an Act to Amend and Re-enact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to Holidays.

Also,

Senate Bill No. 110. A Bill For an Act Providing For the Compulsory Licensing of Non-residents Making Auction Sales Within this State; Providing for the Manner of Payment of License Fee, and Providing a Penalty for the Violation Thereof.

Also,

Senate Bill No. 100. A Bill For An Act to Repeal Chapter 38 of the Session Laws of 1921, Being Sections 9191a1 to 9192a15 Inclusive, of the Supplement of the Laws of North Dakota for 1913, Relating to the Conciliation of Controversies.

Also,

Senate Bill No. 112. A Bill For an Act to Provide for the Payment of an Existing Deficit in the Department of Public Instruction.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 62. A Bill For an Act to Amend and Re-enact Section 10994, of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 125, of the Session Laws of North Dakota for the Year 1925, Relating to the Time for Taking and Completing Appeals to the Supreme Court in Criminal Cases.

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Senate Bills Nos. 55, 67, 83, 85, 97 and 99 were messaged to the House.

House Bills Nos. 65, 86 and 95 were messaged to the House.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 62. A Bill For an Act to Amend and Re-enact Section 10994, of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 125, of the Ses-



sion Laws of North Dakota for the Year 1925, Relating to the Time for Taking and Completing Appeals to the Supreme Court in Criminal Cases.

And the President signed the same in the presence of the Senate.

Senator Forbes moved that the Senate do concur in the House Amendments to Senate Bill 53.

Which motion prevailed.

Senator Forbes then moved that Senate Bill 53 be considered properly engrossed, the rules be suspended and the bill placed on third reading and final passage.

Which motion prevailed.

Senate Bill No. 53. A Bill For an Act Authorizing a Foreign Executor, Administrator, or Guardian to commence and prosecute or defend a Civil Action in 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 37, nays 12, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Rusch
Baird	Hjelmstad	Sathre
Bakken	Kretschmar	Schlosser
Benson	Lynch	Seamands
Bond	McCrory	Steele
Brunsdale	McLachlin	Stevens
Carey	Murphy	Tofsrud
Crocker	Olson of Barnes	Van Arnam
Eastgate	Olson of Burleigh	Van Camp
Ettestad	Pathman	Whitman
Fine	Peck	Wog
Forbes	Ployhar	
Fredrickson	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brant	Hamilton	Olson of Eddy
Conrath	Magnuson	Patten
Erickson	Marshall	Patterson
Fleckten	Martin	Ritchie

So the bill passed and the title was agreed to.

Senator Rusch made a verbal report on the work of the committee appointed to investigate the Journal printing.

Senator Stevens moved that the report be accepted and the committee be discharged.

Which motion prevailed.

Senator McLachlin moved that final action on Senate Bill 3 be deferred one legislative day.

Which motion prevailed.

Senator Van Arnam moved that final action on Senate Bill 110 be deferred one legislative day.

Which motion prevailed.

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

Senator Baird introduced:

Senate Bill No. 143. A Bill For an Act to Provide a Standard Time for the State of North Dakota and the Institution and Continuance Thereof.

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

Senator O. H. Olson introduced:

Senate Bill No. 144. A Bill For an Act Exempting Co-operative Companies, Corporations and Associations from Personal Property Tax.

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

Senator Patterson introduced:

Senate Bill No. 145. A Bill For an Act for the Stamping of Notes Given for Machinery and Farm Equipment, Making Oral Warranties and Representations of Soliciting Agent Binding on Seller, Admission of Oral Evidence Varying Written Warranty, Providing for a Jury Trial, and Providing Penalty for Taking Notes Contrary to this Act.

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

Senators O. A. Olson and Ployhar introduced:

Senate Bill No. 146. A Bill For an Act Providing for the Leasing of State or School Lands supposed to Contain Oil and to Make and Establish Rules and Regulating relative to the Development thereof; Providing for Royalty to be Collected therefrom, and for the Sale of Improvements on such Lands; for the Assignment thereof and for Geological Reports thereon.

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

Senator Fleckten introduced:

Senate Bill No. 147. A Bill For an Act to Repeal Section 2173 of the Compiled Laws of the State of North Dakota, for the Year 1913 Relating to County Commissioners Contracting with the Sheriff for Collection of Delinquent Personal Property Taxes.

Was read the first and second times and referred to the Committee on Counties.

Senator Tofsrud introduced:

Senate Bill No. 148. A Bill For an Act to amend and reenact Section 2193a of the Supplement to the 1913 Compiled Laws relating to abatements to purchasers of tax sale certificates on state land.

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

THIRD READING OF SENATE BILLS

Senate Bill No. 100. A Bill For An Act to Repeal Chapter 38 of the Session Laws of 1921, Being Sections 9191a1 to 9192a15 Inclusive, of the Supplement of the Laws of North Dakota for 1913, 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 26, nays 23, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steele
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman
Hamilton	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hart	Patten
Brant	Hjelmstad	Patterson
Conrath	McCroory	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Sathre
Fine	Martin	Wog
Fleckten	Olson of Barnes	

So the bill passed and the title was agreed to.

Senate Bill No. 103. A Bill For an Act to Amend and Reenact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to Holidays.

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 9, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Ritchie
Baird	Lynch	Rusch
Bakken	McLachlin	Sathre
Bond	Magnuson	Schlosser
Brant	Martin	Seamands
Brunsdale	Murphy	Steele
Carey	Olson of Barnes	Stevens
Conrath	Olson of Burleigh	Tofsrud
Crocker	Olson of Eddy	Van Arnam
Eastgate	Pathman	Van Camp
Ettestad	Patterson	Whitman
Forbes	Peck	Wog
Fredrickson	Ployhar	
Hamilton	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fleckten	McCrorry
Erickson	Hart	Marshall
Fine	Hjelmstad	Patten

So the bill passed and the title was agreed to.

Senate Bill No. 112. A Bill For an Act to Provide for the Payment of an Existing Deficit in the Department of Public Instruction.

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 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Porter
Baird	Kretschmar	Rusch
Benson	Lynch	Sathre
Bond	McLachlin	Schlosser
Brant	Magnuson	Seamands
Brunsdale	Marshall	Steele
Carey	Martin	Stevens
Conrath	Murphy	Tofsrud
Crocker	Olson of Barnes	Van Arnam
Eastgate	Olson of Burleigh	Van Camp
Ettestad	Olson of Eddy	Whitman
Forbes	Pathman	
Fredrickson	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Hamilton	Patterson
Erickson	Hjelmstad	Peck
Fine	McCrorry	Ritchie
Fleckten	Patten	Wog

So the bill passed and the title was agreed to. Emergency clause declared carried.

## MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
February 3, 1927.

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

Senate Bill No. 54. A Bill For an Act to Repeal Sections 10,180, 10,181, 10,182 and 10,183, of the Compiled Laws of North Dakota for 1913, Prohibiting the Manufacture and Sale of Snuff in North Dakota and Providing a Penalty Therefor.

Which the House has indefinitely postponed.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 3, 1927.

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

House Bill No. 124. A Bill For an Act to Authorize and Empower Cities, Towns or Villages to Purchase, Erect, Operate and Maintain, Enlarge, Improve, and Extend, or Lease from any Person, Firm or Corporation, or Sell or Lease to any Person, Firm or Corporation, any Electric Light and Power Plant, Site, Buildings and Equipment Thereof, or any Electric Distribution System and Equipment Thereof, or any Electric Transmission Line and Equipment Thereof, or all or any Part or Parts of any of Such Plants, Systems and Lines, and any Interest in any Such Plant, System or Line Within and Without the Corporate Limits of Such City, Town or Village, and Providing for the Issuance of Bonds and the Levying of Special Assessments and the Creating of Special Assessment Districts in Connection with the Exercise of any of the Powers above Granted, and Providing for the Legalization and Validation of Purchases and Sales and the Issuance of Bonds Heretofore Made and Repealing Chapter 255 of the Session Laws of North Dakota for the Year 1923, being Section 3992b1 and 3992b2 of the Supplement to the 1913 Compiled Laws of the State of North Dakota.

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

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

## FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 124. A Bill For an Act to Authorize and Empower Cities, Towns or Villages to Purchase, Erect, Operate and Maintain, Enlarge, Improve, and Extend, or Lease from any Person, Firm or Corporation, or Sell or Lease to any Person, Firm or Corporation, any Electric Light and Power Plant, Site, Buildings and Equipment Thereof, or any Electric Distribution System and Equipment Thereof, or any Electric Transmission Line and Equipment Thereof, or all or any Part or Parts of any of Such Plants, Systems and Lines, and any Interest in any Such Plant, System or Line Within and Without the Corporate Limits of Such City, Town or Village, and Providing for the Issuance of Bonds and the Levying of Special Assessments and the Creating of Special Assessment Districts in Connection with the Exercise of any of the Powers above Granted, and Providing for the Legalization and Validation of Purchases and Sales and the Issuance of Bonds Heretofore Made and Repealing Chapter 255 of the Session Laws of North Dakota for the Year 1923, being Section 3992b1 and 3992b2 of the Supplement to the 1913 Compiled Laws of the State of North Dakota.

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

## COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: J. P. Cain, Halvor Halvorson, H. Finke, Mary A. Shires and Margaret Craig.

Senator Eastgate moved that the Senate do now adjourn.

Which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

THIRTY-SECOND DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 4, 1927.

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

Prayer by the Chaplain, Rev. Paul S. Wright.

Roll call.

All members present except: Senator C. J. Olson.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-first day and recommend that the same be corrected as follows:

On page 3, line 28, after the word "sample" insert the words "of grain"; in line 34, after the word "printed" insert the following: "and published"; on page 4, line 20, after the word "buyer", insert the following: "must pay cash for grain so purchased and such track buyer".

And when so corrected recommend that the same be approved.

WALTER H. SCHLOSSER,  
Acting Chairman.

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

The Esmond Study club petitioned the Senate to make the same appropriation for health work as for the military department.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 17. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

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

In line 44 of the printed bill strike out the figures "\$10,550.00". In line 46 strike out the figures "\$315,650.00" and insert the figures "\$305,100.00".

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. 113. A Bill For an Act Making an Appropriation to Provide for the Payment of a Deficit in the General Maintenance Fund of the State Training School at Mandan, North Dakota.

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

P. T. KRETSCHMER,  
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. 130. A Bill For an Act Making an Appropriation for the Purchase and Erection of an Iron Fence Around the Roosevelt Cabin, Which is Located Upon the Capitol Grounds, and For the Purchase and Erection of a Flag Pole at the Memorial Building.

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

In line three of the printed bill after the word "of" strike out the figures "\$2,500.00" and insert the figures "\$1,750.00".

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.



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

Senate Bill No. 19. 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:

In Sub-division 1 of the Printed Bill insert line Six and One-half "For the State's proportion of expense in co-operating with other states in furtherance of the Great Lakes-St. Lawrence Deep Waterway project, \$2,000.00". In line Twelve strike out the figures "\$500.00" and insert the figures "\$600.00". In line Sixteen strike out the figures "\$23,150.00" and insert the figures "\$25,150.00".

In Sub-division 7 in line Seventy-five strike out the figures \$5,640.00" and insert the figures \$6,000.00". In line Seventy-six strike out the figures "\$7,440.00" and insert the figures "\$8,000.00". In line Eighty-eight strike out the figures "\$44,980.00" and insert the figures "\$45,900.00".

In Sub-division 11 in line One hundred fifty-six strike out the figures "\$3,600.00" and insert the figures "\$4,200.00". In line One hundred sixty-seven strike out the figures "\$21,200.00" and insert the figures "\$21,800.00".

In Sub-division 14 strike out lines Two hundred nineteen and Two hundred twenty and in lieu thereof insert the following:

4,000 certificates .....	\$ 6,000.00
One additional Rural School Inspector ....	6,600.00
Two visiting teachers for nine months a	
year .....	10,800.00
Incidentals .....	1,600.00

In line "Two Hundred twenty-five" strike out the figures "\$683,800.00" and insert the figures "\$88,800.00".

In Sub-division 16 in line Two hundred forty-six strike out the figures "\$14,400.00" and insert the figures "\$16,000.00". In line Two hundred fifty-five strike out the figures "\$10,000.00" and insert the figures "12,000.00". In line Two hundred fifty-seven strike out the figures "\$42,180.00" and insert the figures "\$45,780.00".

In Sub-division 20 in line Three hundred fifty-two strike out the figures "\$500.00" and insert the figures "\$1,000.00". In line Three hundred fifty-three strike out the figures "\$2,000.00" and insert the figures "\$750.00". In line Three

hundred sixty strike out the figures "\$49,800.00" and insert the figures "\$49,050.00".

In Sub-division 21 insert line Three hundred sixty-nine and one-half, "Investigations, \$400.00". In line Three hundred seventy-one strike out the figures "\$8,450.00" and insert the figures "\$8,850.00".

In Sub-division 22 in line Three hundred seventy-seven strike out the figures "\$5400.00" and insert the figures "\$5,600.00". In line Three hundred seventy-eight strike out the figures "\$6,500.00" and insert the figures "\$5,000.00". In line Three hundred ninety-four strike out the figures "\$66,880.00" and insert the figures "\$65,580.00".

In Sub-division 23 in line Three hundred ninety-four strike out the figures "\$2,400.00" and insert the figures "\$4,800.00".

And when so amended recommend the same do pass.

P. T. KRETSCHMAR,  
Chairman.

Senator Kretschmar moved that the report be adopted.

Senator Benson moved that Sub-division 14 of the report be amended by re-inserting the amounts as they appeared in the original printed bill, and which were stricken from the report.

Roll call demanded.

The question being on the motion by Senator Benson, the roll was called, and there were ayes 17, nays 31, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Lynch	Patterson
Benson	McCrorry	Peck
Ettestad	Marshall	Ritchie
Fine	Martin	Tofsrud
Fleckten	Olson of Eddy	Wog
Hamilton	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Rusch
Baird	Hart	Sathre
Bond	Hjelmstad	Schlosser
Brant	Kretschmar	Seamands
Brunsdale	McLachlin	Steel
Carey	Magnuson	Stevens
Conrath	Murphy	Van Arnam

Messrs.

Crocker  
Eastgate  
Erickson  
Forbes

Messrs.

Olson of Burleigh  
Pathman  
Ployhar  
Porter

Messrs.

Van Camp  
Whitman

Absent and not voting:

Messrs.

Olson of Barnes

So the motion was defeated.

Senator Bond moved that those lines in Sub-division 14 pertaining to rural school inspector and two visiting teachers be stricken out.

Which motion was lost.

Senator Hamilton moved that line 222, Sub-division 14 of the printed bill be stricken out, and that the figures "683,800.00" in line 225 of the printed bill be changed to "\$78,200".

Which motion prevailed.

The question being on the original motion, the question was put and the motion prevailed and the report of the committee, as amended, was adopted.

Mr. President: Your Committee on Livestock to whom was referred:

Senate Bill No. 116. A Bill For an Act to Amend and Re-enact Section 2618 of the Supplement to the Compiled Laws of 1913, Relating to the Herd Law.

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

J. E. EASTGATE,  
Chairman.

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

Mr. President: Your Committee on Tax and Tax Laws to whom was referred:

Senate Bill No. 104. A Bill For an Act to Amend and Re-enact Section 2166 of the Supplement to the Compiled Laws of 1913 Relating to Delinquent Personal Property Taxes.

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 "a". On page 2, line 17, strike out the words

"first day September" and insert in lieu thereof "fifteenth day of May". On line 20 of the same page, strike out the words "fifteenth day of September" and insert in lieu thereof "first day of June". On line 22 of the same page, strike out the words "fifteenth day of October" and insert in lieu thereof "first day of July". On line 24 of the same page, strike out the words "fifteenth day of October" and insert in lieu thereof "first day of July".

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.

Mr. President: Your Committee on Insurance to whom was referred:

Senate Bill No. 76. A Bill For an Act to Amend Chapter 162 of the Session Laws of North Dakota for 1919 as Amended by Chapter 73 of the Special Session Laws of North Dakota for the year 1919 and Chapter 141, 142, 143, 144 and 145 of the Session Laws of North Dakota for the year 1921 and Chapters 347, 349 and 350 of the Session Laws of North Dakota for the year 1923 and by Chapters 84, 220, 221, 222, 223, 225 and 226 of the Session Laws of North Dakota for the year 1925 by adding Sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40 relating to and providing for the benefit of employees insured and the dependents of employees killed in hazardous employments, fixing the duties and liability of employers and employees and providing additional methods of securing the payment of obligations arising in favor of insured employees and their dependents and providing for partial support of the North Dakota Workmen's Compensation Bureau from insurance companies and by repealing all acts and parts of acts insofar as they are in conflict with the aforesaid added sections.

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

That the title of the Act be amended as follows: that after the word "by" in line 7 of the title in the printed bill the following be inserted "amending and re-enacting Section 17 of said Chapter 162 of the Session Laws of North Dakota for 1919 and providing therein for appeals to the courts from decisions of the Workmen's Compensation Bureau and by."

That in line 141 page 7 of the printed bill after the word "to" the following be inserted "the Workmen's Compensation Fund and."

That in line 143 page 7 of the printed bill the period after the word "companies" be stricken out, a comma inserted in lieu thereof and the following added: "mutual associations and said Workmen's Compensation Fund."

That in line 1 page 8 of the printed bill after the numeral "2" all that follows be stricken out and in lieu thereof the following inserted: "Amendment. That section 17 of Chapter 162 of the Session Laws of North Dakota for 1919 be amended and re-enacted to read as follows:

"Section 17. Amendment. The Bureau shall have full power and authority to hear and determine all questions within its jurisdiction and its decision thereon shall be final unless an appeal be perfected therefrom within thirty days of the date of entry of the Bureau's final decision of which decision notice shall be given to all parties to the proceeding in which said final decision was rendered. Said appeal may be taken by any party to said proceeding including the injured employee or party claiming to be an injured employee, the employer, or alleged employer of said party or the insurance carrier to the District Court for the county wherein the injury, accident or sickness was inflicted or incurred. In such proceedings the State's Attorney of the county, without additional compensation, shall represent the Workmen's Compensation Bureau and shall be notified by the Clerk forthwith of the filing of such appeal.

"Within thirty days after filing the appeal the appealing party shall prepare and serve a complaint setting forth therein his or its cause of action in the ordinary form and further pleading shall be had in said cause according to the rules of civil procedure and the court shall hear and determine the issues de novo as raised by said pleadings. In the event the judgment of the court rendered in said proceedings awards compensation to an employee the Court shall fix such compensation within the limits prescribed by this act and any final judgment so obtained shall be paid by the Workmen's Compensation Bureau out of the Workmen's Compensation Fund or by the insurance carrier or employer in accordance with the provisions of this Act.

"The costs of such proceeding including a reasonable attorney's fee to the claimant's attorney if the claimant be successful shall be fixed by the trial Judge and taxed against the unsuccessful party. Each party to said proceeding shall have the right of appeal to the Supreme Court said appeal to be governed by existing statutes in the case of appeals in civil cases but in the Supreme Court the Findings of Fact as made and entered by the District Court shall be deemed and considered as conclusive upon the Supreme Court and said Court upon said appeal shall review only questions of law presented by the record on appeal and the conclusions of law drawn therefrom by the District Court."

That the printed bill be further amended by adding the following:

"Section 3. Repeal. All Acts and parts of Acts insofar as they are in conflict with the provisions of this Act are hereby repealed."

"Section 4. Emergency. This Act is hereby declared to be an emergency measure and shall be in full force and effect upon its passage and approval."

And when so amended recommend the same do pass.

P. J. MURPHY,  
Chairman.

Senator Murphy moved that the report be adopted.

A Minority of the Committee on Insurance made the following report:

Mr. President: A minority of your Committee on Insurance to whom was referred:

Senate Bill No. 76. A Bill For an Act to Amend Chapter 162 of the Session Laws of North Dakota for 1919 as Amended by Chapter 73 of the Special Session Laws of North Dakota for the year 1919 and Chapter 141, 142, 143, 144 and 145 of the Session Laws of North Dakota for the year 1921 and Chapters 347, 349 and 350 of the Session Laws of North Dakota for the year 1923 and by Chapters 84, 220, 221, 222, 223, 225 and 226 of the Session Laws of North Dakota for the year 1925 by adding Sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40 relating to and providing for the benefit of employees insured and the dependents of employees killed in hazardous employments, fixing the duties and liability of employers and employees and providing additional methods of securing the payment of obligations arising in favor of insured employees and their dependents and providing for partial support of the North Dakota Workmen's Compensation Bureau from insurance companies and by repealing all acts and parts of acts insofar as they are in conflict with the aforesaid added sections.

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

NELS MAGNUSON,  
C. W. FINE,  
P. O. SATHRE,  
GUST WOG,  
L. O. FREDRICKSON,

Senator Magnuson moved the substitution of the word "minority" for "majority."

Roll call demanded.

The question being on the motion by Senator Magnuson 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.
Bakken	Fredrickson	Patten
Benson	Hamilton	Patterson

Messrs.	Messrs.	Messrs.
Brant	Hjelmstad	Peck
Conrath	McCrorry	Ritchie
Erickson	Magnuson	Sathre
Ettestad	Marshall	Wog
Fine	Martin	
Fleckten	Olson of Eddy	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steele
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman
Hart	Rusch	

Absent and not voting:

Messrs.  
Olson of Barnes

So the motion was defeated.

The question being upon the original motion, the question was put and the motion prevailed and the report of the committee was adopted.

Mr. President: Your Committee on Insurance to whom was referred:

House Bill No. 119. A Bill For an Act to Amend and Re-enact Sub-division 3 of Section 6637, Compiled Laws of 1913, Relating to Form and Provisions Required in Insurance Policies.

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 Election and Election Privileges to whom was referred:

House Bill No. 1. A Bill For an Act to provide for the Election and Appointment of United States Senator in Congress from this State in case of a Vacancy in such Office.

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 Cities and Municipal Corporations to whom was referred:

House Bill No. 56. A Bill For an Act to Amend and Re-enact Sections 4089a1, 4089a2, 4089a3 and 4089a4 of the Supplement to the Compiled Laws of North Dakota for the year 1913, providing that Townships and Municipalities may contribute to the support of District Fair Association.

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

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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 they have examined the following bills:

Senate Bill No. 57. A Bill For an Act to Authorize Counties to issue Bonds and Warrants to procure Seed Grain and Feed for Needy Inhabitants Therein and Providing for the Issuance of Bonds and Warrants for Seed Grain by Counties and Aid by the State in respect thereto, and making an Appropriation Therefor.

Also,

Senate Bill No. 87. A Bill For an Act to Regulate Grain and Seed Warehouses; Defining Public Warehouses and Providing for the Bonding, Licensing and Supervision thereof and the Weighing, Storing, Buying, and Handling of Grain and Seeds; Prescribing the duties and powers of the Board of Railroad Commissioners in relation thereto; Providing for the Appointment of a Federal Licensed Inspector, and such other employees as may be deemed necessary to carry out the provisions of this Act and making an appropriation therefor; Providing Penalties and Repealing Sections: 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116; 3117, 3123, 3135, 3136, 3137.

Also,

Senate Bill No. 108. A Bill For an Act to Amend and Re-



enact Section 9 of Chapter 159 of the Session Laws for the Year 1919, Relating to Readjustment of Rates.

Also,

Senate Bill No. 119. A Bill For an Act Relating to Insurance upon Lives of Directors, Officers, Agents and Employes of Corporations and Prescribing What Shall Constitute Evidence of Due Authority for all Corporate Actions with Reference Thereto.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee 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 they have examined the following bill:

Senate Bill No. 53. A Bill For an Act Authorizing a Foreign Executor, Administrator, or Guardian to commence and prosecute or defend a Civil Action in the State of North Dakota.

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 53. A Bill For an Act Authorizing a Foreign Executor, Administrator, or Guardian to commence and prosecute or defend a Civil Action in the State of North Dakota.

And the President signed the same in the presence of the Senate.

## MESSAGES FROM THE HOUSE

House Chamber,  
Bismarck, North Dakota,  
February 4, 1927.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 65. A Bill For an Act to Amend and Re-enact Section 2212 of the Supplement to the Compiled Laws of 1913 of the State of North Dakota; 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 and declaring an emergency exists.

House Bill No. 95. A Bill For an Act to Amend and Re-enact Section 4609c30 of the Supplement to the Compiled Laws 1913.

Very respectfully,

C. R. VERRY,  
Chief Clerk.

House Chamber,  
Bismarck, North Dakota,  
February 4, 1927.

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

House Bill No. 27. A Bill For an Act Making an Appropriation to Pay Salary, Stenographer and General Expenses of the Commissioner of Immigration.

House Bill No. 116. A Bill For an Act Giving the Legislative Assent of the State of North Dakota to the Purpose of the Grants of Money Authorized and Provided for in the Act of Congress Entitled, "An Act to Authorize the More Complete Endowment of Agricultural Experiment Stations, and For Other Purposes," Approved February 24, 1925.

House Bill No. 78. A Bill For an Act to Amend and Re-enact Chapter 142, Section 1 of the Session Laws of 1915, the same being Section 1221a of the Supplement to the Compiled Laws of North Dakota for the year 1913, being an Act Requiring the Payment of Tuition for Attendance at any Model High or Graded or Elementary School Which is Operated, Maintained or in any Manner Connected with the State University, any Normal School or any Educational Institution of Higher Learning.

House Bill No. 80. A Bill For an Act Providing for an Increase of Surplus of Banking Associations and exempting such Surplus from Taxation.

House Bill No. 98. A Bill For an Act to Repeal Section 7 of Chapter 203, Session Laws 1919, relating to Vocational Education.

House Bill No. 20. A Bill For an Act Making an Appropriation 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.

House Bill No. 83. A Bill For an Act to Amend and Re-enact Section 6 of Chapter 160 of the Sessions Laws of North Dakota for the Year 1919, as Amended and Re-enacted by Chapter 77 of the Session Laws of North Dakota for the Year 1921, as Amended and Re-enacted by Chapter 232 of the Session Laws of North Dakota for the Year 1923, as Amended and Re-enacted by Chapter 151 of the Session Laws of North Dakota for the year 1925, the same being Section 189b6 of the Supplement to the Compiled Laws of North Dakota for 1913; Relating to Flat Hail Insurance Tax and Permanent Surplus Fund.

House Bill No. 136. A Bill For an Act to Amend and Re-enact Section 3382 of the Compiled Laws of North Dakota for 1913 Providing for a Contingent Fund for the State's Attorney of Each County.

House Bill No. 138. A Bill For an Act to Amend and Re-enact Sections 10804 and 10805 of the Compiled Laws of North Dakota for the Year 1913, Relating to Challenges to Jurors in Criminal Cases.

House Bill No. 66. A Bill For an Act to Amend and Re-enact Section 2262 of Chapter 34 of the Supplement of the Compiled Laws of 1913.

House Bill No. 81. A Bill For an Act to Amend and Re-enact Section 5172 of the Compiled Laws of North Dakota for 1913, Relating to the Limits of Loans by Banking Associations.

House Bill No. 106. A Bill for an Act to Amend and Re-enact sections 8651-8657 and 8682 of the Compiled Laws of 1913 relating to the qualification, appointment, removal and discharge of Executors, Administrators and Guardians, and to repeal all acts and parts of acts in conflict herewith.

House Bill No. 121. A Bill For an Act to Amend and Re-enact Section 489 of the Compiled Laws of 1913, Making Females Eligible to Register as Apprentices in Pharmacy.

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

Very respectfully,

C. R. VERRY,  
Chief Clerk.

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

Senator Baird, by request, introduced:

Senate Bill No. 149. A Bill For an Act to Amend and Re-enact Section 3786 Compiled Laws of the State of North Dakota for 1913, Relating to Terms of Office of City Officers Under Commission Form of Government.

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

Senator O. A. Olson introduced:

Senate Bill No. 150. A Bill For an Act to Amend and Re-enact Section 1531 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the State Library.

Was read the first and second times and referred to the Joint Committee on State Library.

Senator Baird introduced:

Senate Bill No. 151. A Bill For an Act to Promote the Speedy Determination of Litigants on the Merits and Authorizing the Supreme Court to Make Rules Relating to Pleading, Procedure and Practice in the Courts of this State.

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

Senator Eastgate introduced:

Senate Bill No. 152. A Bill For an Act to Repeal Section 2845 of the Compiled Laws of 1913.

Was read the first and second times and referred to the Committee on Agriculture.

Senator Eastgate Introduced:

Senate Bill No. 153. A Bill For an Act to Amend and Re-enact Section 2854 of the Supplement to the Compiled Laws, 1913.

Was read the first and second times and referred to the Committee on Agriculture.

Senator Murphy moved that final action on all bills reported in today for third reading be deferred until Monday.

Which motion prevailed.

Senator Fleckten moved that the absent senator be excused.

Which motion prevailed.

### THIRD READING OF SENATE BILLS

Senate Bill No. 3. A Bill for an Act providing that depositories of public funds may, with the consent of proper authorities, deposit and pledge as security in order to obtain the deposit of public funds, bonds, warrants, or bills receivable in an amount equal to the maximum deposit with such depository.

Was read the third time.

Senator Lynch offered the following amendment: In line 19, section 3 of the printed bill strike out the word "six" and insert in lieu thereof the figures "5191a6."

Which motion prevailed.

Senator Sathre offered the following amendment: Strike out all of section 3 and in line 1, section 4, amend same so as to read "Section 3" and in last of line 1, section 4, strike

out "3" and insert figure "2". In section 5, strike out figure "5" and insert "4" in lieu thereof.

Roll call demanded.

The question being on the final amendment made by Senator Sathre, 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.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson.
Conrath	McCroxy	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Sathre
Fine	Martin	Seamands
Fleckten	Olson of Burleigh	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Rusch
Baird	Kretschmar	Schlosser
Bond	Lynch	Steel
Brunsdale	McLachlin	Stevens
Carey	Murphy	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman

Absent and not voting:

Messrs.  
Olson of Barnes

So the motion prevailed.

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.	Messrs.
Baird	Kretschmar	Sathre
Bond	Lynch	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Marshall	Steel
Crocker	Martin	Tofsrud
Eastgate	Murphy	Van Arnam
Forbes	Ployhar	Van Camp
Fredrickson	Porter	Whitman
Hart	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Fleckten	Patten
Bakken	Hamilton	Patterson

Messrs.	Messrs.	Messrs.
Benson	Hjelmstad	Peck
Brant	McCrory	Ritchie
Conrath	Magnuson	Stevens
Erickson	Olson of Burleigh	Wog
Ettestad	Olson of Eddy	
Fine	Pathman	

Absent and not voting:

Messrs.  
Olson of Barnes

So the bill passed and the title was agreed to. Emergency clause declared lost.

Senator Ettestad explained his vote: I know the people at home expect to have a law passed for the protection of private as well as public deposits. This bill to my mind takes the private deposits to protect public deposits. Therefore I vote "No."

Senator Benson moved that final action on Senate Bill 87 be deferred until Monday.

Which motion prevailed.

Senate Bill No. 110. A Bill For an Act Providing For the Compulsory Licensing of Non-residents Making Auction Sales Within this State; Providing for the Manner of Payment of License Fee, and Providing a Penalty for the Violation Thereof.

Was read the third time.

Senator Seamands offered the following Amendment and moved its adoption:

After the word "live stock" in line 10, of the printed bill change the period to a comma, and insert the following: "nor be required from auctioneers from any state which does not require the payment of a license fee by non-resident auctioneers."

Which amendment was adopted.

The question being on the final passage of the bill, as amended, the roll was called, and there were ayes 33, nays 13, absent and not voting 1, 2 passed.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Ployhar
Baird	Kretschmar	Porter
Benson	Lynch	Rusch
Bond	McLachlin	Sathre
Brant	Martin	Schlosser
Brunsdale	Murphy	Seamands
Conrath	Olson of Burleigh	Steel
Crocker	Olson of Eddy	Tofsrud
Erickson	Pathman	Van Camp
Ettestad	Patterson	Whitman
Forbes	Peck	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Hart	Patten
Carey	Hjelmstad	Ritchie
Eastgate	McCrorry	Stevens
Fine	Magnuson	
Fleckten	Marshall	

Absent and not voting:

Messrs.  
Olson of Barnes

Those Passing:

Messrs.	Messrs.
Hamilton	Van Arnam

So the bill passed and the title was agreed to. Emergency clause declared carried.

The President ruled that Senator Seamands is not an auctioneer.

Senate Bill No. 108. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 159 of the Session Laws for the Year 1919, Relating to Readjustment of Rates.

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.
Atkins	Fredrickson	Peck
Baird	Hamilton	Patterson
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCrorry	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog

Absent and not voting:

Messrs.  
Olson of Barnes

So the bill passed and the title was agreed to.

Senate Bill No. 119. A Bill For an Act Relating to Insurance upon Lives of Directors, Officers, Agents and Employees

of Corporations and Prescribing What Shall Constitute Evidence of Due Authority for all Corporate Actions 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 31, nays 16, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Rusch
Baird	Lynch	Schlosser
Bakken	McLachlin	Seamands
Benson	Magnuson	Steel
Bond	Marshall	Stevens
Carey	Martin	Tofsrud
Crocker	Murphy	Van Arnam
Eastgate	Olson of Burleigh	Van Camp
Ettestad	Pathman	Whitman
Fine	Ployhar	
Hart	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brant	Fredrickson	Patterson
Brunsdale	Hamilton	Peck
Conrath	Hjelmstad	Ritchie
Erickson	McCrary	Wog
Fleckten	Olson of Eddy	
Forbes	Patten	

Absent and not voting:

Messrs.	Messrs.
Olson of Barnes	Sathre

So the bill passed and the title was agreed to.

Senator Rusch moved that the vote by which Senate Bill No. 119 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bills Nos. 57, 103, 112 and 100 were messaged to the House.

#### FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 27. A Bill For an Act Making an Appropriation to Pay Salary, Stenographer and General Expenses of the Commissioner of Immigration.



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

House Bill No. 116. A Bill For an Act Giving the Legislative Assent of the State of North Dakota to the Purpose of the Grants of Money Authorized and Provided for in the Act of Congress Entitled, "An Act to Authorize the More Complete Endowment of Agricultural Experiment Stations, and For Other Purposes," Approved February 24, 1925.

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

House Bill No. 78. A Bill For an Act to Amend and Re-enact Chapter 142, Section 1 of the Session Laws of 1915, the same being Section 1221a of the Supplement to the Compiled Laws of North Dakota for the year 1913, being an Act Requiring the Payment of Tuition for Attendance at any Model High or Graded or Elementary School Which is Operated, Maintained or in any Manner Connected with the State University, any Normal School or any Educational Institution of Higher Learning.

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

House Bill No. 80. A Bill For an Act Providing for an Increase of Surplus of Banking Associations and exempting such Surplus from Taxation.

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

House Bill No. 98. A Bill For an Act to Repeal Section 7 of Chapter 203, Session Laws 1919, relating to Vocational Education.

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

House Bill No. 20. A Bill For an Act Making an Appropriation 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.

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

House Bill No. 83. A Bill For an Act to Amend and Re-enact Section 6 of Chapter 160 of the Sessions Laws of North Dakota for the Year 1919, as Amended and Re-enacted by Chapter 77 of the Session Laws of North Dakota for the Year 1921, as Amended and Re-enacted by Chapter 232 of the Session Laws of North Dakota for the Year 1923, as Amended and Re-enacted by Chapter 151 of the Session

Laws of North Dakota for the year 1925, the same being Section 189b6 of the Supplement to the Compiled Laws of North Dakota for 1913; Relating to Flat Hail Insurance Tax and Permanent Surplus Fund.

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

House Bill No. 136. A Bill For an Act to Amend and Re-enact Section 3382 of the Compiled Laws of North Dakota for 1913 Providing for a Contingent Fund for the State's Attorney of Each County.

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

House Bill No. 138. A Bill For an Act to Amend and Re-enact Sections 10804 and 10805 of the Compiled Laws of North Dakota for the Year 1913, Relating to Challenges to Jurors in Criminal Cases.

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

House Bill No. 66. A Bill For an Act to Amend and Re-enact Section 2262 of Chapter 34 of the Supplement of the Compiled Laws of 1913.

Was read the first and second times and referred to the Committee on Counties.

House Bill No. 81. A Bill For an Act to Amend and Re-enact Section 5172 of the Compiled Laws of North Dakota for 1913, Relating to the Limits of Loans by Banking Associations.

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

House Bill No. 106. A Bill for an Act to Amend and Re-enact sections 8651-8657 and 8682 of the Compiled Laws of 1913 relating to the qualification, appointment, removal and discharge of Executors, Administrators and Guardians, and to repeal all acts and parts of acts in conflict herewith.

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

House Bill No. 121. A Bill For an Act to Amend and Re-enact Section 489 of the Compiled Laws of 1913, Making Females Eligible to Register as Apprentices in Pharmacy.

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

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to:

Aug. Hanson, C. O. Virgil, R. Brownlee, R. C. Dobson, H. E. Wheeler, Chas. Ellingson, Robt. Palda and M. L. McBride.

Senator Van Camp moved that the Senate do now adjourn. Which motion prevailed, and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

THIRTY-THIRD DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 5, 1927.

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

Prayer by the Chaplain, Rev. Paul Wright.

Roll call, all members present, except Senators Brunsdale, Hart, Lynch, McLachlin, C. J. Olson, O. H. Olson and Rusch.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 32nd day and find the same correct.

P. T. KRETSCHMAR,  
Acting Chairman.

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

Senate Bills Nos. 108, 110 and 119 were messaged to the House.

Senate Bills 53 and 62 were delivered to the Governor, February 5.

MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
February 4, 1927.

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

House Bill No. 111. A Bill For an Act Making an Appropriation for the Purpose of Carrying out the Provisions of Chapter 17, Session Laws of 1921, Relating to Preservation and Control of the Artesian Waters of the State, for the Biennial Period from July 1, 1927 to June 30, 1929.

Also,

House Bill No. 128. A Bill For an Act to Amend and Re-enact Section 10833 of the Compiled Laws of North Dakota

for 1913 Providing for Separate Trials When Two or More Defendants are Jointly Charged with Any Criminal Action.

Also,

House Bill No. 144. A Bill For an Act Making an Appropriation of \$21,495.88 to Repay the Bank of North Dakota for a Loan Made to the Hospital for the Insane and also for the Payment of any Interest Due Thereon.

Also,

House Bill No. 166. A Bill For an Act conferring additional powers upon the Governor to open and close seasons in any and all subdivisions of the State when deemed necessary for the better protection of game birds, fish or animals.

Also,

House Bill No. 153. A Bill For an Act to Amend and Re-enact Section 14, Chapter 161, Session Laws of 1913, Relating to Game and Fish; Right of Search and Seizure, and to Repeal Section 15, Chapter 161, Session Laws of 1915.

Also,

House Bill No. 168. A Bill For an Act to Amend Section 8719 of the Compiled Laws of North Dakota for 1913, Relating to the Exemption of the Avails of Life Insurance Payable to the Personal Representatives of a Deceased, his Heirs or Estate.

Also,

House Bill No. 174. A Bill For an Act to Prescribe the Manner of Taking and Killing Game Birds and Animals, Prohibiting the Use of Traps, Snares, Lights and Other Artificial Means, and Repealing Sections 10332a24 and 10322a25 of the Supplement to the Compiled Laws 1913, and Any and All Acts in Conflict.

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

Very respectfully,

C. R. VERRY,  
Chief Clerk.

#### COMMUNICATION FROM THE GOVERNOR

February 3, 1927.

To the Senate of the State of North Dakota:

This is to notify you that I have this day approved:

Senate Bill No. 27. A Bill For an Act to Amend and Re-enact Chapter 103, Session Laws 1917, the Same Being Section 2863b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

Also,

Senate Bill No. 64. A Bill For an Act to Amend and Re-enact Section 11002, Compiled Laws of North Dakota for 1913, Relating to the Duty of the Clerk of the District Court When Appeals in Criminal Cases are taken and Completed.

Also,

Senate Bill No. 63. A Bill For an Act to Amend and Re-enact Section 10766 of the Compiled Laws of North Dakota for the Year 1913, Providing the Procedure Where Joint Affidavit Is Filed in Criminal Cases, Alleging Prejudice Against the Judge and Also Asking for a Change in Place of Trial.

Also,

Senate Bill No. 25. A Bill For an Act to Amend and Re-enact Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Disposition of Fees Collected by the State Securities Commission.

The above bills have all been filed with the Secretary of State.

Very truly yours,

A. G. SORLIE,  
Governor.

President Maddock presented a petition from the Disabled American Veterans of the World War, Fargo Chapter No. 1, endorsing Senate Bill 109 and urging its passage.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Insurance to whom was referred:

Senate Bill No. 68. A Bill For an Act to Amend and Re-enact Section 6625 of the Compiled Law of the State of North Dakota for the Year 1913, Relating to Fire Insurance and Adopting and Relating to the Standard Form of Fire Insurance Policy for 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.

Mr. President: Your Committee on Counties to whom was referred:

Senate Bill No. 147. A Bill For an Act to Repeal Section 2173 of the Compiled Laws of the State of North Dakota,

for the Year 1913 Relating to County Commissioners Contracting with the Sheriff for Collection of Delinquent Personal Property Taxes.

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

OLE ETTESTAD,  
Chairman.

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

Mr. President: Your Committee on Counties to whom was referred:

Senate Bill No. 118. A Bill For an Act to Amend and Re-enact Section 2125, Compiled Laws 1913.

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 Counties to whom was referred:

House Bill No. 66. A Bill For an Act to Amend and Re-enact Section 2262 of Chapter 34 of the Supplement of the Compiled Laws of 1913.

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 Ways and Means to whom was referred:

Senate Bill No. 80. A Bill For an Act to Amend and Re-enact Section 3029 of the Compiled Laws of North Dakota for the year 1913, relating to the method of obtaining a Peddler's License.

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

WALTER BOND,  
Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 77. A Bill For an Act Creating a Revolving Fund at the State Training School, Providing that the State Board of Administration shall Transfer Funds from State Prison Revolving Fund as Provided in Article 13 of Chapter 17 of the Compiled Laws of 1913, the Sum of \$25,000 to be Used in Providing Suitable Buildings, and Installing Suitable Machinery for the Manufacture of Motor Vehicle License Tags, Coffins, Caskets and Undertakers Fixtures and Supplies, and Providing for the Employment of the Inmates of the State Training School, and Providing for the Distribution of the Profits Derived therefrom to the Support and Maintenance of the Inmates thereof and Compensation to such Inmates for such Labor Performed.

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

In the title of the bill the sum "\$25,000" be stricken out and "\$15,000" inserted; Page 2 Section 1 the "\$25,000" be stricken out and "\$15,000" inserted; Page 2 section 2, Line 3, strike out the words "Motor Vehicle License," and on line 4, Section 2, page 2 strike out the word "tags"; and that all of Section 8 and Section 9 on page 3 be stricken out.

And when so amended recommend the same do pass.

WALTER BOND,  
Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 129. A Bill For an Act Providing for Re-establishing Section or Quarter Section Corners or Other Federal or State Monuments Destroyed Through Road, Street, Ditch or Other Public Works; Providing for Witness Corners, Where a Monument at the True Point is Impractical, the Manner of Identifying Such Witness Corners and Provisions by Whom and in Which Manner the Cost is to be Met.

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

WALTER BOND,  
Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 131. A Bill For an Act Relating to and Covering Protection of Battery Service Station Owners of Electric Storage Batteries Upon Which the Word "Rental" or any Other Word, Mark or Character is Printed, Painted, Stamped or Attached to Identify the Same, and Providing Penalties.

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

WALTER BOND,  
Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 128. A Bill For an Act to Amend and Re-enact Section 3436 of the Compiled Laws of North Dakota for 1913, Relating to Kind of Material to be Used in Re-establishing Lost Section or Quarter Section Corners and Provisions to Establish Witness Corners Where a Monument at the True Point is Impractical and the Manner of Identifying Such Witness Corners.

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

WALTER 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 they have examined the following bills:

Senate Bill No. 17. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Also,

Senate Bill No. 113. A Bill For an Act Making an Appropriation to Provide for the Payment of a Deficit in the General Maintenance Fund of the State Training School at Mandan, North Dakota.

Also,

Senate Bill No. 130. A Bill For an Act Making an Appropriation for the Purchase and Erection of an Iron Fence Around the Roosevelt Cabin, Which is Located Upon the Capitol Grounds, and For the Purchase and Erection of a Flag Pole at the Memorial Building.

Also,

Senate Bill No. 104. A Bill For an Act to Amend and Re-enact Section 2166 of the Supplement to the Compiled Laws of 1913 Relating to Delinquent Personal Property Taxes.



Also,

Senate Bill No. 76. A Bill For an Act to Amend Chapter 162 of the Session Laws of North Dakota for 1919 as Amended by Chapter 73 of the Special Session Laws of North Dakota for the year 1919 and Chapter 141, 142, 143, 144 and 145 of the Session Laws of North Dakota for the year 1921 and Chapters 347, 349 and 350 of the Session Laws of North Dakota for the year 1923 and by Chapters 84, 220, 221, 222, 223, 225 and 226 of the Session Laws of North Dakota for the year 1925 by adding Sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40 relating to and providing for the benefit of employees insured and the dependents of employees killed in hazardous employments, fixing the duties and liability of employers and employees and providing additional methods of securing the payment of obligations arising in favor of insured employees and their dependents and providing for partial support of the North Dakota Workmen's Compensation Bureau from insurance companies and by repealing all acts and parts of acts insofar as they are in conflict with the aforesaid added sections.

Also,

Senate Bill No. 19. 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.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Mr. President: Your Committee on Enrollment and Engrössment respectfully report that they have examined the following bill:

Senate Bill No. 110. A Bill For an Act Providing For the Compulsory Licensing of Non-residents Making Auction Sales Within this State; Providing for the Manner of Payment of License Fee, and Providing a Penalty for the Violation Thereof.

And find the same correctly Re-Engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

## SIGNING BILLS

The Secretary announced that the President was about to sign:

House Bill No. 175. A Bill For an Act Making an Appropriation for Medical and Hospital Expenses of the Last Sickness, and For Funeral Expenses, of Hon. J. W. O'Neill, Who Died in Bismarck While in the Performance of His Duties as a Member of the Twentieth Legislative Assembly.

Joint Memorial Resolution relating to House Bill 175.

And the President signed the same in the presence of the Senate.

Senator Porter moved that all absent Senators be excused.

Which motion prevailed.

INTRODUCTION AND FIRST AND SECOND READING  
OF SENATE BILLS

Senator Rusch introduced:

Senate Bill No. 154. A Bill For an Act relating to and fixing the salaries of the County Auditor, the County Treasurer, the Register of Deeds, the County Sheriff, the Clerk of the District Court, the County Judge, the State's Attorney, and the County Superintendent of Schools, also fixing the number of and the salaries to be paid to the Deputies, and providing for Clerks and Assistants to be employed in the offices of the County Auditor, County Treasurer, Register of Deeds, Clerk of the District Court, County Sheriff, State's Attorney, County Judge and the County Superintendent of Schools, (in Counties having a County Court of increased jurisdiction and have a population exceeding forty thousand,) and repealing all acts or parts of acts in conflict therewith.

Was read the first and second times and referred to the Committee on Counties.

Senator Steel introduced:

Senate Bill No. 155. A Bill For an Act to Amend and Re-enact Section 1194 of the Compiled Laws of 1913, Relating to High Schools Established and Maintained by two or more School Districts, Providing a Board of Education therefor and Prescribing its powers and Duties.

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

Senator Eastgate introduced:

Senate Bill No. 156. A Bill For an Act to Amend and Re-enact Section 7762 of the Supplement to the Compiled Laws 1913.

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

Senator Martin introduced:

Senate Bill No. 157. A Bill For an Act Making an Appropriation for the Construction of a State Radio Broadcasting Station at the Capitol in Bismarck, and providing for its construction and management.

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

Senator Brant introduced:

Senate Bill No. 158. A Bill For an Act providing for the assessment and taxation of railway property; the collection of railway taxes by the state treasurer; providing a method of apportionment and distribution thereof, and repealing Sections 2242, 2243, 2244 and 2246 of the Compiled Laws of 1913 and all Acts and parts of Acts in conflict with the provisions of this Act.

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

Senator Wog introduced:

Senate Bill No. 159. A Bill For an Act to Amend and Re-enact Section 3236 of the Supplement to the 1913 Compiled Laws of the State of North Dakota, relating to the removal of County Seat by ballot and notice of result.

Was read the first and second times and referred to the Committee on Counties.

Committee on Public Safety introduced:

Senate Bill No. 160. A Bill For an Act regulating the operation of vehicles on highways and providing for traffic signs and signals and defining the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act and to provide for the enforcement of this act and the disposition of fines and forfeitures collected hereunder and to make uniform the law relating to the subject matter of this act.

Was read the first and second times and referred to the Committee on Public Safety.

Senator Tofsrud introduced:

Senate Bill No. 161. A Bill For an Act to amend and re-enact Section 4251 of the Compiled Laws of 1913 relating to fees of pound master and notice of taking up estrays and sale of estrays.

Was read the first and second times and referred to the Committee on Livestock.

Committee on Warehouse and Grain Grading introduced:

Senate Bill No. 162. A Bill For an Act defining Insolvent Grain Warehousemen; Authorizing the Board of Rail-

road Commissioners to apply to the District Court for its appointment as Trustee for the Benefit of Storage Receipt holders of such Warehousemen, and to Marshall the Trust Assets of such Insolvent and distribute the same among such Receipt holders.

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

Senator Lynch introduced:

Senate Bill No. 163. A Bill For an Act to amend and re-enact Section 714a8 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the designating of Depositories of Public Funds and fixing maximum and minimum rates of interest that may be paid thereon.

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

#### FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 111. A Bill For an Act Making an Appropriation for the Purpose of Carrying out the Provisions of Chapter 17, Session Laws of 1921, Relating to Preservation and Control of the Artesian Waters of the State, for the Biennial Period from July 1, 1927 to June 30, 1929.

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

House Bill No. 128. A Bill For an Act to Amend and Re-enact Section 10833 of the Compiled Laws of North Dakota for 1913 Providing for Separate Trials When Two or More Defendants are Jointly Charged with Any Criminal Action.

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

House Bill No. 144. A Bill For an Act Making an Appropriation of \$21,495.88 to Repay the Bank of North Dakota for a Loan Made to the Hospital for the Insane and also for the Payment of any Interest Due Thereon.

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

House Bill No. 166. A Bill For an Act conferring additional powers upon the Governor to open and close seasons in any and all subdivisions of the State when deemed necessary for the better protection of game birds, fish or animals.

Was read the first and second times and referred to the Committee on Game and Fish.

House Bill No. 153. A Bill For an Act to Amend and Re-enact Section 14, Chapter 161, Session Laws of 1913, Relating to Game and Fish; Right of Search and Seizure, and to Repeal Section 15, Chapter 161, Session Laws of 1915.

Was read the first and second times and referred to the Committee on Game and Fish.

House Bill No. 168. A Bill For an Act to Amend Section 8719 of the Compiled Laws of North Dakota for 1913, Relating to the Exemption of the Avails of Life Insurance Payable to the Personal Representatives of a Deceased, his Heirs or Estates.

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

House Bill No. 174. A Bill For an Act to Prescribe the Manner of Taking and Killing Game Birds and Animals, Prohibiting the Use of Traps, Snares, Lights and Other Artificial Means, and Repealing Sections 10332a24 and 10322a25 of the Supplement to the Compiled Laws 1913, and Any and All Acts in Conflict.

Was read the first and second times and referred to the Committee on Game and Fish.

Courtesies of the floor were extended to: C. O. Vinge, Hazel Pierce and Mary Huber.

Senator Patten moved that the Senate do now adjourn.

Which motion prevailed and the Senate Adjourned.

W. D. AUSTIN,  
Secretary.

## THIRTY-FIFTH DAY

Senate Chamber,  
Bismarck, North Dakota.  
February 7, 1927.

The Senate convened at 2:00 P. M.

Prayer by the Chaplain, Rev. C. F. Strutz.

Roll call.

All members present except: Senators Brunsdale and O. H. Olson.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-third day and recommend that the same be corrected as follows:

On page 6 strike out all of lines 27-28-29-30-31, and insert the following:

Senate Bill No. 17. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

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

Senate Bill No. 3 was messaged to the House.

Senator Brant presented a resolution from Kintyre favoring the Sheppard-Towner Act.

Senator Fine presented a telegram from Gunnerud Dietrich Post 86, Minnewaukan, endorsing Senate Bill 109 and urging its passage.

Senator Forbes presented a petition from Wahpeton urging legislative reduction of taxes.

## REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 34. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School at Valley City, North Dakota.

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

In line Three of the Printed Bill after the word "of" strike out the figures "\$350,563.00" and insert the figures "\$450,563.". Insert line Thirty-two and one-half "Library Building and Class rooms, \$100,000.00". In line Forty-six strike out the figures "\$350,563.00" and insert the figures "\$450,563.00".

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. 18. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

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

In line 3 of the printed bill, strike out the figures "\$286,600.00" and insert the figures "\$274,100.00".

In line 18 of the printed bill, strike out the figures "\$2,500.00" and insert the figures "\$500.00". In line 20 of the printed bill, strike out the figures "\$5,000.00", and insert the figures "2,000.00". In line 21 of the printed bill, strike out the figures "\$3,000.00" and insert the figures "\$2,000.00". In line 24 of the printed bill, strike out the figures "\$35,000.00" and insert the figures "\$32,000.00". In line 25 of the printed bill, strike out the figures "\$14,000.00" and insert the figures "\$12,000.00". In line 27 of the printed bill, strike out the figures "\$12,500.00" and insert the figures "\$10,000.00". In line 29 of the printed bill, strike out the figures "\$10,000.00" and insert the figures "\$6,000.00." In line 30 of the printed bill, strike out the figures "\$285,800.00" and insert the figures "\$270,300.00". In line 32 of the printed bill, strike out the figures "\$245,800.00" and insert the figures "\$230,300.00" Insert line 33½ the words and figures "hoghouse, chickenhouse and root cellar, \$8,000.00". In line 35 of the printed bill strike out the

figures "\$15,000.00" and insert after the "well" and "reservoir" and the figures "\$10,000.00". In line 51 of the printed bill, strike out the figures "\$286,600.00" and insert the figures "\$274,100.00".

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. 16. A Bill For an Act to Make an Appropriation from the State Prison Revolving Fund for the Construction of Buildings and Improvements and for the Purchase of Land for the State Penitentiary.

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

In line Ten of the Printed Bill strike out the figures "\$50,000.00" and insert the figures "\$25,000.00". Insert line Ten and one-half "Land Contract Payment and Interest, \$10,550.00." In line Twelve strike out the figures "\$130,000.00" and insert the figures "\$115,550.00".

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 Judiciary to whom was referred:

Senate Bill No. 39. A Bill For an Act to Amend and Re-enact Sections 8075 and 8076 of the Compiled Laws of North Dakota for the Year 1913.

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

Amend the title to read "For an Act to Amend and Re-enact Section 8075 of the Compiled Laws of North Dakota for 1913 and Section 8076 of the Supplement to the Compiled Laws of the State of North Dakota 1913".

Amend Section 2 of the engrossed bill to read:

"Section 2. Amendment. That Section 8076 of the Supplement to the Compiled Laws of the State of North Dakota 1913 be, and the same is hereby, amended and re-enacted to read as follows:"

In Section 8076 of the engrossed bill after the word "same" in line 7 strike out the semi-colon and insert a period and strike out the balance of the section.



And when so amended recommend the same do pass.

L. R. BAIRD,  
Chairman.

Sen. 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. 86. A Bill For an Act to amend and re-enact Section 2212 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the payment of all delinquent real estate taxes as a condition precedent to the recording of deeds or other instruments transferring title to lands.

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. 125. A Bill For an Act to Amend and Re-enact Section 6745 of the Compiled Laws of North Dakota for 1913.

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

In line 4, page 1 of the printed bill, after the figures "8745" insert the title "Discharge by foreign executor or administrator".

In line 13, page 1 of the printed bill beginning with the word "and" strike out the following "and may foreclose any such mortgage or lien, on real or personal property".

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. 127. A Bill For an Act to Amend and Re-enact Section 7567 of the Supplement to 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.

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 133. A Bill For an Act to Amend and Re-enact Section 7598 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Dismissal of Actions in the Courts of Record of this State which have been Pending for a Period of Five Years, Wherein the Plaintiff or his Successor in Interest has Neglected to Prosecute said Action.

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

In line 4 of the printed bill after the figures "7598" insert the title "Actions deemed dismissed, when".

In line 7 of the printed bill, strike out the word "two" and insert in lieu thereof the word "three".

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. 53. A Bill For an Act Providing for the Issuance of Duplicate Bonds, Warrants or other Obligations of the State of North Dakota, or of Any of the Political Subdivisions thereof in Case the Originals are Mutilated, Defaced, or Lost, and Prescribing the Procedure Therefor.

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

In section 2, line 1, of the engrossed bill after the word "case" strike out the words "an obligation" and insert in lieu thereof the following: "a bond, or interest coupon".

In section 2, line 4, of the engrossed bill after the word "obligations" insert the following: "of the State of North Dakota, or of a political subdivision thereof," .

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. 73. A Bill For an Act Providing for the Deposition of Forfeiture and Pecuniary Penalties.

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:

House Bill No. 75. A Bill For an Act to Amend Suddivision 6 of Section 10628 of the Compiled Laws of North Dakota for 1913, Relating to the Arraignment of, and the Receiving of Pleas of Guilty in Criminal Cases Before District Judges.

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:

House Bill No. 102. A Bill For an Act to Amend and Re-enact Section 3535 of the Compiled Laws of North Dakota, year 1913 Relating to Per Diem and Mileage of Witnesses.

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:

House Bill No. 138. A Bill For an Act to Amend and Re-enact Sections 10804 and 10805 of the Compiled Laws of North Dakota for the Year 1913, Relating to Challenges to Jurors in Criminal Cases.

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

In section 1, line 1 of the printed bill after "Section 1" insert the word "Amendment".

In section 2, line 1 of the printed bill after "Section 2" insert the word "Amendment".

At the end of the bill insert "Section 3" as follows:

"Section 3. Emergency. An emergency is hereby declared to exist, and this act shall take effect and be in force, from and after its passage and approval".

And when so amended recommend the same do pass.

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 State Affairs to whom was referred:

Senate Bill No. 49. A Bill For an Act to amend and re-enact Sections 476, 486, 487, 488, 490, 493, 495, 499, 504, and 505 of the Compiled Laws of the State of North Dakota, for the year 1913, the same being Sections 2, 12, 13, 14, 16, 19, 21, 25, 30, and 31 of Chapter 182 of the Session Laws of 1907, entitled "An act to Regulate the Practice of Pharmacy, and Providing Penalties for Violating the Provisions Thereof."

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

In line 4 Section 476 of the printed bill, after the period following the word "business" insert the following: "Every store, dispensary, pharmacy, laboratory, or office for the sale, dispensing or compounding of drugs, medicines or chemicals, or for the compounding or dispensing of prescriptions of medical practitioners shall be in charge of a registered pharmacist, or during the temporary absence of such registered pharmacist, in charge of a registered assistant pharmacist. Every store or shop where drugs, medicines, or chemicals are dispensed or sold at retail, or displayed for sale at retail for medicinal purposes, or where prescriptions are compounded, shall be deemed a "pharmacy" or "drug store" within the meaning of this act.

In line 10 Section 476 of the printed bill after the word "place" insert the words "of business." In line 6 Section 486 of the printed bill, after the comma following the word "character" insert the words "shall be." In line 26 Section 486 of the printed bill, strike out the first "L" in the word "equivalent". In line 12, Section 493 of the printed bill after the word "board" insert the word "and." On line 8 of Section 495 of the printed bill, strike out the word "issue" and in lieu thereof insert the words "be issued." In line 14 of Section 495 of the printed bill, after the word "payment" insert the word "of." After comma following the words "cream of tartar" in line 16 Section 499 of the printed bill, and extending into line 17, strike out the words "and formaldehyde." In line 5 of Section

504 of the printed bill change the word "cocoa" to "coca." In line 40 of Section 504 of the printed bill change the word "sale" to read "salt."

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. 111. A Bill For an Act Authorizing the Board of Administration of the State of North Dakota to Erect Upon the Capitol Grounds a Building to be Used for Executive Purposes and to be Known as the Agricultural Building 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: A Majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 94. A Bill For an Act Fixing the Salaries and Providing for the Payment of Necessary Expenses of the Judges of the Supreme and District Court of the State of North Dakota.

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

G. PATTERSON,  
O. H. OLSON,  
C. E. ERICKSON,  
J. E. FLECKTEN,  
L. O. FREDRICKSON,  
GUST WOG,  
D. H. HAMILTON,  
C. J. OLSON.

Senator D. H. Hamilton moved that the report of the majority be adopted.

Mr. President: A minority of Your Committee on State Affairs to whom was referred:

Senate Bill No. 94. A Bill For an Act Fixing the Salaries and Providing for the Payment of Necessary Expenses of the Judges of the Supreme and District Court of the State of North Dakota.

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

On line 5 of Section 1 of the printed bill, strike out the word "Two Thousand" and insert in lieu thereof "Fifteen Hundred."

In line 3 of Section 2 of the printed bill, strike out the word "Seven" and insert the word "Six" in lieu thereof.

In line 7 of Section 2 of the printed bill strike out the words "Six Thousand" and insert the words "Five Thousand Five Hundred" in lieu thereof.

And when so amended recommend the same do pass.

S. J. ATKINS,  
WALTER H. SCHLOSSER,  
C. W. CAREY,  
W. D. LYNCH,  
FRANK E. PLOYHAR.

Senator Ployhar moved that the report of the minority be adopted.

Senator Atkins moved that the word "minority" be substituted for the word "majority".

Roll call demanded.

The question being on the motion by Senator Atkins, the roll was called, and there were ayes 19, nays 28, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Murphy	Schlosser
Baird	Olson of Burleigh	Steel
Conrath	Pathman	Seamands
Crocker	Ployhar	Van Arnam
Eastgate	Porter	Whitman
Lynch	Rusch	
McLachlin	Sathre	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Patten
Benson	Hamilton	Patterson
Bond	Hart	Peck
Brant	Hjelmstad	Ritchie
Carey	Kretschmar	Stevens
Erickson	McCrorry	Tofsrud
Ettestad	Magnuson	Van Camp
Fine	Marshall	Wog
Fleckten	Martin	
Forbes	Olson of Barnes	

Absent and not voting:

Messrs.	Messrs.
Brunsdale	Olson of Eddy

So the motion was defeated.

The question being on the original motion, the question was put and the motion prevailed and the majority report of the committee was adopted.

Mr. President: The majority of Your Committee on State Affairs to whom was referred:

Senate Bill No. 59. A Bill For an Act relating to and concerning the labeling and branding of flour offered or exposed for sale, or sold, within this state, prescribing regulations and providing penalties for violation thereof.

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

In the title of the printed bill, in the second line after the word "sold" insert the words "for consumption."

In line 3 of Section 2 of the printed bill, after the word "delivery" insert the words "for consumption."

In line 3 of Section 3 of the printed bill, after the word "delivery" insert the words "for consumption."

In line 5 of Section 3 of the printed bill, strike off the letter "S" at the end of the word "states."

At the end of line 11, Section 3 of the printed bill, change the comma to a semi-colon and strike out all of lines 12, 13 and 14 up to the word "also."

And when so amended recommend the same do pass.

D. H. HAMILTON,  
C. J. OLSON,  
G. PATTERSON,  
O. H. OLSON,  
WALTER H. SCHLOSSER,  
J. E. FLECKTEN,  
L. O. FREDRICKSON,  
GUST WOG,  
O. T. TOFSRUD,  
FRANK E. PLOYHAR.

Senator Ployhar moved that the majority report be adopted.

Mr. President: A minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 59. A Bill For an Act relating to and concerning the labeling and branding of flour offered or exposed for sale, or sold, within this state, prescribing regulations and providing penalties for violation thereof.

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

C. E. ERICKSON,  
S. J. ATKINS,  
P. J. MURPHY,  
C. W. CAREY,  
W. H. PORTER,  
W. D. LYNCH.

Senator Atkins moved the substitution of the word "minority" for "majority."

Roll call demanded.

The question being on the motion by Senator Atkins, 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.
Atkins	Forbes	Pathman
Baird	Hart	Porter
Bond	Kretschmar	Rusch
Carey	Lynch	Seamands
Crocker	McLachlin	Van Arnam
Eastgate	Murphy	Van Camp

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Hjelmstad	Ployhar
Benson	McCrory	Ritchie
Brant	Magnuson	Sathre
Conrath	Marshall	Schlosser
Erickson	Martin	Steel
Ettestad	Olson of Barnes	Stevens
Fine	Olson of Burleigh	Tofsrud
Fleckten	Patten	Whitman
Fredrickson	Patterson	Wog
Hamilton	Peck	

Absent and not voting:

Messrs.	Messrs.
Brunsdale	Olson of Eddy

So the motion was defeated.

The question being upon the original motion, the question was put, and the motion prevailed, and the majority report of the committee was adopted.

Mr. President: A majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 105. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 160 of the Session Laws of 1919 as Amended by Chapter 38 of the Special Session Laws of the Sixteenth Legislative Assembly of the State of North Da-



kota, as Amended and Re-enacted by Chapter 77 of the Session Laws of North Dakota for the Year 1921, as Amended and Re-enacted by Chapter 232 of the Session Laws of North Dakota for the Year 1923, Relating to State Hail Insurance.

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

S. J. ATKINS,  
WALTER H. SCHLOSSER,  
P. J. MURPHY,  
C. W. CAREY,  
W. H. PORTER,  
O. T. TOFSRUD,  
W. D. LYNCH,  
WALTER BOND,  
FRANK E. PLOYHAR.

Senator Ployhar moved that the majority report be adopted.

Mr. President: A minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 105. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 160 of the Session Laws of 1919 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, as Amended and Re-enacted by Chapter 232 of the Session Laws of North Dakota for the Year 1923, Relating to State Hail Insurance.

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

G. PATTERSON,  
O. H. OLSON,  
C. E. ERICKSON,  
J. E. FLECKTEN,  
L. O. FREDRICKSON,  
GUST WOG,  
D. H. HAMILTON,  
C. J. OLSON.

The question being upon the original motion the question was put and the motion prevailed and the majority report of the committee was adopted.

Mr. President: A majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 106. A Bill For an Act to Amend and Re-enact Section 26 of Chapter 160 of the Session Laws of 1919 as Amended by Chapter 38 of the Special Session Laws of the Sixteenth Legislative Assembly of the State of North Dakota for the Year 1921, as Amended and Re-enacted by Chapter 232 of the Sessions Laws of North Dakota for the

Year 1923, Relating to State Hail Insurance, as Amended and Re-enacted by Chapter 151 of the Session Laws of North Dakota for the Year 1925 Relating to State Hail Insurance and Actions Against the Department.

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

S. J. ATKINS,  
WALTER H. SCHLOSSER,  
P. J. MURPHY,  
WALTER BOND,  
O. T. TOFSRUD,  
W. D. LYNCH,  
C. W. CAREY,  
W. H. PORTER,  
FRANK E. PLOYHAR.

Senator Ployhar moved that the majority report be adopted.

Mr. President: A minority of your committee on State Affairs to whom was referred:

Senate Bill No. 106. A Bill For an Act to Amend and Re-enact Section 26 of Chapter 160 of the Session Laws of 1919 as Amended by Chapter 38 of the Special Session Laws of the Sixteenth Legislative Assembly of the State of North Dakota for the Year 1921, as Amended and Re-enacted by Chapter 232 of the Sessions Laws of North Dakota for the Year 1923, Relating to State Hail Insurance, as Amended and Re-enacted by Chapter 151 of the Session Laws of North Dakota for the Year 1925 Relating to State Hail Insurance and Actions Against the Department.

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

G. PATTERSON,  
GUST WOG,  
JOHN E. FLECKTEN,  
C. J. OLSON,  
D. H. HAMILTON,  
L. O. FREDRICKSON,  
O. H. OLSON.

Senator Hamilton moved that the word "minority" be substituted for "majority."

Roll call demanded.

The question being on the motion by Senator Hamilton, 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.
Bakken	Fredrickson	Olson of Burleigh
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson

Messrs.	Messrs.	Messrs.
Conrath	McCrory	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Sathre
Fine	Olson of Barnes	Wog
Fleckten	Martin	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Schlcsser
Baird	Lynch	Seamands
Bond	McLachlin	Stéel
Carey	Murphy	Stevens
Crocker	Pathman	Tofsrud
Eastgate	Ployhar	Van Arnam
Forbes	Porter	Van Camp
Hart	Rusch	Whitman

Absent and not voting:

Messrs.	Messrs.
Brunsdale	Olson of Eddy

So the motion was defeated.

The question being upon the original motion, the question was put and the motion prevailed and the majority report of the committee was adopted.

Mr. President: Your Committee on Game and Fish to whom was referred:

Senate Bill No. 135. A Bill For an Act Forbidding any Person to Act or be Appointed as Game Warden, Deputy Game Warden, or Special Deputy Game Warden who is in the Employ or Acting Agent of any Person or Persons who Own, Operate, Hold or Possess any Land, or Lease upon Land, for Hunting Purposes and Making a Violation thereof a Misdemeanor.

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

That the title be amended so as to read:

"A bill for an Act forbidding any person to act or be appointed as game warden, deputy game warden or special deputy game warden who is in the employ of, or acting agent of any person or persons who own, operate, hold or possess any land or lease upon any lands for hunting purposes within the State of North Dakota, and making the violation thereof a misdemeanor."

In line 4 of the printed bill, after the word "purpose" add the words "within North Dakota".

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.

Mr. President: Your Committee on Corporations other than Municipal to whom was referred:

Senate Bill No. 61. A Bill For an Act to Amend and Re-enact Section 4863 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 163, Laws of North Dakota for 1919, Relating to Capital Stock Required by Domestic and Other Stock Insurance Companies.

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

FRED PATHMAN,  
Chairman.

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

Mr. President: Your Committee on Corporations other than Municipal to whom was referred:

Senate Bill No. 144. A Bill For an Act Exempting Co-operative Companies, Corporations and Associations from Personal Property Tax.

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

FRED PATHMAN,  
Chairman.

Senator Pathman 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. 124. A Bill For an Act to Authorize and Empower Cities, Towns or Villages to Purchase, Erect, Operate and Maintain, Enlarge, Improve, and Extend, or Lease from any Person, Firm or Corporation, or Sell or Lease to any Person, Firm or Corporation, any Electric Light and Power Plant, Site, Buildings and Equipment Thereof, or any Electric Distribution System and Equipment Thereof, or any Electric Transmission Line and Equipment Thereof, or all or any Part or Parts of any of Such Plants, Systems and Lines, and any Interest in any Such Plant, System or Line Within and Without the Corporate Limits of Such City, Town or Village, and Providing for the Issuance of Bonds and the Levying of Special Assessments and the Creating of Special Assessment Districts in Connection with the Exercise of any of the Powers above Granted, and Providing for the Legalization and Validation of Purchases and Sales and the Issuance of Bonds Heretofore Made and Repealing Chapter 255 of the Session Laws of North Dakota for the Year 1923, being Section 3992b1 and 3992b2 of the Supplement to the 1913 Compiled Laws of the State of North Dakota.

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

In line 1 of Section 11 on Page 6 of the Printed Bill strike out the number "11" and insert in place thereof the figure "2."

In line 1 of Section 12 on Page 6 of the printed bill strike out the number "12" and insert in place thereof the figure "3".

And when so amended recommend the same do pass.

JOSEPH G. FORBES,  
Chairman.

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

Mr. President: Your Committee on Indian Affairs to whom was referred:

Concurrent Resolution G.

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

C. A. SEAMANDS,  
Chairman.

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

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 80. A Bill For an Act to Amend and Re-enact Section 3029 of the Compiled Laws of North Dakota for the year 1913, relating to the method of obtaining a Peddler's License.

Also,

Senate Bill No. 118. A Bill For an Act to Amend and Re-enact Section 2125, Compiled Laws 1913.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 3. A Bill for an Act providing that depositories of public funds may, with the consent of proper authorities, deposit and pledge as security in order to obtain

the deposit of public funds, bonds, warrants, or bills receivable in an amount equal to the maximum deposit with such depository.

Also,

Senate Bill No. 77. A Bill For an Act Creating a Revolving Fund at the State Training School, Providing that the State Board of Administration shall Transfer Funds from State Prison Revolving Fund as Provided in Article 13 of Chapter 17 of the Compiled Laws of 1913, the Sum of \$25,000 to be Used in Providing Suitable Buildings, and Installing Suitable Machinery for the Manufacture of Motor Vehicle License Tags, Coffins, Caskets and Undertakers Fixtures and Supplies, and Providing for the Employment of the Inmates of the State Training School, and Providing for the Distribution of the Profits Derived therefrom to the Support and Maintenance of the Inmates thereof and Compensation to such Inmates for such Labor Performed.

And find the same correctly re-engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 65. A Bill For an Act to Amend and Re-enact Section 2212 of the Supplement to the Compiled Laws of 1913 of the State of North Dakota; 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 and declaring an emergency exists.

House Bill No. 86. A Bill For an Act to Amend and Re-enact Section 3237 of the Compiled Laws of North Dakota for 1913, Pertaining to When County Seat Deemed Changed.

House Bill No. 95. A Bill for An Act to Amend and re-enact Section 4609c30 of the Supplement to the Compiled Laws of 1913.

And the President signed the same in the presence of the Senate.

Senator Whitman moved that the absent Senators be excused.

Which motion prevailed.

Senator Erickson asked the consent of the Senate to introduce Senate Bill 170.

Which request was granted.

Senator Conrath asked the consent of the Senate to introduce Senate Bill 165.

Which request was granted.

#### MESSAGES FROM THE HOUSE

House Chamber,  
Bismarck, North Dakota,  
February 7, 1927.

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

Senate Bill No. 73. A Bill For an Act Requiring Public Utilities to Obtain from the Board of Railroad Commissioners Certificates of Public Convenience and Necessity before Beginning the Construction or Operation of Public Utility Plants or Systems or the Exercising of any Rights or Privileges Under any Franchise or Certificate Hereafter Granted, or Under any Franchise Heretofore Granted, the Exercise of Which has not been commenced within one year from the Granting Thereof, or has been suspended or Discontinued for More Than One Year, and Prescribing the Procedure to be Followed in Such Matters.

Senate Bill No. 10. 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 Association.

Senate Bill No. 23. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 200, Session Laws 1923, the same being Section 5220b9 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Depositors' Guaranty Fund Commission.

Senate Bill No. 45. A Bill For an Act Making an Appropriation for the Per Diem and General Expenses of the State Live Stock Sanitary Board.

Senate Bill No. 92. A Bill For an Act to Amend and Re-enact Section 9688, of the Compiled Laws of North Dakota for 1913, Relating to the Racing of Animals for Wager.

Which the House has passed unchanged.

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 7, 1927.

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

House Bill No. 6. A Bill For an Act to Appropriate \$4,200.00 to pay Travel Expense, and Stenographer's salary of the Dairy Division of the Department of Agriculture and Labor for the Period Commencing February 1, 1927, and ending June 30, 1927.

House Bill No. 10. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

House Bill No. 113.—Concurrent Resolution.—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.

House Bill No. 134. A Bill For an Act Defining the Crime of Aggravated Assault and Battery and Prescribing the Punishment Therefor.

House Bill No. 127. A Bill For an Act Providing Maximum Punishments for Persons Convicted of a Felony Who Have Been Convicted of Two or More Felonies In Any State of the United States, and Prescribing the Procedure in Such Cases.

House Bill No. 135. A Bill For an Act to Amend and Re-enact Section 10605 of the Compiled Laws of North Dakota for the Year 1913, Relating to Examination of Witnesses in Preliminary Examinations.

House Bill No. 97. A Bill For an Act to Repeal Section 17 of Chapter 174, Session Laws 1919, Making an Annual Appropriation for the Purpose of Carrying Out the Provisions of said Chapter.

House Bill No. 109. A Bill For an Act to Repeal Sections 1804 and 1806, of the Compiled Laws of North Dakota for 1913, Relating to the State Trolley Line.

House Bill No. 170. A Bill For an Act Providing For the Placing of Placards Containing the Ten Commandments of the Christian Religion, in School Rooms and Class Rooms of Public Institutions of Learning.

House Bill No. 181. A Bill For an Act Making an Appropriation of \$8,000.00 for the Maintenance, Improvements, Repairs, Rents, Insurance and Upkeep of the State Capitol Building for the Balance of the Fiscal Year Ending June 30, 1927.

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

Very respectfully,

C. R. VERRY,  
Chief Clerk.



INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS

Senator Patterson introduced:

Senate Bill No. 164. A Bill For an Act to Amend and Re-enact Section 7619 of the Compiled Laws of North Dakota for the Year 1913, Relating to Order of Trial.

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

Senator Conrath, by request, introduced:

Senate Bill No. 165. A Bill For an Act to Appropriate the sum of \$5,000.00 from the Moneys in the State Highway Fund, for the Purpose of Making a Preliminary Survey and Soundings of the Missouri River at or near Stanton, North Dakota, to determine the Advisability and Feasibility of Constructing a Bridge Across said River Between the City of Stanton, Mercer County, and the City of Underwood in McLean County. This location should connect Trail No. 25 with Trail No. 7 under the Provisions of Sub-section C of Section 2976t15 of the Supplement to the Compiled Laws of 1913.

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

Senator Stevens introduced:

Senate Bill No. 166. A Bill For an Act to Amend and Re-enact Section 10322a28 of the Supplement to the Compiled Laws 1913, and Repealing Section 10322a29 of the Supplement to the Compiled Laws 1913.

Was read the first and second times and referred to the Committee on Game and Fish.

Senator Hjelmstad introduced:

Senate Bill No. 167. A Bill For an Act to Amend and Re-enact Section 6073 of the Compiled Laws of the State of North Dakota for 1913 as Amended by Section 2, Chapter 176, Laws of 1915, and by Section 2, Chapter 155, Laws of 1925, Pertaining to Usury.

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

Senator O. A. Olson introduced:

Senate Bill No. 168. A Bill For an Act Amending Section 375b3 of the Supplement to the Compiled Laws of North Dakota for the year 1913, Relating to the Duties of the State Printer.

Was read the first and second times and referred to the Committee on Public Printing.

Senator Baird introduced:

Senate Bill No. 169. A Bill For an Act Limiting the Time in Which to File Claims Against the Returned Soldiers Fund Under the Provisions of Chapter 206, Laws of 1919, and Laws Amendatory Thereto.

Was read the first and second times and referred to the Committee on Military Affairs.

Senator Erickson introduced:

Senate Bill No. 170. A Bill For an Act Providing For the Inspection of Scales, Weights and Measures under the Jurisdiction of the Board of Railroad Commissioners, Prescribing the Powers and Duties of said Board, Defining the Standard of Weights and Measures, Providing Penalties for the Violation Thereof, Regulating the Use and Sale of Weights and Measures, Providing for the Fixation of Fees, Making an Appropriation to Carry Out the Provisions of this Act, and Repealing Chapter 344 of the Session Laws of North Dakota for 1923.

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

Senator Atkins introduced:

Senate Bill No. 171. A Bill For an Act Amending Section 2071c1 of the Supplement to the 1913 Compiled Laws of North Dakota.

Was read the first and second times and referred to the Committee on Counties.

Senators Sathre and Tofsrud introduced:

Senate Bill No. 172. A Bill For an Act to Amend and Re-enact Section 224 of the Compiled Laws of North Dakota for the year 1913.

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

Senators Sathre and Schlosser introduced:

Senate Bill No. 173. A Bill For an Act to Amend and Re-enact Section 5121 of the Compiled Laws of North Dakota for the year 1913 as Amended and Re-enacted by Chapter 148, Session Laws of 1923; and Sections 5122, 5123, 5130, 5136 of the Compiled Laws for the year 1913, Relating to Building and Loan Associations, and to Regulate the Investments by and to Provide for the Creation of a Reserve Fund for Such Associations.

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

Senator Wog introduced:

Senate Bill No. 174. A Bill For an Act Requiring School Districts Maintaining a High School to Pay the High School

**Tuition of Pupils Residing in such Districts More Than Six Miles From Such High School When No Transportation by Vehicle is Furnished to Such Children.**

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

Senator Rusch introduced:

Senate Bill No. 175. A Bill For an Act Empowering and Authorizing Cities under the Commission Form of Government to Refund and Reissue special improvement warrants upon the Surrender of the Outstanding Warrants by the Holders Thereof.

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

Senators Sathre and Forbes introduced:

Senate Bill No. 176. A Bill For an Act to Amend and Re-enact Section 690 of the Supplement to the 1913 Compiled Laws, Relating to the Removal of Public Officers by the Governor and Appeals Therefrom.

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

Senator Tofsrul introduced:

Senate Bill No. 177. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Relating to the Election of County Officers and Regulating Their Terms of Office.

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

Senator Martin introduced:

Senate Bill No. 178. A Concurrent Resolution Recommending for Passage by a Vote of the People, a Bill to Close the State University at Grand Forks, North Dakota, the Agricultural College at Fargo, North Dakota, and the State Teachers College at Valley City, North Dakota, for a Period of Two Years, from and after the 20th day of June, A. D. 1927.

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

Senators Benson and Forbes introduced:

Senate Bill No. 179. A Bill For an Act Amending and Re-enacting Sections 5012a2 and 5012a3 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Extinct Denominational and Religious Societies.

Was read the first and second times and referred to the Committee on Ways and Means.

Senator Bond introduced:

Senate Bill No. 180. A Bill For an Act to Amend and Re-enact Sections 909a2 and 909a5 of the Supplement to the Compiled Laws of 1913.

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

Senator Schlosser introduced:

Senate Bill No. 181. A Bill For an Act to Amend and Re-enact Sections 3874 and 3875 of the Compiled Laws of North Dakota for 1913, Relating to Tax Levy of Villages and Duties of County Auditors with Reference Thereto.

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

Senator Schlosser introduced:

Senate Bill No. 182. A Bill For an Act to amend and re-enact Section 3812 of the Compiled Laws of the State of North Dakota for 1913, relating to additional duties of City Auditors under the Commission System of Government.

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

Senator Schlosser introduced:

Senate Bill No. 183. A Bill For an Act to amend and re-enact Sections 3684a6, 3684a7 and 3684a8, of the Supplement to the Compiled Laws of North Dakota for 1913, relating to the finances of cities, towns and villages, (said sections constituting a part of what is known as the city budget law); repealing Sections 4038, 4039, 4040, 4041, and 4045, Compiled Laws of 1913.

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

Senator O. A. Olson introduced:

Senate Bill No. 184. A Bill For an Act to Amend and Re-enact Sections 3, 8 and 9, Chapter 159, Session Laws of 1919, and Section 3 of Chapter 154, Session Laws of 1925, Relating to Insurance on Public Buildings, Providing for the Classification of All Public Property, and Limiting the Amount of Insurance to be Carried by the State Fire and Tornado Fund.

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

Senator Tofsrud introduced:

Senate Bill No. 185. A Bill For an Act providing for the purchase by and assignment of tax sale certificates to the commissioner of insurance where redemption has been made

without payment of the hail indemnity acreage tax and for the payment of the amount of such unpaid indemnity acreage tax to the holders of such certificates.

Was read the first and second times and referred to the Committee on Tax and Tax Laws.

Senator Tofsrud introduced:

Senate Bill No. 186. A Bill For an Act to Amend and Re-enact Section 189b6 of the Supplement to the 1913 Compiled Laws of North Dakota Providing for a Flat Tax and Permanent Surplus and the Purposes Thereof.

Was read the first and second times and referred to the Committee on Tax and Tax Laws.

### THIRD READING OF SENATE BILLS

Senate Bill No. 87. A Bill For an Act to Regulate Grain and Seed Warehouses; Defining Public Warehouses and Providing for the Bonding, Licensing and Supervision thereof and the Weighing, Storing, Buying, and Handling of Grain and Seeds; Prescribing the duties and powers of the Board of Railroad Commissioners in relation thereto; Providing for the Appointment of a Federal Licensed Inspector, and such other employees as may be deemed necessary to carry out the provisions of this Act and making an appropriation therefor; Providing Penalties and Repealing Sections: 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3117, 3123, 3135, 3136, 3137.

Was read the third time.

Senator Van Camp offered the following amendment: On page 4, line 10, section 8, of the Journal of February 3, after the word "the" strike out balance of the section and insert in lieu thereof the words "General Fund of the State".

Which motion prevailed.

Senator Van Camp offered a second amendment. In line 2, Section 9, page 4 of Journal of February 3, after the word "corporation" insert "excepting a warehouseman".

Which motion prevailed.

Senator Forbes offered the following amendment: That the last eight words of section 24 be stricken out.

Which motion was lost.

Senator Fine offered the following amendment: In line 2, section 24 of the Journal of February 3, after the word "buying", insert the word "selling" and comma.

Which motion prevailed.

The question being on the final passage of the bill, as

amended, 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.
Benson	Lynch	Peck
Bond	McCrary	Patterson
Brant	McLachlin	Ployhar
Conrath	Magnuson	Schlosser
Erickson	Marshall	Seamands
Fine	Martin	Steel
Fleckten	Olson of Barnes	Stevens
Fredrickson	Olson of Burleigh	Van Camp
Hamilton	Pathman	Whitman
Hjelmstad	Patten	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Ettestad	Ritchie
Baird	Forbes	Rusch
Bakken	Hart	Sathre
Carey	Kretschmar	Tofsrud
Crocker	Murphy	Van Arnam
Eastgate	Porter	

Absent and not voting:

Messrs.	Messrs.
Brunsdale	Olson of Eddy

So the bill passed and the title was agreed to.

Senate Bill No. 17. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Was read the third time.

Senator Kretschmar offered the following amendment: That the figures "\$315,650" in line 3, section 1 of engrossed bill be stricken out and "\$305,100.00" be inserted in lieu thereof.

Which motion prevailed.

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.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter

Messrs.	Messrs.	Messrs.
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCroxy	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Patterson	

Absent and not voting:

Messrs.	Messrs.
Brunsdale	Olson of Eddy

So the bill passed and the title was agreed to.

Senator Tofsrud requested a return to the Ninth Order of Business.

Which request was granted.

### THIRD READING OF SENATE BILLS

Senate Bill No. 19. 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.

Senator Benson moved that the Senate do now recess for 10 minutes.

Which motion prevailed.

The Senate re-assembled at 4:40 P. M., pursuant to recess taken, the President presiding.

Senator Benson offered the following amendment to Senate Bill 19: In line 144, subdivision 10, page 7 of the printed bill, strike out the figure "\$800" and insert "\$1200.00" in lieu thereof, and the total in line 151 be changed to read "\$32,400.00" instead of "\$32,000.00".

Which motion prevailed.

Senator Patten moved that the subdivisions be considered separately.

Which motion prevailed.

Senator Benson offered the following amendment: In the engrossed bill in sub-division 14, strike out the first four

lines following the words "State Aid" and insert in lieu thereof lines 219 and 220 of the printed bill and amend the total accordingly.

Which motion prevailed and the amendment was adopted.

Senator Brant offered the following amendment: In line 378, subdivision 22, change the figures "\$5,000" to "\$6,500."

Which motion was defeated.

Senator Ployhar offered the following amendment: In subdivision 14, increase the aid to rural schools by \$225,000 and increase the total accordingly.

Which motion was defeated.

Senator Kretschmar offered the following amendment: In the original printed bill, in subdivision 14, that line 222 be re-instated and totals changed accordingly.

Which motion prevailed.

Senator Hamilton moved that the Senate do now recess until 1 P. M. Tuesday.

Which motion prevailed and the Senate recessed.

**W. D. AUSTIN,**  
Secretary.



**THIRTY-FIFTH DAY AFTER RECESS AND THIRTY-SIXTH DAY**

Senate Chamber,  
Bismarck, North Dakota,  
February 8, 1927.

The Senate re-assembled at 1:00 P. M., pursuant to recess taken, the President presiding.

Senator Ployhar moved that final action on Senate Bill 19 be deferred until Wednesday.

Which motion prevailed.

Senator Sathre requested a return to the Ninth Order of Business.

Which request was granted.

**INTRODUCTION AND FIRST AND SECOND READING OF SENATE BILLS**

Senators Sathre and Forbes introduced:

Senate Bill No. 187. A Bill For an Act Limiting the Time within which any Action may be Brought to Void a Foreclosure of a Mortgage, a Mortgage Foreclosure set Aside, or any Defense Interposed in any Action, by Virtue of any defect in the Form, Substance or Service of Notice of Intention to Foreclose a Mortgage.

Was read the first and second times and referred to the Committee on Judiciary.  
Senator Sathre introduced:

Senate Bill No. 188. A Bill For an Act to Provide for the Closing of Schools in Certain Towns and Villages Upon the Consolidation of the Schools in Such School Districts and Providing the Procedure Therefor.

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

Senator Whitman introduced:

Senate Bill No. 189. A Bill For an Act Relating to the Sale of Malt Sugar, Malt Extract and Malt Sirup, Providing

for the Issuing of Licenses for the Purpose of Making Sales thereof and Furnishing of a Bond; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof, and Penalty for Violation of this Act; and Defining the Duties of the Attorney General, State Auditor and State Treasurer Imposed Under the Provision of this Act; and Providing that any Person Violating this Act shall be enjoined and that Any Building or Premises Made Use of for Purposes in Violation of this Act shall be Deemed a Nuisance and Abated by Injunction.

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

Senator Schlosser introduced:

Senate Bill No. 190. A Bill For an Act to Amend and Re-enact Section 4795 of the Compiled Laws of the State of North Dakota for 1913, Relating to Executive Officers and Financial Statements of Cities Organized Under the Commission System of Government.

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

Senator Schlosser introduced:

Senate Bill No. 191. A Bill For an Act to Amend and Re-enact Sections 3676, 3677 and 3680 of the Compiled Laws of the State of North Dakota for 1913, Relating to Finances of Cities Organized Under the General Laws of the State.

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

Senator Schlosser introduced:

Senate Bill No. 192. A Bill For an Act to Amend and Re-enact Sections 3625 and 3626, Compiled Laws of the State of North Dakota for 1913, Relating to the Duties of City Auditors.

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

Senator Bakken introduced:

Senate Bill No. 193. A Bill For an Act to Amend and Re-enact Section 1240, Compiled Laws of 1913, as Amended by Chapter 196, Sessions Laws of 1919, being Section 1240 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to Adjacent Territory in Special School Districts.

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

Senator Seamands introduced:

Senate Bill No. 195. A Bill For an Act to Amend and Re-enact Section 2 of Chapter 155, Session Laws of 1925, the same being Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, Defining Usury.

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

State Affairs Committee introduced:

Senate Bill No. 196. A Bill For an Act Authorizing the Board of Administration to Contract with William Laist to Serve the State of North Dakota as Custodian of the Capitol Building.

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

Senator Eastgate introduced:

Senate Bill No. 197. A Bill For an Act to Amend and Re-enact Section 2071c1 of the Supplement to the Compiled Laws of North Dakota for 1913, Authorizing County Commissioners to Erect Memorials and to Levy Taxes Therefor.

Was read the first and second times and referred to the Committee on Counties.

Senators Carey and Ettestad introduced:

Senate Bill No. 198. A Bill For an Act to Amend and Re-enact Section 1172 of the Compiled Laws of North Dakota, 1913, Relating to the Compensation of School Treasurers in Common and Consolidated School Districts.

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

Senators Carey and Ettestad introduced:

Senate Bill No. 199. A Bill For an Act to Amend and Re-enact Section 4206 of the Compiled Laws of North Dakota 1913, Relating to the Compensation of Township Treasurers.

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

Senator Tofsrud introduced:

Senate Bill No. 200. A Bill For an Act to Amend and Re-enact Section 2163a5 of the Supplement to the Compiled Laws of 1913 relating to the rate of mills which may be levied by counties; and to amend and re-enact Section 1945 of the Compiled Laws of 1913 relating to county road funds and Section 1946 relating to the expenditure of county road funds and repealing Section 2150 of the Supplement to the Compiled Laws of 1913.

Was read the first and second times and referred to the Committee on Counties.

Senator Magnuson introduced:

Senate Bill No. 201. A Bill For an Act to Amend and Re-enact Sections 1, 3, 5, 7, 9, 10, 11, 12, 13, 15, 24, 25, 26 and 27 of Chapter 160 of the Session Laws of 1919 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, as Amended and Re-enacted by Chapter 232 of the Session Laws of North Dakota for the year 1923, as Amended and Re-enacted by Chapter 151 and Chapter 152 of the Session Laws of North Dakota for the year 1925.

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

Senator Atkins introduced:

Senate Bill No. 202. A Bill For an Act providing for the investment of the funds of County Mutual Insurance Companies, and prescribing the character of such investment.

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

### THIRD READING OF SENATE BILLS

Senate Bill No. 76. A Bill For an Act to Amend Chapter 162 of the Session Laws of North Dakota for 1919 as Amended by Chapter 73 of the Special Session Laws of North Dakota for the year 1919 and Chapter 141, 142, 143, 144 and 145 of the Session Laws of North Dakota for the year 1921 and Chapters 347, 349 and 350 of the Session Laws of North Dakota for the year 1923 and by Chapters 84, 220, 221, 222, 223, 225 and 226 of the Session Laws of North Dakota for the year 1925 by adding Sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40 relating to and providing for the benefit of employees insured and the dependents of employees killed in hazardous employments, fixing the duties and liability of employers and employees and providing additional methods of securing the payment of obligations arising in favor of insured employees and their dependents and providing for partial support of the North Dakota Workmen's Compensation Bureau from insurance companies and by repealing all acts and parts of acts insofar as they are in conflict with the aforesaid added sections.

Was read the third time.

Senator Benson offered the following amendment: That Section 4, appearing on page 8, Journal of February 4, be stricken out.

Which motion was lost.

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 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Rusch
Baird	Lynch	Schlosser
Bond	McLachlin	Seamands
Brunsdale	Martin	Steel
Carey	Murphy	Stevens
Crocker	Olson of Burleigh	Tofsrud

Messrs.	Messrs.	Messrs.
Eastgate	Pathman	Van Arnam
Forbes	Ployhar	Van Camp
Hart	Porter	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Patten
Benson	Hamilton	Patterson
Brant	Hjelmstad	Peck
Conrath	McCrary	Ritchie
Erickson	Magnuson	Sathre
Ettestad	Marshall	Wog
Fine	Olson of Barnes	
Fleckten	Olson of Eddy	

So the bill passed and the title was agreed to.

Senator Carey moved that the vote by which Senate Bill No. 76 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Sathre requested a return to the Eighth Order of Business.

Senator Fleckten introduced:

#### A SENATE RESOLUTION

Whereas this Honorable Body Recently Passed a Deficiency Appropriation Bill of Five Thousand Dollars to Cover a Deficiency in the Expenses of the Department of Education, and Whereas it Was Stated upon the Floor of the Senate by Senator Ployhar that there still Exists an Uncovered Deficit in this Department Amounting to the Sum of Two Hundred Twenty-five Thousand Dollars, and it further Appears that the Senator did not Furnish Detail Information as to how the said Deficit Came About. If such Conditions Exists it is a Serious Matter, and the Best Interests of the State of North Dakota Demand that this State of Affairs be Investigated in Order that the Proper Steps May Be Taken to Clear Up the Records, and if necessary, to Call the Matter to the Attention of the Attorney General's Department, in order that Full and Complete Knowledge May Be Had By the Public, and that the Blame, if any Exists, Be Definitely Ascertained, and if there Be No Foundation in Fact for the Statement that the Truth be Told, and that in order that Innocent Persons May Not Suffer as a Consequence thereof.

Therefore Be It Resolved by the Senate of the State of North Dakota:

That the President of the Senate be authorized to appoint a committee of three senators to investigate the matter and to bring in a preliminary report to this body within ten days, in order that the Senate may then determine what further steps shall be necessary.

Referred to Ways and Means Committee.

Senator Ployhar moved that the Senate do now adjourn.

Which motion prevailed, and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

### THIRTY-SIXTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 8, 1927.

The Senate assembled at 2:00 P. M., the Presiding presiding.

Prayer by the Chaplain, Rev. C. F. Strutz.

Roll call.

All members present.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-fifth day and recommend that the same be corrected as follows:

On page 2 on last of line 7 from bottom of page, strike out "period" at end of 6,0000 and add one cipher and place period between third and fourth ciphers so as to read "\$6,000.00."

On page 8 in line 2 change figure "10" to figure "40."

On page 26 after line 21 insert the following: "Third Reading of Senate Bills".

On page 24 in line 3 from the bottom after the word "selling" add comma.

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

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

### COMMUNICATION FROM THE GOVERNOR

February 5, 1927.

To the Senate of the State of North Dakota:

I have this day approved and filed with the Secretary of State the following bills:

Senate Bill No. 53, an act authorizing a foreign Executor, Administrator or Guardian to commence and prosecute or defend a civil action or proceeding in the State of North Dakota.

Senate Bill No. 62, an act to amend and re-enact Section 10994 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 125 of the Session Laws of North Dakota for 1925, relating to the time for taking and completing appeals to the Supreme Court in criminal cases.

Very truly yours,  
A. G. SORLIE,  
Governor.

Senator O. A. Olson presented a local petition protesting proposed legislation affecting the present Sunday laws.

The President presented a telegram from Fargo protesting the proposed Sunday movie law.

Senate Bill No. 76 was messaged to the House.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 106. A Bill for an Act to Amend and Re-enact sections 8651-8657 and 8682 of the Compiled Laws of 1913 relating to the qualification, appointment, removal and discharge of Executors, Administrators and Guardians, and to repeal all acts and parts of acts in conflict herewith.

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

L. R. BAIRD,  
S. J. ATKINS,  
J. E. STEVENS,  
JOHN VAN ARNAM,  
A. A. PECK  
FRANK E. PLOYHAR,  
P. O. SATHRE,  
C. J. OLSON,  
ALFRED STEEL.

Senator Baird moved that the majority report be adopted.

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 106. A Bill for an Act to Amend and Re-enact sections 8651-8657 and 8682 of the Compiled Laws of 1913 relating to the qualification, appointment, removal and discharge of Executors, Administrators and Guardians, and to repeal all acts and parts of acts in conflict herewith.

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

WALTER H. SCHLOSSER,  
OBERT A. OLSON,  
W. D. LYNCH,  
JOSEPH G. FORBES,  
G. PATTERSON,  
GUST WOG,  
O. H. OLSON.

Senator Schlosser moved that the word "minority" be substituted for "majority".

Which motion prevailed.

Mr. President: Your committee on State Affairs to whom was referred:

Senate Bill No. 143. A Bill For an Act to Provide a Standard Time for the State of North Dakota and the Institution and Continuance Thereof.

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

FRANK E. PLOYHAR,  
Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred:

Senate Bill No. 91. A Bill For an Act to Repeal Sections 3 and 4 of Chapter 154, Session Laws of the State of North Dakota for the Year 1925 Relating to Insurance of Public Buildings.

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.

Mr. President: A Minority of your Committee on Insurance to whom was referred:

Senate Bill No. 91. A Bill For an Act to Repeal Sections 3 and 4 of Chapter 154, Session Laws of the State of North Dakota for the Year 1925 Relating to Insurance of Public Buildings.

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

NELS MAGNUSON,  
P. O. SATHRE,  
L. O. FREDRICKSON,  
GUST WOG,  
C. W. FINE.

Senator Magnuson moved the substitution of the word "minority" for "majority".

Roll call demanded.

The question being on the motion by Senator Magnuson, the roll was called, and there were ayes 31, nays 18, absent and not voting 0.



Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fleckten	Olson of Eddy
Baird	Forbes	Patten
Bakken	Fredrickson	Patterson
Benson	Hamilton	Peck
Brant	Hjelmstad	Ritchie
Carey	McCrory	Sathre
Conrath	Magnuson	Schlosser
Crocker	Marshall	Seamands
Erickson	Martin	Wog
Ettestad	Olson of Barnes	
Fine	Olson of Burleigh	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Eastgate	Pathman	Tofsrud
Hart	Ployhar	Van Arnam
Kretschmar	Porter	Van Camp
Lynch	Rusch	Whitman

So the motion prevailed.

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

Senate Bill No. 165. A Bill For an Act to Appropriate the sum of \$5,000.00 from the Moneys in the State Highway Fund, for the Purpose of Making a Preliminary Survey and Soundings of the Missouri River at or near Stanton, North Dakota, to determine the Advisability and Feasibility of Constructing a Bridge Across said River Between the City of Stanton, Mercer County, and the City of Underwood in McLean County. This location should connect Trail No. 25 with Trail No. 7 under the Provisions of Sub-section C of Section 2976t15 of the Supplement to the Compiled Laws of 1913.

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 Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 39. A Bill For an Act to Amend and Re-enact Sections 8075 and 8076 of the Compiled Laws of North Dakota for the Year 1913.

And find the same correctly re-engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Mr. President: Your Committee on Enrollment and Engrössment respectfully report that they have examined the following bills:

Senate Bill No. 125. A Bill For an Act to Amend and Re-enact Section 6745 of the Compiled Laws of North Dakota for 1913.

Also,

Senate Bill No. 127. A Bill For an Act to Amend and Re-enact Section 7567 of the Supplement to Compiled Laws of North Dakota for 1913.

Also,

Senate Bill No. 133. A Bill For an Act to Amend and Re-enact Section 7598 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Dismissal of Actions in the Courts of Record of this State which have been Pending for a Period of Five Years, Wherein the Plaintiff or his Successor in Interest has Neglected to Prosecute said Action.

Also,

Senate Bill No. 106. A Bill For an Act to Amend and Re-enact Section 26 of Chapter 160 of the Session Laws of 1919 as Amended by Chapter 38 of the Special Session Laws of the Sixteenth Legislative Assembly of the State of North Dakota for the Year 1921; as Amended and Re-enacted by Chapter 232 of the Sessions Laws of North Dakota for the Year 1923, Relating to State Hail Insurance, as Amended and Re-enacted by Chapter 151 of the Session Laws of North Dakota for the Year 1925 Relating to State Hail Insurance and Actions Against the Department.

Also,

Senate Bill No. 135. A Bill For an Act Forbidding any Person to Act or be Appointed as Game Warden, Deputy Game Warden, or Special Deputy Game Warden who is in the Employ or Acting Agent of any Person or Persons who Own, Operate, Hold or Possess any Land, or Lease upon Land, for Hunting Purposes within the State of North Dakota and Making the Violation thereof a Misdemeanor.

Also,

Concurrent Resolution G.

Also,

Senate Bill No. 49. A Bill For an Act to amend and re-enact Sections 476, 486, 487, 488, 490, 493, 495, 499, 504, and 505 of the Compiled Laws of the State of North Dakota, for the year 1913, the same being Sections 2, 12, 13, 14, 16, 19, 21, 25, 30, and 31 of Chapter 182 of the Session Laws of 1907, entitled "An act to Regulate the Practice of Pharmacy and Providing Penalties for Violating the Provisions Thereof."

Also,

Senate Bill No. 59. A Bill For an Act relating to and concerning the labeling and branding of flour offered or exposed for sale, or sold, within this state, prescribing regulations and providing penalties for violation thereof.

Also,

Senate Bill No. 105. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 160 of the Session Laws of 1919 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, as Amended and Re-enacted by Chapter 232 of the Session Laws of North Dakota for the Year 1923, Relating to State Hail Insurance.

Also,

Senate Bill No. 34. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School at Valley City, North Dakota.

Also,

Senate Bill No. 18. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Also,

Senate Bill No. 16. A Bill For an Act to Make an Appropriation from the State Prison Revolving Fund for the Construction of Buildings and Improvements and for the Purchase of Land for the State Penitentiary.

And find the same correctly Engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 23. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 200, Session Laws 1923, the same being Section 5220b9 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Depositors' Guaranty Fund Commission.

Also,

Senate Bill No. 92. A Bill For an Act to Amend and Re-enact Section 9688, of the Compiled Laws of North Dakota for 1913, Relating to the Racing of Animals for Wager.

Also,

Senate Bill No. 73. A Bill For an Act Requiring Public Utilities to Obtain from the Board of Railroad Commissioners Certificates of Public Convenience and Necessity before Beginning the Construction or Operation of Public Utility Plants or Systems or the Exercising of any Rights or Privileges Under any Franchise or Certificate Hereafter Granted, or Under any Franchise Heretofore Granted, the Exercise of Which has not been commenced within one year from the Granting Thereof, or has been suspended or Discontinued for More Than One Year, and Prescribing the Procedure to be Followed in Such Matters.

Also,

Senate Bill No. 45. A Bill For an Act Making an Appropriation for the Per Diem and General Expenses of the State Live Stock Sanitary Board.

Also,

Senate Bill No. 10. 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 Association.

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 23. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 200, Session Laws 1923, the same being Section 5220b9 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Depositors' Guaranty Fund Commission.

Senate Bill No. 73. A Bill For an Act Requiring Public Utilities to Obtain from the Board of Railroad Commissioners Certificates of Public Convenience and Necessity before Beginning the Construction or Operation of Public Utility Plants or Systems or the Exercising of any Rights or Privileges Under any Franchise or Certificate Hereafter Granted, or Under any Franchise Heretofore Granted, the Exercise of Which has not been commenced within one year from the Granting Thereof, or has been suspended or Discontinued for More Than One Year, and Prescribing the Procedure to be Followed in Such Matters.

Senate Bill No. 10. 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 Association.

Senate Bill No. 92. A Bill For an Act to Amend and Re-enact Section 9688, of the Compiled Laws of North Dakota for 1913, Relating to the Racing of Animals for Wager.

Senate Bill No. 45. A Bill For an Act Making an Appropriation for the Per Diem and General Expenses of the State Live Stock Sanitary Board.

And the President signed the same in the presence of the Senate.

Senator Kretschmar moved that the report of the Select Committee be printed in the Journal, and that the report be referred to the Committee on State Affairs.

Which motion prevailed and the report was so referred.

#### REPORT OF SELECT COMMITTEE

To Senate and House of Representatives of the Twentieth Legislative Assembly:

The Joint Committee appointed by the Senate and House of Representatives to consider the Resolutions submitted to your Honorable Bodies by the Industrial Commission on February 1st, 1927, in reference to the matter of taxes on State lands obtained through the foreclosure of mortgages by the Bank of North Dakota, herewith submits the following report and recommendations:

Your Joint Committee held three meetings to consider said matter which was attended by all of the members, and also Mr. C. R. Green, Manager of the Bank of North Dakota and the Attorney General. After obtaining such information as was available on the subject and considering the matter from all its angles, your Joint Committee finds that approximately \$520,000.00 has accrued in taxes against about 97,000 acres of land owned by the State obtained through the foreclosure of mortgages taken by the Bank of North Dakota; that about one-third of said amount constituted tax certificates sold to individual purchasers, of which the Bank of North Dakota has paid out of its funds to protect the title of the State, the sum of about \$120,000.00; that about \$65,000.00 of such individual tax certificates are outstanding unpaid, and must be paid at once; that about \$338,000.00 of such unpaid taxes are in the form of tax certificates held by the Counties; and it is estimated that there will be about \$200,000.00 in such taxes accrue against said lands during the next two years, of which, on the basis of past experience, one-third will be sold to individuals and two-thirds held by the Counties.

It is further the opinion of your Joint Committee, that unless some legislation is adopted to take care of the

situation, tax certificates now held by the Counties on such lands will be assigned or transferred, tax deeds may be applied for and obtained, and confusion result affecting and incumbering the State's title to such lands.

Your Joint Committee, therefore respectfully recommends the adoption of legislation at this Session along the following lines:

First, the passage of a law authorizing and directing the Bank of North Dakota to pay all tax certificates held by individuals outstanding against said lands, and to provide an appropriation therefor out of the general funds of the State, if such funds can be made available for that purpose, and to constitute such appropriation in the amount of \$250,000.00 as a revolving fund for that purpose; second, the passage of a law wholly suspending the right of the County to acquire tax deeds, or to otherwise enforce its tax liens against said lands for the period of two years ending July 1st, 1929; providing that such tax certificates shall bear interest at the rate of seven per cent (7%) per annum until paid; and prohibiting the assignment or transfer by the Counties of any tax certificates held by them upon any such lands during the period such law shall be in force.

Two bills designed to carry out these recommendations are made a part of this report and will be introduced in the House of Representatives.

Respectfully submitted,

THOS. GUDMESTAD,  
P. T. KRETSCHMAR,  
W. H. PORTER,  
S. J. ATKINS,  
C. A. MILLER,  
L. L. TWICHELL.

Majority of Joint Committee.

#### MINORITY REPORT

The following members of your Joint Committee agree to the foregoing report in all respects, except that it is our opinion that the Bank of North Dakota should be required to pay the individual tax certificates referred to therein out of funds of the Bank of North Dakota, and that a revolving fund of \$300,000.00 be created from the funds of said Bank for that purpose.

A bill intended to carry out this recommendation is herewith made a part of this Minority Report and will be introduced in the House of Representatives.

Respectfully submitted,

CHAS. F. STREICH,  
JAMES McMANUS,  
A. S. MARSHALL,  
L. O. FREDRICKSON.

Minority of Joint Committee.

Referred to the State Affairs Committee.

Senator Ployhar moved that the time limit for the introduction of Senate Bills be extended five days.

Which motion prevailed.

MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
February 8, 1927.

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

Senate Bill No. 84. A Bill For an Act Authorizing the School Board of any School District whose Property is not Required by Law to be Insured against Loss by Fire or Tornado by the State Fire and Tornado Fund to Insure the Property of such District against such Loss in Mutual Fire Insurance Companies or in Old Line Fire Insurance Companies.

Senate Bill No. 42. A Bill For an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Section 2711 to 2729, Inclusive, of the Compiled Laws of North Dakota for the Year 1913.

Senate Bill No. 43. A Bill For an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Senate Bill No. 44. A Bill for an Act Appropriating Funds to Indemnify Owners of Animals Infected With Bovine Tuberculosis.

Which the House has passed unchanged.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 8, 1927.

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

A Concurrent Resolution relative to the St. Lawrence seaway.

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

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 8, 1927.

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

House Bill No. 5. A Bill For an Act to Amend and Re-enact Section 915 of the Compiled Laws of North Dakota for the year 1913.

House Bill No. 140. A Bill For an Act Providing for the Voting of an Absent Voter Ballot by Electors who by Reason of Physical Disability are Unable to Attend Their Polling Place to Vote at any General or Primary Elections.

House Bill No. 176. A Bill For an Act to Amend and Re-enact Section 1958a3 of the Supplement to the Compiled Laws of North Dakota of 1913, said Section being Chapter 11 of the Session Laws of North Dakota of 1925; An Act to Appropriate the sum of \$75,000.00, 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 1919.

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

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 77. A Bill For an Act Creating a Revolving Fund at the State Training School, Providing that the State Board of Administration shall Transfer Funds from State Prison Revolving Fund as Provided in Article 13 of Chapter 17 of the Compiled Laws of 1913, the Sum of \$25,000 to be Used in Providing Suitable Buildings, and Installing Suitable Machinery for the Manufacture of Motor Vehicle License Tags, Coffins, Caskets and Undertakers Fixtures and Supplies, and Providing for the Employment of the Inmates of the State Training School, and Providing for the Distribution of the Profits Derived therefrom to the Support and Maintenance of the Inmates thereof and Compensation to such Inmates for such Labor Performed.

Was read the third time.

Senator Fine offered the following amendment: In line 4, section 7 of the printed bill change the number from 25% to 15%.

Which motion prevailed.

Senator Stevens offered the following amendment: In line 2 of title of printed bill, and throughout the bill wherever the word "shall" appears change the word "shall" to "may".

Which motion prevailed.

Senator Stevens moved to further amend the bill: In line 3, section 10 of the printed bill, strike out the last three words, and all of lines 4 and 5.



Which motion prevailed.

The question being on the final passage of the bill, as amended, 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.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hart	Patterson
Carey	Hjelmstad	Peck
Conrath	McCrorry	Ritchie
Erickson	Magnuson	Stevens
Ettestad	Martin	Wog
Fine	Olson of Barnes	
Fleckten	Olson of Burleigh	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Seamands
Baird	Marshall	Steel
Bond	Murphy	Tofsrud
Brunsdale	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Lynch	Schlosser	

Absent and not voting:

Messrs.	Messrs.
Kretschmar	Sathre

So the bill passed and the title was agreed to.

Senator Hamilton moved that the vote by which Senate Bill No. 77 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 80. A Bill For an Act to Amend and Re-enact Section 3029 of the Compiled Laws of North Dakota for the year 1913, relating to the method of obtaining a Peddler's License.

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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Lynch	Ritchie

Messrs.	Messrs.	Messrs.
Brant	McCrorry	Rusch
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	

Absent and not voting:

Messrs.	Messrs.
Kretschmar	Sathre

So the bill passed and the title was agreed to.

Senate Bill No. 104. A Bill For an Act to Amend and Re-enact Section 2166 of the Supplement to the Compiled Laws of 1913 Relating to Delinquent Personal Property Taxes.

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.
Atkins	Hart	Rusch
Baird	Hjelmstad	Sathre
Bond	Kretschmar	Schlosser
Brant	Lynch	Seamands
Brunsdale	McLachlin	Steel
Carey	Magnuson	Stevens
Crocker	Marshall	Tofsrud
Eastgate	Murphy	Van Arnam
Ettestad	Olson of Barnes	Van Camp
Fleckten	Olson of Burleigh	Whitman
Forbes	Pathman	Wog
Fredrickson	Porter	
Hamilton	Ritchie	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fine	Patten
Benson	McCrorry	Patterson
Conrath	Martin	Peck
Erickson	Olson of Eddy	

Absent and not voting:

Messrs.
Ployhar

So the bill passed and the title was agreed to.

Senate Bill No. 113. A Bill For an Act Making an Appropriation to Provide for the Payment of a Deficit in the General Maintenance Fund of the State Training School at Mandan, North Dakota.

Was read the third time.

The question being on the final passage of the bill, the roll was called, and there were ayes 41, nays 5, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Pathman
Baird	Hart	Patterson
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Sathre
Brant	Lynch	Schlosser
Brunsdale	McCrary	Seamands
Carey	McLachlin	Steel
Conrath	Magnuson	Stevens
Crocker	Marshall	Tofsrud
Eastgate	Martin	Van Arnam
Erickson	Murphy	Van Camp
Fine	Olson of Barnes	Whitman
Forbes	Olson of Burleigh	Wog
Fredrickson	Olson of Eddy	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Ettestad	Patten	Ritchie
Fleckten	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bond	Ployhar	Rusch

So the bill passed and the title was agreed to. Emergency clause declared carried.

Senate Bill No. 118. A Bill For an Act to Amend and Re-enact Section 2125, Compiled Laws 1913.

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.
Atkins	Fleckten	Olson of Burleigh
Baird	Forbes	Olson of Eddy
Bakken	Fredrickson	Pathman
Benson	Hamilton	Patten
Brant	Hart	Patterson
Brunsdale	Hjelmstad	Peck
Conrath	McCrary	Ritchie

Messrs.	Messrs.	Messrs.
Crocker	Magnuson	Rusch
Eastgate	Marshall	Van Camp
Erickson	Martin	Wog
Ettestad	Murphy	
Fine	Olson of Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Carey	Porter	Stevens
Kretschmar	Sathre	Tofsrud
Lynch	Schlosser	Van Arnam
McLachlin	Seamands	Whitman
Ployhar	Steel	

Absent and not voting:

Messrs.  
Bond

So the bill passed and the title was agreed to.

Senate Bill No. 130. A Bill For an Act Making an Appropriation for the Purchase and Erection of an Iron Fence Around the Roosevelt Cabin, Which is Located Upon the Capitol Grounds, and For the Purchase and Erection of a Flag Pole at the 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 43, nays 2, absent and not voting 1, 3 passed.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Peck
Baird	Hjelmstad	Ployhar
Bakken	Kretschmar	Porter
Brant	Lynch	Rusch
Brunsdale	McCrory	Sathre
Carey	McLachlin	Schlosser
Crocker	Magnuson	Seamands
Eastgate	Marshall	Steel
Erickson	Martin	Stevens
Ettestad	Murphy	Tofsrud
Fine	Olson of Barnes	Van Arnam
Fleckten	Olson of Burleigh	Van Camp
Forbes	Olson of Eddy	Whitman
Fredrickson	Pathman	
Hamilton	Patterson	

Those voting in the negative were:

Messrs.	Messrs.
Patten	Wog

Absent and not voting:

Messrs.  
Bond

Those Passing:

Messrs.	Messrs.	Messrs.
Benson	Conrath	Ritchie

So the bill passed and the title was agreed to. Emergency clause declared carried.

Senate Bill No. 16. A Bill For an Act to Make an Appropriation from the State Prison Revolving Fund for the Construction of Buildings and Improvements and for the Purchase of Land for the State Penitentiary.

Was read the third time.

Senator Kretschmar offered the following amendment: That the words "One Hundred and thirty thousand dollars" be changed to "one hundred and fifteen thousand, five hundred and fifty dollars" in lines 2 and 3, section 1, of the engrossed bill.

Which motion prevailed.

The question being on the final passage of the bill, as amended, 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.
Atkins	Fredrickson	Peck
Baird	Hamilton	Patterson
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCrory	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog

Absent and not voting:

Messrs.  
Martin

So the bill passed and the title was agreed to. Emergency clause declared carried.

Senate Bill No. 18. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Was read the third time.

The question being on the final passage of the bill, the roll was called, and there were ayes 48, nays 0, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCroy	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Patten	Whitman
Forbes	Pathman	Wog

Absent and not voting:

Messrs.  
Martin

So the bill passed and the title was agreed to.

Senator Hamilton moved that the Senate do now recess for ten minutes.

Which motion prevailed and the Senate recessed.

The Senate reassembled pursuant to recess taken.

### THIRD READING OF SENATE BILLS

Senate Bill No. 34. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School at Valley City, 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 29, nays 15, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hjelmstad	Rusch
Baird	Kretschmar	Sathre
Bakken	Lynch	Schlosser
Bond	Murphy	Seamands
Brunsdale	Olson of Barnes	Steel
Carey	Olson of Burleigh	Stevens
Crocker	Pathman	Van Camp
Eastgate	Patterson	Van Arnam

Messrs.	Messrs.	Messrs.
Forbes	Ployhar	Whitman
Hamilton	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fine	Olson of Eddy
Brant	Fredrickson	Patten
Conrath	McCroroy	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fleckten	McLachlin	Tofsrud
Hart	Martin	

So the bill passed and the title was agreed to.

Senate Bill No. 39. A Bill For an Act to Amend and Re-enact Sections 8075 and 8076 of the Compiled Laws of North Dakota for the Year 1913.

Was read the third time.

Senator Forbes offered the following motion: In line 20, section 8075 of the printed bill, after the word "foreclose" insert the following "as a counter claim".

Which motion prevailed.

Senator Rusch moved that further action on Senate Bill 39 be deferred one legislative day.

Which motion prevailed.

Senator Murphy moved that final action on Senate Bill 49 be deferred one legislative day.

Which motion prevailed.

Senate Bill No. 59. A Bill For an Act relating to and concerning the labeling and branding of flour offered or exposed for sale, or sold, within this state, prescribing regulations and providing penalties for violation thereof.

Was read the third time.

Senator Rusch offered the following amendment: In line 8, section 3 of the printed bill, strike out the words "percentage of each".

Roll call demanded.

The question being on the motion by Senator Rusch, the roll was called, and there were ayes 21, nays 26; absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Porter
Baird	Hart	Rusch

Messrs.	Messrs.	Messrs.
Bond	Kretschmar	Seamands
Brunsdale	Lynch	Steel
Carey	McLachlin	Stevens
Crocker	Murphy	Van Arnam
Eastgate	Pathman	Van Camp

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Hamilton	Patterson
Benson	Hjelmstad	Peck
Brant	McCrorry	Ployhar
Conrath	Magnuson	Ritchie
Erickson	Marshall	Sathre
Ettestad	Olson of Barnes	Schlosser
Fine	Olson of Burleigh	Whitman
Fleckten	Olson of Eddy	Wog
Fredrickson	Patten	

Absent and not voting:

Messrs.	Messrs.
Martin	Tofsrud

So the motion was defeated.

Senator Seamands offered the following amendment:

After the word "barrel" in line fifteen of the printed bill, insert the following:

"Provided, however that no person, partnership or corporation engaged in the manufacture of flour shall be required to change the label on sacks or containers which they have on hand at the time this act goes into effect".

Roll call demanded.

The question being on the motion by Senator Seamands, 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.
Atkins	Hamilton	Rusch
Baird	Hart	Schlosser
Bond	Kretschmar	Seamands
Brunsdale	Lynch	Steel
Carey	McLachlin	Stevens
Crocker	Murphy	Tofsrud
Eastgate	Pathman	Van Arnam
Forbes	Porter	Van Camp

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Patten
Benson	Hjelmstad	Patterson
Brant	McCrorry	Peck
Conrath	Magnuson	Ployhar



Messrs.	Messrs.	Messrs.
Erickson	Marshall	Ritchie
Ettestad	Olson of Barnes	Sathre
Fine	Olson of Burleigh	Whitman
Fleckten	Olson of Eddy	Wog

Absent and not voting:

Messrs.  
Martin

So the amendment was lost.

Senator McLachlin offered the following amendment:

"Insert a section 5, to read, 'provisions of this act shall take effect January 1, 1928.'"

Which motion was lost.

Senator Eastgate moved that further consideration of Senate Bill 59 be indefinitely postponed.

Which motion was lost.

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.
Bakken	Hamilton	Peck
Benson	Hjelmstad	Ployhar
Brant	McCrorry	Ritchie
Brunsdale	Magnuson	Sathre
Conrath	Marshall	Schlosser
Erickson	Olson of Barnes	Stevens
Ettestad	Olson of Burleigh	Tofsrud
Fine	Olson of Eddy	Whitman
Fleckten	Patten	Wog
Fredrickson	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Rusch
Baird	Kretschmar	Seamands
Bond	Lynch	Steel
Carey	McLachlin	Van Arnø
Crocker	Murphy	Van Camp,
Eastgate	Pathman	
Forbes	Porter	

Absent and not voting:

Messrs.  
Martin

So the bill passed and the title was agreed to.

Senator Eastgate moved that the vote by which Senate Bill No. 59 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 105. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 160 of the Session Laws of 1919 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, as Amended and Re-enacted by Chapter 232 of the Session Laws of North Dakota for the Year 1923, 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 25, nays 23, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Seamands
Baird	Lynch	Steel
Bond	McLachlin	Stevens
Brunsdale	Murphy	Tofsrud
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Hart	Schlosser	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrary	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Sathre
Fine	Olson of Barnes	Wog
Fleckten	Olson of Burleigh	

Absent and not voting:

Messrs.  
Martin

So the bill passed and the title was agreed to. Emergency clause declared lost.

Senator Pathman moved that the vote by which Senate Bill No. 105 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 106. A Bill For an Act to Amend and Re-enact Section 26 of Chapter 160 of the Session Laws of 1919 as Amended by Chapter 38 of the Special Session Laws of the Sixteenth Legislative Assembly of the State of North Dakota for the Year 1921, as Amended and Re-enacted by Chapter 232 of the Sessions Laws of North Dakota for the

Year 1923, Relating to State Hail Insurance, as Amended and Re-enacted by Chapter 151 of the Session Laws of North Dakota for the Year 1925 Relating to State Hail Insurance and Actions Against the Department.

Was read the third time.

Senator Sathre offered the following amendment: Strike out the last three words of line 37, section 27, of the printed bill, and all of lines 38 and 39.

Which motion was defeated.

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.
Atkins	Kretschmar	Seamands
Baird	Lynch	Steel
Bond	McLachlin	Stevens
Brunsdale	Murphy	Tofsrud
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Hart	Schlosser	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrory	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Sathre
Fine	Olson of Barnes	Wog
Fleckten	Olson of Burleigh	
Absent and not voting:		

Messrs.  
Martin

So the bill passed and the title was agreed to. Emergency clause declared lost.

Senator Pathman moved that the vote by which Senate Bill No. 106 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 125. A Bill For an Act to Amend and Re-enact Section 6745 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 46, nays 0, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Ployhar
Bakken	Hart	Ritchie
Benson	Hjelmstad	Rusch
Bond	Lynch	Sathre
Brant	McCrory	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steel
Conrath	Marshall	Stevens
Crocker	Murphy	Tofsrud
Eastgate	Olson of Barnes	Van Arnam
Erickson	Olson of Burleigh	Van Camp
Ettestad	Olson of Eddy	Whitman
Fine	Pathman	Wog
Fleckten	Patten	
Forbes	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Kretschmar	Martin	Porter

So the bill passed and the title was agreed to.

Senate Bill No. 127. A Bill For an Act to Amend and Re-enact Section 7567 of the Supplement to Compiled Laws of North Dakota for 1913.

Was read the third time.

Senator Fine offered the following amendment: In lines 15 and 18, Section 7567, of the printed bill, change the figures \$15 to \$20.

Which motion prevailed.

The question being on the final passage of the bill, as amended, 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.
Atkins	Hamilton	Ployhar
Baird	Hart	Porter
Bakken	Hjelmstad	Ritchie
Bond	Lynch	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Conrath	Murphy	Steel
Crocker	Olson of Barnes	Stevens
Eastgate	Olson of Burleigh	Tofsrud
Erickson	Olson of Eddy	Van Arnam
Ettestad	Pathman	Van Camp
Fine	Patten	Whitman
Forbes	Patterson	Wog
Fredrickson	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fleckten	McCrorry

Absent and not voting:

Messrs.	Messrs.
Kretschmar	Martin

So the bill was passed and the title was agreed to.

Senate Bill No. 133. A Bill For an Act to Amend and Re-enact Section 7598 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Dismissal of Actions in the Courts of Record of this State which have been Pending for a Period of Five Years, Wherein the Plaintiff or his Successor in Interest has Neglected to Prosecute said Action.

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.
Atkins	Hamilton	Porter
Baird	Hart	Ritchie
Bakken	Hjelmstad	Rusch
Bond	Kretschmar	Sathre
Brant	Lynch	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Eddy	Van Camp
Fine	Pathman	Whitman
Fleckten	Patterson	Wog
Forbes	Peck	
Fredrickson	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	McCrorry	Patten
Conrath		

Absent and not voting:

Messrs.  
Martin  
Olson of Burleigh

So the bill passed and the title was agreed to.

Senate Bill No. 135. A Bill For an Act Forbidding any Person to Act or be Appointed as Game Warden, Deputy Game Warden, or Special Deputy Game Warden who is in the Employ or Acting Agent of any Person or Persons who Own, Operate, Hold or Possess any Land, or Lease upon Land,

for Hunting Purposes within the State of North Dakota and Making the Violation thereof a Misdemeanor.

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.
Atkins	Hamilton	Patterson
Baird	Hart	Peck
Bakken	Hjelmstad	Ployhar
Benson	Kretschmar	Porter
Bond	Lynch	Ritchie
Brant	McCrary	Rusch
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Murphy	Stevens
Eastgate	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman
Fredrickson	Patten	Wog

Those voting in the negative were:

Messrs.	Messrs.
Erickson	Fleckten

Absent and not voting:

Messrs.	Messrs.
Martin	Sathre

So the bill passed and the title was agreed to.

Concurrent Resolution "G".

Was read the third time.

The question being on the final passage of the concurrent resolution, 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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCrary	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Murphy	Tofsrud

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Erickson	Oison of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>
Martin	Stevens

So the Concurrent Resolution passed and the title was agreed to.

Senate Bills Nos. 17 and 87 were messaged to the House.

House Bills Nos. 73, 75 and 102 were returned to the House indefinitely postponed.

Courtesies of the floor were extended to: J. H. Dahl, B. F. Whipple, Ex-Senator Wartnes.

Senator Ployhar moved that the Senate do now adjourn.

Which motion prevailed, and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

## THIRTY-SEVENTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 9, 1927.

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

Prayer by the Chaplain, Rev. C. F. Strutz.

Roll call. All members present.

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 17, change figures "26" to "76".

On page 17, line 2, after word "being" strike out "an" and insert "on".

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

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

Senator Baird presented a petition from ten counties favoring Senate Bill 143.

President Maddock presented a communication from Washington urging immediate endorsement of the McNary-Haugen Bill and transmission of such endorsement to North Dakota's congressional members.

Senator Schlosser presented a telegram from Grand Forks favoring Sunday shows.

Senator Stevens presented a telegram from Crary urging support of state aid provision for rural and public schools.

Senate Bills Nos. 16, 18, 34, 59, 80, 104, 105, 106, 113, 118, 125, 127, 130, 133, 135 and Concurrent Resolution "G" were messaged to the House.



Senate Bills Nos. 10, 23, 45, 73 and 92 were delivered to the Governor February 9.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your committee on State Affairs to whom was referred:

Senate Bill No. 136. A Bill For An Act to Prevent the Procreation of Feeble-minded, Insane, Epileptic, Habitual Criminals, Moral Degenerates and Sexual Perverts, Who May be Inmates of State Institutions, Authorizing and Providing for the Sterilization of Such Persons and Providing for Appeals to the District Court in Certain Cases; and Repealing Sections 11429 to 11438 inclusive of the Compiled Laws of North Dakota for 1913.

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

At the end of line 6, extending into line 7 of Section 3 of the printed bill, strike out the words "A majority of said board" and insert the words "The entire board", in lieu thereof.

In line 11 of section 10 of the printed bill strike out the word "human" and insert the word "humane", in lieu thereof.

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Sen. 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. 142. A Bill For an Act to Amend and Re-enact Section 696, Compiled Laws of 1913, as Amended by Chapter 249, Sessions Laws of 1917; Relating to Filling Vacancies in Public Offices.

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 Majority of your Committee on State Affairs to who was referred:

Senate Bill No. 178. A Concurrent Resolution Recommending for Passage by a Vote of the People, a Bill to Close the State University at Grand Forks, North Dakota, the Agricultural College at Fargo, North Dakota, and the State Teachers College at Valley City, North Dakota, for a Period of Two Years, from and after the 20th day of June, A. D. 1927.

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

FRANK E. PLOYHAR,  
Chairman.

Senator Ployhar moved that the Majority report be adopted.

Mr. President: A Minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 178. A Concurrent Resolution Recommending for Passage by a Vote of the People, a Bill to Close the State University at Grand Forks, North Dakota, the Agricultural College at Fargo, North Dakota, and the State Teachers College at Valley City, North Dakota, for a Period of Two Years, from and after the 20th day of June, A. D. 1927.

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

J. E. FLECKTEN,  
G. PATTERSON.

Senator Fleckten moved the substitution of the word "Minority" for the word "Majority".

Roll call demanded.

The question being on the motion by Senator Fleckten, the roll was called, and there were ayes 10, nays 39, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Benson	Martin	Peck
Ettestad	Olson of Eddy	Ritchie
Fleckten	Patten	
Hamilton	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Ployhar
Baird	Hart	Porter
Bakken	Hjelmstad	Rusch
Bond	Kretschmar	Sathre
Brant	Lynch	Schlosser
Brunsdale	McCrorry	Seamands
Carey	McLachlin	Steel
Conrath	Magnuson	Stevens
Crocker	Marshall	Tofsrud
Eastgate	Murphy	Van Arnam
Erickson	Olson of Barnes	Van Camp
Fine	Olson of Burleigh	Whitman
Forbes	Pathman	Wog

So the motion was lost.

The question being upon the original motion, the question was put and the motion prevailed and the majority report of the committee was adopted.

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 72. A Bill For an Act to Amend and Re-enact Section 6707, Compiled Laws, 1913, Relating to Contract Liens upon Crops, and Requiring all Contracts for Liens to Secure the Purchase Price or Rental of Land to be Filed for Record.

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. 107. A Bill For an Act Amending and Re-enacting Section 10,548CL 1913, Forbidding Delay in the Proceedings Against Any Accused Person, Providing that Notice be Given to Accused Persons of his Right to Consult with an Attorney, Providing Penalties for Any State's Attorney or Officer Having the Accused in Charge, Denying to an Attorney the Privilege of Interviewing Any Accused Person, and Providing Regulations Therefor.

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:

House Bill No. 128. A Bill For an Act to Amend and Re-enact Section 10833 of the Compiled Laws of North Dakota for 1913 Providing for Separate Trials When Two or More Defendants are Jointly Charged with Any Criminal Action.

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. 136. A Bill For an Act to Amend and Re-enact Section 3382 of the Compiled Laws of North Dakota for 1913 Providing for a Contingent Fund for the State's Attorney of Each County.

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

In line 1, Section 1, of the engrossed bill, after the figure 1, insert the word "Amendment".

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 Taxes and Tax Laws to whom was referred:

Senate Bill No. 79. A Bill For an Act to amend and reenact Section 2132a1, 2132a5 and 2132a9 of the 1913-1925 Supplement to the 1913 Compiled Laws of North Dakota, known as the Classification of Acre Property Law.

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

On page one of the printed Bill on line six strike out the words "one year" and add in lieu thereof "4 years".

On line 9, page 2, between the words "such" and "property" insert the word "acre".

On line 14, page 3, of the printed Bill between the words "Such" and "property" insert the word "acre".

In line 20, page 3, between the words "such" and "property" insert the word "acre".

In line 27, on page 3, of the printed Bill between the words "such" and "property" insert the word "acre" in both places.

And when so amended, 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.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 143. A Bill For an Act to Provide a Standard Time for the State of North Dakota and the Institution and Continuance Thereof.

Also,

Senate Bill No. 91. A Bill For an Act to Repeal Sections 3 and 4 of Chapter 154, Session Laws of the State of North Dakota for the Year 1925 Relating to Insurance of Public Buildings.

And find the same correctly Engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved the report be adopted. Which motion prevailed and the report of the committee was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 44. A Bill For an Act Appropriating Funds to Indemnify Owners of Animals Infected With Bovine Tuberculosis.

Also,

Senate Bill No. 43. A Bill For an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Also,

Senate Bill No. 42. A Bill For an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Section 2711 to 2729, Inclusive, of the Compiled Laws of North Dakota for the Year 1913.

Also,

Senate Bill No. 84. A Bill For an Act Authorizing the School Board of any School District whose Property is not Required by Law to be Insured against Loss by Fire or Tornado by the State Fire and Tornado Fund to Insure the Property of such District against such Loss in Mutual Fire Insurance Companies or in Old Line Fire Insurance Companies.

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 77. A Bill For an Act Creating a Revolving Fund at the State Training School, Providing that the State Board of Administration shall Transfer Funds from State Prison Revolving Fund as Provided in Article 13 of Chapter 17 of the Compiled Laws of 1913, the Sum of \$25,000 to be Used in Providing Suitable Buildings, and Installing Suitable Machinery for the Manufacture of Motor Vehicle License Tags, Coffins, Caskets and Undertakers Fixtures and Supplies, and Providing for the Employment of the Inmates of the State Training School, and Providing for the

Distribution of the Profits Derived therefrom to the Support and Maintenance of the Inmates thereof and Compensation to such Inmates for such Labor Performed.

And find the same correctly re-engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 42. A Bill For an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Section 2711 to 2729, Inclusive, of the Compiled Laws of North Dakota for the Year 1913.

Senate Bill No. 43. A Bill For an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Senate Bill No. 44. A Bill For an Act Appropriating Funds to Indemnify Owners of Animals Infected With Bovine Tuberculosis.

Senate Bill No. 84. A Bill For an Act Authorizing the School Board of any School District whose Property is not Required by Law to be Insured against Loss by Fire or Tornado by the State Fire and Tornado Fund to Insure the Property of such District against such Loss in Mutual Fire Insurance Companies or in Old Line Fire Insurance Companies.

And the President signed the same in the presence of the Senate.

#### MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
February 9, 1927.

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

Senate Bill No. 57. A Bill For an Act to Authorize Counties to issue Bonds and Warrants to procure Seed Grain and Feed for Needy Inhabitants Therein and Providing for the Issuance of Bonds and Warrants for Seed Grain by Counties and Aid by the State in respect thereto, and making an Appropriation Therefor.

Which the House has passed unchanged.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 9, 1927.

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

Senate Bill No. 56. A Bill For an Act to appropriate \$1,000.00 to the North Dakota Poultry Association for the biennial period agreeable with Sections 5118, 5119, and 5120 of the Compiled Laws of 1913 for the State of North Dakota.

Which the House has indefinitely postponed.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 9, 1927.

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

House Bill No. 152. A Bill For an Act to Amend and Re-enact Section 5167 of the Compiled Laws of 1913 as amended by Chapter 94, Session Laws of 1925, Requiring Regular and Special Reports to the State Examiner by Banking Associations, Savings Banks and Trust Companies, and Providing Penalties for Failure to Make the Same.

House Bill No. 79. 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 and Empowering the State Board to Supervise and control the Issuance of Certificates of Authority Thereto.

House Bill No. 180. A Bill For an Act Making an Appropriation for the North Dakota Children's Home Society, of Fargo, North Dakota.

House Bill No. 147. A Bill For an Act to amend and re-enact Section 4220 of the Supplement to the Compiled Laws of the State of North Dakota for the year 1913 relating to the compensation of the township clerks and supervisors.

House Bill No. 157. A Bill For an Act to Amend and Re-enact Chapter 145 of the Session Laws of 1919, as embodied in Section 1755 Supplement to the 1913 Compiled Laws of North Dakota.

House Bill No. 165. A Bill For an Act to Appropriate the sum of \$3,000.00 from any Moneys in the State Highway Fund, for the Purpose of Making a Preliminary survey and Sounding of the Missouri River at or near Garrison, North Dakota, to determine the Advisibility and Feasibility of Constructing a Bridge Across said River Between the city of Garrison in McLean County and the City of Mannhaven in Mercer County, under the Provisions of Subsection C of Section 2976t15 of the Supplement to the Compiled Laws of 1913.

House Bill No. 76. A Bill For an Act to appropriate the sum of \$3,000.00 from any moneys in the State Highway Fund, for the purpose of making a preliminary survey and sounding of the Missouri River at or near Washburn, North Dakota to determine the advisability and feasibility of constructing a bridge across said river between the city of Washburn in McLean County and the city of Center in Oliver County, under the provisions of subsection C of section 2976t15 of the supplement to the compiled laws of 1913.

House Bill No. 189. A Bill For an Act to appropriate the sum of \$3,000.00 from any moneys in the State Highway Fund, for the purpose of making a preliminary survey and sounding of the Missouri River at or near Elbowoods, North Dakota, on State Highway Route No. 24, to determine the advisability and feasibility of constructing a bridge across said river on said State Highway Route, under the provisions of subsection C. of section 2976t15 of the supplement to the compiled laws of 1913.

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

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Senator Benson moved that the Senate do concur in the Joint Resolution relative to the Great Lakes-St. Lawrence Waterway.

Which motion prevailed and the Senate concurred in the resolution.

Senate Chamber,  
Bismarck, North Dakota,  
February 9, 1927.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the Joint House and Senate Resolution pertaining to the Great Lakes-St. Lawrence Waterways and the Resolution is herewith returned.

Very respectfully,  
W. D. AUSTIN,  
Secretary.

#### FINAL PASSAGE OF SENATE BILL 19

Senator Patterson offered the following amendment: On page 20 of the printed bill, strike out line 466, and decrease the totals accordingly.

Which motion prevailed.

Senator Ployhar offered the following amendment: On page 10, of the printed bill, strike out lines 219 and 220.

Roll call demanded.



The question being on the motion by Senator Ployhar, 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.
Atkins	Kretschmar	Schlosser
Baird	McLachlin	Steel
Bond	Murphy	Stevens
Brunsdale	Olson of Burleigh	Van Arnam
Carey	Ployhar	Van Camp
Eastgate	Porter	Whitman
Hamilton	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Pathman
Benson	Hart	Peck
Brant	Hjelmstad	Patten
Conrath	Lynch	Patterson
Crocker	McCrary	Ritchie
Erickson	Magnuson	Sathre
Ettestad	Marshall	Seamands
Fine	Martin	Wog
Fleckten	Olson of Barnes	
Forbes	Olson of Eddy	

Absent and not voting:

Messrs.  
Tofsrud

So the motion was defeated.

Senator Fleckten offered the following amendment: On page 5, line 75 of printed bill change the figures "\$6,000.00" to "\$5,640.00"; and on page 7, line 143 of printed bill, change the figures "\$3,000.00" to "\$2640.00", and change both sub-division totals accordingly.

Which motion was lost.

The question being on the final passage of the bill, as amended, 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.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCrary	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Murphy	Stevens
Eastgate	Olson of Barnes	Van Arnam

Messrs.	Messrs.	Messrs.
Erickson	Olson of Burleigh	Van Camp
Ettestad	Olson of Eddy	Whitman
Fine	Pathman	Wog
Forbes	Peck	
Fredrickson	Patten	

Those voting in the negative were:

Messrs.	Messrs.
Fleckten	Martin

Absent and not voting:

Messrs.  
Tofsrud

So the bill passed and the title was agreed to. Emergency clause declared carried.

### THIRD READING OF SENATE BILLS

Senate Bill No. 39. A Bill For an Act to Amend and Re-enact Sections 8075 and 8076 of the Compiled Laws of North Dakota for the Year 1913.

Was read the third time.

Senator Forbes offered the following amendment: In line 20, section 8075 of the printed bill, strike out the words "as a counter-claim".

Which motion prevailed.

The question being on the final passage of the bill, as amended, the roll was called, and there were ayes 32, nays 16, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Sathre
Baird	Kretschmar	Schlosser
Bond	Lynch	Seamands
Brant	McLachlin	Steel
Brunsdale	Marshall	Stevens
Carey	Martin	Tofsrud
Crocker	Murphy	Van Arnam
Eastgate	Olson of Burleigh	Van Camp
Ettestad	Pathman	Whitman
Forbes	Ployhar	Wog
Fredrickson	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Hamilton	Patten
Benson	Hjelmstad	Patterson
Conrath	McCrary	Peck
Erickson	Magnuson	Ritchie
Fine	Olson of Barnes	
Fleckten	Olson of Eddy	

Absent and not voting:

Messrs.

Porter

So the bill passed and the title was agreed to.

Senate Bill No. 49. A Bill For an Act to amend and reenact Sections 476, 486, 487, 488, 490, 493, 495, 499, 504, and 505 of the Compiled Laws of the State of North Dakota, for the year 1913, the same being Sections 2, 12, 13, 14, 16, 19, 21, 25, 30, and 31 of Chapter 182 of the Session Laws of 1907, entitled "An act to Regulate the Practice of Pharmacy, and Providing Penalties for Violating the Provisions 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 3, absent and not voting 0.

Those voting in the affirmative were:

Messrs.

Atkins  
Baird  
Bakken  
Benson  
Bond  
Brant  
Brunsdale  
Carey  
Conrath  
Crocker  
Eastgate  
Erickson  
Ettestad  
Fine  
Fleckten  
Forbes

Messrs.

Fredrickson  
Hamilton  
Hart  
Hjelmstad  
Kretschmar  
Lynch  
McCroy  
McLachlin  
Magnuson  
Marshall  
Martin  
Murphy  
Olson of Barnes  
Olson of Burleigh  
Olson of Eddy  
Pathman

Messrs.

Patterson  
Ployhar  
Porter  
Ritchie  
Rusch  
Sathre  
Schlosser  
Seamands  
Steel  
Stevens  
Tofsrud  
Van Arnam  
Van Camp  
Whitman

Those voting in the negative were:

Messrs.

Patten

Messrs.

Peck

Messrs.

Wog

So the bill passed and the title was agreed to.

Senator Murphy moved that the vote by which Senate Bill No. 49 was passed be reconsidered and the motion to reconsider the laid on the table.

Which motion prevailed.

Senate Bill No. 91. A Bill For an Act to Repeal Sections 3 and 4 of Chapter 154, Session Laws of the State of North Dakota for the Year 1925 Relating to Insurance of Public Buildings.

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 25, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Olson of Eddy
Bakken	Fredrickson	Patten
Benson	Hamilton	Patterson
Brant	Hjelmstad	Peck
Erickson	McCrary	Ritchie
Ettestad	Magnuson	Sathre
Fine	Marshall	Tofsrud
Fleckten	Olson of Barnes	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Baird	Lynch	Schlosser
Bond	McLachlin	Seamands
Brunsdale	Martin	Steel
Carey	Murphy	Stevens
Conrath	Olson of Burleigh	Van Arnam
Crocker	Pathman	Van Camp
Eastgate	Ployhar	Whitman
Hart	Porter	
Kretschmar	Rusch	

So the bill was lost.

Senate Bill No. 143. A Bill For an Act to Provide a Standard Time for the State of North Dakota and the Institution and Continuance Thereof.

Was read the third time.

Senator Wog offered the following amendment: Strike out "and in all public schools" in line 9 of section 2 of the printed bill.

Which motion was lost.

The question being on the final passage of the bill, the roll was called, and there were ayes 40, nays 9, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Porter
Baird	Hjelmstad	Ritchie
Bakken	Kretschmar	Rusch
Benson	Lynch	Sathre
Bond	McLachlin	Schlosser
Brant	Magnuson	Seamands
Brunsdale	Marshall	Steel
Carey	Martin	Stevens
Crocker	Murphy	Tofsrud
Eastgate	Olson of Barnes	Van Arnam
Erickson	Olson of Burleigh	Van Camp
Forbes	Olson of Eddy	Whitman
Fleckten	Pathman	
Fredrickson	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Conrath	Hamilton	Patterson
Ettestad	McCroxy	Peck
Fine	Patten	Wog

So the bill passed and the title was agreed to.

Senate Bills Nos. 49 and 77 were messaged to the House.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 5. A Bill For an Act to Amend and Re-enact Section 915 of the Compiled Laws of North Dakota for the year 1913.

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

House Bill No. 6. A Bill For an Act to Appropriate \$4,200.00 to pay Travel Expense, and Stenographer's salary of the Dairy Division of the Department of Agriculture and Labor for the Period Commencing February 1, 1927, and ending June 30, 1927.

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

House Bill No. 10. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

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

House Bill No. 97. A Bill For an Act to Repeal Section 17 of Chapter 174, Session Laws 1919, Making an Annual Appropriation for the Purpose of Carrying Out the Provisions of said Chapter.

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

House Bill No. 109. A Bill For an Act to Repeal Sections 1804 and 1806, of the Compiled Laws of North Dakota for 1913, Relating to the State Trolley Line.

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

House Bill No. 113.—Concurrent Resolution.—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 first and second times and referred to the Committee on Judiciary.

House Bill No. 127. A Bill For an Act Providing Maximum Punishments for Persons Convicted of a Felony Who

Have Been Convicted of Two or More Felonies In Any State of the United States, and Prescribing the Procedure in Such Cases.

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

House Bill No. 134. A Bill For an Act Defining the Crime of Aggravated Assault and Battery and Prescribing the Punishment Therefor.

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

House Bill No. 135. A Bill For an Act to Amend and Re-enact Section 10605 of the Compiled Laws of North Dakota for the Year 1913, Relating to Examination of Witnesses in Preliminary Examinations.

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

House Bill No. 140. A Bill For an Act Providing for the Voting of an Absent Voter Ballot by Electors who by Reason of Physical Disability are Unable to Attend Their Polling Place to Vote at any General or Primary Elections.

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

House Bill No. 170. A Bill For an Act Providing For the Placing of Placards Containing the Ten Commandments of the Christian Religion, in School Rooms and Class Rooms of Public Institutions of Learning.

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

House Bill No. 176. A Bill For an Act to Amend and Re-enact Section 1958a3 of the Supplement to the Compiled Laws of North Dakota of 1913, said Section being Chapter 11 of the Session Laws of North Dakota of 1925; An Act to Appropriate the sum of \$75,000.00, 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 1919.

Was read the first and second times and referred to the Committee on Highways.

House Bill No. 181. A Bill For an Act Making an Appropriation of \$8,000.00 for the Maintenance, Improvements, Repairs, Rents, Insurance and Upkeep of the State Capitol Building for the Balance of the Fiscal Year Ending June 30, 1927.

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

House Bill No. 152. A Bill For an Act to Amend and Re-enact Section 5167 of the Compiled Laws of 1913 as amended by Chapter 94, Session Laws of 1925 Requiring Regular and Special Reports to the State Examiner by Banking Associations, Savings Banks and Trust Companies, and Providing Penalties for Failure to Make the Same.

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

House Bill No. 79. 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 and Empowering the State Board to Supervise and control the Issuance of Certificates of Authority Thereto.

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

House Bill No. 180. A Bill For an Act Making an Appropriation for the North Dakota Children's Home Society, of Fargo, North Dakota.

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

House Bill No. 147. A Bill For an Act to amend and re-enact Section 4220 of the Supplement to the Compiled Laws of the State of North Dakota for the year 1913 relating to the compensation of the township clerks and supervisors.

Was read the first and second times and referred to the Committee on Counties.

House Bill No. 157. A Bill For an Act to Amend and Re-enact Chapter 145 of the Session Laws of 1919, as embodied in Section 1755 Supplement to the 1913 Compiled Laws of North Dakota.

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

House Bill No. 165. A Bill For an Act to Appropriate the sum of \$3,000.00 from any Moneys in the State Highway Fund, for the Purpose of Making a Preliminary survey and Sounding of the Missouri River at or near Garrison, North Dakota, to determine the Advisability and Feasibility of Constructing a Bridge Across said River Between the city of Garrison in McLean County and the City of Mannheim in Mercer County, under the Provisions of Subsection C of Section 2976t15 of the Supplement to the Compiled Laws of 1913.

Was read the first and second times and referred to the Committee on Highways.

House Bill No. 76. A Bill For an Act to Appropriate the Sum of \$3,000.00 from any Moneys in the State Highway Fund, for the Purpose of Making a Preliminary Survey and Sounding of the Missouri River at or Near Washburn, North Dakota to Determine the Advisability and Feasibility of Con-

structing a Bridge Across said River Between the City of Washburn in McLean County and the City of Center in Oliver County, under the Provisions of Subsection C of Section 2976t15 of the Supplement to the Compiled Laws of 1913.

Was read the first and second times and referred to the Committee on Highways.

House Bill No. 189. A Bill For an Act to appropriate the sum of \$3,000.00 from any Moneys in the State Highway Fund, for the Purpose of Making a Preliminary Survey and Sounding of the Missouri River at or near Elbowoods, North Dakota, on State Highway Route No. 24, to Determine the Advisability and Feasibility of Constructing a Bridge Across Said River on Said State Highway Route, Under the Provisions of Subsection C. of Section 2976t15 of the Supplement to the Compiled Laws of 1913.

Was read the first and second times and referred to the Committee on Highways.

Senator Carey requested a return to the Eighth Order of Business.

Which request was granted.

Senator Carey then moved that the Senate stand recessed from the time of completion of business on Friday, February 11 until 1 P. M., Tuesday, February 15.

Which motion prevailed.

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: Dick Bassett and V. A. Corbett.

Senator Van Camp moved that the Senate do now adjourn.

Which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.



THIRTY-EIGHTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 10, 1927.

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

Prayer by the Chaplain, Rev. C. F. Strutz.

Roll call.

All members present except: Senator Tofsrud.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-seventh day and recommend that the same be corrected as follows:

On page 11, after line 14, insert the following: "Third Reading of Senate Bills".

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

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

Senate Bills 42, 43, 44 and 84 were delivered to the Governor February 9.

Senate Bill 57 was delivered to the Governor February 10.

Senate Bills Nos. 39 and 143 were messaged to the House.

Senator Marshall presented communications from Ellendale protesting proposed repeal of the present Sunday shows law.

Senator Forbes presented a similar letter from Fairmount.

Senator Schlosser presented a letter from Grand Forks American Legion Post 6, endorsing Senate Bill 109.

### 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. 109. A Bill For an Act Creating the Office of Veterans' Service Commissioner; Providing the Qualifications, the Manner of Appointment, Duties, Salary, Tenure of Office of Such Officer, Providing an Appropriation Therefor, and Declaring an Emergency.

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 in lieu thereof:

For an Act creating the office of Veterans' Service Commissioner, providing the qualifications, the manner of appointment, duties, salary, tenure of office of such officer, providing an appropriation therefor, and declaring an Emergency.

#### BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

Section 1. There is hereby created the office of Veterans' Service Commissioner.

Section 2. Qualifications and Appointment. Such Commissioner shall be appointed by the Governor of the State of North Dakota from a list of names of five men furnished by the State Executive Committee of the American Legion. Any person to be eligible for appointment as such commissioner shall be an actual and bonafide resident of North Dakota, a regularly licensed attorney, and shall possess an honorable discharge either from the Navy, Army or Marine Corps of the United States Government.

Section 3. Duties. It shall be the duty of the Veterans' Service Commissioner to represent any honorably discharged veteran who has served at any time as a commissioned officer, or in the enlisted personnel of the United States Army, Navy, Marine Corps, Army Nurse Corps or Naval Nurse Corps, or the widow, administrator, executor, guardian or heir of any such veteran, in securing a fair and equitable adjustment of any claim of any such veteran, or such other person, made to the United States Veterans' Bureau, United States Pension Bureau, or the proper department of the United States, for adjusted compensation, insurance, pension, compensation for disability, hospitalization, vocational training, or other benefit which such veteran may be or may have been entitled to receive under the laws of the United States.

Section 4. Said commissioner shall have a seal of office and be authorized to administer oaths to any person whose acknowledgement may become necessary in the prosecution of any claim for compensation, hospitalization, insurance or

other aid or benefits; and he shall likewise be authorized and empowered to certify to the correctness of any document or documents which may be submitted in connection with any such application.

Section 5. Compensation and Expenses. The salary of such Veterans' Service Commissioner shall be Twenty-five Hundred (\$2500.00) Dollars per annum, payable monthly on proper voucher submitted therefor to the State Auditor. He shall likewise be allowed the sum of One Thousand Twenty (\$1020.00) Dollars per annum for clerk hire, Two Hundred Thirty (\$230.00) Dollars per annum for office supplies and expenses, the sum of Eighteen Hundred (\$1800.00) Dollars per annum for expenses for travel and investigation of claims, the same to be paid monthly on warrants of the State Auditor, after proper vouchers have been filed and approved as provided by law.

Section 6. Office. The office of said commissioner shall be located in the same city as the office of the United States Veterans' Bureau for this District; and in the event that such Veterans' Bureau be removed from the State of North Dakota, then said Commissioner's office shall be in the State Capitol at Bismarck.

Section 7. Appropriations. For the purpose of carrying out and making effective the provisions of this Act, there is hereby appropriated out of the general funds in the treasury of the State of North Dakota, not otherwise appropriated, the sum of Eleven Thousand One Hundred (\$11,100.00) Dollars, or so much thereof as may be necessary.

Section 8. Duration of Office. The office of Veterans' Service Commissioner shall exist for a period of two years from the date of the passage and approval of this Act. Provided, however, if any of the money appropriated hereby has not been used, the office may be continued to July 1, 1929, when the Emergency for which the same was created will have expired.

Section 9. Emergency. Whereas, the period of limitation as set by Federal Law provides that all claims for compensation, hospitalization and insurance must be proven before July 1, 1929, or be forever barred; and Whereas there are now within the State of North Dakota approximately four thousand ex-service men who have just claims for compensation, hospitalization, insurance, or other benefits which are not properly or efficiently being prosecuted owing to the fact that they are not familiar with the necessary steps and procedure, and owing to the further fact that under the laws of the United States, the Veterans' Bureau, through which such claims are presented, is estopped to assist such disabled service men in the prosecution of such claims; and Whereas the preservation of the public peace, health and safety makes it necessary that the provisions of this Act shall become operative immediately, an emergency is hereby declared to exist, and this Act shall take effect and be in full force and effect from and after its passage and approval.

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. 21. A Bill For an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State, in compliance with the Provisions of Sections 3993 to 3998, inclusive, of the Compiled Laws 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.

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

House Bill No. 8. A Bill For an Act Making and Appropriation 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.

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

House Bill No. 22. A Bill For an Act Making an Appropriation to Pay the Salary, Travel Expense and Miscellaneous Items of the State Transportation Officer.

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. 26. 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 as Prescribed by Section 2562 of the Compiled Laws of 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. 30. 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. 31. A Bill For an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials as Provided by Chapter 175, Session Laws of North Dakota for 1917.

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

P. T. KRETSCHMER,  
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. 36. A Bill For an Act Making an Appropriation 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 the Year 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.

Mr. Speaker: A Majority of your Committee on Temperance to whom was referred:

Senate Bill No. 138. A Bill For an Act to Regulate the Sale of Malt Sugar, Malt Extract, and Malt Syrup and to Prevent the Use of the Same in the Manufacture of Intoxicating Liquor and to Prescribe Regulations Therefor.

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

NELS MAGNUSON,  
FRED VAN CAMP,  
J. E. STEVENS,  
R. G. McCORRY,  
PEDER L. HJELMSTAD,  
L. O. FREDRICKSON,  
W. G. CROCKER.

Senator Magnuson moved that the report be adopted.

Mr. President: A Minority of your Committee on Temperance to whom was referred:

Senate Bill No. 138. A Bill For an Act to Regulate the Sale of Malt Sugar, Malt Extract, and Malt Syrup and to Prevent the Use of the Same in the Manufacture of Intoxicating Liquor and to Prescribe Regulations Therefor.

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

G. PATTERSON,  
J. L. HART.

Senator Patterson moved the substitution of the word "minority" for the word "majority".

Roll call demanded.

The question being on the motion by Senator Patterson, the roll was called, and there were ayes 32, nays 16, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Peck
Bond	Kretschmar	Ployhar
Brant	Lynch	Porter
Brunsdale	McLachlin	Rusch
Carey	Martin	Schlusser
Conrath	Murphy	Seamands
Eastgate	Olson of Burleigh	Van Arnam
Erickson	Olson of Eddy	Whitman
Ettestad	Pathman	Wog
Fleckten	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Hjelmstad	Sathre
Benson	McCorry	Steel
Crocker	Magnuson	Stevens

Messrs.  
Fine  
Forbes  
Fredrickson

Messrs.  
Marshall  
Olson of Barnes  
Ritchie

Messrs.  
Van Camp

Absent and not voting:

Messrs.  
Tofsrud

So the minority report of the committee was adopted.

Senator Kretschmar moved that the vote by which the minority report of the Committee was adopted be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. President: Your Committee on Insurance to whom was referred:

House Bill No. 69. A Bill For an Act to Amend and Re-enact Section 189c6 of the Supplement to the Compiled Laws 1913, Relating to Insurance on Municipally Owned Property.

Have had the same under consideration and recommend that the same be returned to Senate without recommendation and be placed on calendar for third reading.

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 State Affairs to whom was referred:

Senate Bill No. 157. A Bill For an Act Making an Appropriation for the Construction of a State Radio Broadcasting Station at the Capitol in Bismarck, and providing for its construction and management.

Have had the same under consideration and recommend that the same be referred back to the Senate without recommendation and placed on the calendar for third reading.

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. 148. A Bill For an Act to amend and re-enact Section 2193a of the Supplement to the 1913 Compiled Laws relating to abatements to purchasers of tax sale certificates on state land.

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 Joint Library to whom was referred:

Senate Bill No. 150. A Bill For an Act to Amend and Re-enact Section 1531 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the State Library.

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

R. A. JOHNSON,  
Chairman.

OBERT A. OLSON,  
Chairman.

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

Mr. President: Your Committee on Game and Fish to whom was referred:

Senate Bill No. 166. A Bill For an Act to Amend and Re-enact Section 10322a28 of the Supplement to the Compiled Laws 1913, and Repealing Section 10322a29 of the Supplement to the Compiled Laws 1913.

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.

Mr. President: Your Committee on Game and Fish to whom was referred:

House Bill No. 174. A Bill For an Act to Prescribe the Manner of Taking and Killing Game Birds and Animals, Prohibiting the Use of Traps, Snares, Lights and Other Artificial Means, and Repealing Sections 10332a24 and 10322a25 of the Supplement to the Compiled Laws 1913, and Any and All Acts in Conflict.

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.

Mr. President: Your Committee on Public Printing to whom was referred:



Senate Bill No. 168. A Bill For an Act Amending Section 375b3 of the Supplement to the Compiled Laws of North Dakota for the year 1913, Relating to the Duties of the State Printer.

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

O. T. TOFSRUD,  
Chairman.

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

Mr. President: Your Committee on Elections to whom was referred:

Senate Bill No. 180. A Bill For an Act to Amend and Re-enact Sections 909a2 and 909a5 of the Supplement to the Compiled Laws of 1913.

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

In line 1 after the word "Section 1" add "Amendment"; In line 4, strike out the words "Non-Political" and insert in lieu thereof the words "no party"; In line 1, Section 2, after the figure "2" add the word "Amendment"; In line 6 strike out the words "Non-Political" and insert in lieu thereof the words "no party"; In line 7, strike out the words "Non-Political" and in lieu thereof insert the words "no party".

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.

Mr. President: Your Committee on Elections to whom was referred:

Senate Bill No. 177. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Relating to the Election of County Officers and Regulating Their Terms of Office.

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: Your Committee on Elections to whom was referred:

Senate Bill No. 140. A Bill For an Act to Amend and Re-enact Section 1008 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Return and Disposi-

tion of Election Ballots and Compensation of Election Officers.

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: A majority of your Committee on Judiciary to whom was referred:

Senate Concurrent Resolution "F".

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

L. R. BAIRD,  
O. H. OLSON,  
J. E. STEVENS,  
S. J. ATKINS,  
OBERT A. OLSON,  
FRANK E. PLOYHAR,  
P. O. SATHRE,  
C. J. OLSON,  
JOHN VAN ARNAM,  
G. PATTERSON,  
GUST WOG,  
A. A. PECK.

Senator Baird moved that the report be adopted.

Mr. President: A minority of your Committee on Judiciary to whom was referred:

Senate Concurrent Resolution "F".

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

ALFRED STEEL,  
W. D. LYNCH,  
OLE ETTESTAD,  
JOSEPH G. FORBES,  
WALTER H. SCHLOSSER.

Senator Schlosser moved the substitution of the word "minority" for the word "majority."

Roll call demanded.

The question being on the motion by Senator Schlosser, the roll was called, and there were ayes 15, nays 32, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Fleckten	Magnuson
Bakken	Forbes	Rusch
Brunsdale	Fredrickson	Schlosser

Messrs.	Messrs.	Messrs.
Carey	Lynch	Steel
Crocker	McLachlin	Van Arnam

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Hjelmstad	Peck
Bond	Kretschmar	Ployhar
Benson	McCrory	Porter
Brant	Marshall	Ritchie
Conrath	Martin	Sathre
Eastgate	Murphy	Seamands
Erickson	Olson of Barnes	Stevens
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Hamilton	Patten	Wog
Hart	<b>Patterson</b>	

Absent and not voting:

Messrs.	Messrs.
Pathman	Tofsrud

So the motion was lost.

The question being upon the original motion, the question was put and the motion prevailed and the majority report of the Committee was adopted.

Mr. President: A majority of your Committee on Judiciary to whom was referred:

House Bill No. 104. A Bill For an Act to Legalize the Execution and Acknowledgment of Certain Deeds, Mortgages, and Other Instruments in Writing, and the Record Thereof, and Making the Same or Certified Copies Thereof, Admissible in Evidence.

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

O. H. OLSON,  
 J. E. STEVENS,  
 OBERT A. OLSON,  
 FRANK E. PLOYHAR,  
 C. J. OLSON,  
 OLE ETTESTAD.  
 JOHN VAN ARNAM,  
 G. PATTERSON,  
 GUST WOG,  
 A. A. PECK.

Mr. President: A minority of your Committee on Judiciary to whom was referred:

House Bill No. 104. A Bill For an Act to Legalize the Execution and Acknowledgment of Certain Deeds, Mortgages, and Other Instruments in Writing, and the Record Thereof, and Making the Same or Certified Copies Thereof, Admissible in Evidence.

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

L. R. BAIRD,  
S. J. ATKINS,  
WALTER H. SCHLOSSER,  
ALFRED STEEL,  
W. D. LYNCH,  
F. O. SATHRE,  
JOSEPH G. FORBES,

Senator Baird moved that the report be adopted.

Senator O. H. Olson moved the substitution of the word "majority" for the word "minority" which motion prevailed and the majority report of the Committee was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 79. A Bill For an Act to amend and reenact Section 2132a1, 2132a5 and 2132a9 of the 1913-1925 Supplement to the 1913 Compiled Laws of North Dakota, known as the Classification of Acre Property Law.

Also,

Senate Bill No. 136. A Bill For An Act to Prevent the Procreation of Feeble-minded, Insane, Epileptic, Habitual Criminals, Moral Degenerates and Sexual Perverts, Who May be Inmates of State Institutions, Authorizing and Providing for the Sterilization of Such Persons and Providing for Appeals to the District Court in Certain Cases; and Repealing Sections 11429 to 11438 inclusive of the Compiled Laws of North Dakota for 1913.

Also,

Senate Bill No. 142. A Bill For an Act to Amend and Reenact Section 696, Compiled Laws of 1913, as Amended by Chapter 249, Sessions Laws of 1917; Relating to Filling Vacancies in Public Offices.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 57. A Bill For an Act to Authorize Counties to issue Bonds and Warrants to procure Seed Grain and Feed for Needy Inhabitants Therein and Providing for the Issuance of Bonds and Warrants for Seed Grain by Counties

and Aid by the State in respect thereto, and making an Appropriation Therefor.

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 57. A Bill For an Act to Authorize Counties to issue Bonds and Warrants to procure Seed Grain and Feed for Needy Inhabitants Therein and Providing for the Issuance of Bonds and Warrants for Seed Grain by Counties and Aid by the State in respect thereto, and making an Appropriation Therefor.

And the President signed the same in the presence of the Senate.

Senator Benson introduced the following resolution:

Whereas, the President, Delegates and County Presidents of the Nonpartisan Women's Clubs of North Dakota are now convened in Bismarck:

This Legislative body hereby extends to them our cordial invitation to attend the session of this Senate on Thursday, February 10, at 3:30 o'clock.

And that a committee of three be appointed to notify such organization of this invitation.

Senator Benson moved the adoption of the resolution, which motion prevailed.

The President appointed as such Committee, Senators Benson, Ployhar and Schlosser.

### MESSAGE FROM THE HOUSE

House Chamber,  
Bismarck, North Dakota,  
February 10, 1927.

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

House Bill No. 45. A Bill For an Act Making an Appropriation to Pay C. E. Lounsbury, Wahpeton, North Dakota, Balance Due Him for Witness Fees, Mileage and Attorney's Fees in the Investigation of the State Highway Commission.

House Bill No. 9. A Bill for an Act Making an Appropriation for the Payment of Salaries and Wages, Improvements

and Repairs, Equipment and Miscellaneous Items for the State Hospital for the Insane at Jamestown, North Dakota.

House Bill No. 50. A Bill For an Act Making an Appropriation to Pay F. J. Graham, Ellendale, North Dakota, Balance Due Him for Services as Attorney for Special House Committee in the Investigation of the State Highway Commission.

House Bill No. 197. A Bill For an Act to Transfer the Sum of \$25,000.00 from the Fund Appropriated to the North Dakota Agricultural College for Equipment to said College's Fund for Maintenance.

House Bill No. 193. A Bill For an Act to Amend and Re-enact Section 4206 of the Compiled Laws of North Dakota for the year 1913; Relating to the Compensation of Township Treasurer.

House Bill No. 62. A Bill For an Act to Amend and Re-enact Sections 1 and 2, of Chapter 73, of the Session Laws of North Dakota for 1919, Providing for State Aid in the Construction of Bridges Across State Lines of Inter-State Highways, or Roads Across the Little Missouri River, or Roads Across Navigable Streams within the State of North Dakota.

House Bill No. 171. A Concurrent Resolution To Amend and Re-enact Section 7 of Article 1 of the Constitution of the State of North Dakota, Relating to the Right of Trial by Jury.

House Bill No. 177. A Bill For an Act Authorizing the Board of Railroad Commissioners to Require the Extension of Electric Transmission Lines, and the Service Furnished Thereby, to Cities, Towns, Villages, and the Inhabitants Thereof, Within or Contiguous to the Territory Served by Such Transmission Lines, and to Fix the Rates and Charges for Such Service, and the Rules and Regulations to be Observed in Connection Therewith.

House Bill No. 200. A Bill For an Act to Amend and Re-enact Section 3969, of the Compiled Laws of North Dakota for the year of 1913, as amended by Chapter 79, of the Session Laws of North Dakota for the year of 1919, and Chapter 32, of the Session Laws of North Dakota for the year of 1921 and Chapter 172 of the Session Laws of North Dakota for the year 1923, Relating to excluding farm lands from the limits of Cities, towns and villages.

House Bill No. 208. A Bill For an Act to Provide for the Leasing and Sale of Islands and Accumulations of Land Formed in Beds of Navigable Streams. Whereas, there is no law in this State which provides for the leasing and sale of islands and accumulations of land formed in the beds of navigable streams in this state, now therefore:

House Bill No. 123. A Bill For an Act Governing Borrowing by Means of Bond Issues by Counties, Cities, Villages, Townships, School Districts, Park Districts and other Municipalities as Defined Herein; and Repealing Sections 1272,

1274, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1333, 1336, 1337, 1338, 1339, 1422, 3449, 3450, 3452, 3453, 3454, 3456, 3457, 3458, 3459, 3462, 3463, 3464, 3465, 3466, 3467, 3468, 3469, 3470, 3868, 4014, 4015, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4254, 4255, 4256, 4257, 4258, 4259, 4260, 4261 of the Compiled Laws of North Dakota for the year 1913 and repealing Sections 1273, 1274a1, 1274a2, 1275, 1276, 1277, 1303, 1307, 1321a14, 1332, 1334, 1335, 1341, 1421, 1422, 3451, 3743c1, 3743c2, 3743c3, 3882a1, 3882a2, 4016, 4037b, 4037c, 4037d1 and 4037d2 of the Supplement to the Compiled Laws of 1913, and all Acts and Parts of Acts in Conflict Herewith.

House Bill No. 160. A Bill For an Act to Amend and Re-enact Section 4 of Chapter 292, Session Laws of 1923, the same being Section 2290-c-4 of the Supplement to the Compiled Laws of North Dakota for 1913.

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

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Senator Conrath moved that the vote by which Senate Bill 91 was lost, be reconsidered.

Which motion prevailed.

#### RESOLUTION

Whereas, The All-Wise and Omnipotent God has removed from this Earth our esteemed and beloved friend and fellow citizen, Representative Joesph O'Neill; and

Whereas, The Legislature of the State of North Dakota honored his memory by adjournment and tributes at his bier; and

Whereas, The Minneapolis, St. Paul, Sault Sainte Marie Railway Company and its officers were so kind, considerate and courteous in the transportation of the remains and mourners from Bismarck to Kenmare, North Dakota;

Now, Therefore, The family, relatives and friends of Representative Joseph O'Neill and the people of Renville County, hereby in these few words wish to express our deep appreciation of the acts of the Legislature, the individual members thereof, and the Minneapolis, St. Paul, Sault Sainte Marie Railway Company and its officers, for honoring and revering the memory of a faithful, conscientious and loving character, our late Representative Joseph O'Neill.

Dated at Mohall, North Dakota, this 8th day of February, 1927.

REV. JOHN J. HEINZ,  
C. E. COLCORD,  
GEO. J. RODSATER,

Committee.

Senator Patterson moved the adoption of the resolution and that the same be printed in the Journal.

Which motion prevailed.

Senator Brunsdale moved that the absent Senator be excused.

Which motion prevailed.

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

Introduced by Senator Obert A. Olson:

Senate Bill No. 203. An Act to Amend and Re-enact Section 4913, Chapter 18, Compiled Laws of 1913, Relating to Provisions Peculiar to Foreign Insurance Companies, Providing for conditions of Admission to do Business, Articles and Statement, Appointment of Commissioner for Service, Resident Agents, and Reinsurance.

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

Introduced by Senators Forbes and Sathre:

Senate Bill No. 204. A Bill for an Act to Legalize and make Valid All Sales of Real Estate, Made Prior to the Passage and Approval of this Act, whether Under Execution or by Advertisement, in All Cases where the Certificate of Sale was not Recorded in the Office of the Register of Deeds within Sixty (60) Days after the Date of Sale.

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

Introduced by Senator Patterson:

Senate Bill No. 205. A Bill For an Act for Appeals from the Decisions and Findings of the Guarantee Fund Commission. Defining what Questions May Be Appealed and How Appeals shall be Taken, Providing that the Holder of any Certificate of Deposit in any Closed Bank May Make Application to Have his Claim re-filed or Re-opened, and Amended by Tendering Payment of Any Bonus Received by him in any and Every Form, and Validation such Claim as of Date of the Original Deposit Certificate. Exempting such Certificate from the Operation of Any Statute of Limitation.

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

#### THIRD READING OF SENATE BILLS

Senate Bill No. 79. A Bill For an Act to amend and re-enact Section 2132a1, 2132a5 and 2132a9 of the 1913-1925 Supplement to the 1913 Compiled Laws of North Dakota, known as the Classification of Acre Property Law.

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.
Atkins	Fredrickson	Patten
Bakken	Hamilton	Patterson
Benson	Hart	Ployhar
Bond	Hjelmstad	Porter
Brant	Kretschmar	Ritchie
Brunsdale	Lynch	Rusch
Carey	McLachlin	Sathre
Conrath	Magnuson	Schlosser
Crocker	Marshall	Van Arnam
Erickson	Martin	Van Camp
Ettestad	Murphy	Whitman
Fine	Olson of Barnes	Wog
Fleckten	Olson of Burleigh	
Forbes	Olson of Eddy	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Baird	Peck	Steel
McCrorry	Seamands	Stevens

Absent and not voting:

Messrs.	Messrs.	Messrs.
Eastgate	Pathman	Tofsrud

So the bill passed and the title was agreed to.

Senator Porter moved that final action on Senate Bill 136 be deferred until Tuesday, February 15.

Which motion prevailed.

Senate Bill No. 142. A Bill For an Act to Amend and Re-enact Section 696, Compiled Laws of 1913, as Amended by Chapter 249, Sessions Laws of 1917; Relating to Filling Vacancies in Public Offices.

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.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCrorry	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands

Messrs.	Messrs.	Messrs.
Crocker	Marshall	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Patten	Wog
Fredrickson	Patterson	

Those voting in the negative were:

Messrs.	Messrs.
Forbes	Martin

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bond	Pathman	Tofsrud

So the bill passed and the title was agreed to.

#### FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 9. A Bill For an Act Making an Appropriation for the Payment of Salaries and Wages, Improvements and Repairs, Equipment and Miscellaneous Items for the State Hospital for the Insane at Jamestown, North Dakota.

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

House Bill No. 45. A Bill For an Act Making an Appropriation to Pay C. E. Lounsbury, Wähpeton, North Dakota, Balance Due Him for Witness Fees, Mileage and Attorney's Fees in the Investigation of the State Highway Commission.

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

House Bill No. 50. A Bill For an Act Making an Appropriation to Pay F. J. Graham, Ellendale, North Dakota, Balance Due Him for Services as Attorney for Special House Committee in the Investigation of the State Highway Commission.

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

House Bill No. 62. A Bill For an Act to Amend and Re-enact Sections 1 and 2, of Chapter 73, of the Session Laws of North Dakota for 1919, Providing for State Aid in the Construction of Bridges Across State Lines of Inter-State Highways, or Roads Across the Little Missouri River, or Roads Across Navigable Streams within the State of North Dakota.

Was read the first and second times and referred to the Committee on Highways.

House Bill No. 123. A Bill For an Act Governing Borrowing by Means of Bond Issues by Counties, Cities, Villages, Townships, School Districts, Park Districts and other Munic-

ipalities as Defined Herein; and Repealing Sections 1272, 1274, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1333, 1336, 1337, 1338, 1339, 1422, 3449, 3450, 3452, 3453, 3454, 3456, 3457, 3458, 3459, 3462, 3463, 3464, 3465, 3466, 3467, 3468, 3469, 3470, 3868, 4014, 4015, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4254, 4255, 4256, 4257, 4258, 4259, 4260, 4261 of the Compiled Laws of North Dakota for the year 1913 and repealing Sections 1273, 1274a1, 1274a2, 1275, 1276, 1277, 1303, 1307, 1321a14, 1332, 1334, 1335, 1341, 1421, 1422, 3451, 3743c1, 3743c2, 3743c3, 3882a1, 3882a2, 4016, 4037b, 4037c, 4037d1 and 4037d2 of the Supplement to the Compiled Laws of 1913, and all Acts and Parts of Acts in Conflict Herewith.

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

House Bill No. 171. A Concurrent Resolution To Amend and Re-enact Section 7 of Article 1 of the Constitution of the State of North Dakota, Relating to the Right of Trial by Jury.

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

House Bill No. 177. A Bill For an Act Authorizing the Board of Railroad Commissioners to Require the Extension of Electric Transmission Lines, and the Service Furnished Thereby, to Cities, Towns, Villages, and the Inhabitants Thereof, Within or Contiguous to the Territory Served by Such Transmission Lines, and to Fix the Rates and Charges for Such Service, and the Rules and Regulations to be Observed in Connection Therewith.

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

House Bill No. 160. A Bill For an Act to Amend and Re-enact Section 4 of Chapter 292, Session Laws of 1923, the same being Section 2290-c-4 of the Supplement to the Compiled Laws of North Dakota for 1913.

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

House Bill No. 197. A Bill For an Act to Transfer the Sum of \$25,000.00 from the Fund Appropriated to the North Dakota Agricultural College for Equipment to said College's Fund for Maintenance.

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

House Bill No. 193. A Bill For an Act to Amend and Re-enact Section 4206 of the Compiled Laws of North Dakota for the year 1913; Relating to the Compensation of Township Treasurer.

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

House Bill No. 200. A Bill For an Act to Amend and Re-enact Section 3969, of the Compiled Laws of North Dakota for the year of 1913, as amended by Chapter 79, of the Session Laws of North Dakota for the year of 1919, and Chapter 32, of the Session Laws of North Dakota for the year of 1921 and Chapter 172 of the Session Laws of North Dakota for the year 1923, Relating to excluding farm lands from the limits of Cities, towns and villages.

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

House Bill No. 208. A Bill For an Act to Provide for the Leasing and Sale of Islands and Accumulations of Land Formed in Beds of Navigable Streams. Whereas, there is no law in this State which provides for the leasing and sale of islands and accumulations of land formed in the beds of navigable streams in this state, now therefore:

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

Senator Seamands requested a return to the Eleventh Order of Business.

Which request was granted.

#### INTRODUCTION AND FIRST AND SECOND READING OF SENATE BILL

Introduced by Senator Erickson:

Senate Bill No. 206. A Bill For an Act to Validate and Legalize Certain Acts of Certain City Officials in Respect to Special Assessment Water Works Districts, and to Prescribe the Procedure to be Taken in Respect to Assessments therein and the Issuance of Warrants.

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

#### THIRD READING OF HOUSE BILLS

House Bill No. 1. A Bill For an Act to provide for the Election and Appointment of United States Senator in Congress from this State in case of a Vacancy in such Office.

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.
Atkins	Forbes	Peck
Baird	Fredrickson	Patterson
Bakken	Hamilton	Ployhar
Benson	Hart	Porter
Bond	Hjelmstad	Ritchie

Messrs.	Messrs.	Messrs.
Brant	Kretschmar	Rusch
Brunsdale	Lynch	Sathre
Carey	McLachlin	Schlosser
Conrath	Marshall	Seamands
Crocker	Murphy	Steel
Eastgate	Olson of Barnes	Stevens
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Patten	Whitman

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Martin	Wog
McCrorry	Pathman	
Magnuson	Tofsrud	

So the bill passed and the title was agreed to and the emergency clause declared carried.

House Bill No. 53. A Bill For an Act Providing for the Issuance of Duplicate Bonds, Warrants or Other Obligations of the State of North Dakota, or of Any of the Political Subdivisions Thereof in Case the Originals are Mutilated, Defaced, or Lost, and Prescribing the Procedure Therefor.

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.
Atkins	Forbes	Peck
Baird	Fredrickson	Porter
Bakken	Hart	Ritchie
Benson	Hjelmstad	Rusch
Bond	Kretschmar	Sathre
Brant	Lynch	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Marshall	Steel
Conrath	Murphy	Stevens
Crocker	Olson of Barnes	Van Arnam
Eastgate	Olson of Eddy	Van Camp
Ettestad	Patterson	Whitman
Fine	Ployhar	
Fleckten	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Magnuson	Pathman
Hamilton	Martin	Tofsrud
McCrorry	Olson of Burleigh	Wog

So the bill passed and the title was agreed to.

House Bill No. 56. A Bill For an Act to Amend and Re-enact Sections 4089a1, 4089a2, 4089a3 and 4089a4 of the Sup-

plement to the Compiled Laws of North Dakota for the year 1913, providing that Townships and Municipalities may contribute to the support of District Fair Association.

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.
Atkins	Forbes	Ployhar
Baird	Fredrickson	Porter
Benson	Hamilton	Rusch
Bond	Hart	Sathre
Brant	Kretschmar	Schlosser
Brunsdale	Lynch	Seamands
Carey	McCrary	Steel
Conrath	McLachlin	Stevens
Crocker	Magnuson	Van Arnam
Eastgate	Marshall	Van Camp
Erickson	Murphy	Whitman
Ettestad	Olson of Burleigh	Wog
Fine	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Olson of Barnes	Peck
Flechten	Olson of Eddy	Ritchie
Hjelmstad	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Martin	Pathman	Tofsrud

So the bill passed and the title was agreed to and the emergency clause declared carried.

House Bill No. 66. A Bill For an Act to Amend and Re-enact Section 2262 of Chapter 34 of the Supplement of the Compiled Laws of 1913.

Was read the third time.

Senator Hamilton offered the following amendment: Strike out the words "rabbit" or "rabbits" wherever they appear throughout the bill.

Which motion was lost.

The question being on the final passage of the bill, 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.
Atkins	Forbes	Olson of Eddy
Baird	Fredrickson	Patten

Messrs.	Messrs.	Messrs.
Bond	Hamilton	Patterson
Brant	Hart	Ployhar
Bakken	Hjelmstad	Ritchie
Carey	Lynch	Rusch
Conrath	McCroxy	Sathre
Crocker	McLachlin	Schlosser
Eastgate	Magnuson	Steel
Erickson	Marshall	Van Arnam
Ettestad	Murphy	Van Camp
Fine	Olson of Barnes	Whitman
Fleckten	Olson of Burleigh	W. g

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brunsdale	Peck	Seamands
Kretschmar	Porter	Stevens

Absent and not voting:

Messrs.	Messrs.
Benson	Pathman
Martin	Tofsrud

So the bill passed and the title was agreed to.

Senator Patterson requested a return to the Eighth Order of Business.

Which motion prevailed.

Senator Patterson moved that Senate Bill 91 be considered properly engrossed, that the rules be suspended and the bill placed on third reading and final passage.

Which motion prevailed.

Call of the Senate demanded and granted.

The roll was called and Senators Benson, Martin and Pathman were reported absent.

Senator Stevens moved that further business under the call of the Senate be dispensed with.

Which motion prevailed.

Senator O. A. Olson moved that further consideration of Senate Bill 91 be deferred until 3:00 P. M., Tuesday.

Which motion prevailed.

Senator Steel requested a return to the Eighth Order of Business.

Which request was granted.

Senator Steel then moved that Senate Bills 198 and 199 be withdrawn from the Committee on Education and referred to the Committee on State Affairs.

Which motion prevailed, and the bills were so re-referred.

## THIRD READING OF HOUSE BILLS

House Bill No. 106. A Bill for an Act to Amend and Re-enact sections 8651-8657 and 8682 of the Compiled Laws of 1913 relating to the qualification, appointment, removal and discharge of Executors, Administrators and Guardians, and to repeal 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 24, nays 20, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Benson	Lynch	Patterson
Erickson	McCroory	Peck
Ettestad	Magnuson	Ritchie
Fine	Marshall	Schlösser
Forbes	Murphy	Stevens
Fredrickson	Olson of Burleigh	Van Camp
Hamilton	Olson of Eddy	Whitman
Hart	Patten	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Conrath	Ployhar
Baird	Crocker	Rusch
Bakken	Eastgate	Sathre
Bond	Fleckten	Seamands
Brant	Hjelmstad	Steel
Brunsdale	McLachlin	Van Arnam
Carey	Olson of Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Kretschmar	Pathman	Tofsrud
Martin	Porter	

So the bill was declared lost.

Sénator Hamilton requested a return to the Eighth Order of Business.

Which request was granted.

Senator Hamilton then moved that the Senate recess for ten minutes and that the Select Committee escort the President and Secretary of the State Federation of the Women's Nonpartisan club to the rostrum.

Which motion prevailed.

The Senate re-assembled pursuant to recess taken, during which time the President of the club addressed the Senate briefly.

House Bill No. 124. A Bill For an Act to Authorize and Empower Cities, Towns or Villages to Purchase, Erect, Oper-



ate and Maintain, Enlarge, Improve, and Extend, or Lease from any Person, Firm or Corporation, or Sell or Lease to any Person, Firm or Corporation, any Electric Light and Power Plant, Site, Buildings and Equipment Thereof, or any Electric Distribution System and Equipment Thereof, or any Electric Transmission Line and Equipment Thereof, or all or any Part or Parts of any of Such Plants, Systems and Lines, and any Interest in any Such Plant, System or Line Within and Without the Corporate Limits of Such City, Town or Village, and Providing for the Issuance of Bonds and the Levying of Special Assessments and the Creating of Special Assessment Districts in Connection with the Exercise of any of the Powers above Granted, and Providing for the Legalization and Validation of Purchases and Sales and the Issuance of Bonds Heretofore Made and Repealing Chapter 255 of the Session Laws of North Dakota for the Year 1923, being Section 3992b1 and 3992b2 of the Supplement to the 1913 Compiled Laws of the State of North Dakota.

Was read the third time.

Senator C. J. Olson offered the following amendment: In line 9, section 2, page 2 of the printed bill, strike out the word "majority" and insert "two-thirds" in lieu thereof, and in all places throughout the bill where the same word "majority" exists.

Which motion was lost.

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.
Atkins	Fredrickson	Peck
Baird	Hamilton	Ployhar
Bakken	Hart	Porter
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCroy	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Patten	Wog
Forbes	Patterson	

Those voting in the negative were:

Messrs.  
Hjelmstad

Absent and not voting:

Messrs.	Messrs.
Benson	Pathman
Martin	Tofsrud

So the bill passed and the title was agreed to.

House Bill No. 119. A Bill For an Act to Amend and Re-enact Sub-division 3 of Section 6637, Compiled Laws of 1913, Relating to Form and Provisions Required in Insurance Policies.

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.
Atkins	Forbes	Patten
Baird	Fredrickson	Patterson
Bakken	Hamilton	Peck
Benson	Hart	Ployhar
Bond	Hjelmstad	Ritchie
Brant	Kretschmar	Rusch
Brunsdale	Lynch	Sathre
Carey	McCory	Schlosser
Conrath	McLachlin	Seamands
Crocker	Magnuson	Steel
Eastgate	Marshall	Stevens
Erickson	Murphy	Van Arnam
Ettestad	Olson of Barnes	Van Camp
Fine	Olson of Burleigh	Whitman
Fleckten	Olson of Eddy	Wog

Absent and not voting:

Messrs.	Messrs.
Martin	Porter
Pathman	Tofsrud

So the bill was passed and the title agreed to.

House Bill No. 128. A Bill For an Act to Amend and Re-enact Section 10833 of the Compiled Laws of North Dakota enact Chapter 103, Session Laws 1917, the Same Being Sec- for 1913 Providing for Separate Trials When Two or More Defendants are Jointly Charged with Any Criminal Action.

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.
Atkins	Forbes	Patten
Baird	Fredrickson	Patterson
Bakken	Hamilton	Peck
Benson	Hart	Ployhar
Bond	Hjelmstad	Ritchie
Brant	Kretschmar	Rusch
Brunsdale	Lynch	Sathre

Messrs.	Messrs.	Messrs.
Carey	McCrorry	Seamands
Conrath	McLachlin	Steel
Crocker	Magnuson	Stevens
Eastgate	Marshall	Van Arnam
Erickson	Murphy	Van Camp
Ettestad	Oison of Barnes	Whitman
Fine	Olson of Burleigh	Wog
Fleckten	Olson of Eddy	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Martin	Porter	Tofsrud
Pathman	Schlosser	

So the bill passed and the title was agreed to.

House Bill No. 136. A Bill For an Act to Amend and Re-enact Section 3382 of the Compiled Laws of North Dakota for 1913 Providing for a Contingent Fund for the State's Attorney of Each County.

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.
Atkins	Forbes	Olson of Burleigh
Baird	Fredrickson	Olson of Eddy
Benson	Hart	Ployhar
Bond	Hjelmstad	Sathre
Brant	Kretschmar	Seamands
Brunsdale	Lynch	Steel
Carey	McCrorry	Stevens
Crocker	McLachlin	Van Arnam
Eastgate	Magnuson	Van Camp
Ettestad	Marshall	Whitman
Fine	Murphy	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Hamilton	Patterson
Conrath	Martin	Peck
Erickson	O son of Barnes	Ritchie
Fleckten	Patten	Rusch

Absent and not voting:

Messrs.	Messrs.
Pathman	Schlosser
Porter	Tofsrud

So the bill passed and the title was agreed to.

House Bill No. 138. A Bill For an Act to Amend and Re-enact Sections 10804 and 10805 of the Compiled Laws of

North Dakota for the Year 1913, Relating to Challenges to Jurors in Criminal Cases.

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.
Atkins	Fleckten	Patterson
Baird	Forbes	Peck
Bakken	Fredrickson	Ployhar
Benson	Hart	Ritchie
Bond	Hjelmstad	Rusch
Brant	Kretschmar	Sathre
Brunsdale	Lynch	Schlosser
Carey	McLachlin	Seamands
Conrath	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Murphy	Van Arnam
Erickson	O. son of Barnes	Van Camp
Ettestad	Olson of Burleigh	Whitman
Fine	Olson of Eddy	Wog

Those voting in the negative were:

Messrs.	Messrs.
Hamilton	Martin
McCrorry	Patten

Absent and not voting:

Messrs.	Messrs.	Messrs.
Pathman	Porter	Tofsrud

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Stevens moved that no bills on which there may be a divided report be taken up for final passage before Tuesday.

Which motion prevailed.

Senator McLachlin requested an extension of time on Senate Bill 114.

Which request was granted.

#### COMMUNICATION FROM THE SECRETARY OF STATE

February 10, 1927.

Hon. W. D. Austin,  
Secretary of the Senate,  
Bismarck, North Dakota.  
Dear Sir:

I have the honor to submit for the information of the Senate, Twentieth Legislative Assembly, the following tele-

gram received from Congressman Sinclair this morning:

"Your wire of the 9th kindly advise Legislature my appreciation action taken in support of McNary-Haugen Bill Measure now before the House and Senate Its friends are making every effort to obtain passage Vote in the Senate tomorrow in the House next week."

Very respectfully yours,  
ROBERT BYRNE,  
Secretary of State.  
By CHARLES LIESSMAN,  
Deputy.

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: C. Moum, A. E. Walley, H. M. Hendrickson, Ralph Lynch, Walter Hawkins, O. L. Spencer and the president and delegates of the N. P. Women's clubs of the state.

Senator Hamilton moved that the Senate do now adjourn.

Which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

## THIRTY-NINTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 11, 1927.

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

Prayer by the Chaplain, Rev. C. F. Strutz.

Roll call.

All members present except: Senators Atkins, Bond, Carey, Kretschmar, McLachlin, Tofsrud, Van Arnam and Whitman.

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 in line 7 strike out the letter "r" in the word "officer" and in same line add the letters "er" to the word "Commission".

On page 2 in line 15 add the letters "er" to the word "Commission".

On page 7 in line 19 correct spelling of "returned".

On page 10 in last of line 29, strike out the last letter "F".

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

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

## COMMUNICATIONS FROM THE GOVERN

February 11, 1927.

To the Senate of the Twentieth Legislative Assembly:

I have to inform you that I have this day approved and filed with the Secretary of State the following bills:

Senate Bill No. 10, 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 the association.

Senate Bill No. 23, An act to amend and re-enact Section 9 of Chapter 200, Session Laws of 1923, the same being Section 5220-b-9 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, relating to the Depositors' Guaranty Fund Commission.

Senate Bill No. 45, An act making an appropriation for the per diem and general expenses of the State Livestock Sanitary Board.

Senate Bill No. 73, An act requiring public utilities to obtain from the Board of Railroad Commissioners certificates of public convenience and necessity before beginning the construction or operation of public utility plants or systems, or the exercising of any rights or privileges under any franchise or certificate hereafter granted, or under any franchise heretofore granted, the exercise of which has not been commenced within one year from the granting thereof, or has been suspended or discontinued for more than one year, and prescribing the procedure to be followed in such matters.

Senate Bill No. 92, An act to amend and re-enact Section 9688 of the Compiled Laws of North Dakota for 1913, relating to the racing of animals for wager.

Senate Bill No. 42, An act making an appropriation to pay the expenses of the State Board of Veterinary Medical Examiners, as authorized under Sections 2711 to 2720 inclusive, of the Compiled Laws of North Dakota for the year 1913.

Senate Bill No. 43, An act making an appropriation for the Glanders and Dourine Indemnity Fund.

Senate Bill No. 44, An act appropriating funds to indemnify owners of animals infected with bovine tuberculosis.

Senate Bill No. 84, An act authorizing the school board of any school district whose property is not required by law to be insured against loss by fire and tornado by the State Fire and Tornado Fund to insure the property of such dis-

trict against such loss in mutual fire insurance companies or in old line fire insurance companies.

Very truly yours,  
A. G. SORLIE,  
Governor.

February 11, 1927.

To the Senate of the Twentieth Legislative Assembly:

I have to inform you that I have this day approved and filed with the Secretary of State:

Senate Bill No. 57, An act to authorize counties to issue bonds, certificates of indebtedness or warrants to procure seed grain and feed for needy inhabitants therein and providing for the issuance of bands, warrants and certificates of indebtedness for seed grain by counties and aid by the State in respect thereto.

Very truly yours,  
A. G. SORLIE,  
Governor.

Senator Bakken presented a communication from Williston protesting repeal of the Sunday show law.

President Maddock presented the following telegram from Newberg: Father died this morning. Arland Stair.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Counties to whom was referred:

House Bill No. 147. A Bill For an Act to amend and re-enact Section 4220 of the Supplement to the Compiled Laws of the State of North Dakota for the year 1913 relating to the compensation of the township clerks and supervisors.

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

OLE ETTESTAD,  
Chairman.

Senator Ettestad 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. 112. A Bill for an Act Providing for the Establishment, Maintenance and Operation, for the Benefit of the State, of a Plant at the State Penitentiary for the Manufacture of Automobile License Tags and Road Markers, and Making an Appropriation 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.

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

Senate Bill No. 149. A Bill For an Act to Amend and Re-enact Section 3786 Compiled Laws of the State of North Dakota for 1913, Relating to Terms of Office of City Officers Under Commission Form of Government.

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

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 182. A Bill For an Act to amend and re-enact Section 3812 of the Compiled Laws of the State of North Dakota for 1913, relating to additional duties of City Auditors under the Commission System of Government.

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

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 175. A Bill For an Act Empowering and Authorizing Cities under the Commission Form of Government to Refund and Reissue special improvement warrants upon the Surrender of the Outstanding Warrants by the Holders Thereof.

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

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 28. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection.

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

P. T. KRETSCHMAR,  
Chairman.

Senator Murpny 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. 37. A Bill For an Act Making an Appropriation for the Inspection and Eradication of Bee Diseases, Under the Provisions of Chapter 140, Session Laws of North Dakota for the Year 1923.

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

P. T. KRETSCHMAR,  
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. 46. 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 1913.

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

P. T. KRETSCHMAR,  
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. 47. 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.

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

P. T. KRETSCHMAR,  
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. 48. A Bill For an Act Making an Appropriation to Pay the Burial Expenses of Inmates of the Penitentiary and State Training School as Prescribed by Chapter 12, Laws of 1915.

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

P. T. KRETSCHMAR,  
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. 49. A Bill For an Act Making an Appropriation to Pay for the Burial Expense of Honorably Discharged Sailors, Soldiers and Marines of the United States War of the Rebellion and Erection of Head Stones Therefor, as Authorized by Sections 3181, 3182, 3183, and 3184 of the Compiled Laws of 1913.

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

P. T. KRETSCHMAR,  
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. 88. A Bill For an Act to Repeal Sections 1707 and 1708 of the Compiled Laws of North Dakota for 1913, Relating to the Care, Maintenance and Instruction of Blind Children under School Age.

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

P. T. KRETSCHMAR,  
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. 98. A Bill For an Act to Repeal Section 7 of Chapter 203, Session Laws 1919, relating to Vocational Education.

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

P. T. KRETSCHMAR,  
Chairman.

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

Mr. President: Your Committee on Military Affairs to whom was referred:

Senate Bill No. 169. A Bill For an Act Limiting the Time in Which to File Claims Against the Returned Soldiers Fund Under the Provisions of Chapter 206, Laws of 1919, and Laws Amendatory Thereto.

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

C. N. BRUNSDALE,  
Chairman.

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

Mr. President: Your Committee on Enrollment and Engrössment respectfully report that they have examined the following bills:

Senate Bill No. 180. A Bill For an Act to Amend and Re-enact Sections 909a2 and 909a5 of the Supplement to the Compiled Laws of 1913.

Also,

Concurrent Resolution "F".

Also,

Senate Bill No. 140. A Bill For an Act to Amend and Re-enact Section 1008 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Return and Disposition of Election Ballots and Compensation of Election Officers.

Also,

Senate Bill No. 166. A Bill For an Act to Amend and Re-enact Section 10322a28 of the Supplement to the Compiled Laws 1913, and Repealing Section 10322a29 of the Supplement to the Compiled Laws 1913.

Also,

Senate Bill No. 150. A Bill For an Act to Amend and Re-enact Section 1531 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the State Library.

Also,

Senate Bill No. 148. A Bill For an Act to amend and re-enact Section 2193a of the Supplement to the 1913 Compiled

Laws relating to abatements to purchasers of tax sale certificates on state land.

Also,

Senate Bill No. 157. A Bill For an Act Making an Appropriation for the Construction of a State Radio Broadcasting Station at the Capitol in Bismarck, and providing for its construction and management.

Also,

Senate Bill No. 109. A Bill For an Act Creating the Office of Veterans' Service Commission; Providing the Qualifications, the Manner of Appointment, Duties, Salary, Tenure of Office of Such Officer, Providing an Appropriation Therefor, and Declaring an Emergency.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Mr. President: Your Committee on Enrollment and Engraving respectfully report that they have examined the following bill:

Senate Bill No. 19. 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 re-engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Senator Benson moved that all absent senators be excused.

Which motion prevailed.

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

Senator O. A. Olson introduced:

Senate Bill No. 207. A Bill For an Act to Require Certain Tax Records to be in Permanent and Bound Book Form.

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

Senator Fine introduced:

Senate Bill No. 208. A Bill For an Act to Amend and Re-enact Section 1725 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to the State Normal and Industrial School at Ellendale, North Dakota.

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

Senator Fine introduced:

Senate Bill No. 209. A Bill For an Act to Amend and Re-enact Sections 1594 and 1595 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to the Granting of Diplomas in Normal Schools.

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

Senator Fine introduced:

Senate Bill No. 210. A Bill For an Act to Amend and Re-enact Section 10136 of the Supplement to the Compiled Laws of the State of North Dakota, for 1913, relating to liability for bringing intoxicating liquor into the State of North Dakota.

Was read the first and second times and referred to the Committee on Temperance.

Senator Brant, by request, introduced:

Senate Bill No. 211. A Bill For an Act to Repeal Section 3239 of the Supplement to the Compiled Laws of North Dakota for 1913.

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

Senator Brant introduced:

Senate Bill No. 212. A Bill For an Act to Amend and Re-enact Section 44 of the Supplement to the Compiled Laws of North Dakota for the Year 1913 as Relating to Legislative Apportionment.

Was read the first and second times and referred to the Committee on Apportionment.

Senator Seamands introduced:

Senate Bill No. 213. A Bill For an Act to Amend and Re-enact Section 1438a1 Article 2a of Chapter 12 of the Supplement to the Compiled Laws of 1913-1925, Relating to High School Tuition Fee.

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

Senator Fine introduced:

Senate Bill No. 214. A Bill For an Act to Repeal Sections 9849, 9850, 9851, 9852, 9853, 9854, 9855, 9856, 9857, 9858, 9859, 9860, 9861, 9862, 9863, 9864, 9865, 9866, and 9867, of the Compiled Laws of 1913, and to Enact in lieu thereof five new Sections relating to the crime of Arson, and providing penalty therefor.

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

Senator Ettestad introduced:

Senate Bill No. 215. A Bill For an Act to Levy a Tax of One Mill upon each Dollar of Assessed Valuation of All Taxable Property within the State for Each Year for the Purpose of Augmenting the Depositors' Guaranty Fund.

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

Senators Forbes and Sathre introduced:

Senate Bill No. 216. A Bill For an Act Defining the Practice of Law and Prescribing Penalties for the Violation Thereof.

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

Senators Schlosser and Hamilton introduced:

Senate Bill No. 217. A Bill For an Act Defining the Powers and Duties of the Board of Administration Relating to the Construction of Residence Halls or Dormitories on Lands of the Educational Institutions Under Its Control.

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

Senators Schlosser and Hamilton introduced:

Senate Bill No. 218. A Bill For an Act Authorizing the Organization of Non-Profit Sharing Institutional Holding Associations and Defining Their Powers.

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

Senators O. A. Olson and Brant introduced:

Senate Bill No. 219. A Bill For an Act Appropriating the Sum of \$1,500.00 out of the State Highway Operating Fund of the Highway Commission, for the purpose of re-imbursing certain Mechanics for losses sustained in the destruction of the Highway Commission Shops by fire.

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

Senator Rusch introduced:

Senate Bill No. 220. A Bill For an Act to repeal Section 2306 of the Supplement to the Compiled Laws of 1913 and Sections 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, and 2346 of the Compiled Laws of North Dakota for the year 1913 relating to tax judgment procedure on lands forfeited to the State or County for taxes.

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

Senator Lynch introduced:

Senate Bill No. 221. A Bill For an Act to Amend and Re-enact Section 10322a85 of the Supplement to the Compiled Laws of North Dakota 1913, Relating to Fish and the manner of taking.

Was read the first and second times and referred to the Committee on Game and Fish.

Senator Patterson introduced:

Senate Bill No. 222. A Bill For an Act to Encourage the Sale of Gasoline or Motor Fuel for Use in High Compression Motors with Resulting Fuel Economy, Permitting the Coloring of such Motor Fuel and Prohibiting the Sale of so-called "Gasoline Improvers" which are worthless or harmful; Making Violations hereof a Misdemeanor and Providing the Penalty therefor.

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

Senator O. A. Olson introduced:

Senate Bill No. 223. A Bill For an Act Providing that the Making, Signing or Procurement of a False Affidavit for Garnishment shall constitute a Misdemeanor.

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

#### MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
February 11, 1927.

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

House Bill No. 185. A Bill For an Act to Permit the Use of Guide Cards in Elections, to Assist in Enabling Elector to Vote for the Candidate of His or Her Choice.

House Bill No. 91. A Bill For an Act to Amend and Re-enact Section 17 of Chapter 162 of the Session Laws of North Dakota for the Year 1919, Known as the Workmen's Compensation Law, as Amended by the Session Laws of North Dakota for the Years 1921 and 1923.



House Bill No. 218. A Bill For an Act to Amend and Re-enact Section 4915, Supplement to the 1913 Compiled Laws of North Dakota.

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

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

House Bills 104 and 106 were returned to the House indefinitely postponed.

Senate Bills 19, 79 and 142 were messaged to the House.

House Bills 1, 56, 66, 119 and 128 were returned to the House passed unchanged.

House Bills 53, 124, 136 and 138 were returned to the House amended.

### THIRD READING OF SENATE BILLS

Senate Bill No. 109. A Bill For an Act Creating the Office of Veterans' Service Commissioner; Providing the Qualifications, the Manner of Appointment, Duties, Salary, Tenure of Office of Such Officer, Providing an Appropriation Therefor, 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 36, nays 3, absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Hart	Patten
Benson	Hjelmstad	Patterson
Brunsdale	Lynch	Peck
Conrath	McCrary	Ployhar
Crocker	Magnuson	Porter
Eastgate	Marshall	Ritchie
Erickson	Martin	Rusch
Ettestad	Murphy	Sathre
Fine	Olson of Barnes	Schlosser
Forbes	Olson of Burleigh	Steel
Fredrickson	Olson of Eddy	Stevens
Hamilton	Pathman	Van Camp

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Van Arnam

Messrs.	Messrs.	Messrs.
Bond	McLachlin	Whitman
Brant	Seamands	
Carey	Tofsrud	

So the bill passed and the title was agreed to. Emergency clause declared carried.

Senator Baird moved that the vote by which Senate Bill No. 109 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 140. A Bill For an Act to Amend and Re-enact Section 1008 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Return and Disposition of Election Ballots and Compensation of Election Officers.

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 15, absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Lynch	Ployhar
Bakken	Magnuson	Porter
Brunsdale	Marshall	Rusch
Crocker	Martin	Sathre
Eastgate	Murphy	Schlosser
Forbes	Olson of Burleigh	Steel
Fredrickson	Olson of Eddy	Stevens
Hart	Pathman	Van Camp

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fleckten	Patten
Conrath	Hamilton	Patterson
Erickson	Hjelmstad	Peck
Ettestad	McCrorry	Ritchie
Fine	Olson of Barnes	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Van Arnam
Bond	McLachlin	Whitman
Brant	Seamands	
Carey	Tofsrud	

So the bill was declared lost.

Senator Stevens gave notice that on the next legislative day he would move for a reconsideration of the vote by which Senate Bill 140 was lost.

Senate Bill No. 148. A Bill For an Act to amend and re-enact Section 2193a of the Supplement to the 1913 Compiled

Laws relating to abatements to purchasers of tax sale certificates on state land.

Was read the third time.

Senator Benson moved that final action on Senate Bill 148 be deferred one legislative day.

Which motion prevailed.

Senate Bill No. 150. A Bill For an Act to Amend and Re-enact Section 1531 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the State Library.

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 4, absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Hart	Patterson
Bakken	Hjelmstad	Ployhar
Brunsdale	Lynch	Porter
Crocker	McCrorry	Ritchie
Eastgate	Magnuson	Rusch
Erickson	Marshall	Sathre
Ettestad	Martin	Schlosser
Fine	Murphy	Steel
Fleckten	Olson of Barnes	Stevens
Forbes	Olson of Burleigh	Van Camp
Fredrickson	Olson of Eddy	Wog
Hamilton	Pathman	

Those voting in the negative were:

Messrs.	Messrs.
Benson	Patten
Conrath	Peck

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Van Arnam
Bond	McLachlin	Whitman
Brant	Seamands	
Carey	Tofsrud	

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senator Rusch moved that further consideration of Senate Bill 157 be referred to Committee on Appropriations.

Which motion prevailed and the bill was so referred.

Senate Bill No. 166. A Bill For an Act to Amend and Re-enact Section 10322a28 of the Supplement to the Compiled Laws 1913, and Repealing Section 10322a29 of the Supplement to the Compiled Laws 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 0, absent and not voting 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Hart	Patterson
Bakken	Hjelmstad	Peck
Benson	Lynch	Ployhar
Brunsdale	McCrorry	Porter
Conrath	Magnuson	Ritchie
Crocker	Marshall	Rusch
Eastgate	Martin	Schlosser
Erickson	Murphy	Steel
Ettestad	Olson of Barnes	Stevens
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Wog
Forbes	Pathman	
Fredrickson	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Seamands
Bond	Kretschmar	Tofsrud
Brant	McLachlin	Van Arnan.
Carey	Sathre	Whitman

So the bill passed and the title was agreed to.

Senate Bill No. 180. A Bill For an Act to Amend and Re-enact Sections 909a2 and 909a5 of the Supplement to 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 18, nays 20, absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Forbes	Pathman
Bakken	Hart	Rusch
Brunsdale	Hjelmstad	Schlosser
Crocker	Lynch	Steel
Eastgate	Murphy	Stevens
Fredrickson	Olson of Burleigh	Van Camp

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	McCrorry	Patterson
Conrath	Magnuson	Peck
Erickson	Marshall	Ployhar
Ettestad	Martin	Porter

Messrs.	Messrs.	Messrs.
Fine	Olson of Barnes	Ritchie
Fleckten	Olson of Eddy	Wog
Hamilton	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Tofsrud
Bond	McLachlin	Van Arnam
Brant	Sathre	Whitman
Carey	Seamands	

So the bill was declared lost.

Senator Ployhar gave notice that on the next legislative day he would move for a reconsideration of the vote by which Senate Bill 180 was lost.

Senate Bill 109 was messaged to the House.

#### FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 91. A Bill For an Act to Amend and Re-enact Section 17 of Chapter 162 of the Session Laws of North Dakota for the Year 1919, Known as the Workmen's Compensation Law, as Amended by the Session Laws of North Dakota for the Years 1921 and 1923.

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

House Bill No. 185. A Bill For an Act to Permit the Use of Guide Cards in Elections, to Assist in Enabling Elector to Vote for the Candidate of His or Her Choice.

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

House Bill No. 218. A Bill For an Act to Amend and Re-enact Section 4915, Supplement to the 1913 Compiled Laws of North Dakota.

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

#### THIRD READING OF HOUSE BILLS

House Bill No. 8. A Bill For an Act Making an Appropriation 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 40, nays 0, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Hart	Patterson
Bakken	Hjelmstad	Peck
Benson	Kretschmar	Ployhar
Brunsdale	Lynch	Porter
Conrath	McCrorry	Ritchie
Crocker	Magnuson	Rusch
Eastgate	Marshall	Sathre
Erickson	Martin	Schlosser
Ettestad	Murphy	Steel
Fine	Olson of Barnes	Stevens
Fleckten	Olson of Burleigh	Van Camp
Forbes	Olson of Eddy	Wog
Fredrickson	Pathman	
Hamilton	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Carey	Tofsrud
Bond	McLachlin	Van Arnam
Brant	Seamands	Whitman

So the bill passed and the title was agreed to.

House Bill No. 21. A Bill For an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State, in compliance with the Provisions of Sections 3993 to 3998, inclusive, 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 38, nays 0, absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Hamilton	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Brunsdale	Lynch	Porter
Conrath	McCrorry	Ritchie
Crocker	Magnuson	Rusch
Eastgate	Marshall	Sathre
Erickson	Murphy	Schlosser
Ettestad	Olson of Barnes	Steel
Fine	Olson of Burleigh	Stevens
Fleckten	Olson of Eddy	Van Camp
Forbes	Pathman	Wog
Fredrickson	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Tofsrud
Bond	McLachlin	Van Arnam

Messrs.	Messrs.	Messrs.
Brant	Martin	Whitman
Carey	Seamands	

So the bill passed and the title was agreed to.

House Bill No. 22. A Bill For an Act Making an Appropriation to Pay the Salary, Travel Expense and Miscellaneous Items of the State Transportation Officer.

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 0, absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Hamilton	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Brunsdale	Lynch	Porter
Conrath	McCroy	Ritchie
Crocker	Magnuson	Rusch
Eastgate	Marshall	Sathre
Erickson	Murphy	Schlosser
Ettestad	Olson of Barnes	Steel
Fine	Olson of Burleigh	Stevens
Fleckten	Olson of Eddy	Van Camp
Forbes	Pathman	Wog
Fredrickson	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Tofsrud
Bond	McLachlin	Van Arnam
Brant	Martin	Whitman
Carey	Seamands	

So the bill passed and the title was agreed to.

House Bill No. 26. 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 as Prescribed by Section 2562 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 38, nays 0, absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Hamilton	Patterson
Bakken	Hart	Peck

Messrs.	Messrs.	Messrs.
Benson	Hjelmstad	Ployhar
Brunsdale	Lynch	Porter
Conrath	McCrary	Ritchie
Crocker	Magnuson	Rusch
Eastgate	Marshall	Sathre
Erickson	Martin	Schlosser
Ettestad	Murphy	Steel
Fine	Olson of Barnes	Stevens
Fleckten	Olson of Eddy	Van Camp
Forbes	Pathman	Wog
Fredrickson	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Tofsrud
Bond	McLachlin	Van Arnam
Brant	Olson of Burleigh	Whitman
Carey	Seamands	

So the bill passed and the title was agreed to.

House Bill No. 30. A Bill For an Act Making an Appropriation for the Florence Crittenton 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 39, nays 0, absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Hamilton	Patten
Bakken	Hart	Peck
Benson	Hjelmstad	Patterson
Brunsdale	Lynch	Ployhar
Conrath	McCrary	Porter
Crocker	Magnuson	Ritchie
Eastgate	Marshall	Rusch
Erickson	Martin	Sathre
Ettestad	Murphy	Schlosser
Fine	Olson of Barnes	Steel
Fleckten	Olson of Burleigh	Stevens
Forbes	Olson of Eddy	Van Camp
Fredrickson	Pathman	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Van Arnam
Bond	McLachlin	Whitman
Brant	Seamands	
Carey	Tofsrud	

So the bill passed and the title was agreed to.



House Bill No. 31. A Bill For an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials as Provided by Chapter 175, 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 39, nays 0, absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Hamilton	Pathman
Bakken	Hart	Patterson
Benson	Hjelmstad	Peck
Brunsdale	Lynch	Ployhar
Conrath	McCrorry	Porter
Crocker	Magnuson	Ritchie
Eastgate	Marshall	Rusch
Erickson	Martin	Sathre
Ettestad	Murphy	Schlosser
Fine	Olson of Barnes	Steel
Fleckten	Olson of Burleigh	Stevens
Forbes	Olson of Eddy	Van Camp
Fredrickson	Patten	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Van Arnam
Bond	McLachlin	Whitman
Brant	Seamands	
Carey	Tofsrud	

So the bill passed and the title was agreed to.

House Bill No. 36. A Bill For an Act Making an Appropriation 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 the Year 1915.

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.
Baird	Hart	Peck
Bakken	Hjelmstad	Patterson
Benson	Lynch	Ployhar
Brunsdale	McCrorry	Porter
Conrath	Magnuson	Ritchie

Messrs.	Messrs.	Messrs.
Crocker	Marshall	Rusch
Eastgate	Martin	Sathre
Ettestad	Murphy	Schlosser
Fine	Olson of Barnes	Steel
Fleckten	Olson of Burleigh	Stevens
Forbes	Olson of Eddy	Van Camp
Fredrickson	Pathman	Wog
Hamilton	Patten	

Those voting in the negative were:

Messrs.  
Erickson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Van Arnam
Bond	McLachlin	Whitman
Brant	Seamands	
Carey	Tofsrud	

So the bill passed and the title was agreed to.

Senator Murphy moved that final action on House Bill 69 be deferred one legislative day.

Which motion prevailed.

House Bill No. 174. A Bill For an Act to Prescribe the Manner of Taking and Killing Game Birds and Animals, Prohibiting the Use of Traps, Snares, Lights and Other Artificial Means, and Repealing Sections 10332a24 and 10322a25 of the Supplement to the Compiled Laws 1913, and Any and All Acts in Conflict.

Was read the third time.

The question being on the final passage of the bill, the roll was called, and there were ayes 15, nays 24, absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Benson	Forbes	Peck
Brunsdale	Fredrickson	Schlosser
Conrath	Hamilton	Stevens
Eastgate	McCrary	Van Camp
Fine	Olson of Eddy	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Baird	Lynch	Patten
Bakken	Magnuson	Patterson
Crocker	Marshall	Poyhar
Erickson	Martin	Porter
Ettestad	Murphy	Ritchie

Messrs.	Messrs.	Messrs.
Fleckten	Olson of Barnes	Rusch
Hart	Olson of Burleigh	Sathre
Hjelmstad	Pathman	Steel

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Van Arnam
Bond	McLachlin	Whitman
Brant	Seamands	
Carey	Tofsrud	

So the bill was declared lost.

Senator Conrath requested a return to the Eighth Order of Business.

Which request was granted.

Senator Conrath moved that the vote by which House Bill 106 was lost be reconsidered.

Which motion prevailed.

Senator Patterson moved that House Bill 106 be placed on the calendar.

Which motion prevailed.

Senator Stevens gave notice that on the next legislative day he would move for a reconsideration of the vote by which House Bill 174 was lost.

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: Mrs. Mary Zetterberg, Jean Zetterberg, F. X. Ransom, A. T. Lynner and C. J. Robideau.

Senator Ployhar moved that the Senate do now recess until 1 P. M., Tuesday.

Which motion prevailed.

W. D. AUSTIN,  
Secretary.

THIRTY-NINTH DAY AFTER RECESS AND  
FORTY-THIRD DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 15, 1927.

The Senate re-assembled at 1:00 P. M., pursuant to recess taken, the President presiding.

House Bills Nos. 8, 21, 22, 26, 30, 31 and 36 returned to the House.

Senate Bills Nos. 150 and 166 were sent to the House.

Senator Sathre requested a return to the Eighth Order of Business.

Which request was granted.

Senator Stevens moved that the vote by which the Committee report on House Bill 104 was adopted be reconsidered and the bill be referred to the Committee on Judiciary.

Which motion prevailed and the bill was so referred.

Senator Forbes requested an extension of time on Senate Bills 183, 191 and 192.

Which request was granted.

Senator Fine moved that Senate Bill 208 be withdrawn from the State Affairs Committee and referred to the Committee on Education.

Which request was granted and the bill was so referred.

MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
February 15, 1927.

Mr. President: I have the honor to inform you that the House returns herewith:

House Bill No. 106. A Bill for an Act to Amend and Re-enact sections 8651-8657 and 8682 of the Compiled Laws of

1913 relating to the qualification, appointment, removal and discharge of Executors, Administrators and Guardians, and to repeal all acts and parts of acts in conflict herewith.

Which the Senate has requested.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 15, 1927.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 53. A Bill For an Act Providing for the Issuance of Duplicate Bonds, Warrants or Other Obligations of the State of North Dakota, or of Any of the Political Subdivisions Thereof in Case the Originals are Mutilated, Defaced, or Lost, and Prescribing the Procedure Therefor.

Also,

House Bill No. 124. A Bill For an Act to Authorize and Empower Cities, Towns or Villages to Purchase, Erect, Operate and Maintain, Enlarge, Improve, and Extend, or Lease from any Person, Firm or Corporation, or Sell or Lease to any Person, Firm or Corporation, any Electric Light and Power Plant, Site, Buildings and Equipment Thereof, or any Electric Distribution System and Equipment Thereof, or any Electric Transmission Line and Equipment Thereof, or all or any Part or Parts of any of Such Plants, Systems and Lines, and any Interest in any Such Plant, System or Line Within and Without the Corporate Limits of Such City, Town or Village, and Providing for the Issuance of Bonds and the Levying of Special Assessments and the Creating of Special Assessment Districts in Connection with the Exercise of any of the Powers above Granted, and Providing for the Legalization and Validation of Purchases and Sales and the Issuance of Bonds Heretofore Made and Repealing Chapter 255 of the Session Laws of North Dakota for the Year 1923, being Section 3992b1 and 3992b2 of the Supplement to the 1913 Compiled Laws of the State of North Dakota.

Also,

House Bill No. 136. A Bill For an Act to Amend and Re-enact Section 3382 of the Compiled Laws of North Dakota for 1913 Providing for a Contingent Fund for the State's Attorney of Each County.

Also,

House Bill No. 138. A Bill For an Act to Amend and Re-enact Sections 10804 and 10805 of the Compiled Laws of North Dakota for the Year 1913, Relating to Challenges to Jurors in Criminal Cases.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 15, 1927.

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

House Bill No. 132. A Bill For an Act to Require Certificates of Title for Registered Motor Vehicles; to Facilitate the Recovery of Stolen or Unlawfully Taken Motor Vehicles; to Provide for the Licensing of Dealers in Used Motor Vehicles, Trailers, or Semi-trailers; to Prescribe the Powers and Duties of the Motor Vehicle Registration Department; to Impose Certain Fees to Carry out the Purpose of this Act; to Impose Penalties for Violations of this Act and to Make Uniform the Law Relating to the Subject Matter of This Act.

House Bill No. 214. A Bill For an Act to Provide for the Granting of Decrees of Separation from Bed and Board, Specifying the Grounds upon which such Decree may be entered, and providing for the Maintenance of Spouse or Children, and for the Division by the Court, of Joint and Separate Property of Husband and Wife.

House Bill No. 216. A Bill for an Act Creating a Judicial Council for the State of North Dakota, and Providing for the Continuous Study of the Administration of Justice.

House Bill No. 217. 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 and South Dakota, Respecting the Use, Control, Utilization and Regulation of the Waters of the James River and the Rights of said States Thereto.

House Bill No. 226. A Bill For an Act to Amend and Re-enact Section 714a15 of the Supplement to the Compiled Laws of 1913 relating to the report of the treasurer under the public depository law (714a1 to 714a20 of the Supplement to the Compiled Laws of 1913).

House Bill No. 183. A Bill For an Act to Appropriate the Sum of Twenty Thousand (\$20,000.00) Dollars for the purpose of Aiding in the Construction of a Bridge and Approaches Across Box Elder Creek of the State Line between North Dakota and South Dakota at a Point approximately five miles east of the Montana State Line, under the Provisions of Chapter 73 of the Laws of North Dakota for the Year 1919.

House Bill No. 204. A Bill For an Act to Amend and Re-enact Section 1190 of the Supplement to the Compiled Laws of 1913, Relating to Consolidation of Schools and Transportation of Pupils.

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

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 15, 1927.

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

House Bill No. 220. A Bill For an Act to appropriate the sum of Thirty Thousand (\$30,000.00) Dollars, From any moneys in the State Highway Fund, for the purpose of aiding in the construction of a Bridge across the Bois De Sioux River, Between the city of Wahpeton, Richland County, North Dakota, and the city of Breckenridge, Wilkin County, Minnesota, Under the Provisions of Chapter 73 of the laws of North Dakota for the year 1919.

House Bill No. 100. A Bill For an Act To Provide for the Extermination of Rodent Pests, Gophers, Prairie Dogs, Rabbits and Crows, by County and Organized Townships, and in unorganized Townships; Providing a method of Procedure in exterminating, manner of raising necessary funds by Tax Levy, and for Assessment against real property; The Method of Expenditure of Moneys; and Repealing Sections 2869, 2870, 2871, 2872 and 2873 of the Compiled Laws of North Dakota for the year 1913.

House Bill No. 169. A Bill For an Act to Amend and Re-enact Section 4799 of the Compiled Laws of the State of North Dakota for the Year 1913; Relating to Free Passes, Franks and Special Privileges Prohibited, Exceptions.

House Bill No. 221. A Bill For an Act to Prohibit the Sale of Cattle at Public Auction, Mortgage Foreclosure Sale or Sale by Order of Any Court, Unless the Same Shall Have Been Tuberculin Tested and Found Free of Tuberculosis.

House Bill No. 54. A Bill For an Act relating to and concerning the labeling and branding of flour offered or exposed for sale, or sold, within this state, prescribing regulations and providing penalties for violation thereof.

House Bill No. 151. A Bill For an Act Making it the Duty of the State Engineer to Assist County Boards of Flood Irrigation in the Performance of their Duties and Making an Appropriation therefor.

House Bill No. 207. A Bill For an Act to Amend and Re-enact Section 3498, of the Compiled Laws of North Dakota, for the year 1913, relating to fees to be charged by the Clerk of the District Court.

House Bill No. 192. A Bill For an Act Defining the Effect of Instruments, Affecting Real and Personal Property Belonging to a Trust, Executed by Trustees in Their Representative Capacity as Trustee.

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

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

INTRODUCTION AND FIRST AND SECOND READING  
OF SENATE BILLS

Senator Sathre introduced:

Senate Bill No. 224. 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 Corporation Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

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

Senator Sathre introduced:

Senate Bill No. 225. A Bill For an Act to amend and re-enact Section 89 of the Compiled Laws of the State of North Dakota of 1913 relating to the exchange of laws with other states.

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

The Committee on Public Health introduced:

Senate Bill No. 226. A Bill For an Act to Amend and Re-enact Section 506a6 and 506a9 of the Supplement to the Compiled Laws of 1913.

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

Senator Bakken introduced:

Senate Bill No. 227. A Bill For an Act Repealing Chapter 27 of the Session Laws of North Dakota for the year 1921; Relating to Brand Inspectors.

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

Senator Wog introduced:

Senate Bill No. 228. A Bill For an Act Authorizing the Recall of County Commissioners and Providing Ways and Means for the Petitions and Special Elections to be Held for such Purpose.

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

Senator Martin introduced:

Senate Bill No. 229. A Bill for an Act Providing that in Certain Specified Cases the Plea of Temporary Insanity May Be Imposed to a Complete Bar to a Criminal Prosecution.



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

Senators Fine and Sathre introduced:

Senate Bill No. 230. A Bill For an Act to provide for the Assessment and Taxation of Property of Power Companies, defining the same, providing for furnishing information relative to such property, outlining duties of the Tax Commissioner, State Board of Equalization, County Auditor and County Treasurer. Repealing all Acts and parts of Acts in conflict with the provisions of this Act.

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

Senator Whitman introduced:

Senate Bill No. 231. A Bill For an Act To amend and re-enact Subdivision (1) of Section 4059, of Chapter 96, of the Laws of 1921, relating to the Powers of Park Boards.

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

Senator Fleckten introduced:

Senate Bill 232. A Concurrent Resolution.

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

Senator Fleckten introduced:

Senate Bill No. 233. A Bill For an Act to Amend and Re-enact Section 7637 of the Compiled Laws of North Dakota for the Year 1913, Relating to How Trial by Jury may be Waived.

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

Senator Baird introduced:

Senate Bill No. 234. A Bill For an Act to Authorize the Supreme Court to Direct the Calling of Special Terms in any of the Counties of the State and to Designate a District Judge to Preside at such Term.

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

Senator Baird, by request, introduced:

Senate Bill No. 235. A Bill For an Act to Provide for a Fee upon the Filing of an Affidavit for Change of Judges in Civil Actions in the District Court for Prejudice or Bias of Judge thereof.

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

Senator Ettestad introduced:

Senate Bill No. 236. A Bill For an Act to amend and re-enact Section 2151 of the Supplement to the Compiled Laws of 1913, relating to Township Tax Levies and elector's right to vote amounts for township purposes.

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

Senator Ettestad introduced:

Senate Bill No. 237. A Bill For an Act relating to banks, providing for Savings Deposits, fixing the reserve, limiting the investment of such deposits, exempting the same from the Depositors' Guaranty Fund law, and providing a penalty for the violation of the provisions hereof.

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

Senators Schlosser and Sathre introduced:

Senate Bill No. 238. A Bill For an Act Appropriating the Sum of Five Thousand Dollars (\$5,000.00) From the General Funds of the State to Compensate Honorable Chas. M. Cooley, Judge of the First Judicial District of North Dakota, for Services Rendered as Special Judge Under Chapter 137 of the Session Laws of North Dakota for 1923.

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

Senator O. A. Olson introduced:

Senate Bill No. 239. A Bill For an Act to Amend and Re-enact subsections 1, 2, 3, B1, of Section 21 and subsection (a), (b), (d), of section 22 of the Session Laws of North Dakota for the year 1923. Relating to personal exemptions allowed individuals and fiduciaries by the state income tax law and defining who shall be required to file individual and fiduciary state income tax returns under said law.

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

Senator O. A. Olson introduced:

Senate Bill No. 240. A Bill For an Act to Amend and Re-enact Section 10322a26 of the Supplement to the 1913 Compiled Laws of North Dakota.

Was read the first and second times and referred to the Committee on Game and Fish.

Senators O. A. Olson and Schlosser introduced:

Senate Bill No. 241. A Bill For an Act permitting cities and school districts to effect group life insurance coverage on its employees.

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

Senator O. A. Olson, by request, introduced:

Senate Bill No. 242. A Bill For an Act to Amend and Re-enact Section 3999 of the Compiled Laws of North Dakota, for 1913, relating to Paid Fire Department and Fireman's Relief Association.

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

Senator Ployhar introduced:

Senate Bill No. 243. A Bill For an Act to Amend and Re-enact Sections 2346a20, 2346a21 and 2346a22 of the Supplement to the Compiled Laws 1913.

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

Senator Fleckten introduced:

Senate Bill No. 244. A Bill For an Act to Establish a New Procedure for the Hearing and Determination of Small Claims in Contract or Tort.

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

Senator O. A. Olson, by request, introduced:

Senate Bill No. 245. A Bill For an Act Regulating the Compensation to be paid by Life Insurance Companies to its agents.

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

Senator Atkins introduced:

Senate Bill No. 246. A Bill For an Act to Amend and Re-enact Article 55b of Chapter 38 of the Political Code of the State of North Dakota, being sections 2976v1 to 2976v16, both inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over Any Public Highway by Motor Propelled Vehicles; Defining Auto 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 Punishment for Violation Thereof.

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

Senator Fine introduced:

Senate Bill No. 247. A Bill For an Act clarifying what constitutes a consolidated school.

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

Senator Atkins introduced:

Senate Bill No. 248. A Bill For an Act Legalizing and Validating all legal publications made prior to the 1st day of January, 1927, contrary to the provisions of Chapter 187 of Session Laws, 1919, and of Initiated Measure relating to Official Newspapers approved November 2, 1920.

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

Senator Ployhar introduced:

Senate Bill No. 249. A Bill For an Act Providing a Limitation for filing and bringing suit on claims against insolvent banks or their receivers.

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

Senator Kretschmar, by request, introduced:

Senate Bill No. 250. A Bill For an Act to Establish a Fund for Pensioning Police Officers in Cities and Cities under the Commission Form of Government and Providing for the Payment of Pensions to Retired Police Officers and their Dependents in case of Death.

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

Senator Hjelmstad introduced:

Senate Bill No. 251. A Bill For an Act to Provide annexation of land so that common school districts may be co-extensive with civil townships, and providing for equalization of assets and liabilities, and declaring an emergency.

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

Senator Schlosser introduced:

Senate Bill No. 252. A Bill For an Act to Amend and Re-enact Sub-division 5 of Section 2 of Chapter 165, Session Laws of North Dakota for the year 1925, Relating to Mothers Pensions.

Was read the first and second times and referred to the Committee on Women's and Children's Welfare.

Senator Whitman introduced:

Senate Bill No. 253. A Bill For an Act to Amend and Re-enact Section 10246a1 of the Supplement to the Compiled Laws of North Dakota for 1913, Regulating and Fixing the Hours of Labor of Females and Providing Penalties for Violation Thereof.

Was read the first and second times and referred to the Committee on Women's and Children's Welfare.

Senator Bond moved that the Senate do now adjourn.

Which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

FORTY-THIRD DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 15, 1927.

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

Prayer by the Chaplain, Rev. F. H. Davenport.

Roll call.

All members present.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-ninth day and find same correct.

C. J. OLSON,  
Chairman.

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

Senator Patten presented a communication from Stanley protesting proposed repeal of Sunday show law.

Senator O. H. Olson presented a similar letter from Carrington.

REPORTS OF STANDING COMMITTEES

Mr. President: A Majority of your Committee on Insurance to whom was referred:

House Bill No. 83. A Bill For an Act to Amend and Re-enact Section 6 of Chapter 160 of the Sessions Laws of North Dakota for the Year 1919, as Amended and Re-enacted by Chapter 77 of the Session Laws of North Dakota for the Year 1921, as Amended and Re-enacted by Chapter 232 of the Session Laws of North Dakota for the Year 1923, as Amended and Re-enacted by Chapter 151 of the Session Laws of North Dakota for the year 1925, the same being Section 189b6 of the Supplement to the Compiled Laws of North Dakota for 1913; Relating to Flat Hail Insurance Tax and Permanent Surplus Fund.

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

H. J. RUSCH,  
JOHN VAN ARNAM,  
ALFRED STEEL,  
C. W. CAREY,  
W. H. PORTER,  
P. J. MURPHY.

Senator Murphy moved that the Majority report be adopted.

Mr. President: A Minority of your Committee on Insurance to whom was referred:

House Bill No. 83. A Bill For an Act to Amend and Re-enact Section 6 of Chapter 160 of the Sessions Laws of North Dakota for the Year 1919, as Amended and Re-enacted by Chapter 77 of the Session Laws of North Dakota for the Year 1921, as Amended and Re-enacted by Chapter 232 of the Session Laws of North Dakota for the Year 1923, as Amended and Re-enacted by Chapter 151 of the Session Laws of North Dakota for the year 1925, the same being Section 189b6 of the Supplement to the Compiled Laws of North Dakota for 1913; Relating to Flat Hail Insurance Tax and Permanent Surplus Fund.

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

C. W. FINE,  
L. O. FREDRICKSON,  
P. O. SATHRE,  
GUST WOG,  
NELS MAGNUSON.

Senator Fine moved the substitution of the word "minority" for "majority".

Roll call demanded.

The question being on the motion by Senator Fine, the roll was called, and there were ayes 24, nays 25, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrorry	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Sathre
Fine	Martin	Tofsrud
Fleckten	Olson of Barnes	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands

Messrs.	Messrs.	Messrs.
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Van Arnam
Crocker	Pathman	Van Camp
Eastgate	Ployhar	Whitman
Forbes	Porter	
Hart	Rusch	

So the motion was lost.

The question being on the original motion, the question was put and the motion prevailed, and the Majority report of the Committee was adopted.

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 174. A Bill For an Act Requiring School Districts Maintaining a High School to Pay the High School Tuition of Pupils Residing in such Districts More Than Six Miles From Such High School When No Transportation by Vehicle is Furnished to Such Children.

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. 188. A Bill For an Act to Provide for the Closing of Schools in Certain Towns and Villages Upon the Consolidation of the Schools in Such School Districts and Providing the Procedure Therefor.

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 Counties to whom was referred:

Senate Bill No. 171. A Bill For an Act Amending Section 2071c1 of the Supplement to the 1913 Compiled Laws of North Dakota.

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

Amend and change the printed bill as follows:

(1) Between the words "Amending" and "Section" in the title, insert the words "and re-enacting."

(2) Between the figure "1" and the word "Section" in line 1, insert the word "Amendment" and a period after it.

(3) Between the words "amended" and "to" in line 2, insert the words "and re-enacted."

(4) Between the words "erect" and "memorials" in line 3, insert the letter "a".

(5) Strike out the word "memorials" in lines 3 and 4, and insert in lieu thereof the word "memorial".

(6) Strike out the words "the different counties" in line 5, and insert in lieu thereof the words "any county".

(7) Strike out the word "are" in line 6, and insert in lieu thereof the word "is".

(8) Insert after the word "erect" in line 6, the letter "a".

(9) Strike out the word "memorials" in said line 6, and insert in lieu thereof the word "memorial".

(10) Strike out the word "and" in said line 6, and insert in lieu thereof the word "or".

(11) Strike out the word "purposes" in line 9, and insert in lieu thereof the word "purpose".

(12) Strike out the word "however" in line 12.

(13) Strike out the word "purposes" in line 15, and insert in lieu thereof the word "purpose".

(14) Strike out the word "the" in line 15, and insert in lieu thereof the word "such".

(15) Strike out all of line 17 and insert in lieu thereof the words "so donated or obtained by such levy and tax,".

(16) Strike out all of line 18 and all of line 19 before the word "shall" and insert in lieu thereof the following: "and the proceeds of such levy, tax, and donations, together with the amount taken out of such general fund".

(17) Strike out of line 21 the words "the county commissioners" and insert in lieu thereof the words "such Board".

(18) Strike out the word "purposes" in line 22 and insert in lieu thereof the words "purpose, out of such general fund,".

(19) Strike out the letters "de." at the end of line 24 and all of lines 25, 26, 27 and 28 and insert in lieu thereof the following words "determined upon by such board and such memorial or recognition, when erected, shall be proper-



ly and permanently maintained by such board by necessary expenditures from the general fund of the county or from funds donated to the county therefor or from either or both of such funds."

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.

Senator Atkins moved that further consideration of Senate Bill 171 be referred to the Committee on Counties.

Which motion prevailed and the bill was so referred.

Mr. President: Your Committee on Counties to whom was referred:

Senate Bill No. 197. A Bill For an Act to Amend and Re-enact Section 2071c1 of the Supplement to the Compiled Laws of North Dakota for 1913, Authorizing County Commissioners to Erect Memorials and to Levy Taxes Therefor.

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

OLE ETTESTAD,  
Chairman.

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

Mr. President: Your Committee on Counties to whom was referred:

Senate Bill No. 200. A Bill For an Act to Amend and Re-enact Section 2163a5 of the Supplement to the Compiled Laws of 1913 relating to the rate of mills which may be levied by counties; and to amend and re-enact Section 1945 of the Compiled Laws of 1913 relating to county road funds and Section 1946 relating to the expenditure of county road funds and repealing Section 2150 of the Supplement to the Compiled Laws of 1913.

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

On page 2, line 16 of the printed bill strike out the word "five" at the end of the line and in line 17 strike out the figure (5) and insert in lieu thereof the words "six and one-half" and the figure (6½).

In line 18 strike out the word "five" and the figure (5) and insert in lieu thereof the words "six and one-half" and the figures (6½).

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 Cities and Municipal Corporations to whom was referred:

Senate Bill No. 206. A Bill For an Act to Validate and Legalize Certain Acts of Certain City Officials in Respect to Special Assessment Water Works Districts, and to Prescribe the Procedure to be Taken in Respect to Assessments therein and the Issuance of Warrants.

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

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 190. A Bill For an Act to Amend and Re-enact Section 4795 of the Compiled Laws of the State of North Dakota for 1913, Relating to Executive Officers and Financial Statements of Cities Organized Under the Commission System of Government.

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

In the original bill: Strike out of line 3 the word "published" and the comma following it, and insert in lieu thereof the word "filed".

In line 4, strike out the word "when".

In line 9, strike out the word "published" and insert in lieu thereof the words "filed in the office of the City Auditor, quarterly."

In lines 10 and 11, strike out the words "in the official newspaper of the county or in such other paper as the commission may direct."

In line 13, insert between the words "expended" and "indicating," the words, "for the preceding three months."

And when so amended recommend the same do pass.

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 117. A Bill For an Act Providing for an Election to Grant Authority to Governing Boards of Cities

and Villages to Sell Electric Light Plants Owned by Such Cities and Villages, and Specifying the Procedure for Such Sale.

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

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 122. A Bill For an Act relating to the sale of public utilities owned by municipalities and providing for election to determine same.

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

JOSEPH G. FORBES,  
Chairman.

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

Mr. President: A Majority of your Committee on Elections to whom was referred:

Senate Bill No. 134. A Bill For an Act to Repeal Sections 917, 918 and 919 of the Compiled Laws of North Dakota of the year 1913; Relating to Registration of Voters.

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

C. W. CAREY,  
L. R. BAIRD,  
S. J. ATKINS,  
J. E. STEVENS,  
WALTER BOND.

Senar Carey moved that the report be adopted.

Mr. President: A Minority of your Committee on Elections to whom was referred:

Senate Bill No. 134. A Bill For an Act to Repeal Sections 917, 918 and 919 of the Compiled Laws of North Dakota of the year 1913; Relating to Registration of Voters.

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

NELS MAGNUSON,  
R. W. PATTEN,  
JOHN W. BENSON,  
C. L. BAKKEN.

Senator Magnuson moved the substitution of the word "minority" for the word "majority."

Roll call demanded.

The question being on the motion by Senator Magnuson, the roll was called, and there were ayes 23, nays 26, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCroy	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Sathre
Fine	Martin	Wog
Fleckten	Olson of Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman
Hart	Rusch	

So the motion was lost.

The question being upon the original motion, the question was put and the motion prevailed and the majority report of the Committee was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 182. A Bill For an Act to amend and reenact Section 3812 of the Compiled Laws of the State of North Dakota for 1913, relating to additional duties of City Auditors under the Commission System of Government.

Also,

Senate Bill No. 175. A Bill For an Act Empowering and Authorizing Cities under the Commission Form of Government to Refund and Reissue special improvement warrants upon the Surrender of the Outstanding Warrants by the Holders Thereof.

Also,

Senate Bill No. 169. A Bill For an Act Limiting the Time in Which to File Claims Against the Returned Soldiers Fund

Under the Provisions of Chapter 206, Laws of 1919, and Laws Amendatory Thereto.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser 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. 1. A Bill For an Act to provide for the Election and Appointment of United States Senator in Congress from this State in case of a Vacancy in such Office.

House Bill No. 8. A Bill For an Act Making and Appropriation for the Care of Insane Patients Whose Residence Can Not Be Determined and Whose Care Must Be Borne by the State.

House Bill No. 21. A Bill For an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State, in compliance with the Provisions of Sections 3993 to 3998, inclusive, of the Compiled Laws for 1913.

House Bill No. 22. A Bill For an Act Making an Appropriation to Pay the Salary, Travel Expense and Miscellaneous Items of the State Transportation Officer.

House Bill No. 26. 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 as Prescribed by Section 2562 of the Compiled Laws of 1913.

House Bill No. 30. A Bill For an Act Making an Appropriation for the Florence Crittendon Home at Fargo, North Dakota.

House Bill No. 31. A Bill For an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials as Provided by Chapter 175, Session Laws of North Dakota for 1917.

House Bill No. 36. A Bill For an Act Making an Appropriation 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 the Year 1915.

House Bill No. 56. A Bill For an Act to Amend and Re-enact Sections 4089a1, 4089a2, 4089a3 and 4089a4 of the Supplement to the Compiled Laws of North Dakota for the Year 1913, Providing that Townships and Municipalities May Contribute to the Support of District Fair Association.

House Bill No. 66. A Bill For an Act to Amend and Re-enact Section 2262 of Chapter 34 of the Supplement of the Compiled Laws of 1913.

House Bill No. 119. A Bill For an Act to Amend and Re-enact Sub-division 3 of Section 6637, Compiled Laws of 1913, Relating to Form and Provisions Required in Insurance Policies.

House Bill No. 128. A Bill For an Act to Amend and Re-enact Section 10833 of the Compiled Laws of North Dakota for 1913 Providing for Separate Trials When Two or More Defendants are Jointly Charged with Any Criminal Action.

And the President signed the same in the presence of the Senate.

Senator Lynch asked the unanimous consent of the Senate to introduce a bill.

Which consent was granted.

Senator Ployhar moved that the vote by which Senate Bill 180 was lost be reconsidered.

Which motion prevailed.

Senator Ployhar then moved that the rules be suspended and Senate Bill 180 be considered properly engrossed and placed on third reading and final passage.

Which motion prevailed.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 180. A Bill For an Act to Amend and Re-enact Sections 909a2 and 909a5 of the Supplement to 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 30, nays 19, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Porter
Baird	Hart	Rusch
Bakken	Hjelmstad	Schlosser
Bond	Kretschmar	Seamands
Brant	Lynch	Steel
Brunsdale	McLachlin	Stevens
Carey	Murphy	Tofsrud
Crocker	Olsøn of Burleigh	Van Arnam
Eastgate	Pathman	Van Camp
Forbes	Ployhar	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	McCrorry	Patterson
Conrath	Magnuson	Peck
Erickson	Marshall	Ritchie
Ettestad	Martin	Sathre
Fine	Olson of Barnes	Wog
Fleckten	Olson of Eddy	
Hamilton	Patten	

So the bill passed and the title was agreed to.

Senator Stevens moved that the vote by which Senate Bill 140 was lost be reconsidered.

Roll call demanded.

The question being on the motion by Senator Stevens, the roll was called, and there were ayes 26, nays 23, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman
Hart	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrorry	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Sathre
Fine	Martin	Wog
Fleckten	Olson of Barnes	

So the motion prevailed.

## INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Senator Lynch introduced:

Senate Bill No. 254. A Bill For an Act to Amend and Re-enact Section 1438a2 of the Supplement to the 1913 Compiled Laws of North Dakota.

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

Senator Baird moved that the vote by which House Bill 174 was lost be reconsidered.

Which motion prevailed.

### THIRD READING OF SENATE BILLS

Senate Bill No. 169. A Bill For an Act Limiting the Time in Which to File Claims Against the Returned Soldiers Fund Under the Provisions of Chapter 206, Laws of 1919, and Laws Amendatory Thereto.

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 0, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCrory	Sathre
Brunsdale.	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Patterson	

So the bill passed and the title was agreed to.

Senate Bill No. 175. A Bill For an Act Empowering and Authorizing Cities under the Commission Form of Government to Refund and Reissue special improvement warrants upon the Surrender of the Outstanding Warrants by the Holders Thereof.

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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck



Messrs.	Messrs.	Messrs.
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCrory	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman
Fleckten	Patten	Wog

Absent and not voting:

Messrs.  
Martin

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senate Bill No. 182. A Bill For an Act to amend and reenact Section 3812 of the Compiled Laws of the State of North Dakota for 1913, relating to additional duties of City Auditors under the Commission System of Government.

Was read the third time.

The question being on the final passage of the bill, the roll was called, and there were ayes 49, nays 0, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCrory	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Patterson	

So the bill passed and the title was agreed to.

## SPECIAL ORDER AT 3:00 P. M.

Senate Bill No. 91. A Bill For an Act to Repeal Sections 3 and 4 of Chapter 154, Session Laws of the State of North Dakota for the Year 1925 Relating to Insurance of Public Buildings.

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 25, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fleckten	Olson of Eddy
Bakken	Fredrickson	Patten
Benson	Hamilton	Patterson
Brant	Hjelmstad	Peck
Crocker	McCrary	Ritchie
Erickson	Magnuson	Sathre
Ettestad	Marshall	Tofsrud
Fine	Olson of Barnes	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Baird	Lynch	Schlessor
Bond	McLachlin	Seamands
Brunsdale	Martin	Steel
Carey	Murphy	Stevens
Conrath	Olson of Burleigh	Van Arnam
Eastgate	Pathman	Van Camp
Forbes	Ployhar	Whitman
Hart	Porter	
Kretschmar	Rusch	

So the bill was declared lost.

Senator Murphy moved that the vote by which Senate Bill No. 91 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 148. A Bill For an Act to amend and reenact Section 2193a of the Supplement to the 1913 Compiled Laws relating to abatements to purchasers of tax sale 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 29, nays 20, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Eastgate	Olson of Eddy
Baird	Erickson	Pathman
Bakken	Ettestad	Patten

Messrs.	Messrs.	Messrs.
Benson	Forbes	<b>Patterson</b>
Bond	Fredrickson	Ployhar
Brant	Hart	Schlosser
Brunsdale	Lynch	Steel
Carey	Magnuson	Tofsrud
Conrath	Marshall	Wog
Crocker	Olson of Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fine	Martin	Sathre
Fleckten	Murphy	Seamands
Hamilton	Olson of Burleigh	Stevens
Hjelmstad	Peck	Van Arnam
Kretschmar	Porter	Van Camp
McCrary	Ritchie	Whitman
McLachlin	Rusch	

So the bill passed and the title was agreed to. Emergency clause declared lost.

Senate Bill No. 136. A Bill For An Act to Prevent the Procreation of Feeble-minded, Insane, Epileptic, Habitual Criminals, Moral Degenerates and Sexual Perverts, Who May be Inmates of State Institutions, Authorizing and Providing for the Sterilization of Such Persons and Providing for Appeals to the District Court in Certain Cases; and Repealing Sections 11429 to 11438 inclusive of the Compiled Laws of North Dakota for 1913.

Was read the third time.

Senator Porter offered the following amendments:

In Section 2 of the printed Bill, line 2, after the word "Examiners" strike out the words "for each of such institutions."

Which motion prevailed.

In line 4 of Section 2, after the word "Administration" insert the following: "Upon recommendations made by the State Medical Board."

Which motion prevailed.

On page 5, Section 10, line 9, after the word "castration" insert the following: "or ovariectomy except when organs are diseased."

Which motion prevailed.

Page 6, Section 13, line 2, after the word "who" insert the word "are" and strike out the balance of the line. Strike out lines 3 and 4, including the word "therefor" and spell word "moral" with small m.

Which motion prevailed.

Senator Hamilton moved to further amend the bill by striking out all of Section 11.

Which motion prevailed.

Senator Forbes moved that further consideration of the bill be re-referred to the Committee on State Affairs.

Which motion prevailed and the bill was so re-referred.

Concurrent Resolution F.

Was read the third time.

The question being on the final passage of Concurrent Resolution F, the roll was called, and there were ayes 31, nays 17, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Peck
Baird	Hjelmstad	Ployhar
Bakken	McCrary	Porter
Benson	Marshall	Sathre
Bond	Martin	Seamands
Brant	Murphy	Stevens
Conaath	Oison of Barnes	Van Camp
Eastgate	Olson of Burleigh	Whitman
Erickson	Olson of Eddy	Wog
Fine	Patten	
Hamilton	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brunsdale	Fredrickson	Rusch
Carey	Lynch	Schlosser
Crocker	McLachlin	Steel
Ettestad	Magnuson	Tofsrud
Fleckten	Pathman	Van Arnam
Forbes	Ritchie	

Absent and not voting:

Messrs.  
Kretschmar

So the bill passed and the title was agreed to. Emergency clause declared lost.

Senator Fleckten requested a return to the 8th order of business.

Which request was granted.

Senator Fleckten then requested the unanimous consent of the Senate to introduce a bill, which request was granted.

#### FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 54. A Bill For an Act relating to and concerning the labeling and branding of flour offered or ex-

posed for sale, or sold, within this state, prescribing regulations and providing penalties for violation thereof.

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

House Bill No. 100. A Bill For an Act To Provide for the Extermination of Rodent Pests, Gophers, Prairie Dogs, Rabbits and Crows, by County and Organized Townships, and in unorganized Townships; Providing a method of Procedure in exterminating, manner of raising necessary funds by Tax Levy, and for Assessment against real property; The Method of Expenditure of Moneys; and Repealing Sections 2869, 2870, 2871, 2872 and 2873 of the Compiled Laws of North Dakota for the year 1913.

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

House Bill No. 132. A Bill For an Act to Require Certificates of Title for Registered Motor Vehicles; to Facilitate the Recovery of Stolen or Unlawfully Taken Motor Vehicles; to Provide for the Licensing of Dealers in Used Motor Vehicles, Trailers, or Semi-trailers; to Prescribe the Powers and Duties of the Motor Vehicle Registration Department; to Impose Certain Fees to Carry out the Purpose of this Act; to Impose Penalties for Violations of this Act and to Make Uniform the Law Relating to the Subject Matter of This Act.

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

House Bill No. 151. A Bill For an Act Making it the Duty of the State Engineer to Assist County Boards of Flood Irrigation in the Performance of their Duties and Making an Appropriation therefor.

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

House Bill No. 183. A Bill For an Act to appropriate the Sum of Twenty Thousand (\$20,000.00) Dollars for the purpose of Aiding in the Construction of a Bridge and Approaches Across Box Elder Creek of the State Line between North Dakota and South Dakota at a Point approximately five miles east of the Montana State Line, under the Provisions of Chapter 73 of the Laws of North Dakota for the Year 1919.

Was read the first and second times and referred to the Committee on Highways.

House Bill No. 169. A Bill For an Act to Amend and Re-enact Section 4799 of the Compiled Laws of the State of North Dakota for the Year 1913; Relating to Free Passes, Franks and Special Privileges Prohibited, Exceptions.

Was read the first and second times and referred to the Committee on Railroads.

House Bill No. 192. A Bill For an Act Defining the Effect of Instruments, Affecting Real and Personal Property Belonging to a Trust, Executed by Trustees in Their Representative Capacity as Trustee.

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

House Bill No. 204. A Bill For an Act to Amend and Re-enact Section 1190 of the Supplement to the Compiled Laws of 1913, Relating to Consolidation of Schools and Transportation of Pupils.

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

House Bill No. 207. A Bill For an Act to Amend and Re-enact Section 3498, of the Compiled Laws of North Dakota, for the year 1913, relating to fees to be charged by the Clerk of the District Court.

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

House Bill No. 214. A Bill For an Act to Provide for the Granting of Decrees of Separation from Bed and Board, Specifying the Grounds upon which such Decree may be entered, and providing for the Maintenance of Spouse or Children, and for the Division by the Court, of Joint and Separate Property of Husband and Wife.

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

House Bill No. 216. A Bill for an Act Creating a Judicial Council for the State of North Dakota, and Providing for the Continuous Study of the Administration of Justice.

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

House Bill No. 217. 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 and South Dakota, Respecting the Use, Control, Utilization and Regulation of the Waters of the James River and the Rights of said States Thereto.

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

House Bill No. 220. A Bill For an Act to appropriate the sum of Thirty Thousand (\$30,000.00) Dollars, From any moneys in the State Highway Fund, for the purpose of aiding in the construction of a Bridge across the Bois De Sioux River, Between the city of Wahpeton, Richland County, North Dakota, and the city of Breckenridge, Wilkin County, Minnesota, Under the Provisions of Chapter 73 of the laws of North Dakota for the year 1919.

Was read the first and second times and referred to the Committee on Highways.

House Bill No. 221. A Bill For an Act to Prohibit the Sale of Cattle at Public Auction, Mortgage Foreclosure Sale or Sale by Order of Any Court, Unless the Same Shall Have Been Tuberculin Tested and Found Free of Tuberculosis.

Was read the first and second times and referred to the Committee on Livestock.

House Bill No. 226. A Bill For an Act to Amend and Re-enact Section 714a15 of the Supplement to the Compiled Laws of 1913 relating to the report of the treasurer under the public depository law (714a1 to 714a20 of the Supplement to the Compiled Laws of 1913).

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

#### MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
February 15, 1927.

Mr. President: I have the honor to return herewith House Bill No 104, which the Senate has requested.

Very truly yours,  
C. R. VERRY,  
Chief Clerk.

#### THIRD READING OF HOUSE BILLS

House Bill No. 28. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal 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 45, nays 0, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patten
Baird	Hamilton	Patterson
Bakken	Hjelmstad	Peck
Benson	Kretschmar	Ployhar
Bond	Lynch	Porter
Brant	McCroy	Ritchie
Brunsdale	McLachlin	Rusch
Conrath	Magnuson	Sathre
Crocker	Marshall	Seamands
Eastgate	Martin	Steel
Erickson	Murphy	Stevens
Ettestad	Olson of Barnes	Tofsrud

Messrs.	Messrs.	Messrs.
Fine	Olson of Burleigh	Van Arnam
Fleckten	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman

Absent and not voting:

Messrs.	Messrs.
Carey	Schlosser
Hart	Wog

So the bill was passed and the title was agreed to.

House Bill No. 37. A Bill For an Act Making an Appropriation for the Inspection and Eradication of Bee Diseases, Under the Provisions of Chapter 140, Session Laws of North Dakota for the Year 1923.

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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Ritchie
Brunsdale	McCrory	Rusch
Carey	McLachlin	Sathre
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	

Those voting in the negative were:

Messrs.  
Bakken

Absent and not voting:

Messrs.	Messrs.
Hart	Schlosser
Olson of Burleigh	Van Camp

So the bill passed and the title was agreed to.

House Bill No. 46. 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 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 0, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Pathman
Baird	Fredrickson	Peck
Bakken	Hamilton	Patten
Benson	Hart	Patterson
Bond	Hjelmstad	Ployhar
Brant	Kretschmar	Porter
Brunsdale	Lynch	Ritchie
Carey	McCrory	Rusch
Conrath	McLachlin	Sathre
Crocker	Magnuson	Seamands
Eastgate	Marshall	Stevens
Erickson	Martin	Tofsrud
Ettestad	Murphy	Van Arnam
Fine	Olson of Barnes	Whitman
Fleckten	Olson of Eddy	Wog

Absent and not voting:

Messrs.	Messrs.
Olson of Burleigh	Steel
Schlosser	Van Camp

So the bill passed and the title was agreed to.

House Bill No. 47. 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.

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.
Atkins	Fredrickson	Patten
Baird	Hamilton	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Ritchie
Brunsdale	McCrory	Rusch
Carey	McLachlin	Sathre
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog

Absent and not voting:

Messrs.

Schlosser

So the bill passed and the title was agreed to.

House Bill No. 48. A Bill For an Act Making an Appropriation to Pay the Burial Expenses of Inmates of the Penitentiary and State Training School as Prescribed by Chapter 12, 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 49, nays 0, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCrory	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Patterson	

So the bill passed and the title was agreed to.

House Bill No. 49. A Bill For an Act Making an Appropriation to Pay for the Burial Expense of Honorably Discharged Sailors, Soldiers and Marines of the United States War of the Rebellion and Erection of Head Stones Therefor, as Authorized by Sections 3181, 3182, 3183, and 3184 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 49, nays 0, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch

Messrs.	Messrs.	Messrs.
Brant	McCrary	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Patterson	

So the bill passed and the title was agreed to.

House Bill No. 69. A Bill For an Act to Amend and Re-enact Section 189c6 of the Supplement to the Compiled Laws 1913, Relating to Insurance on Municipally Owned Property.

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 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Rusch
Baird	Lynch	Sathre
Bond	McLachlin	Schlosser
Brunsdale	Murphy	Seamands
Carey	Olson of Barnes	Stevens
Crocker	Olson of Burleigh	Tofsrud
Eastgate	Pathman	Van Arnam
Forbes	Ployhar	Van Camp
Hart	Porter	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Patten
Benson	Hamilton	Patterson
Brant	Hjelmstad	Peck
Conrath	McCrary	Ritchie
Erickson	Magnuson	Steel
Ettestad	Marshall	Wog
Fine	Martin	
Fleckten	Olson of Eddy	

So the bill passed and the title was agreed to.

House Bill No. 88. A Bill For an Act to Repeal Sections 1707 and 1708 of the Compiled Laws of North Dakota for 1913, Relating to the Care, Maintenance and Instruction of Blind Children under School Age.

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 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Ployhar
Baird	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCrorry	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Murphy	Stevens
Ettestad	Olson of Barnes	Tofsrud
Eastgate	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Patterson	
Hamilton	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Erickson	Martin

So the bill passed and the title was agreed to.

House Bill No. 98. A Bill For an Act to Repeal Section 7 of Chapter 203, Session Laws 1919, relating to Vocational Education.

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 5, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Ployhar
Baird	Hjelmstad	Porter
Bakken	Kretschmar	Ritchie
Benson	Lynch	Rusch
Bond	McCrorry	Sathre
Brant	Magnuson	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Marshall	Steel
Crocker	Murphy	Stevens
Eastgate	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Conrath	Hamilton	Peck
Erickson	Martin	

So the bill passed and the title was agreed to.

House Bill No. 106. A Bill for an Act to Amend and Re-enact sections 8651-8657 and 8632 of the Compiled Laws of 1913 relating to the qualification, appointment, removal and discharge of Executors, Administrators and Guardians, and to repeal all acts and parts of acts in conflict herewith.

Was read the third time.

Senator Baird offered the following amendment: "On page 5 of the printed bill, strike out the last two words of line 11, all of line 12 and the first three words of line 13".

Which motion prevailed.

The question being on the final passage of the bill, as amended, the roll was called, and there were ayes 28, nays 21, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Benson	Hart	Patterson
Carey	Lynch	Peck
Crocker	McCrary	Schlosser
Erickson	Magnuson	Tofsrud
Ettestad	Marshall	Van Arnam
Fine	Martin	Van Camp
Fleckten	Olson of Barnes	Whitman
Forbes	Olson of Eddy	Wog
Fredrickson	Pathman	
Hamilton	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Eastgate	Porter
Baird	Hjelmstad	Ritchie
Bakken	Kretschmar	Rusch
Bond	McLachlin	Sathre
Brant	Murphy	Seamands
Brunsdale	Olson of Burleigh	Steel
Conrath	Ployhar	Stevens

So the bill passed and the title was agreed to.

Senator Stevens requested a return to the Eleventh Order of Business.

Which request was granted.

## INTRODUCTION AND FIRST AND SECOND READING OF SENATE BILLS

Senator Fleckten introduced:

Senate Bill No. 255. A Bill For an Act Creating a Municipal Court, Providing for the Appointment of a Judge or Judges of said Court Defining the Jurisdiction thereof and Delegating Power to the Judge thereof to Make from time to time Announce in Writing at least Thirty Days Prior to Going into Effect of Rules and Regulations Governing Practice therein, Providing that the Governor Appoint such Judges and Providing Fees that May Be Charged.

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

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to W. B. Overson and O. B. Herigstad.

Senator Patten moved that the Senate do now adjourn.

Which motion prevailed, and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

FORTY-FOURTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 16, 1927.

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

Prayer by the Chaplain, Rev. F. H. Davenport.

Roll call:

All members present.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-ninth day after recess and Forty-third day and recommend that the same be corrected as follows:

On page 10 in line 11 strike out the word "assembled" and insert in lieu thereof the word "convened".

On page 15 in line 10 from bottom of page strike out the word "proceeding" and insert in lieu thereof the word "preceding".

On page 18 in line 3 strike out the word "fine" and insert the word "find".

On page 20 strike out all of lines 11, 12 and 13.

On page 35 in line 6 strike out the word "Porter" and insert the word "Patten".

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

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

Senator Patten presented communications from Stanley opposing Sunday shows.

Senator Brant presented a similar petition from Linton, also Senator Crocker the same from Lisbon.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 126. A Bill For an Act to Amend and Re-enact Sections 2, 3, 5, 6, 10, 12, and 21 of Chapter 182, Session Laws 1923, the same being Sections 5235a2, 5235a3, 5235a5, 5235a6, 5235a10, 5235a12 & 5235a21 of the Supplement to the 1913 Compiled Laws of North Dakota 1913-1925, Relating to the Definition of Securities, Indemnity Bond and Fees Collected by the State Securities Commission.

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

In line one of the title of the bill after the figures "12" insert the following: "14." In line three of the title after the figures "5235a12" insert "5235a14."

In line 1 of the printed bill after the figures "12" insert "14."

In line 3 of the printed bill after the figures "5235a12" insert "5235a14."

On page 10 of the printed bill after the line 217 insert the following: "—Section (5235a14). No dealer within the meaning of this act shall sell or offer for sale within this State any of the stock, bonds or other securities of any investment company unless such investment company shall have fully complied with all the provisions of this act, nor until said dealer shall have registered with the Commission, under the terms of this act; Provided, however, That should any dealer desire to sell or offer for sale within the State the stocks, bonds or other securities of an investment company which has not itself complied with the provisions of this act, said dealer shall file a notification of each issue of securities they are about to sell, giving the following information:

- (a) Name of issuer.
- (b) Amount of issue covered by the notification.
- (c) A descriptive circular or statement briefly describing the securities.
- (d) The price at which the securities are to be sold.

The Commission shall have twenty-four (24) hours from and after receipt of such notification in which to take formal action and in case the Commission does not take such action within this given time, such securities shall be considered registered subject to the terms of such notification.

The Commission shall have the power to approve or deny the sale of said securities upon such registration or to require that the dealer qualify said securities under Section 3 of this act. In case the dealer is required to comply with Section 3 of this act there shall be a fee of one-twentieth of



one per cent, of the total amount so qualified, with the minimum of \$10.00 for any one issue."

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. 151. A Bill For an Act to Promote the Speedy Determination of Litigants on the Merits and Authorizing the Supreme Court to Make Rules Relating to Pleading, Procedure and Practice in the Courts of this State.

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. 156. A Bill For an Act to Amend and Re-enact Section 7762 of the Supplement to the Compiled Laws 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. 187. A Bill For an Act Limiting the Time within which any Action may be Brought to Void a Foreclosure of a Mortgage, a Mortgage Foreclosure set Aside, or any Defense Interposed in any Action, by Virtue of any defect in the Form, Substance or Service of Notice of Intention to Foreclose a Mortgage.

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

In line 1 of the printed bill strike out the words "one year" and insert in lieu thereof the following: "six months."

Add section 2 as follows:

"Section 2. Emergency. This act is hereby declared to be an emergency measure and shall take effect and 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.

Sen. 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. 195. A Bill For an Act to Amend and Re-enact Section 2 of Chapter 155, Session Laws of 1925, the same being Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, Defining Usury.

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

In line 1 after Section 1 insert the word "Amendment."

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:

Senate Bill No. 204. A Bill for an Act to Legalize and make Valid All Sales of Real Estate, Made Prior to the Passage and Approval of this Act, whether Under Execution or by Advertisement, in All Cases where the Certificate of Sale was not Recorded in the Office of the Register of Deeds within Sixty (60) Days after the Date of Sale.

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. 211. A Bill For an Act to Repeal Section 3239 of the Supplement to the Compiled Laws of North Dakota for 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:

House Bill No. 113.—Concurrent Resolution.—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.

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:

House Bill No. 168. A Bill For an Act to Amend Section 8719 of the Compiled Laws of North Dakota for 1913, Relating to the Exemption of the Avails of Life Insurance Payable to the Personal Representatives of a Deceased, his Heirs or Estate.

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: A Majority of your Committee on Judiciary to whom was referred:

Senate Bill No. 145. A Bill For an Act for the Stamping of Notes Given for Machinery and Farm Equipment, Making Oral Warranties and Representations of Soliciting Agent Binding on Seller, Admission of Oral Evidence Varying Written Warranty, Providing for a Jury Trial, and Providing Penalty for Taking Notes Contrary to this Act.

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

L. R. BAIRD,  
S. J. ATKINS,  
W. D. LYNCH,  
FRANK E. PLOYHAR,  
ALFRED STEEL,

JOHN VAN ARNAM,  
P. O. SATHRE,  
JOSEPH G. FORBES,  
WALTER H. SCHLOSSER,  
OBERT A. OLSON,  
J. E. STEVENS.

Senator Baird moved that the Majority report be adopted.

Mr. President: A Minority of your Committee on Judiciary to whom was referred:

Senate Bill No. 145. A Bill For an Act for the Stamping of Notes Given for Machinery and Farm Equipment, Making Oral Warranties and Representations of Soliciting Agent Binding on Seller, Admission of Oral Evidence Varying Written Warranty, Providing for a Jury Trial, and Providing Penalty for Taking Notes Contrary to this Act.

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

O. H. OLSON,  
G. PATTERSON,  
OLE ETTESTAD,  
A. A. PECK,  
GUST WOG.

Senator Patterson moved the substitution of the word "Minority" for the word "Majority".

Which motion was lost.

The question being upon the original motion, the question was put and the motion prevailed, and the Majority report of the Committee was adopted.

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 196. A Bill For an Act Authorizing the Board of Administration to Contract with William Laist to Serve the State of North Dakota as Custodian of the Capitol Building.

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

That Section 1 of the printed bill be amended to read as follows:

"Section 1. The Board of Administration shall be and it hereby is authorized to enter into a contract with William Laist, employing him at a fixed salary of not to exceed One Hundred Fifty Dollars per month for and during his active service for the state, and that in such contract provision be made, awarding said William Laist an annual vacation of at least two weeks, and that further provision be made to the effect that when said William Laist shall have become disabled or is unable to attend to his duties that he shall continue to draw \$60.00 per month during the remainder of his natural life without further service."

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. 163. A Bill For an Act to amend and re-enact Section 714a8 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the designating of Depositories of Public Funds and fixing maximum and minimum rates of interest that may be paid thereon.

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

In Line 25 of Section 714A8, of the printed bill, strike out the words "less than" and insert the word "Over" in lieu thereof, and in the same line after "(2%)", strike out the balance of the line and the figure (3%) at the beginning of line 26.

And in line 40 of the same section, strike out the word "Depositors" and insert the word "depositories" in lieu thereof.

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. 176. A Bill For an Act to Amend and Re-enact Section 690 of the Supplement to the 1913 Compiled Laws, Relating to the Removal of Public Officers by the Governor and Appeals Therefrom.

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

FRANK E. PLOYHAR,  
Chairman.

Sen. 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. 198. A Bill For an Act to Amend and Re-enact Section 1172 of the Compiled Laws of North Dakota,

1913, Relating to the Compensation of School Treasurers in Common and Consolidated School Districts.

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. 220. A Bill For an Act to repeal Section 2306 of the Supplement to the Compiled Laws of 1913 and Sections 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, and 2346 of the Compiled Laws of North Dakota for the year 1913 relating to tax judgment procedure on lands forfeited to the State or County for taxes.

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. 199. A Bill For an Act to Amend and Re-enact Section 4206 of the Compiled Laws of North Dakota 1913, Relating to the Compensation of Township Treasurers.

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

In line 8 of section 4206 of the printed bill, strike out the letter "E" at the end of word "therefore."

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. 217. A Bill For an Act Defining the Powers and Duties of the Board of Administration Relating to the Construction of Residence Halls or Dormitories on Lands of the Educational Institutions Under Its Control.

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

In Line 7 of section 1 of the printed bill, after the word "Institution," insert the word "or."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Sen. 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. 218. A Bill For an Act Authorizing the Organization of Non-Profit Sharing Institutional Holding Associations and Defining Their Powers..

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 Majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 167. A Bill For an Act to Amend and Re-enact Section 6073 of the Compiled Laws of the State of North Dakota for 1913 as Amended by Section 2, Chapter 176, Laws of 1915, and by Section 2, Chapter 155, Laws of 1925, Pertaining to Usury.

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

FRANK E. PLOYHAR,  
WALTER H. SCHLOSSER,  
W. H. PORTER,  
P. J. MURPHY,  
C. W. CAREY,  
S. J. ATKINS,  
W. R. BOND,  
W. D. LYNCH,  
O. T. TOFSRUD.

Senator Ployhar moved that the Majority report be adopted.

Mr. President: A Minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 167. A Bill For an Act to Amend and Re-enact Section 6073 of the Compiled Laws of the State of

North Dakota for 1913 as Amended by Section 2, Chapter 176, Laws of 1915, and by Section 2, Chapter 155, Laws of 1925, Pertaining to Usury.

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

In Line 9, Section 6073 of the printed bill, strike out the word "seven" in writing and figures and insert the word "Eight" in writing and figures in lieu thereof.

And when so amended recommend the same do pass.

J. E. FLECKTEN,  
GUST WOG,  
O. H. OLSON,  
L. O. FREDRICKSON,  
C. J. OLSON,  
G. PATTERSON,  
D. H. HAMILTON,  
O. E. ERICKSON.

Senator O. H. Olson moved the substitution of the word "Minority" for the word "Majority."

Roll call demanded.

The question being on the motion by Senator O. H. Olson, 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.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrary	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Wog
Fine	Martin	
Fleckten	Olson of Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Lynch	Schlosser
Baird	McLachlin	Seamands
Bond	Murphy	Steel
Brunsdale	Olson of Burleigh	Stevens
Carey	Pathman	Tofsrud
Crocker	Ployhar	Van Arnam
Eastgate	Porter	Van Camp
Forbes	Rusch	Whitman
Kretschmar	Sathre	

Absent and not voting:

Messrs.  
Hart

So the motion was lost.



The question being on the original motion, the question was put and the motion prevailed and the Majority report of the Committee was adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 181. A Bill For an Act to Amend and Re-enact Sections 3874 and 3875 of the Compiled Laws of North Dakota for 1913, Relating to Tax Levy of Villages and Duties of County Auditors with Reference Thereto.

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.

Mr. President: A Majority of your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 158. A Bill For an Act providing for the assessment and taxation of railway property; the collection of railway taxes by the state treasurer; providing a method of apportionment and distribution thereof, and repealing Sections 2242, 2243, 2244 and 2246 of the Compiled Laws of 1913 and all Acts and parts of Acts in conflict with the provisions of this Act.

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

H. J. RUSCH,  
JOSEPH G. FORBES,  
C. N. BRUNSDALE,  
P. J. MURPHY,  
O. T. TOFSRUD,  
FRED VAN CAMP.

Senator Rusch moved that the Majority report be adopted.

Mr. President: A Minority of your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 158. A Bill For an Act providing for the assessment and taxation of railway property; the collection of railway taxes by the state treasurer; providing a method of apportionment and distribution thereof, and repealing Sections 2242, 2243, 2244 and 2246 of the Compiled Laws of 1913 and all Acts and parts of Acts in conflict with the provisions of this Act.

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

GUST WOG,  
JOHN W. BENSON,  
OLE ETTESTAD,  
F. P. CONRATH,  
E. H. BRANT.

Senator Wog moved the substitution of the word "Minority" for the word "Majority."

Roll call demanded.

The question being on the motion by Senator Wog, 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.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCroy	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Sathre
Fine	Martin	Wog
Fleckten	Olson of Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Lynch	Seamands
Baird	McLachlin	Steel
Bond	Murphy	Stevens
Brunsdale	Olson of Burleigh	Tofsrud
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Kretschmar	Schlosser	

Absent and not voting:

Messrs.  
Hart

So the motion was lost.

The question being upon the original motion, the question was put and the motion prevailed and the Majority report of the Committee was adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 236. A Bill For an Act to amend and re-enact Section 2151 of the Supplement to the Compiled Laws of 1913, relating to Township Tax Levies and elector's right to vote amounts for township purposes.

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.

Mr. President: Your Committee on Game and Fish to whom was referred:

House Bill No. 166. A Bill For an Act conferring additional powers upon the Governor to open and close seasons in any and all subdivisions of the State when deemed necessary for the better protection of game birds, fish or animals.

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

Section 1, line 1, of the printed bill after the word "investigation" add the words "and recommendation."

Line 9 of the printed bill after the word "investigation" add the words "and recommendation."

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.

Mr. President: Your Committee on Game and Fish to whom was referred:

House Bill No. 153. A Bill For an Act to Amend and Re-enact Section 14, Chapter 161, Session Laws of 1913, Relating to Game and Fish; Right of Search and Seizure, and to Repeal Section 15, Chapter 161, Session Laws of 1915.

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.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 134. A Bill For an Act to Repeal Sections 917, 918 and 919 of the Compiled Laws of North Dakota of the year 1913; Relating to Registration of Voters.

Also,

Senate Bill No. 190. A Bill For an Act to Amend and Re-enact Section 4795 of the Compiled Laws of the State of North Dakota for 1913, Relating to Executive Officers and Financial Statements of Cities Organized Under the Commission System of Government.

Also,

Senate Bill No. 206. A Bill For an Act to Validate and Legalize Certain Acts of Certain City Officials in Respect to Special Assessment Water Works Districts, and to Pre-

scribe the Procedure to be Taken in Respect to Assessments therein and the Issuance of Warrants.

Also,

Senate Bill No. 200. A Bill For an Act to Amend and Re-enact Section 2163a5 of the Supplement to the Compiled Laws of 1913 relating to the rate of mills which may be levied by counties; and to amend and re-enact Section 1945 of the Compiled Laws of 1913 relating to county road funds and Section 1946 relating to the expenditure of county road funds and repealing Section 2150 of the Supplement to the Compiled Laws of 1913.

Also,

Senate Bill No. 188. A Bill For an Act to Provide for the Closing of Schools in Certain Towns and Villages Upon the Consolidation of the Schools in Such School Districts and Providing the Procedure Therefor.

Also,

Senate Bill No. 174. A Bill For an Act Requiring School Districts Maintaining a High School to Pay the High School Tuition of Pupils Residing in such Districts More Than Six Miles From Such High School When No Transportation by Vehicle is Furnished to Such Children.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Senator Stevens requested the unanimous consent of the Senate to introduce a bill.

Which request was granted.

Senator Bakken requested the same consent to introduce a Concurrent Resolution.

Which request was granted.

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

Senators Stevens and Hamilton introduced:

Senate Bill No. 256. A Bill For an Act to Amend and Re-enact Section 5031 of the Compiled Laws of North Dakota of 1913, relating to Limit of Property that may be Acquired by Fraternal Corporations.

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

Senator Bakken introduced Concurrent Resolution "K".

BE IT ENACTED BY THE SENATE, THE HOUSE OF  
REPRESENTATIVES CONCURRING:

Section 1. That the Board of University and School Lands of the State of North Dakota is hereby authorized and directed to convey by quit claim deed all the land belonging to the State of North Dakota of the proposed area of the National Park to be established in the Bad Lands, to the United States government, upon the condition that if the said National Park is ever discontinued that the land will revert back to the State of North Dakota.

Section 2. It shall be the duty of the Board of University and School Lands to ascertain where the boundaries of the said National Park shall be definitely fixed and thereafter they shall immediately quit claim all land belonging to the State of North Dakota, within said boundaries of said part of the United States government, which land shall be used solely and only by the United States government for the purposes of a National Park. When the Board of University and School Lands shall have ascertained what lands are included they shall notify the government and state who shall report the land conveyed to the next succeeding session of the Legislature.

Referred to Committee on State Affairs.

THIRD READING OF SENATE BILLS

Senate Bill No. 134. A Bill For an Act to Repeal Sections 917, 918 and 919 of the Compiled Laws of North Dakota of the year 1913; Relating to Registration of Voters.

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.
Atkins	Lynch	Seamands
Baird	McLachlin	Steel
Bond	Murphy	Stevens
Brunsdale	Olson of Burleigh	Tofsrud
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Kretschmar	Schlosser	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrary	Peck

Messrs.	Messrs.	Messrs.
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Wog
Fine	Martin	
Fleckten	Olson of Barnes	

Absent and not voting:

Messrs.	Messrs.
Hart	Sathre

So the bill passed and the title was agreed to.

Senator Carey moved that the vote by which Senate Bill No. 134 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Benson moved that further consideration of Senate Bill No. 140 be indefinitely postponed.

Which motion was lost.

Senate Bill No. 140. A Bill For an Act to Amend and Re-enact Section 1008 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Return and Disposition of Election Ballots and Compensation of Election Officers.

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.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Ettestad	Porter	Whitman
Forbes	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrory	Peck
Erickson	Magnuson	Ritchie
Fine	Marshall	Sathre
Fleckten	Olson of Barnes	Wog

Absent and not voting:

Messrs.	Messrs.
Hart	Martin

So the bill passed and the title was agreed to.

Senator Carey moved that the vote by which Senate Bill No. 140 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Wog moved that final action on Senate Bill 174 be deferred one legislative day.

Which motion prevailed.

Senate Bill No. 188. A Bill For an Act to Provide for the Closing of Schools in Certain Towns and Villages Upon the Consolidation of the Schools in Such School Districts and Providing the Procedure 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 30, nays 18, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Sathre
Baird	McLachlin	Schlosser
Bond	Marshall	Seamands
Brunsdale	Murphy	Steel
Carey	Olson of Burleigh	Stevens
Crocker	Pathman	Tofsrud
Eastgate	Peck	Van Arnam
Ettestad	Ployhar	Van Camp
Forbes	Porter	Whitman
Hart	Rusch	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fredrickson	Martin
Brant	Hamilton	Olson of Barnes
Conrath	Hjelmstad	Olson of Eddy
Erickson	Lynch	Patten
Fine	McCroory	Patterson
Fleckten	Magnuson	Ritchie

Absent and not voting:

Messrs.
Bakken

So the bill passed and the title was agreed to.

Senator Sathre moved that the vote by which Senate Bill No. 188 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 190. A Bill For an Act to Amend and Re-enact Section 4795 of the Compiled Laws of the State of North Dakota for 1913, Relating to Executive Officers and Financial Statements of Cities Organized Under the Commission Sys-

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 15, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Sathre
Baird	Lynch	Schlosser
Bond	McLachlin	Seamands
Brant	Marshall	Steel
Brunsdale	Martin	Stevens
Carey	Murphy	Tofsrud
Crocker	Olson of Burleigh	Van Arnam
Eastgate	Pathman	Van Camp
Forbes	Ployhar	Whitman
Fredrickson	Porter	Wog
Hart	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fleckten	Olson of Eddy
Conrath	Hjelmstad	Patten
Erickson	McCrorry	Patterson
Ettestad	Magnuson	Peck
Fine	Olson of Barnes	Ritchie

Absent and not voting:

Messrs.	Messrs.
Bakken	Hamilton

So the bill passed and the title was agreed to.

Senate Bill No. 200. A Bill For an Act to Amend and Re-enact Section 2163a5 of the Supplement to the Compiled Laws of 1913 relating to the rate of mills which may be levied by counties; and to amend and re-enact Section 1945 of the Compiled Laws of 1913 relating to county road funds and Section 1946 relating to the expenditure of county road funds and re-pealing Section 2150 of the Supplement to the Compiled Laws of 1913.

Was read the third time.

Senator Patten offered the following amendment: In line 14, section one of the printed bill, strike out the word "male".

Which motion was lost.



Senator Patterson offered the following amendment: On page 2 of the printed bill, strike out the last three words of line 11 and all of lines 12, 13, and 14.

Which motion was lost.

Senator Forbes offered the following amendment: In line 38 of printed bill, insert the word "flood" after the word "storm."

Which motion prevailed.

The question being on the final passage of the bill, as amended, the roll was called, and there were ayes 37, nays 12, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Ployhar
Baird	Fredrickson	Porter
Bakken	Hart	Rusch
Bond	Lynch	Sathre
Brant	McLachlin	Schlosser
Brunsdale	Magnuson	Steel
Carey	Marshall	Stevens
Conrath	Murphy	Tofsrud
Crocker	Olson of Barnes	Van Arnam
Eastgate	Olson of Burleigh	Van Camp
Erickson	Olson of Eddy	Whitman
Ettestad	Pathman	
Fleckten	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Kretschmar	Patterson
Fine	McCrory	Ritchie
Hamilton	Martin	Seamands
Hjelmstad	Patten	Wog

So the bill passed and the title was agreed to.

Senate Bill No. 206. A Bill For an Act to Validate and Legalize Certain Acts of Certain City Officials in Respect to Special Assessment Water Works Districts, and to Prescribe the Procedure to be Taken in Respect to Assessments therein and the Issuance 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 47, nays 2, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bond	Lynch	Rusch
Brant	McCrorv	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog
Fredrickson	Patten	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>
Conrath	Peck

So the bill passed and the title was agreed to.

House Bills 112 and 147 were returned to the House indefinitely postponed.

House Bills 28, 37, 46, 47, 48, 49, 88 and 98 were returned to the House passed unchanged.

Senate Bills 169, 175 and 182 were messaged to the House.

#### MESSAGES FROM THE HOUSE

House Chamber,  
Bismarck, North Dakota,  
February 16, 1927

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

House Bill No. 228. A Bill For an Act to Amend and Re-enact Section 544 of the Compiled Laws of 1913.

House Bill No. 51. A Bill For an Act to Amend and re-enact Section 1342 of supplement to the Compiled Laws of 1913.

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

Very respectfully,  
C. R. VERRY,

Chief Clerk.  
Bismarck, North Dakota,  
February 16, 1927.

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

Senate Bill No. 8. A Bill For an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided

for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913, and to Meet Other Requirements Prescribed by the Federal Statutes.

Senate Bill No. 9. A Bill For an Act Making 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 Reenacted by Chapter 266, Laws of 1915, and as Amended and Reenacted by the Initiated Law approved November 2nd, 1920, and as Provided for in Chapter 143, Laws of 1923.

Senate Bill No. 26. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Special Fund Accruing from Fees collected by the State Securities Commission under the Provisions of Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

Senate Bill No. 28. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Fund Accruing from Testers' License Fees Collected and Paid into the Treasury under the provisions of Chapter 103, Session Laws 1917, the same being Section 2863b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

Senate Bill No. 95. A Bill For an Act Making an Appropriation for the Payment of Compiled Laws of 1913 Purchased by the Secretary of State for Official Purposes.

Senate Bill No. 7. A Bill For an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid into or Credited to the General Fund.

Senate Bill No. 97. A Bill For an Act to Amend and Re-enact Section 7844 of the Compiled Laws of North Dakota for the year 1913, Relating to the Power of and Proceedings had in the Supreme Court on Appeals.

Senate Bill No. 99. A Bill For an Act to Amend and Re-enact Section 8519, Compiled Laws of 1913, Relating to the Practice of Law by County Judges.

Senate Bill No. 30. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Auto Transportation Fund from Moneys Collected and Credited under the Provisions of Chapter 91, Session Laws 1925, the same being Sections 2976v1 to 2976v16, inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to Auto Transportation Companies.

Senate Bill No. 50. A Bill For an Act to Amend and Re-enact Section 2163a7 of Supplement to Compiled Laws of the State of North Dakota 1913, being Section Seven of Chapter 318 Laws 1923.

Which the House has passed unchanged.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 16, 1927.

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

Senate Bill No. 83. A Bill For an Act to Amend and Re-enact Section 2645 of the Supplement to the Compiled Laws of 1913, relating to Wolf Bounty.

Which the House has passed unchanged.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 16, 1927.

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

Senate Bill No. 119. A Bill For an Act Relating to Insurance upon Lives of Directors, Officers, Agents and Employes of Corporations and Prescribing What Shall Constitute Evidence of Due Authority for all Corporate Actions with Reference Thereto.

Senate Bill No. 67. A Bill For an Act to Amend and Re-enact Sub-Section 3 of Section 6635c of the Compiled Laws of North Dakota for the Year 1913, Relating to the Incontestable Clause to be Included in the Required Provisions of Life Policies.

Senate Bill No. 110. A Bill For an Act Providing For the Compulsory Licensing of Non-residents Making Auction Sales Within this State; Providing for the Manner of Payment of License Fee, and Providing a Penalty for the Violation Thereof.

Which the House has passed unchanged.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 16, 1927.

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

Senate Bill No. 100. A Bill For an Act to Repeal Chapter 38 of the Session Laws of 1921, Being Sections 9191a1 to 9192a15 Inclusive, of the Supplement of the Laws of North Dakota for 1913, Relating to the Conciliation of Controversies.

Which the House has indefinitely postponed.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota  
February 16, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 101. A Bill For an Act to Amend and Re-enact Section 8849 of the Compiled Laws of North Dakota, 1913, Relating to Decrees of Distribution in County Court.

Which the House has amended as follows:

Strike out the word "his" following the word "in" contained in Section 8849 of the original Senate Bill. After the word "decree" where the word "decree" follows the word "such" in the original Senate Bill insert the following: "if the same affects the title to real estate." After the word "deeds" following the word "register" in the original Senate Bill insert the following: "in every county where such land distributed is situated."

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 16, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 74. A Bill For an Act Authorizing and Empowering the Board of Railroad Commissioners to appoint Examiners for the Purpose of Holding Hearings, and Prescribing the Powers and Duties of Such Examiners.

Which the House has amended as follows:

In the engrossed bill as the same came from the Senate, strike out the words "or any employees of said Board" where the same occurs in lines 4 and 5 of Section 1, and insert in lieu thereof "the Chief Statistician or the Chief Engineer of said Board."

Very respectfully,  
C. R. VERRY,  
Chief Clerk

Bismarck, North Dakota,  
February 16, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 47. A Bill For an Act to Amend and Re-enact Section 2.98, Compiled Laws of North Dakota for 1913, Relating to the Manner of Labeling and Branding Seeds Offered for Sale Within the State of North Dakota.

Which the House has amended as follows:

Strike out lines 24, 25 and 26 of the bill as passed by the Senate and insert in lieu thereof the following: "Third: the percentage of germination and the date of last testing of all seed corn, sweet clover, red clover and alfalfa. "Fourth: The name of the county and state where grown, in the case of seed corn, or the name of the state where grown in the case of alfalfa seed".

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota.  
February 16, 1927.

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

A Concurrent Resolution by Mr. Signalness and Mr. Tester.

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

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

#### FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 228. A Bill For an Act to Amend and Re-enact Section 544 of the Compiled Laws of 1913.

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

House Bill No. 251. A Bill For an Act Providing that the Right of Any County Holding a Tax Certificate, or Other Tax Lien on Lands Acquired by the State Treasurer as Trustee of the State of North Dakota under the Provisions of Chapter 154 of the Session Laws of North Dakota for 1919 and Chapter 292 of the Session Laws of North Dakota for 1923 and Acts Amendatory Thereof, to enforce the Collection of the Same shall be Suspended until July 1st, 1929; Providing the rate of Interest such Tax Certificates and Tax Liens Shall Bear; and Prohibiting the Assignment or Transfer of All Tax Certificates or Tax Liens Held by the County on any Lands that have been Foreclosed Under Said Acts.

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

Senator Murphy moved that final action on House Bill 83 be deferred one legislative day.

Which motion prevailed.

#### THIRD READING OF HOUSE BILLS.

House Bill No. 174. A Bill For an Act to Prescribe the Manner of Taking and Killing Game Birds and Animals, Pro-

hibiting the Use of Traps, Snares, Lights and Other Artificial Means, and Repealing Sections 10332a24 and 10322a25 of the Supplement to the Compiled Laws 1913, and Any and All Acts in Conflict.

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 11, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Patterson
Bakken	Fredrickson	Peck
Benson	Hamilton	Ployhar
Bond	Hart	Rusch
Brant	Lynch	Schlosser
Brunsdale	McCrary	Seamands
Carey	McLachlin	Steel
Conrath	Magnuson	Stevens
Crocker	Martin	Tofsrud
Eastgate	Murphy	Van Camp
Erickson	Olson of Eddy	Whitman
Fine	Pathman	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Ettestad	Marshall	Porter
Fleckten	Olson of Barnes	Ritchie
Hjelmstad	Olson of Burleigh	Van Arnam
Kretschmar	Patten	

Absent and not voting:

Messrs.	Messrs.
Baird	Sathre

So the bill passed and the title was agreed to.

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: Paul E. Glass, H. M. Waldron, Ole Serumgaard, E. K. Sheaffer, A. W. Meidinger and George Groves.

Senator Bond moved that the Senate do now adjourn, which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

## FORTY-FIFTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 17, 1927.

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

Prayer by the Chaplain, Rev. F. H. Davenport.

Roll call.

All members present except: Senator Brant.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-fourth day and recommend that the same be corrected as follows:

On page 16 in line 24 strike out figure "26" and insert figure "27" in lieu thereof, and in same line strike out figure "21" and insert figure "20" in lieu thereof.

On page 17 in line 4 correct spelling of word "and."

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

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

Senator Lynch presented a petition from Dickey opposing Sunday shows.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Temperance to whom was referred:

Senate Bill No. 210. A Bill For an Act to Amend and Re-enact Section 10136 of the Supplement to the Compiled Laws



of the State of North Dakota, for 1913, relating to liability for bringing intoxicating liquor into the State of North Dakota.

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

In line 14 of the printed bill, strike out the words "one thousand" and insert in lieu thereof the words "five hundred."

And when so amended recommend the same do pass.

NELS MAGNUSON,  
Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred:

Senate Resolution J.

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

WALTER 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. 97. A Bill For an Act to Repeal Section 17 of Chapter 174, Session Laws 1919, Making an Annual Appropriation for the Purpose of Carrying Out the Provisions of said Chapter.

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. 180. A Bill For an Act Making an Appropriation for the North Dakota Children's Home Society, of 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. 181. A Bill For an Act Making an Appropriation of \$8,000.00 for the Maintenance, Improvements, Repairs, Rents, Insurance and Upkeep of the State Capitol Building for the Balance of the Fiscal Year Ending June 30, 1927.

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. 144. A Bill For an Act Making an Appropriation of \$21,495.88 to Repay the Bank of North Dakota for a Loan Made to the Hospital for the Insane and also for the Payment of any Interest Due Thereon.

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. 151. A Bill For an Act Making it the Duty of the State Engineer to Assist County Boards of Flood Irrigation in the Performance of their Duties and Making an Appropriation therefor.

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

P. T. KRETSCHMER,  
Chairman.

Senator Kretschmar 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. 192. A Bill For an Act to Amend and Re-enact Sections 3625 and 3626, Compiled Laws of the State of North Dakota for 1913, Relating to the Duties of City Auditors.

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

Strike out the words "semi-annually and annually" in lines 4 and 5 on page 1 of the printed bill. Strike out the word "The" in line 14 on page 2, and all of lines 15, 16, 17, 18, 19, 20 and 21, and the first 9 words of line 22 on said page 2 of said bill.

And when so amended, recommend that the same do pass.

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 183. A Bill For an Act to amend and reenact Sections 3684a6, 3684a7 and 3684a8, of the Supplement to the Compiled Laws of North Dakota for 1913, relating to the finances of cities, towns and villages, (said sections constituting a part of what is known as the city budget law); repealing Sections 4038, 4039, 4040, 4041, and 4045, Compiled Laws of 1913.

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

Strike out all of line 13 in Section 3 on page 3 of the printed bill, and the first six words in line 14 on page 4 of the printed bill.

And when so amended, recommend that the same do pass.

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 191. A Bill For an Act to Amend and Reenact Sections 3676, 3677 and 3680 of the Compiled Laws of the State of North Dakota for 1913, Relating to Finances of Cities Organized Under the General Laws of the State.

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

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 155. A Bill For an Act to Amend and Re-enact Section 1194 of the Compiled Laws of 1913, Relating to High Schools Established and Maintained by two or more School Districts, Providing a Board of Education therefor and Prescribing its powers and Duties.

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

Amend the title to read as follows:

For an Act to Amend and Re-enact Section 1194 of the Compiled Laws of 1913, relating to High Schools Established and Maintained by two or more School Districts, Providing a Board of Education therefor and Prescribing its Powers and Duties; Providing that certain De Facto School Districts shall be Validated and Re-established under the Provisions of this Act.

In line 12, page 2, of the printed bill, strike out all after the word "of" and insert in lieu thereof the following: "one member at large, from each district; and if the number of districts are even, one additional member be chosen at large, as herein provided."

In line 19, strike out the words, "three members", and insert in lieu thereof the following: "one member at large, from each district; and if the number of districts are even, one additional member to be chosen at large, as herein provided".

In line 25, strike out all after the word "elect", and insert in lieu thereof the following: "the members of said board of education; one-half of the total members, less one, to be elected for one year, one-half of the total members less one, for two years, and one at large for three years, from the second Tuesday in July next following their election. The members elected for one year shall be those representing districts nearest to the high school site; and thereafter the term of office of each shall be three years".

At the end of the bill add the following:

(5) Any De-facto High School District heretofore irregularly organized under Sections 1192, 1193, and 1194 of the Compiled Laws of North Dakota for 1913, shall be validated, and within twenty days after the passage of this Act, a special election shall be called to elect a board of education in the manner provided by Subdivision (2) hereof, and thereafter such High School District shall be governed according to the provisions of this Act.

Section 2. 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 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. 193. A Bill For an Act to Amend and Re-enact Section 1240, Compiled Laws of 1913, as Amended by Chapter 196, Sessions Laws of 1919, being Section 1240 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to Adjacent Territory in Special School Districts.

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 Counties to whom was referred:

Senate Bill No. 171. A Bill For an Act Amending Section 2071c1 of the Supplement to the 1913 Compiled Laws of North Dakota.

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

(1) Between the words "Amending" and "Section" in the title, insert the words "and re-enacting."

(2) Between the figure "1" and the word "Section" in line 1, insert the word "Amendment" and a period after it.

(3) Between the words "amended" and "to" in line 2, insert the words "and re-enacted."

(4) Between the words "erect" and "memorials" in line 3, insert the letter "a."

(5) Strike out the word "memorials" in lines 3 and 4, and insert in lieu thereof the word "memorial."

(6) Strike out the words "the different counties" in line 5, and insert in lieu thereof the words "any county."

(7) Strike out the word "are" in line 6, and insert in lieu thereof the word "is."

(8) Insert after the word "erect" in line 6, the letter "a."

(9) Strike out the word "memorials" in said line 6, and insert in lieu thereof the word "memorial."

(10) Strike out the word "and" in said line 6, and insert in lieu thereof the word "or."

(11) Strike out the word "purposes" in line 9, and insert in lieu thereof the word "purpose."

(12) Strike out the word "however" in line 12.

(13) Strike out the word "purposes" in line 15, and insert in lieu thereof the word "purpose."

(14) Strike out the word "the" in line 15, and insert in lieu thereof the word "such."

(15) Strike out all of line 17 and insert in lieu thereof the words "so donated or obtained by such levy and tax".

(16) Strike out all of line 18 and all of line 19 before the word "shall" and insert in lieu thereof the following: ";and the proceeds of such levy, tax, and donations, together with the amount taken out of such general fund."

(17) Strike out of line 21 the words "the county commissioners" and insert in lieu thereof the words "such Board."

(18) Strike out the word "purposes" in line 22 and insert in lieu thereof the words "purpose, out of such general fund,".

(19) Strike out the letter "de" at the end of line 24 and all of lines 25, 26, 27 and 28 and insert in lieu thereof the following words: "determined upon by such board and such memorial or recognition, when erected, shall be properly and permanently maintained by such board by necessary expenditures from the general fund of the county or from funds donated to the county therefor or from either or both of such funds."

And when so amended 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 Health to whom was referred:

Senate Bill No. 132. A Bill For an Act Regulating the Licensing of Plumbers and Providing for the Supervision and Inspection of Plumbing, and Adoption and Enforcement of Minimum, Uniform Standards Therefore, and to Repeal All Acts and Parts of Acts in Conflict Herewith.

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.

Mr. President: Your Committee on Insurance to whom was referred:

Senate Bill No. 202. A Bill For an Act providing for the

investment of the funds of County Mutual Insurance Companies, and prescribing the character of such investment.

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

On page 2, line 13 of the printed bill after the word "invested" strike out the period, and insert in lieu thereof a comma, and add "which bonds may be insured against theft and burglary."

And when so amended, 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 Insurance to whom was referred:

Senate Bill No. 241. A Bill For an Act permitting cities and school districts to effect group life insurance coverage on its employees.

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.

Mr. President: A Majority of your Committee on Insurance to whom was referred:

Senate Bill No. 201. A Bill For an Act to Amend and Re-enact Sections 1, 3, 5, 7, 9, 10, 11, 12, 13, 15, 24, 25, 26 and 27 of Chapter 160 of the Session Laws of 1919 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, as Amended and Re-enacted by Chapter 232 of the Session Laws of North Dakota for the year 1923, as Amended and Re-enacted by Chapter 151 and Chapter 152 of the Session Laws of North Dakota for the year 1925.

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

P. J. MURPHY,  
H. J. RUSCH,  
JOHN VAN ARNAM,  
C. W. CAREY,  
W. H. PORTER,  
ALFRED STEEL.

Senator Murphy moved that the report be adopted.

Mr. President: A Minority of your Committee on Insurance to whom was referred:

Senate Bill No. 201. A Bill For an Act to Amend and Re-enact Sections 1, 3, 5, 7, 9, 10, 11, 12, 13, 15, 24, 25, 26 and 27 of Chapter 160 of the Session Laws of 1919 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, as Amended and Re-enacted by Chapter 232 of the Session Laws of North Dakota for the year 1923, as Amended and Re-enacted by Chapter 151 and Chapter 152 of the Session Laws of North Dakota for the year 1925.

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

NELS MAGNUSON,  
GUST WOG,  
L. O. FREDRICKSON,  
C. W. FINE.

Senator Magnuson moved the substitution of the word "minority" for the word "majority."

Roll call demanded.

The question being on the motion by Senator Magnuson, the roll was called, and there were ayes 20, nays 23, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Conrath	Hjelmstad	Patterson
Erickson	Magnuson	Peck
Ettestad	Marshall	Ritchie
Fine	Martin	Wog
Fleckten	Olson of Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Lynch	Schlosser
Baird	McCrory	Seamands
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman
Hart	Rusch	
Kretschmar	Sathre	

Absent and not voting:

Messrs.  
Brant



So the motion was lost.

The question being on the original motion, the question was put and the motion prevailed, and the majority report of the Committee was adopted.

Mr. President: Your Committee on Banks and Banking to whom was referred

Senate Bill No. 137. A Bill For an Act Relating to, and Defining the Effect of, the Consolidation, Merger or other Transfer of the Business of Corporations, Including Banks and Trust Companies, organized under the Laws of this State, Heretofore or Hereafter Effected.

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.

Mr. President: Your Committee on Banks and Banking to whom was referred:

House Bill No. 79. 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 and Empowering the State Board to Supervise and control the Issuance of Certificates of Authority Thereto.

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.

Mr. President: Your committee on Banks and Banking to whom was referred:

House Bill No. 81. A Bill For an Act to Amend and Re-enact Section 5172 of the Compiled Laws of North Dakota for 1913, Relating to the Limits of Loans by Banking Associations.

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.

Mr. President: Your Committee on Banks and Banking to whom was referred:

House Bill No. 152. A Bill For an Act to Amend and Re-enact Section 5167 of the Compiled Laws of 1913 as amended by Chapter 94, Session Laws of 1925, Requiring Regular and Special Reports to the State Examiner by Banking Associations, Savings Banks and Trust Companies, and Providing Penalties for Failure to Make the Same.

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.  
whom was re-referred:

Mr. President: Your Committee on State Affairs to whom was re-referred:

Senate Bill No. 136. A Bill For An Act to Prevent the Procreation of Feeble-minded, Insane, Epileptic, Habitual Criminals, Moral Degenerates and Sexual Perverts, Who May be Inmates of State Institutions, Authorizing and Providing for the Sterilization of Such Persons and Providing for Appeals to the District Court in Certain Cases; and Repealing Sections 11429 to 11438 inclusive of the Compiled Laws of North Dakota for 1913.

Have had the same under consideration and recommend that the following amendments be made to the printed bill:

In line 5, Section 2, strike out the word "which" and insert the word "whom" in lieu thereof.

Add "s" to the word "section" in line 2, section 12 and strike out the balance of the line and all of line 3 up to the comma following the word "institution."

Change the number of Section 12 to read "section 11", section 13 to read "12", section 14 to read "13", section 15 to read "14", section 16 to read "15", section 17 to read "16" and section 18 to read "17".

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. 162. A Bill For an Act defining Insolvent Grain Warehousemen; Authorizing the Board of Railroad Commissioners to apply to the District Court for its appointment as Trustee for the Benefit of Storage Receipt holders of such Warehousemen, and to Marshall the Trust Assets of such Insolvent and distribute the same among such Receipt holders.

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. 189. A Bill For an Act Relating to the Sale of Malt Sugar, Malt Extract and Malt Sirup, Providing for the Issuing of Licenses for the Purpose of Making Sales thereof and Furnishing of a Bond; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof, and Penalty for Violation of this Act; and Defining the Duties of the Attorney General, State Auditor and State Treasurer Imposed Under the Provision of this Act; and Providing that any Person Violating this Act shall be enjoined and that Any Building or Premises Made Use of for Purposes in Violation of this Act shall be Deemed a Nuisance and Abated by Injunction.

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: A Majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 172. A Bill For an Act to Amend and Re-enact Section 224 of the Compiled Laws of North Dakota for the year 1913.

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

G. PATTERSON,  
W. D. LYNCH,  
WALTER H. SCHLOSSER,  
S. J. ATKINS,  
W. H. PORTER,  
P. J. MURPHY,  
L. O. FREDRICKSON,  
O. T. TOFSRUD,  
D. H. HAMILTON.

Senator Ployhar moved that the report be adopted.

Mr. President: A Minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 172. A Bill For an Act to Amend and Re-enact Section 224 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.

GUST WOG,  
O. H. OLSON,  
J. E. FLECKTEN,  
C. J. OLSON.

Senator C. J. Olson moved the substitution of the word "minority" for the word "majority."

Which motion was lost.

The question being upon the original motion, the question was put and the motion prevailed and the Majority report of the Committee was adopted.

Mr. President: A Majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 123. A Bill For an Act to regulate the Practice of Professional Engineering and Land Surveying the State of North Dakota.

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

C. W. CAREY,  
J. E. FLECKTEN,  
S. J. ATKINS,  
G. PATTERSON,  
O. T. TOFSRUD,  
O. H. OLSON,  
O. E. ERICKSON,  
WALTER BOND,  
GUST WOG,

Senator Atkins moved that the Majority report be adopted.

Mr. President: A Minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 123. A Bill For an Act to regulate the Practice of Professional Engineering and Land Surveying in the State of North Dakota.

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

In line 5, Section 3 of the printed bill after the semicolon following the word "health" insert the following: "Nor as requiring registration by any person performing engineering services for a common carrier which is subject to regulation by the Board of Railroad Commissioners".

In line 15 of the Section 10 of the printed bill, strike out the word "twenty-five" and insert the words "twenty-three" in lieu thereof.

In line 27 of Section ten of the printed bill, strike out the comma after the word "evidence".

In line 29 of same section, strike out the word "ten" and insert the word "six" in lieu thereof.

In line 7 of Section 11 of the printed bill, insert a comma after the word "deceit".

In line 11 of the same section, strike out the word "trival" and insert the word "trivial" in lieu thereof. Beginning at line 16 of Section 13 of the printed bill, strike out all the balance of said section.

In line 7 of Section 14 of the printed bill, strike out the word "any" and insert the word "and" in lieu thereof. In line 18 of the same section, strike out the word "as" at end of line.

And when so amended recommend the same do pass.

WALTER SCHLOSSER,  
P. J. MURPHY,  
L. O. FREDRICKSON,  
W. D. LYNCH,  
C. J. OLSON,  
D. H. HAMILTON,  
FRANK E. PLOYHAR.

Senator Schlosser moved the substitution of the word "Minority" for the word "Majority".

The question being on the motion by Senator Schlosser, 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.
Crocker	Murphy	Rusch
Forbes	Olson of Barnes	Sath.e
Fredrickson	Pathman	Schlosser
Hamilton	Patterson	Whitman
Kretschmar	Peck	
Lynch	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Fine	Patten
Baird	Fleckten	Porter
Bakken	Hart	Ritchie
Benson	Hjelmstad	Seamands
Bond	McCrory	Steel
Brunsdale	McLachlin	Stevens
Carey	Magnuson	Tofsrud
Conrath	Marshall	Van Arnam
Eastgate	Martin	Van Camp
Erickson	Olson of Burleigh	Wog
Ettestad	Olson of Eddy	

Absent and not voting:

Messrs.  
Brant

So the motion was lost.

The question being upon the original motion, the question was put and the motion prevailed and the majority report of the committee was adopted.

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 54. A Bill For an Act relating to and concerning the labeling and branding of flour offered or exposed for sale, or sold, within this state, prescribing regulations and providing penalties for violation thereof. was referred:

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: A Majority of your Committee on Railroad to whom was referred:

House Bill No. 169. A Bill For an Act to Amend and Re-enact Section 4799 of the Compiled Laws of the State of North Dakota for the Year 1913; Relating to Free Passes, Franks and Special Privileges Prohibited, Exceptions.

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

W. S. WHITMAN,  
FRED VAN CAMP,  
OLE ETTESTAD,  
JOHN W. BENSON,  
W. D. LYNCH,  
P. T. KRETSCHMAR,  
JOSEPH G. FORBES,  
H. J. RUSCH,  
P. O. SATHRE,  
R. G. McCRORY,  
W. S. WHITMAN.

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

Mr. President: A Minority of your Committee on Railroad to whom was referred:

House Bill No. 169. A Bill For an Act to Amend and Re-enact Section 4799 of the Compiled Laws of the State of North Dakota for the Year 1913; Relating to Free Passes, Franks and Special Privileges Prohibited, Exceptions.

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

E. H. BRANT,  
C. W. FINE,  
C. W. CAREY.

Mr. President: Your Committee on Agriculture to whom was referred:

Senate Bill No. 114. A Bill For an Act to Regulate, Concerning, Relating to the Production, Inspection, Testing, Analysis and Certification of Seeds, Offered or Exposed for Sale, or Sold as North Dakota Registered Certified Seed, Providing for Rules and Regulations with Reference Thereto, Prescribing Penalties for Violations of the Act, Providing for a Schedule of Equitable Fees, and Making an Appropriation.

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

In Section 4 of the printed bill, strike out the word "or" and insert in lieu thereof, the word "of".

In Section 7, line 3, of the printed bill, strike out the word "analysis" and insert in lieu thereof the word "analysts".

And when so amended recommend the same do pass.

PETER McLACHLIN,  
Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred:

Senate Bill No. 153. A Bill For an Act to Amend and Re-enact Section 2854 of the Supplement to the Compiled Laws, 1913.

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

Page 1, line 10, of the printed bill, after the word "of" insert "butter fat in", in the same line, after the word "cream" strike out the words "in butter fat".

In line 12, of the printed bill, insert the words "Section Two Penalty", and strike out "Numbers 12 to 17 inclusive", and insert "numbers 1 to 6 inclusive".

Section 3. Emergency.

And when so amended 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.

Mr. President: Your Committee on Agriculture to whom was referred:

Senate Bill No. 152. A Bill For an Act to Repeal Section 2845 of the Compiled Laws of 1913.

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.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 126. A Bill For an Act to Amend and Re-enact Sections 2, 3, 5, 6, 10, 12, 14 and 21 of Chapter 182, Session Laws 1923, the same being Sections 5235a2, 5235a3, 5235a5, 5235a6, 5236a10, 5235a12, 5235a14 & 5235a21 of the 5235a5, 5235a6, 5236a10, 5235a12, 5235a14 & 5235a21 of the Supplement to the 1913 Compiled Laws of North Dakota 1913-1925, Relating to the Definition of Securities, Indemnity Bond and Fees Collected by the State Securities Commission.

Also,

Senate Bill No. 163. A Bill For an Act to amend and re-enact Section 714a8 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the designating of Depositories of Public Funds and fixing maximum and minimum rates of interest that may be paid thereon.

Also,

Senate Bill No. 181. A Bill For an Act to Amend and Re-enact Sections 3874 and 3875 of the Compiled Laws of North Dakota for 1913, Relating to Tax Levy of Villages and Duties of County Auditors with Reference Thereto.

Also,

Senate Bill No. 187. A Bill For an Act Limiting the Time within which any Action may be Brought to Void a Foreclosure of a Mortgage, a Mortgage Foreclosure set Aside, or any Defense Interposed in any Action, by Virtue of any defect in the Form, Substance or Service of Notice of Intention to Foreclose a Mortgage.

Also,

Senate Bill No. 195. A Bill For an Act to Amend and Re-enact Section 2 of Chapter 155, Session Laws of 1925, the same being Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, Defining Usury.

Also,

Senate Bill No. 196. A Bill For an Act Authorizing the Board of Administration to Contract with William Laist to Serve the State of North Dakota as Custodian of the Capitol Building.

Also,



Senate Bill No. 198. A Bill For an Act to Amend and Re-enact Section 1172 of the Compiled Laws of North Dakota, 1913, Relating to the Compensation of School Treasurers in Common and Consolidated School Districts.

Also,

Senate Bill No. 199. A Bill For an Act to Amend and Re-enact Section 4206 of the Compiled Laws of North Dakota 1913, Relating to the Compensation of Township Treasurers.

Also,

Senate Bill No. 204. A Bill for an Act to Legalize and make Valid All Sales of Real Estate, Made Prior to the Passage and Approval of this Act, whether Under Execution or by Advertisement, in All Cases where the Certificate of Sale was not Recorded in the Office of the Register of Deeds within Sixty (60) Days after the Date of Sale.

Also,

Senate Bill No. 217. A Bill For an Act Defining the Powers and Duties of the Board of Administration Relating to the Construction of Residence Halls or Dormitories on Lands of the Educational Institutions Under Its Control.

Also,

Senate Bill No. 218. A Bill For an Act Authorizing the Organization of Non-Profit Sharing Institutional Holding Associations and Defining Their Powers.

Also,

Senate Bill No. 220. A Bill For an Act to repeal Section 2306 of the Supplement to the Compiled Laws of 1913 and Sections 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, and 2346 of the Compiled Laws of North Dakota for the year 1913 relating to tax judgment procedure on lands forfeited to the State or County for taxes.

Also,

Senate Bill No. 236. A Bill For an Act to amend and re-enact Section 2151 of the Supplement to the Compiled Laws of 1913, relating to Township Tax Levies and elector's right to vote amounts for township purposes.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 7. A Bill For an Act Making an Ap-propriation for the Purpose of Refunding Moneys <sup>1</sup>Erroneously Paid into or Credited to the General Fund.

Also,

Senate Bill No. 8. A Bill For an Act Making an Ap-propriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913, and to Meet Other Requirements Prescribed by the Federal Statutes.

Also,

Senate Bill No. 9. A Bill For an Act Making an Ap-propriation 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 Reenacted by Chap-ter 226, Laws of 1915, and as Amended and Reenacted by the Initiated Law approved November 2nd, 1920, and as Provided for in Chapter 143, Laws of 1923.

Also,

Senate Bill No. 26. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Special Fund Accruing from Fees col-lected by the State Securities Commission under the Pro-visions of Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

Also,

Senate Bill No. 28. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Fund Accruing from Testers' License Fees Collected and Paid into the Treasury under the pro-visions of Chapter 103, Session Laws 1917, the same being Section 2865b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

Also,

Senate Bill No. 30. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Auto Transportation Fund from Moneys Collected and Credited under the Provisions of Chapter 91, Session Laws 1925, the same being Sections 2976v1 to 2976v16, inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to Auto Trans- portation Companies.

Also,

Senate Bill No. 50. A Bill For an Act to Amend and Re-enact Section 2163a7 of Supplement to Compiled Laws of the State of North Dakota 1913, being Section Seven of Chapter 318 Laws 1923.

Also,

Senate Bill No. 67. A Bill For an Act to Amend and Re-enact Sub-Section 3 of Section 6635c of the Compiled Laws of North Dakota for the Year 1913, Relating to the Incontestable Clause to be Included in the Required Provisions of Life Policies.

Also,

Senate Bill No. 83. A Bill For an Act to Amend and Re-enact Section 2645 of the Supplement to the Compiled Laws of 1913, relating to Wolf Bounty.

Also,

Senate Bill No. 95. A Bill For an Act Making an Appropriation for the Payment of Compiled Laws of 1913 Purchased by the Secretary of State for Official Purposes.

Also,

Senate Bill No. 97. A Bill For an Act to Amend and Re-enact Section 7844 of the Compiled Laws of North Dakota for the year 1913, Relating to the Power of and Proceedings had in the Supreme Court on Appeals.

Also,

Senate Bill No. 99. A Bill For An Act to Amend and Re-enact Section 8519, Compiled Laws of 1913, Relating to the Practice of Law by County Judges.

Also,

Senate Bill No. 110. A Bill For an Act Providing For the Compulsory Licensing of Non-residents Making Auction Sales Within this State; Providing for the Manner of Payment of License Fee, and Providing a Penalty for the Violation Thereof.

Also:

Senate Bill No. 119. A Bill For an Act Relating to Insurance upon Lives of Directors, Officers, Agents and Employes of Corporations and Prescribing What Shall Constitute Evidence of Due Authority for all Corporate Actions with Reference Thereto.

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Senator Sathre requested the consent of the Senate to withdraw Senate Bill 173 from further consideration.

Which request was granted.

Senator Stevens presented the following communication.

Yucca

October 17, 1923.

Hercules Powder Co.,  
Wilmington, Del.,  
Gentlemen:

I was greatly astonished to receive the case of shells on the Automatic Remington from you and it was some time before I could connect the visit of members of your firm during the hunting season, with the delightful gift. Needless to say, I am greatly pleased with the present.

I presume that, in addition to being a reward for allowing you to use my picture on your calendar, you also consider this an economical way of securing public good will. I am sure you that you have my good will, and always will have it, so long as it does not interfere with my duties as a servant of the public.

It is flattering to me to think that my likeness will soon grace (or disgrace) the establishments of sport lovers and business men. However, I daresay you chose me for characteristics other than senatorial qualities.

Assure the boys that I appreciated their visit. If they should ever again chance to be in North Dakota during the hunting season I invite them to make my ranch their headquarters. Perhaps we may again bag a little game and incidentally, avoid the Volstead Act and certain game laws of North Dakota.

I thank you again, and assure you that I will retain the Automatic to my dying day, and that it will ever be a reminder of the generosity and fairness of the Hercules Powder Company.

Yours gratefully,  
CHARLES M. WHITMER,

Senator O. A. Olson requested the unanimous consent of the Senate to introduce a bill.

Which request was granted.

Senator Bakken made a similar request.

Which request was granted.

Senator Van Arnam moved that the Senate do concur in the House amendments to Senate Bill 101.

Which motion prevailed.

Senator Van Arnam then moved that the rules be suspended and Senate Bill 101 be considered properly engrossed and placed upon third reading and final passage.

Which motion prevailed.

Senate Bill No. 101. A Bill For an Act to Amend and Re-enact Section 8849 of the Compiled Laws of North Dakota, 1913, Relating to Decrees of Distribution in County Court.

Was read the third time.

The question being on the final passage of the bill, as amended by the House, the roll was called, and there were ayes 46, nays 0, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Ployhar
Baird	Hjelmstad	Porter
Bakken	Kretschmar	Ritchie
Benson	Lynch	Rusch
Bond	McCrory	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Fastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Patten	Weg
Forbes	Patterson	
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brant	Hamilton	Pathman

So the bill passed and the title was agreed to.

Senator Van Arnam moved that the Senate do concur in the House amendment to Senate Bill 47.

Which motion prevailed.

Senator Van Arnam then moved that the rules be suspended and Senate Bill 47 be considered properly engrossed and placed on third reading and final passage.

Which motion prevailed.

Senate Bill No. 47. A Bill For an Act to Amend and Re-enact Section 2898, Compiled Laws of North Dakota for 1913, Relating to the Manner of Labeling and Branding Seeds Offered for Sale Within 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 44, nays 1, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Ployhar
Baird	Hjelmstad	Porter
Bakken	Lynch	Ritchie
Benson	McCrorry	Rusch
Bond	McLachlin	Sathre
Brunsdale	Magnuson	Seamands
Carey	Marshall	Schlosser
Conrath	Martin	Steel
Crocker	Murphy	Stevens
Eastgate	Olson of Barnes	Tofsrud
Erickson	Olson of Burleigh	Van Arnam
Ettestad	Olson of Eddy	Van Camp
Fine	Patten	Whitman
Forbes	Patterson	Wog
Fredrickson	Peck	

Those voting in the negative were:

Messrs.  
Fleckten

Absent and not voting:

Messrs.	Messrs.
Brant	Kretschmar
Hamilton	Pathman

So the bill passed and the title was agreed to.

Senator Sathre moved that the Senate do concur in the House amendments to Senate Bill 74.

Which motion prevailed.

Senator Sathre then moved that the rules be suspended and that Senate Bill 74 be considered properly engrossed and placed upon third reading and final passage.

Which motion prevailed.

Senate Bill No. 74. A Bill For an Act Authorizing and Empowering the Board of Railroad Commissioners to appoint Examiners for the Purpose of Holding Hearings, and Prescribing the Powers and Duties of Such Examiners.

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 0, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Ployhar
Baird	Hart	Porter
Bakken	Hjelmstad	Ritchie

Messrs.	Messrs.	Messrs.
Benson	Kretschmar	Rusch
Bond	McCrorry	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Patten	Wog
Forbes	Patterson	
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brant	Pathman	Lynch

So the bill passed and the title was agreed to.

Senator Bakken moved that the absent Senator be excused.

Which motion prevailed.

House Bill 113 was returned to the House indefinitely postponed.

Senate Bills 134, 140, 148, 180, 188 and Concurrent Resolution F were messaged to the House.

House Bill 69 was returned to the House passed unchanged.

House Bill 106 was returned to the House amended.

Concurrent Resolution introduced by Representatives Signalness and Tester was read and referred to the Committee on State Affairs.

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

Senator O. A. Olson introduced:

Senate Bill No. 257. A Bill For an Act to Reimburse and Pay Company "A", First Regiment North Dakota National Guard Training School, a Corporation, Allowance for Maintenance and Support of Company "A" for the last half of 1917, all of 1918, and all of 1919, and Appropriation.

Was read the first and second times and referred to the Committee on Appropriation.

Senator Bakken introduced:

Senate Bill No. 258. A Bill For an Act to Validate and Legalize Certain Proceedings of Park Districts and their Commissioners Relating to Bond Issues.

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

THIRD READING OF SENATE BILLS  
ROLL CALL

Senate Bill No. 174. A Bill For an Act Requiring School Districts Maintaining a High School to Pay the High School Tuition of Pupils Residing in such Districts More Than Six Miles From Such High School When No Transportation by Vehicle is Furnished to Such Children.

Was read the third time.

Senator Wog offered the following amendments to Senate Bill No. 174:

Strike out the last two words of line 3 of the title.

In Line 4, put a comma after the word "transportation" and strike out the word "by". In line 5, strike out the word "vehicle" and the comma.

Section 2. Emergency. This act is hereby declared an emergency measure and shall take effect immediately upon its passage and approval.

Which amendments were adopted.

The question being on the final passage of the bill, as amended, 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.
Atkins	Hamilton	Patterson
Baird	Hart	Peck
Bakken	Hjelmstad	Ployhar
Benson	Lynch	Porter
Bond	Kretschmar	Ritchie
Brunsdale	McCrorry	Rusch
Carey	McLachlin	Sathre
Conrath	Magnuson	Seamands
Crocker	Marshall	Schlosser
Eastgate	Martin	Steel
Erickson	Murphy	Stevens
Ettestad	Olson of Barnes	Tofsrud
Fine	Olson of Burleigh	Van Arnam
Fleckten	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman
Fredrickson	Patten	Wog

Absent and not voting:

Messrs.  
Brant

So the bill passed and the title was agreed to. Emergency clause declared carried.



Senate Bill No. 126. A Bill For an Act to Amend and Re-enact Sections 2, 3, 5, 6, 10, 12, 14 and 21 of Chapter 182, Session Laws 1923, the same being Sections 5235a2, 5235a3, 5235a5, 5235a6, 5236a10, 5235a12, 5235a14 & 5235a21 of the Supplement to the 1913 Compiled Laws of North Dakota 1913-1925, Relating to the Definition of Securities, Indemnity Bond and Fees Collected by the State Securities Commission.

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.
Atkins	Hart	Peck
Baird	Kretschmar	Ployhar
Benson	Lynch	Porter
Bond	McCroy	Ritchie
Brunsdale	McLachlin	Rusch
Conrath	Magnuson	Sathre
Crocker	Marshall	Seamands
Eastgate	Martin	Steel
Erickson	Murphy	Stevens
Ettestad	Olson of Barnes	Tofsrud
Fine	Olson of Burleigh	Van Arnam
Forbes	Olson of Eddy	Van Camp
Fredrickson	Pathman	Whitman
Hamilton	Patterson	Wog

Those voting in the negative were:

Messrs.	Messrs.
Bakken	Hjelmstad
Fleckten	Patten

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brant	Carey	Schlosser

So the bill passed and the title was agreed to.

Senate Bill No. 163. A Bill For an Act to amend and re-enact Section 714a8 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the designating of Depositories of Public Funds and fixing maximum and minimum rates of interest that may be paid thereon.

Was read the third time.

Senator Lynch moved that Senate Bill 163 be re-referred to the Committee on State Affairs for further consideration.

Which motion prevailed and the bill was so re-referred.

Senate Bill No. 181. A Bill For an Act to Amend and Re-enact Sections 3874 and 3875 of the Compiled Laws of North Dakota for 1913, Relating to Tax Levy of Villages and Duties of County Auditors 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 not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Peck
Baird	Hjelmstad	Ployhar
Bakken	Kretschmar	Porter
Benson	Lynch	Ritchie
Bond	McCrary	Rusch
Brunsdale	McLachlin	Sathre
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog
Fredrickson	Patten	
Hamilton	Patterson	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brant	Carey	Schlosser

So the bill passed and the title was agreed to.

Senate Bill No. 187. A Bill For an Act Limiting the Time within which any Action may be Brought to Void a Foreclosure of a Mortgage, a Mortgage Foreclosure set Aside, or any Defense Interposed in any Action, by Virtue of any defect in the Form, Substance or Service of Notice of Intention to Foreclose a Mortgage.

Was read the third time.

Senator Fine offered the following amendment: Strike out words "one year" in line 1, section 1 of printed bill and insert in lieu thereof "eighteen months."

Which motion was lost.

The question being on the final passage of the bill, 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.
Atkins	Kretschmar	Rusch
Baird	Lynch	Sathre
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Tofsrud
Crocker	Pathman	Van Arnam

Messrs.	Messrs.	Messrs.
Eastgate	Patterson	Van Camp
Forbes	Ployhar	Whitman
Hart	Porter	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Barnes
Benson	Hamilton	Olson of Eddy
Conrath	Hjelmstad	Patten
Erickson	McCrary	Peck
Ettestad	Magnuson	Ritchie
Fine	Marshall	Seamands
Fleckten	Martin	

Absent and not voting:

Messrs.	Messrs.
Brant	Schlosser

So the bill passed and the title was agreed to. Emergency clause declared lost.

Senator Hamilton moved that the vote by which Senate Bill No. 187 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 195. A Bill For an Act to Amend and Re-enact Section 2 of Chapter 155, Session Laws of 1925, the same being Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, Defining Usury.

Was read the third time.

Senator Hjelmstad offered the following amendment: In line 9, section 1 of printed bill change word "nine" to "eight."

Roll call demanded.

The question being on the motion by Senator Hjelmstad, 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.
Bakken	Fredrickson	Olson of Burleigh
Benson	Hamilton	Olson of Eddy
Carey	Hjelmstad	Patten
Conrath	McCrary	Patterson
Erickson	Magnuson	Peck
Ettestad	Marshall	Ritchie
Fine	Martin	Wog
Fleckten	Olson of Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Lynch	Seamands
Baird	McLachlir	Steel

Messrs.	Messrs.	Messrs.
Bond	Murphy	Stevens
Brunsdale	Pathman	Tofsrud
Crocker	Ployhar	Van Arnam
Eastgate	Porter	Van Camp
Forbes	Rusch	Whitman
Hart	Sathre	
Kretschmar	Schlosser	

Absent and not voting:

Messrs.  
Brant

So the motion was lost.

Senator Benson offered the following amendment: Strike out the word "not" in line 13, section 1 of printed bill.

Which motion was lost.

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.
Atkins	Kretschmar	Sathre
Baird	Lynch	Schlosser
Bond	McLachlin	Seamands
Brunsdale	Murphy	Steel
Carey	Olson of Burleigh	Stevens
Conrath	Pathman	Tofsrud
Crocker	Peck	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman
Hart	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Hamilton	Olson of Eddy
Benson	Hjelmstad	Patten
Erickson	McCroory	Patterson
Ettestad	Magnuson	Ritchie
Fine	Marshall	Wog
Fleckten	Martin	
Fredrickson	Olson of Barnes	

Absent and not voting:

Messrs.  
Brant

So the bill passed and the title was agreed to. Emergency clause declared lost.

Senate Bill No. 196. A Bill For an Act Authorizing the Board of Administration to Contract with William Laist to Serve the State of North Dakota as Custodian of the Capitol Building.

Was read the third time.

Senator Martin moved that Senate Bill 196 be re-referred to the Committee on State Affairs.

Which motion was lost.

Senator Fine offered the following amendment: Strike out all of lines nine and ten excepting the last word."

Which motion prevailed.

The question being on the final passage of the bill, as amended, 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.
Atkins	Hart	Patterson
Baird	Kretschmar	Ployhar
Bakken	Lynch	Porter
Eenson	McCrory	Rusch
Bond	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Crocker	Murphy	Steel
Eastgate	Olson of Barnes	Van Arnam
Erickson	Olson of Burleigh	Van Camp
Forbes	Olson of Eddy	Whitman
Fredrickson	Pathman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Conrath	Hjelmstad	Ritchie
Ettestad	Martin	Stevens
Fine	Patten	Tofsrud
Fleckten	Peck	Wog

Absent and not voting:

Messrs.	Messrs.
Brant	Hamilton

So the bill passed and the title was agreed to.

Senator Stevens explained his vote:

I have no objection to the object of this bill, but for the reason that I don't believe the State of North Dakota has any legal authority to pension anyone, I am obliged to vote "no."

Senate Bill No. 193. A Bill For an Act to Amend and Re-enact Section 1172 of the Compiled Laws of North Dakota, 1913, Relating to the Compensation of School Treasurers in Common and Consolidated School Districts.

Was read the third time.

Senator Fine offered the following motion: In section 1, line 6 of the printed bill change word and figure "two" to "one."

Senator Ettestad offered the following substitute motion: In section 1, line 6 of printed bill change the word and figure "two" to "one and one-half."

Which substitute motion prevailed.

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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Lynch	Ritchie
Brunsdale	McCrary	Rusch
Carey	McLachlin	Sathre
Conrath	Magnuson	Seamands
Crocker	Marshall	Schlosser
Eastgate	Murphy	Steel
Erickson	Olson of Barnes	Stevens
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Van Arnam
Forbes	Patten	Wog

Absent and not voting:

Messrs.	Messrs.
Brant	Martin
Kretschmar	Tofsrud

So the bill passed and the title was agreed to.

Senate Bill No. 199. A Bill For an Act to Amend and Re-enact Section 4206 of the Compiled Laws of North Dakota 1913, Relating to the Compensation of Township Treasurers.

Was read the third time.

Senator Fine offered the following amendment: Change the words and figures "two" in line 9 of the printed bill to "one."

Senator Ettestad offered the following substitute amendment: Change the words and figures "two" in line 9 of the printed bill to "one and one-half."

Which substitute motion prevailed.

Senator Stevens offered the following amendment: In lines 9 and 12 of printed bill change the word "retain" to "receive."

Which motion prevailed.

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.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brunsdale	McCrory	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Patterson	

Absent and not voting:

Messrs.	Messrs.
Brant	Martin

So the bill passed and the title was agreed to.

Senator Benson moved that the Senate do now recess for ten minutes.

Which motion prevailed and the Senate stands recessed.

The Senate re-assembled pursuant to recess taken, the President presiding.

Senate Bill No. 204. A Bill for an Act to Legalize and make Valid All Sales of Real Estate, Made Prior to the Passage and Approval of this Act, whether Under Execution or by Advertisement, in All Cases where the Certificate of Sale was not Recorded in the Office of the Register of Deeds within Sixty (60) Days after the Date of Sale.

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 19, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Seamands
Baird	McLachlin	Steel
Bond	Murphy	Stevens
Brunsdale	Olson of Burleigh	Tofsrud
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Hart	Sathre	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Hamilton	Patten
Benson	Hjelmstad	Patterson
Conrath	McCroy	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Wog
Fine	Olson of Barnes	
Fleckten	Olson of Eddy	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Schlusser	Lynch	Brant
Martin	Fredrickson	

So the bill passed and the title was agreed to. Emergency clause declared lost.

Senate Bill No. 217. A Bill For an Act Defining the Powers and Duties of the Board of Administration Relating to the Construction of Residence Halls or Dormitories on Lands of the Educational Institutions Under Its Control.

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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Ployhar
Bakken	Hart	Porter
Benson	Hjelmstad	Ritchie
Bond	Kretschmar	Rusch
Brunsdale	Lynch	Sathre
Carey	McCroy	Schlusser
Conrath	McLachlin	Seamands
Crocker	Magnuson	Steel
Eastgate	Marshall	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog

Those voting in the negative were:

Messrs.	Messrs.
Patten	Peck

Absent and not voting:

Messrs.	Messrs.
Brant	Martin

So the bill passed and the title was agreed to.



Senate Bill No. 218. A Bill For an Act Authorizing the Organization of Non-Profit Sharing Institutional Holding Associations and Defining Their Powers.

Was read the third time.

Senator Stevens offered the following amendment: Wherever the words "board of administration" occur throughout the entire bill add the word "State" and capitalize same to read "State Board of Administration."

Which motion prevailed.

The question being on the final passage of the bill, as amended, 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.
Atkins	Hamilton	Ployhar
Baird	Hart	Porter
Bakken	Hjelmstad	Ritchie
Benson	Kretschmar	Rusch
Bond	Lynch	Sathre
Brunsdale	McCroy	Schlosser
Carey	McLachlin	Seamands
Conrath	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patterson	
Fredrickson	Peck	

Those voting in the negative were:

Messrs.  
Patten

Absent and not voting:

Messrs.	Messrs.
Brant	Martin

So the bill passed and the title was agreed to.

Senate Bill No. 220. A Bill For an Act to repeal Section 2306 of the Supplement to the Compiled Laws of 1913 and Sections 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, and 2346 of the Compiled Laws of North Dakota for the year 1913 relating to tax judgment procedure on lands forfeited to the State or County for taxes.

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.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brunsdale	McCrary	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Patterson	

Absent and not voting:

Messrs.	Messrs.
Brant	Martin

So the bill passed and the title was agreed to.

Senate Bill No. 236. A Bill For an Act to amend and re-enact Section 2151 of the Supplement to the Compiled Laws of 1913, relating to Township Tax Levies and elector's right to vote amounts for township purposes.

Was read the third time.

Senator Fine offered the following amendment: In line 23 of the printed bill after the word "sum" insert the word "only".

Which motion was lost.

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.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brunsdale	McCrary	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud

Messrs.	Messrs.	Messrs.
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Wog
Forbes	Patten	Whitman
Fredrickson	Patterson	

Absent and not voting:

Messrs.	Messrs.
Brant	Martin

So the bill passed and the title was agreed to.

### MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
February 17, 1927.

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

House Bill No. 209. A Bill For an Act to Amend and Re-enact Section 1240 of the Supplement to the Compiled Laws of 1913, Relating to Special School Districts.

House Bill No. 25. A Bill For an Act to Provide for the Nomination and Election of Candidates for the Offices of Presidential Electors, National Committeeman, Delegates to National Party Conventions, United States Senator, Members of Congress, Judges of the Supreme and District Courts, all Elective State and County Officers, Members of the Legislative Assembly, County Commissioners, Party Precinct Committeemen and County Official Newspaper; to Provide for Forms of Ballots and Requirements of New Parties with Reference Thereto; to Repeal All Acts or Parts of Acts in Conflict Herewith, including Sections 910 to 916 inclusive, Compiled Laws 1913 and to Change the Date of Holding all General, City, Township and Village Elections.

House Bill No. 244. A Bill For an Act to Amend and Re-enact Section 8887 of the Compiled Laws of North Dakota for the year 1913.

House Bill No. 245. A Bill For an Act to Amend and Re-enact Section 8895 of the Compiled Laws of North Dakota for the year 1913, and to Repeal Section 8896 of said Compiled Laws.

House Bill No. 247. A Bill For an Act to Amend and Re-enact Section 1 of Chapter 101 of the Session Laws of 1925 relating to the signing of bonds by public officials.

House Bill No. 261. A Bill For an Act Authorizing and providing for the submission of controversies between the State Highway Commission of the State of North Dakota and parties contracting therewith to arbitration, and providing for the entry of judgment as in cases of arbitration between other parties and providing for the enforcement of such judgments.

House Bill No. 263. A Bill For an Act to Amend and Re-enact Section 2546a6 of the Supplement to the Compiled Laws of North Dakota, year 1913, for Application for Mothers Pension, and Hearing.

House Bill No. 267. A Bill For an Act to Amend and Re-enact Section 4550 of the Compiled Laws of North Dakota for the year 1913, Providing the Place of Holding of Stockholders and Directors meetings, and Repealing Section 4550 of the Compiled Laws of North Dakota for the year 1913.

House Bill No. 269. A Bill For an Act to Amend and Re-enact Section 9167 of the Compiled Laws of the State of North Dakota for 1913 relating to Stay of Execution in Forcible Detainer.

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

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 17, 1927.

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

House Bill No. 271. A Bill For an Act Empowering Foreign Executors, Administrators, Guardians, Heirs and Legatees of Deceased Non-residents whose Estates have been Probated Outside this State to Assign Mortgages; and Confirming and Legalizing Assignments heretofore made by such Executors, Administrators, Guardians, Heirs and Legatees.

House Bill No. 274. A Bill For an Act Governing Specifications and Bids upon Paving, Requiring Bids upon Several Types to be asked for.

House Bill No. 296. A Bill For an Act to Amend and Re-enact Subdivision 6, of Section 381 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Duties of the State Historical Society.

House Bill No. 298. A Bill For an Act to Provide for the Renewal of Corporate Existence and Repealing Section No. 4562 of the Compiled Laws of North Dakota, 1913.

House Bill No. 313. A Bill For an Act Providing Additional Requirement for the office of County Coroner.

House Bill No. 225. A Bill For an Act Requiring the Board of Railroad Commissioners to Investigate and Fix Rates, Charges, Practices, Rules and Regulations of Carriers and Railroad Corporations for the Transportation of Fuel, Specifying the Proceedings therefor, Making an Appropriation for such Purpose and for the Defense of such Rates, and Repealing Sections 4798a1 to 4798a5, inclusive, of the Supplement to the Compiled Laws 1913, and Repealing Sections

4795a1 to 4795a11, inclusive, of the Supplement to the Compiled Laws 1913, so far as the same is Applicable to Rates for the Transportation of Fuel.

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

Very respectfully,  
**C. R. VERRY,**  
 Chief Clerk.

Senator Ployhar moved that the Senate pass to the Sixteenth Order of Business.

Which motion prevailed.

Senator Benson moved that the Senate do now adjourn. Which motion was lost.

Senator Benson moved that final action on House Bill 83 be deferred one legislative day.

Which motion was lost.

Senator Benson demanded a call of the Senate. Call granted.

All members present except Senators Brant and Martin.

Senator Ployhar moved that Senator Brant be excused.

Which motion prevailed.

Senator Stevens moved that further business under the call of the Senate be dispensed with. Which motion prevailed.

Senator Hamilton moved that the Senate do now recess until 1:00 P. M. Friday.

Roll call demanded.

The question being on the motion by Senator Hamilton, the roll was called, and there were ayes 23, nays 24, absent and not voting 2.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bakken	Hamilton	Olson of Eddy
Benson	Hart	Patten
Conrath	Hjelmstad	Patterson
Erickson	McCrory	Peck
Ettestad	Magnuson	Ritchie
Fine	Marshall	Sathre
Fleckten	Olson of Barnes	Wog
Fredrickson	Olson of Burleigh	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands

Messrs.	Messrs.	Messrs.
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Pathman	Tofsrud
Crocker	Ployhar	Van Arnam
Eastgate	Porter	Van Camp
Forbes	Rusch	Whitman

Absent and not voting:

Messrs.	Messrs.
Brant	Martin

So the motion was lost.

Senator Patterson moved that the Senate do now adjourn.

Roll call demanded.

The question being on the motion by Senator Patterson, the roll was called, and there were ayes 22, nays 25, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Hamilton	Patten
Benson	Hjelmstad	Patterson
Conrath	McCrory	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Sathre
Fine	Olson of Barnes	Wog
Fleckten	Olson of Burleigh	
Fredrickson	Olson of Eddy	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Seamands
Baird	Lynch	Steel
Bond	McLachlin	Stevens
Brunsdale	Murphy	Tofsrud
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Hart	Schlosser	

Absent and not voting:

Messrs.	Messrs.
Brant	Martin

So the motion was lost.

Senator Benson moved that the Senate do now recess till 12:45 Friday.

Which motion was lost.

Senator Benson moved that the Senate do now recess till 1:15 P. M. Friday.

Which motion was lost.

Senator Hamilton moved that House Bill No. 83 be placed at the foot of the calendar.

Which motion was lost.

Senator Hjelmstad moved that House Bill No. 83 be re-referred to the Committee on Insurance.

Roll call.

The question being on the motion by Senator Hjelmstad the roll was called, and there were ayes 22, nays 25, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Hamilton	Patten
Benson	Hjelmstad	Patterson
Conrath	McCrary	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Sathre
Fine	Olson of Barnes	Wog
Fleckten	Olson of Burleigh	
Fredrickson	Olson of Eddy	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Seamands
Baird	Lynch	Steel
Bond	McLachlin	Stevens
Brunsdale	Murphy	Tofsrud
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Hart	Schlosser	

Absent and not voting:

Messrs.	Messrs.
Brant	Martin

So the motion was lost.

Senator Hamilton moved that House Bill 83 be made a special order of business for 2:00 P. M., Friday.

Which motion was lost.

Senator Benson offered the following amendment: In line 12 of the printed bill change the figure "1926" to "1929".

Which motion was lost.

Senator Hjelmstad offered the following amendment: In line 14 of the printed bill, change figure "1927" to "1928".

Roll call demanded.

The question being on the motion by Senator Hjelmstad,

the roll was called, and there were ayes 22, nays 25, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Hamilton	Patten
Benson	Hjelmstad	Patterson
Conrath	McCroy	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Sathre
Fine	Olson of Barnes	Wog
Fleckten	Olson of Burleigh	
Fredrickson	Olson of Eddy	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Seamands
Baird	Lynch	Steel
Bond	McLachlin	Stevens
Brunsdale	Murphy	Tofsrud
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Hart	Schlosser	

Absent and not voting:

Messrs.	Messrs.
Brant	Martin

So the motion was lost.

Senator Hamilton moved that House Bill 83 be made a special order of business for 3 P. M., Friday.

Which motion prevailed.

Senator Benson moved that the Senate do now adjourn.

Which motion prevailed, and the Senate adjourned.

W. D. AUSTIN,  
Secretary.



## FORTY-SIXTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 18, 1927.

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

Prayer by the Chaplain, Rev. Walter E. Vater.

Roll call.

All members present.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-fifth day and recommend that the same be corrected as follows:

On page 22 in line 9 from bottom of page, strike out the word "House" and insert the word "Senate."

On page 41 in line 30 strike out the word "carried" and insert the word "prevailed."

C. J. OLSON,  
Chairman.

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

Senate Bills 187, 190, 200 and 206 were messaged to the House.

House Bill 174 was returned to the House passed unchanged.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 164. A Bill For an Act to Amend and Re-enact Section 7619 of the Compiled Laws of North Dakota for the Year 1913, Relating to Order of Trial.

Have had the same under consideration and recommend that the same be reported in without recommendation.

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. 223. A Bill For an Act Providing that the Making, Signing or Procurement of a False Affidavit for Garnishment shall constitute a Misdemeanor.

Have had the same under consideration and recommend that the same be reported in without recommendation.

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. 224. 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 Corporation Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

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. 225. A Bill For an Act to amend and re-enact Section 89 of the Compiled Laws of the State of North Dakota of 1913 relating to the exchange of laws with other states.

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. 227. A Bill For an Act Repealing Chapter 27 of the Session Laws of North Dakota for the year 1921; Relating to Brand Inspectors.

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. 228. A Bill For an Act Authorizing the Recall of County Commissioners and Providing Ways and Means for the Petitions and Special Elections to be Held for such Purpose.

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. 233. A Bill For an Act to Amend and Re-enact Section 7637 of the Compiled Laws of North Dakota for the Year 1913, Relating to How Trial by Jury may be Waived.

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. 234. A Bill For an Act to Authorize the Supreme Court to Direct the Calling of Special Terms in any of the Counties of the State and to Designate a District Judge to Preside at such Term.

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. 235. A Bill For an Act to Provide for a Fee upon the Filing of an Affidavit for Change of Judges in Civil Actions in the District Court for Prejudice or Bias of Judge thereof.

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. 244. A Bill For an Act to Establish a New Procedure for the Hearing and Determination of Small Claims in Contract or Tort.

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 Legalizing and Validating all legal publications made prior to the 1st day of January, 1927, contrary to the provisions of Chapter 187 of Session Laws, 1919, and of Initiated Measure relating to Official Newspapers approved November 2, 1920.

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. 256. A Bill For an Act to Amend and Re-enact Section 5031 of the Compiled Laws of North Dakota of 1913, relating to Limit of Property that may be Acquired by Fraternal Corporations.

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

In line 1, Section 1 after Section 1 insert the word "Amendment."

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: A Majority of your Committee on Judiciary to whom was referred:

Senate Bill 232. A Concurrent Resolution.

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

L. R. BAIRD,  
S. J. ATKINS,  
WALTER H. SCHLOSSER,  
FRANK E. PLOYHAR,  
W. D. LYNCH,  
JOSEPH G. FORBES,  
JOHN VAN ARNAM,  
ALFRED STEEL,  
J. E. STEVENS,  
OBERT A. OLSON,  
A. A. PECK,  
P. O. SATHRE.

Senator Baird moved that the report of the Majority be adopted.

Mr. President: A Minority of your Committee on Judiciary to whom was referred:

Senate Bill 232. A Concurrent Resolution.

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

O. H. OLSON,  
GUST WOG,  
G. PATTERSON.  
OLE ETTESTAD,  
C. J. OLSON.

Senator O. H. Olson moved the substitution of the word "Minority" for the word "Majority."

Roll call demanded.

The question being on the motion by Senator O. H. Olson, 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.
Bakken	Fredrickson	Olson of Barnes
Benson	Hamilton	Olson of Eddy
Conrath	Hjelmstad	Patten
Erickson	McCroory	Patterson
Ettestad	Magnuson	Ritchie
Fine	Marshall	Wog
Fleckten	Martin	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Lynch	Schlosser
Baird	McLachlin	Seamands
Bond	Murphy	Steel
Brunsdale	Olson of Burleigh	Stevens
Carey	Pathman	Tofsrud
Crocker	Peck	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman
Hart	Rusch	
Kretschmar	Sathre	

Absent and not voting:

Messrs.  
Brant

So the motion was lost.

The question being upon the original motion, the question was put and the motion prevailed, and the Majority report of the Committee was adopted.

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 123. A Bill For an Act Governing Borrowing by Means of Bond Issues by Counties, Cities, Villages, Townships, School Districts, Park Districts and other Municipalities as Defined Herein; and Repealing Sections 1272, 1274, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1333, 1336, 1337, 1338, 1339, 1422, 3449, 3450, 3452, 3453, 3454, 3456, 3457, 3458, 3459, 3462, 3463, 3464, 3465, 3466, 3467, 3468, 3469, 3470, 3868, 4014, 4015, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4254, 4255, 4256, 4257, 4258, 4259, 4260, 4261 of the Compiled Laws of North Dakota for the year 1913 and repealing Sections 1273, 1274a1, 1274a2, 1275, 1276, 1277, 1303, 1307, 1321a14, 1332, 1334, 1335, 1341, 1421, 1422, 3451, 3743c1, 3743c2, 3743c3, 3882a1, 3882a2, 4016, 4037b, 4037c, 4037d1 and 4037d2 of the Supplement to the Compiled Laws of 1913, and all Acts and Parts of Acts in Conflict Herewith.

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 State Affairs to whom was referred:

Senate Bill No. 139. A Bill For an Act to Amend and Re-enact Section 10183a5 of the Supplement to the Compiled Laws of 1913, Relating to the Sale of Cigarettes and Cigarette Papers and Tubes Used and Prepared for the Making of Cigarettes; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof; and Providing Penalties for Violations of this Act.

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

Strike out everything after the words, "A Bill", and insert in lieu thereof the following: For an Act Making it Unlawful to Sell or Possess Cigarettes without being stamped, showing the Tax thereon to have been Paid, and Providing Penalty therefor.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY  
OF THE STATE OF NORTH DAKOTA:**

Section 1. It shall be unlawful for any person to sell or possess within this State any cigarettes unless the original printed container shall have securely affixed thereto a suitable stamp showing the tax thereon to have been paid, and said stamp shall be properly cancelled prior to the purchase, sale or consumption under such regulations as the State Treasurer shall provide. Provided, however, that it shall not be unlawful for a retail or wholesale dealer to possess such cigarettes in unopened cartons, boxes or containers, containing several packages of cigarettes.

It shall also be unlawful for non-residents and persons temporarily within this state to possess cigarettes without a compliance with this law, after ten days from entry into this state. Provided, that in any action for a violation of this law, the burden of proof shall be upon the defendant to show that he is exempt under the terms of this act.

Section 2. Emergency. This act is hereby declared to be an emergency and shall take effect and be in full force 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.

Mr. President: Your Committee on State Affairs to whom was referred:

Concurrent Resolution K introduced by Senator Bakken and printed in the Senate Journal on February 16, 1927.

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:

Concurrent Resolution printed on page 37, House Journal, February 16, 1927.

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. 124. A Bill For and Act to Amend and Re-enact Section 2844 of the Supplement to the Compiled Laws of 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, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 229. A Bill for an Act Providing that in Certain Specified Cases the Plea of Temporary Insanity May Be Imposed to a Complete Bar to a Criminal Prosecution.

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. 246. A Bill For an Act to Amend and Re-enact Article 55b of Chapter 38 of the Political Code of the State of North Dakota, being sections 2976v1 to 2976v16, both



inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over Any Public Highway by Motor Propelled Vehicles; Defining Auto 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 Punishment for Violation Thereof.

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

In line 169 of Section 2976v6 of the printed bill, strike out the word "and."

In line 293 of Section 2976v13 of the printed bill, strike out the word "as" following the word "Treasury" and insert in lieu thereof "a".

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 Education to whom was referred:

Senate Bill No. 254. A Bill For an Act to Amend and Re-enact Section 1438a2 of the Supplement to the 1913 Compiled Laws of North Dakota.

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. 213. A Bill For an Act to Amend and Re-enact Section 1438a1 Article 2a of Chapter 12 of the Supplement to the Compiled Laws of 1913-1925, Relating to High School Tuition Fee.

Have had the same under consideration and recommend that the same be re-referred to the Senate without recommendation.

ALFRED STEEL,  
Chairman.

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

Mr. President: Your Committee on Livestock to whom was referred:

Senate Bill No. 161. A Bill For an Act to amend and re-enact Section 4251 of the Compiled Laws of 1913 relating to fees of pound master and notice of taking up estrays and sale of estrays.

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

J. E. EASTGATE,  
Chairman.

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

Mr. President: Your Committee on Live Stock to whom was referred:

Senate Bill No. 221. A Bill For an Act to Amend and Re-enact Section 10322a85 of the Supplement to the Compiled Laws of North Dakota 1913, Relating to Fish and the manner of taking.

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

J. E. EASTGATE,  
Chairman.

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

Mr. President: Your Committee on Tax and Tax Laws to whom was referred:

Senate Bill No. 185. A Bill For an Act providing for the purchase by and assignment of tax sale certificates to the commissioner of insurance where redemption has been made without payment of the hail indemnity acreage tax and for the payment of the amount of such unpaid indemnity acreage tax to the holders of such certificates.

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 providing for a refund to hail tax purchasers and persons paying hail taxes for which their lands were not liable, designating the funds from which payment shall be made, and declaring the duty of the Insurance Commissioner in relation thereto.

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

Section 1. Whenever any lands have heretofore been sold for hail taxes to purchasers other than the county, and it develops that they were subject to a paramount lien and

such lien is foreclosed and the purchaser's rights under his tax certificate cut out, such purchaser, or his assigns, shall be refunded the amount of the sale, with interest at the rate of five per cent per annum, by the Hail Insurance Department as hereinafter provided.

Section 2. The holder of the certificate must make application for the refund to the Commissioner of Insurance, tendering his certificate and an assignment thereof to the department and making proof satisfactory to the Commissioner of Insurance that the title to the land has been lost under a paramount lien and that he has not been compensated in any way for the money paid for the certificate. Upon being so satisfied, the Commissioner of Insurance shall refund to the holder such amount, with interest. Upon making any such refund the Commissioner shall take an assignment of the certificate in trust for the benefit of the Hail Insurance Department, and in case the tax debtor ever becomes the owner of the land affected the tax represented by such certificate shall again attach as a lien upon his interest.

Section 3. Whenever the title to any lands against which hail insurance taxes have been assessed shall have passed by foreclosure of a paramount lien and the holder of such title has been required to pay hail indemnity taxes in connection with the payment of general taxes and has made such payment under protest or objection, the same shall be refunded from the Hail Insurance Department, together with interest at the rate of five per cent per annum.

Section 4. The tax payer mentioned in the last preceding section must make application for refund to the Commissioner of Insurance, tendering his tax receipt and an assignment thereof to the department, and make satisfactory proof to the Commissioner of Insurance that at the time he paid the said taxes the same did not constitute a valid lien and that he protested or objected to the making thereof. Upon being satisfied of such facts the Commissioner of Insurance shall refund to said tax payer the amount paid by him, with interest. Upon making such payment the Commissioner shall take an assignment of the tax receipt in trust for the benefit of the Hail Insurance Department, and in case the tax debtor ever becomes the owner of the land affected the tax represented by such receipt shall again attach as a lien upon his interest.

Section 5. Such refunds shall be made from the following funds, to-wit: a reserve fund that has been set aside or otherwise created or treated as existing in the Hail Insurance Department as a fund to meet anticipated refunds or abatements of indemnity hail taxes; a reserve fund that has been set aside or otherwise created or treated in the Hail Insurance Department as a fund to meet expected losses from uncollectable taxes from year to year; interest and penalties collected on delinquent hail indemnity taxes on all lands for the year 1927 and successive years, and interest collected on all interest bearing funds of the Hail Insurance Department for the year 1927 and succeeding years. These funds shall be resorted to in the order stated to whatever extent may be necessary to make all such refunds.

Section 6. The refunds hereinbefore provided for shall be made in the order in which applications therefor are made.

Section 7. No claim for a refund by a tax certificate holder shall be allowed unless presented within one year after the loss of title. PROVIDED, HOWEVER; that in cases where such loss has occurred prior to January 1st, 1927, the claim may be presented at any time up to January 1st, 1928. No claim for a refund of taxes paid shall be allowed unless made before January 1st, 1928.

Section 8. At each succeeding session of the legislature the Commissioner of Insurance shall make detailed report to the legislature of all refunds made under the provisions of this Act, together with the fullest practical statement of probable outstanding claims, together with a detailed estimate of the amounts that will be required in succeeding years to meet the requirements of this Act.

Section 9. Whereas some question of contstitutionality may become involved as to the right to resort to some of the funds herein mentioned for the purpose to which it is sought to apply them, it is especially declared that the resort to any particular fund is not the inducement for the resort to any other fund mentioned, and that if any such part of this Act shall be held to be unconstitutional it is the purpose and intent that all other parts shall nevertheless be valid and enforceable.

And when so amended, 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.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 230. A Bill For an Act to provide for the Assessment and Taxation of Property of Power Companies, defining the same, providing for furnishing information relative to such property, outlining duties of the Tax Commissioner, State Board of Equalization, County Auditor and County Treasurer. Repealing all Acts and parts of Acts in conflict with the provisions of this Act.

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.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 239. A Bill For an Act to Amend and Re-enact subsections 1, 2, 3, B1, of Section 21 and subsection (a), (b), (d), of section 22 of the Session Laws of North Dakota for the year 1923. Relating to personal exemptions allowed individuals and fiduciaries by the state income tax law and defining who shall be required to file individual and fiduciary state income tax returns under said law.

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

H. J. RUSCH,  
Chairman.

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

Mr. President: Your Committee on Game and Fish to whom was referred:

Senate Bill No. 221. A Bill For an Act to Amend and Re-enact Section 10322a85 of the Supplement to the Compiled Laws of North Dakota 1913, Relating to Fish and the manner of taking.

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

In line 29 of the printed bill, after the word "protected" add the words "and shall have the same closed season as other species of Pike".

And when so amended, 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.

Mr. President: Your Committee on Game and Fish to whom was referred:

Senate Bill No. 240. A Bill For an Act to Amend and Re-enact Section 10322a26 of the Supplement to the 1913 Compiled Laws 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.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bill:

Senate Bill No. 136. A Bill For An Act to Prevent the Procreation of Feeble-minded, Insane, Epileptic, Habitual Criminals, Moral Degenerates and Sexual Perverts, Who

May be Inmates of State Institutions, Authorizing and Providing for the Sterilization of Such Persons and Providing for Appeals to the District Court in Certain Cases; and Repealing Sections 11429 to 11438 inclusive of the Compiled Laws of North Dakota for 1913.

And find the same correctly re-engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee 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 they have examined the following bills:

Senate Bill No. 137. A Bill For an Act Relating to, and Defining the Effect of, the Consolidation, Merger or other Transfer of the Business of Corporations, Including Banks and Trust Companies, organized under the Laws of this State, Heretofore or Hereafter Effected.

Also,

Senate Bill No. 162. A Bill For an Act defining Insolvent Grain Warehousemen; Authorizing the Board of Railroad Commissioners to apply to the District Court for its appointment as Trustee for the Benefit of Storage Receipt holders of such Warehousemen, and to Marshall the Trust Assets of such Insolvent and distribute the same among such Receipt holders.

Also,

Senate Bill No. 152. A Bill For an Act to Repeal Section 2845 of the Compiled Laws of 1913.

Also,

Senate Bill No. 172. A Bill For an Act to Amend and Re-enact Section 224 of the Compiled Laws of North Dakota for the year 1913.

Also,

Senate Bill No. 183. A Bill For an Act to amend and re-enact Sections 3684a6, 3684a7 and 3684a8, of the Supplement to the Compiled Laws of North Dakota for 1913, relating to the finances of cities, towns and villages, (said sections constituting a part of what is known as the city budget law); repealing Sections 4038, 4039, 4040, 4041, and 4045, Compiled Laws of 1913.

Also,

Senate Bill No. 171. A Bill For an Act Amending Section 2071c1 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 155. A Bill For an Act to Amend and Re-enact Section 1194 of the Compiled Laws of 1913, Relating to High Schools Established and Maintained by two or more School Districts, Providing a Board of Education therefor and Prescribing its powers and Duties.

Also,

Senate Bill No. 153. A Bill For an Act to Amend and Re-enact Section 2854 of the Supplement to the Compiled Laws, 1913.

Also,

Senate Bill No. 114. A Bill For an Act to Regulate, Concerning, Relating to the Production, Inspection, Testing, Analysis and Certification of Seeds, Offered or Exposed for Sale, or Sold as North Dakota Registered Certified Seed, Providing for Rules and Regulations with Reference Thereto, Prescribing Penalties for Violations of the Act, Providing for a Schedule of Equitable Fees, and Making an Appropriation.

Also,

Senate Bill No. 191. A Bill For an Act to Amend and Re-enact Sections 3676, 3677 and 3680 of the Compiled Laws of tem of Government.

Also,

Senate Bill No. 210. A Bill For an Act to Amend and Re-enact Section 10136 of the Supplement to the Compiled Laws of the State of North Dakota, for 1913, relating to liability for bringing intoxicating liquor into the State of North Dakota.

Also,

Senate Bill No. 202. A Bill For an Act providing for the investment of the funds of County Mutual Insurance Companies, and prescribing the character of such investment.

Also,

Senate Bill No. 192. A Bill For an Act to Amend and Re-enact Sections 3625 and 3626, Compiled Laws of the State of North Dakota for 1913, Relating to the Duties of City Auditors.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

**Mr. President:** Your Committee on Enrollment and Engrössment respectfully report that they have examined the following bills:

**Senate Bill No. 47.** A Bill For an Act to Amend and Re-enact Section 2898, Compiled Laws of North Dakota for 1913, Relating to the Manner of Labeling and Branding Seeds Offered for Sale Within the State of North Dakota.

Also,

**Senate Bill No. 74.** A Bill For an Act Authorizing and Empowering the Board of Railroad Commissioners to appoint Examiners for the Purpose of Holding Hearings, and Prescribing the Powers and Duties of Such Examiners.

Also,

**Senate Bill No. 101.** A Bill For an Act to Amend and Re-enact Section 8849 of the Compiled Laws of North Dakota, 1913, Relating to Decrees of Distribution in County Court. And find the same correctly enrolled.

**WALTER H. SCHLOSSER,**  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

**Senate Bill No. 47.** A Bill For an Act to Amend and Re-enact Section 2898, Compiled Laws of North Dakota for 1913, Relating to the Manner of Labeling and Branding Seeds Offered for Sale Within the State of North Dakota.

**Senate Bill No. 74.** A Bill For an Act Authorizing and Empowering the Board of Railroad Commissioners to appoint Examiners for the Purpose of Holding Hearings, and Prescribing the Powers and Duties of Such Examiners.

**Senate Bill No. 101.** A Bill For an Act to Amend and Re-enact Section 8849 of the Compiled Laws of North Dakota, 1913, Relating to Decrees of Distribution in County Court.

**Senate Bill No. 7.** A Bill For an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid into or Credited to the General Fund.

**Senate Bill No. 8.** A Bill For an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled



Laws of North Dakota, for the Year 1913, and to Meet Other Requirements Prescribed by the Federal Statutes.

Senate Bill No. 9. A Bill For an Act Making 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 Reenacted by Chapter 226, Laws of 1915, and as Amended and Reenacted by the Initiated Law approved November 2nd, 1920, and as Provided for in Chapter 143, Laws of 1923.

Senate Bill No. 26. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Special Fund Accruing from Fees collected by the State Securities Commission under the Provisions of Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

Senate Bill No. 28. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Fund Accruing from Testers' License Fees Collected and Paid into the Treasury under the provisions of Chapter 103, Session Laws 1917, the same being Section 2863b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

Senate Bill No. 30. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Auto Transportation Fund from Moneys Collected and Credited under the Provisions of Chapter 91, Session Laws 1925, the same being Sections 2976v1 to 2976v16, inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to Auto Transportation Companies.

Senate Bill No. 50. A Bill For an Act to Amend and Re-enact Section 2163a7 of Supplement to Compiled Laws of the State of North Dakota 1913, being Section Seven of Chapter 318 Laws 1923.

Senate Bill No. 67. A Bill For an Act to Amend and Re-enact Sub-Section 3 of Section 6635c of the Compiled Laws of North Dakota for the Year 1913, Relating to the Incontestable Clause to be Included in the Required Provisions of Life Policies.

Senate Bill No. 83. A Bill For an Act to Amend and Re-enact Section 2645 of the Supplement to the Compiled Laws of 1913, relating to Wolf Bounty.

Senate Bill No. 95. A Bill For an Act Making an Appropriation for the Payment of Compiled Laws of 1913 Purchased by the Secretary of State for Official Purposes.

Senate Bill No. 99. A Bill For an Act to Amend and Re-enact Section 8519, Compiled Laws of 1913, Relating to the Practice of Law by County Judges.

Senate Bill No. 97. A Bill For an Act to Amend and Re-enact Section 7844 of the Compiled Laws of North Dakota

for the year 1913, Relating to the Power of and Proceedings had in the Supreme Court on Appeals.

Senate Bill No. 110. A Bill For an Act Providing For the Compulsory Licensing of Non-residents Making Auction Sales Within this State; Providing for the Manner of Payment of License Fee, and Providing a Penalty for the Violation Thereof.

Senate Bill No. 119. A Bill For an Act Relating to Insurance upon Lives of Directors, Officers, Agents and Employes of Corporations and Prescribing What Shall Constitute Evidence of Due Authority for all Corporate Actions with Reference Thereto.

House Bill No. 53. A Bill For an Act Providing for the Issuance of Duplicate Bonds, Warrants or other Obligations of the State of North Dakota, or of Any of the Political Subdivisions thereof in Case the Originals are Mutilated, Defaced, or Lost, and Prescribing the Procedure Therefor.

House Bill No. 124. A Bill For an Act to Authorize and Empower Cities, Towns or Villages to Purchase, Erect, Operate and Maintain, Enlarge, Improve, and Extend, or Lease from any Person, Firm or Corporation, or Sell or Lease to any Person, Firm or Corporation, any Electric Light and Power Plant, Site, Buildings and Equipment Thereof, or any Electric Distribution System and Equipment Thereof, or any Electric Transmission Line and Equipment Thereof, or all or any Part or Parts of any of Such Plants, Systems and Lines, and any Interest in any Such Plant, System or Line Within and Without the Corporate Limits of Such City, Town or Village, and Providing for the Issuance of Bonds and the Levying of Special Assessments and the Creating of Special Assessment Districts in Connection with the Exercise of any of the Powers above Granted, and Providing for the Legalization and Validation of Purchases and Sales and the Issuance of Bonds Heretofore Made and Repealing Chapter 255 of the Session Laws of North Dakota for the Year 1923, being Section 3992b1 and 3992b2 of the Supplement to the 1913 Compiled Laws of the State of North Dakota.

House Bill No. 136. A Bill For an Act to Amend and Re-enact Section 3382 of the Compiled Laws of North Dakota for 1913 Providing for a Contingent Fund for the State's Attorney of Each County.

House Bill No. 138. A Bill For an Act to Amend and Re-enact Sections 10804 and 10805 of the Compiled Laws of North Dakota for the Year 1913, Relating to Challenges to Jurors in Criminal Cases.

And the President signed the same in the presence of the Senate.

Senator Patterson asked the consent of the Senate to withdraw Senate Bill 205.

Which request was granted.

Senator Martin requested the unanimous consent of the Senate to introduce a bill.

Which request was granted.

Senator Ployhar moved that the vote by which the Committee report on Senate Bill 176 was adopted be reconsidered.

Which motion prevailed.

Senator Ployhar then moved that Senate Bill 176 be referred to the Committee on State Affairs.

Which motion prevailed.

Senator Schlosser asked the unanimous consent of the Senate to introduce a Concurrent Resolution.

Which request was granted.

Senator Fine asked the unanimous consent of the Senate to introduce a Concurrent Resolution.

Which request was granted.

Senator Lynch moved that the vote by which the Committee report on Senate Bill 72 was adopted be reconsidered.

Which motion prevailed.

Senator Lynch then moved that Senate Bill 72 be re-referred to the Judiciary Committee.

Which motion prevailed.

Senator O. A. Olson asked the consent of the Senate to withdraw Senate Bill 245.

Which request was granted.

Senator Ployhar requested a return to the Sixth Order of Business.

Which request was granted.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on State Affairs to whom was re-referred:

Senate Bill No. 163. A Bill For an Act to amend and reenact Section 714a8 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the designating of Depositories of Public Funds and fixing maximum and minimum rates of interest that may be paid thereon.

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

In the title, after the word "Section" add the letter "s" and after the figures and letter "714a8", insert the word "and" and the figures and letter "714a13".

After the word and figure "Section 1" of the printed bill, insert the word "Amendment."

Strike out everything in lines 14 to 29 both inclusive, of the printed bill, and everything in line 30 of the printed bill to the word "Proposals".

Insert "Section 2. Amendment. That Section 714a13 of the Supplement to the Compiled Laws of the State of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

"Section 714a13. Interest Rates. The rate of interest on all public funds deposited as herein provided shall not be less than one per cent (1%) or over two per cent (2%) on daily balances subject to check or draft, credited monthly, and not less than three per cent (3%) or over five per cent (5%) on time deposits. It is the intention of this act that depositories of public funds in this state shall pay substantially the same rate of interest thereon as such banks pay to individual depositors upon individual deposits".

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.

#### MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
February 18, 1927.

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

House Bill No. 52. A Bill For an Act Amending and Re-enacting Chapter 107, Laws of North Dakota for the year 1925, Relating to the Sale of Cigarettes, and Cigarette Papers and Wrappers and Papers Used and Prepared for the Making of Cigarettes; Providing for Issuing Licenses for the Purpose of Making sales Thereof and Furnishing of Bond; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof, and Penalty for Violation of this Act; and Defining the Duties of the Attorney General, State Auditor and State Treasurer Imposed Under the Provision of this Act; and Providing that Any Person Violating this Act shall be enjoined and that Any Building or Premises Made Use of for Purposes in Violation of this Act Shall be Deemed a Nuisance and Abated by Injunction; and to include Snuff within the provisions and requirements thereof.

House Bill No. 187. A Bill For an Act to Provide Protection on the Lives of Children by Fraternal Benefit Societies and to Repeal Section 5070a of the Supplement to the Compiled Laws of 1913.

House Bill No. 188. A Bill For an Act to Amend Section 2664, Supplement to the Compiled Laws of 1913, Relating to Estrays and the Sale Thereof.

House Bill No. 199. A Bill For an Act to Amend and Re-enact Section 10322a4 of the Supplement to the Compiled Laws 1913 relating to the powers and duties of the North Dakota Game and Fish Board.

House Bill No. 215. A Bill For an Act relating to banking, regulating the administration of the affairs of insolvent banks, providing for their liquidation, vesting the proceedings and requesting it to assume original jurisdiction in Supreme Court with jurisdiction of such liquidation pro-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 continuing receiverships, and making an appropriation to meet the expenses incident to carrying out the purpose 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, and providing for the reopening and reorganization of closed or suspended banks, and providing for liquidation of closed banks by the depositors therein, and designating a custodian of records and property after winding up receiverships, and providing for the covering into the general fund of the state of unclaimed dividends.

House Bill No. 251. A Bill For an Act Providing that the Right of Any County Holding a Tax Certificate, or Other Tax Lien on Lands Acquired by the State Treasurer as Trustee of the State of North Dakota under the Provisions of Chapter 154 of the Session Laws of North Dakota for 1919 and Chapter 292 of the Session Laws of North Dakota for 1923 and Acts Amendatory Thereof, to enforce the Collection of the Same shall be Suspended until July 1st, 1929; Providing the rate of Interest such Tax Certificates and Tax Liens Shall Bear; and Prohibiting the Assignment or Transfer of All Tax Certificates or Tax Liens Held by the County on any Lands that have been Foreclosed Under Said Acts.

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

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

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

Senator Fine introduced:

Concurrent Resolution L.

Whereas, the McFadden Bill is now before the Congress of the United States of America, which provides that National Banks be given the right to engage in branch banking, and

Whereas, said McFadden Bill also provides for the granting of a perpetual charter to the Federal Reserve Bank, and

Whereas, the Federal Reserve Bank, as constituted, has used its power arbitrarily to provide and to withdraw credit, thereby having deflated agriculture,

Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring, that the Senators and Representatives in Congress, from the State of North Dakota, be memorialized and requested to resist and oppose the McFadden Bill, and any other bill that may provide for branch banking, and to particularly resist and oppose the granting of a perpetual or long term charter to the Federal Reserve Bank.

Further, that a copy of this Resolution be prepared by the Secretary of State of the State of North Dakota and forwarded to each of the Senators and Congressmen from the State of North Dakota.

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

Senator Martin introduced:

Senate Bill No. 259. A Bill For an Act to Control and Suppress Venereal Diseases, to Regulate and Control the Sale of Patent Medicines, Nostrums, Devices and Drugs Sold by any Person, Firm or Corporation, Fixing a License and Tax for the Sale of such Articles, Regulating all Persons that shall Treat Persons Afflicted with such Disease, Regulating the Hospital Treatment of such Patients and Regulating such Hospitals, Providing for Punishing Persons that become Chronic Patients Afflicted with such Disease and Providing for Unsexing such Person as become Chronic Patients through Repeated Exploits in the field of Promiscuous Sexual Intercourse, and Providing Fines and Penalties for such as Violate the Provisions of this Law.

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

Senators Benson and Sch'osser introduced:

Concurrent Resolution M. A Concurrent Resolution memorializing the Congress of the United States to Abolish the Federal Estate Tax.

Whereas, the Federal Estate (Inheritance) Tax law, as amended February 26, 1926, provides that the estate liable thereunder shall be credited with any inheritance tax paid by the beneficiaries to the state, or states, the credit not to exceed eighty per cent of the Federal Levy; and

Whereas, this amendment menaces the rights of the states, because its object is to persuade them to abandon their state inheritance tax laws in favor of statutes based on the federal law. The tax not being required for revenue at this time, its only object now must be coercion of the states; and

Whereas, the joint levy is contrary to the theory of this government, unprecedented and offensive to the independence of the legislatures of the sovereign states;

Therefore Be It Resolved, by the Senate, the House concurring, that we hereby request the present congress to repeal immediately the federal estate (inheritance) tax provisions of the revenue law effective February 26, 1926, and abandon this field of taxation in time of peace.

Be It Further Resolved, that certified copies of this concurrent resolution be forwarded to North Dakota's senators and representatives to the Congress of the United States.

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

### THIRD READING OF SENATE BILLS

Senate Bill No. 114. A Bill For an Act to Regulate, Concerning, Relating to the Production, Inspection, Testing, Analysis and Certification of Seeds, Offered or Exposed for Sale, or Sold as North Dakota Registered Certified Seed, Providing for Rules and Regulations with Reference Thereto, Prescribing Penalties for Violations of the Act, Providing for a Schedule of Equitable Fees, and Making an Appropriation.

Was read the third time.

The question being on the final passage of the bill, the roll was called, and there were ayes 42, nays 5, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Ployhar
Bakken	Hart	Porter
Benson	Hjelmstad	Ritchie
Bond	Kretschmar	Rusch
Brunsdale	Lynch	Sathre
Carey	McLachlin	Seamands
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fleckten	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Forbes	Pathman	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Conrath	Magnuson	Peck
McCrorry	Patten	

Absent and not voting:

Messrs.	Messrs.
Brant	Schlosser

So the bill passed and the title was agreed to.

Senate Bill No. 136. A Bill For An Act to Prevent the Procreation of Feeble-minded, Insane, Epileptic, Habitua

Criminals, Moral Degenerates and Sexual Perverts, Who May be Inmates of State Institutions, Authorizing and Providing for the Sterilization of Such Persons and Providing for Appeals to the District Court in Certain Cases; and Repealing Sections 11429 to 11438 inclusive 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 39, nays 9, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Pathman
Baird	Fredrickson	Patterson
Benson	Hamilton	Ployhar
Bond	Hart	Porter
Brant	Hjelmstad	Ritchie
Brunsdale	Kretschmar	Sathre
Carey	Lynch	Seamands
Conrath	McCrary	Steel
Crocker	McLachlin	Stevens
Eastgate	Murphy	Van Arnam
Erickson	Olson of Barnes	Van Camp
Ettestad	Olson of Burleigh	Whitman
Fleckten	Olson of Eddy	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Marshall	Peck
Fine	Martin	Schlosser
Magnuson	Patten	Tofsrud

Absent and not voting:

Messrs.  
Rusch

So the bill passed and the title was agreed to.

Senator Benson moved that Senate Bill 83 be placed on the calendar as a special order of business for 4:00 P. M.

Senator Ployhar moved to amend by placing House Bill 83 at the head of the calendar.

Senator Stevens moved to further amend the original motion by making House Bill 83 a special order of business for 3:15 P. M.

Which motion prevailed.

### SPECIAL ORDER OF BUSINESS

#### SENATE ROLL CALL ON:

House Bill No. 83. A Bill For an Act to Amend and Re-enact Section 6 of Chapter 160 of the Sessions Laws of North



Dakota for the Year 1919, as Amended and Re-enacted by Chapter 77 of the Session Laws of North Dakota for the Year 1921, as Amended and Re-enacted by Chapter 232 of the Session Laws of North Dakota for the Year 1923, as Amended and Re-enacted by Chapter 151 of the Session Laws of North Dakota for the year 1925, the same being Section 189b6 of the Supplement to the Compiled Laws of North Dakota for 1913; Relating to Flat Hail Insurance Tax and Permanent Surplus Fund.

The question being on the final passage of the bill, the roll was called, and there were ayes 25, nays 24, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Seamands
Baird	Lynch	Steel
Bond	McLachlin	Stevens
Brunsdale	Murphy	Tofsrud
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Hart	Schlosser	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Burleigh
Benson	Hamilton	Olson of Eddy
Brant	Hjelmstad	Patten
Conrath	McCroy	Patterson
Erickson	Magnuson	Peck
Ettestad	Marshall	Ritchie
Fine	Martin	Sathre
Fleckten	Olson of Barnes	Wog

So the bill passed and the title was agreed to.

Senator Rusch moved that the vote by which House Bill No. 83 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

### THIRD READING OF SENATE BILLS

Senate Bill No. 137. A Bill For an Act Relating to, and Defining the Effect of, the Consolidation, Merger or other Transfer of the Business of Corporations, Including Banks and Trust Companies, organized under the Laws of this State, Heretofore or Hereafter Effected.

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:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Kretschmar	Seamands
Baird	Lynch	Steel
Bond	McLachlin	Stevens
Brunsdale	Murphy	Tofsrud
Carey	Olson of Burleigh	Van Arnam
Crocker	Pathman	Van Camp
Eastgate	Ployhar	Whitman
Forbes	Porter	
Hart	Rusch	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrary	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Wog
Fine	Martin	
Fleckten	Olson of Barnes	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>
Sathre	Schlosser

So the bill passed and the title was agreed to.

Senator McLachlin moved that final action on Senate Bill 152 be deferred one legislative day.

Which motion prevailed.

Senate Bill No. 153. A Bill For an Act to Amend and Re-enact Section 2854 of the Supplement to the Compiled Laws, 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 1, absent and not voting 0.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hamilton	Patterson
Baird	Hart	Peck
Bakken	Hjelmstad	Ployhar
Benson	Kretschmar	Porter
Bond	Lynch	Ritchie
Brant	McCrary	Rusch
Brunsdale	McLachlin	Sathre
Carey	Magnuson	Schlosser
Conrath	Marshall	Seamands
Crocker	Martin	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud

Messrs.	Messrs.	Messrs.
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman
Fredrickson	Patten	Wog

Those voting in the negative were:

Messrs.  
Fleckten

So the bill passed and the title was agreed to.

Senate Bill No. 155. A Bill For an Act to Amend and Re-enact Section 1194 of the Compiled Laws of 1913, Relating to High Schools Established and Maintained by two or more School Districts, Providing a Board of Education therefor and Prescribing its powers and Duties.

Was read the third time.

Senator Steel offered the following amendment and moved its adoption:

Strike out of the engrossed bill the following words, "one-half of the total members, less one to be elected for one year, one-half of the total members less one for two years, and one at large for three years from the second Tuesday in July next following their election. The members elected for one year shall be those representing districts nearest to the high school site," and insert in lieu thereof the following: "one-half of the total members, less one, to represent the district or districts nearest the high school site, to be elected for one year, one-half of the total members, less one to represent the district or districts the most distant from the high school site for two years, and one at large or if there is no member at large necessary to make an odd membership then the remaining member of the board to represent the remaining district, for three years, from the second Tuesday in July next following their election;"

Which motion prevailed and the amendment was adopted.

The question being on the final passage of the bill, as amended, the roll was called, and there were ayes 27, nays 22, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Sathre
Baird	Lynch	Schlosser
Bond	McLachlin	Seamands
Brunsdale	Murphy	Steel
Carey	Olson of Barnes	Stevens
Crocker	Pathman	Tofsrud
Eastgate	Ployhar	Van Arnam
Forbes	Porter	Van Camp
Hart	Rusch	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrorry	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Wog
Fine	Martin	
Fleckten	Olson of Burleigh	

So the bill passed and the title was agreed to.

Senator Steel moved that the vote by which Senate Bill 155 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Schlosser moved that the Senate do now recess for ten minutes.

Which motion prevailed and the Senate stands recessed.

The Senate re-assembled pursuant to recess taken, the President presiding.

### THIRD READING OF SENATE BILLS

Senate Bill No. 162. A Bill For an Act defining Insolvent Grain Warehousemen; Authorizing the Board of Railroad Commissioners to apply to the District Court for its appointment as Trustee for the Benefit of Storage Receipt holders of such Warehousemen, and to Marshall the Trust Assets of such Insolvent and distribute the same among such Receipt holders.

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.
Atkins	Fredrickson	Peck
Baird	Hamilton	Ployhar
Bakken	Hart	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCrorry	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp

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Messrs.	Messrs.	Messrs.
Fine	Pathman	Whitman
Fleckten	Patten	Wog
Forbes	Patterson	

Absent and not voting:

Messrs.	Messrs.
Hjelmstad	Olson of Eddy

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senate Bill No. 171. A Bill For an Act Amending Section 2071c1 of the Supplement to the 1913 Compiled Laws of North Dakota.

Was read the third time.

Senator Eastgate offered the following amendment: Wherever the words "a memorial" appears in the engrossed bill strike out the "a" and change words "memorial" to "memorials".

Which motion was lost.

The question being on the final passage of the bill, the roll was called, and there were ayes 49, nays 0, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCroxy	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Peck	
Fredrickson	Patten	

So the bill passed and the title was agreed to. Emergency clause declared carried.

Senate Bill No. 172. A Bill For an Act to Amend and Re-enact Section 224 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 31, nays 18, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Sathre
Baird	Lynch	Schlosser
Bond	McLachlin	Seamands
Brunsdale	Marshall	Steel
Carey	Murphy	Stevens
Crocker	Olson of Burleigh	Tofsrud
Eastgate	Pathman	Van Arnam
Forbes	Patterson	Van Camp
Fredrickson	Ployhar	Whitman
Hamilton	Porter	
Hart	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fine	Olson of Barnes
Benson	Fleckten	Olson of Eddy
Brant	Hjelmstad	Patten
Conrath	McCrory	Peck
Erickson	Magnuson	Ritchie
Ettestad	Martin	Wog

So the bill passed and the title was agreed to. The President pro tempore was called to the chair.

Senator Lynch requested a return to the 6th Order of Business.

Which request was granted.

#### REPORT OF STANDING COMMITTEE

Mr. President: A Majority of your Committee on Banks and Banking to whom was referred:

House Bill No. 80. A Bill For an Act Providing for an Increase of Surplus of Banking Associations and exempting such Surplus from Taxation.

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

W. D. LYNCH,  
WALTER BOND,  
P. T. KRETSCHMAR,  
S. J. ATKINS,  
PETER McLACHLIN,  
FRED PATHMAN,  
H. J. RUSCH,  
O. T. TOFSRUD,  
P. O. SATHRE,

Mr. Lynch moved that the report of the Majority be adopted.

Mr. President: A Minority of your Committee on Banks and Banking to whom was referred:

House Bill No. 80. A Bill For an Act Providing for an Increase of Surplus of Banking Associations and exempting such Surplus from Taxation.

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

G. PATTERSON,  
PEDER L. HJELMSTAD,  
O. H. OLSON,  
R. W. PATEN.

Senator Hjelmstad moved the substitution of the word "Minority" for the word "Majority".

Which motion was lost.

The question being upon the original motion, the question was put and the motion prevailed and the Majority report of the Committee was adopted.

Mr. President: Your Committee on Apportionment to whom was referred:

Senate Bill No. 212. A Bill For an Act to Amend and Re-enact Section 44 of the Supplement to the Compiled Laws of North Dakota for the Year 1913 as Relating to Legislative Apportionment.

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

JOHN VAN ARMAN.  
Chairman.

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

### THIRD READING OF SENATE BILLS

Senate Bill No. 183. A Bill For an Act to amend and re-enact Sections 3684a6, 3684a7 and 3684a8, of the Supplement to the Compiled Laws of North Dakota for 1913, relating to the finances of cities, towns and villages, (said sections constituting a part of what is known as the city budget law); repealing Sections 4038, 4039, 4040, 4041, and 4045, 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 31, nays 17, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hjelmstad	Sathre
Baird	Kretschmar	Schlosser
Bakken	Lynch	Seamands
Bond	McLachlin	Steel
Brunsdale	Martin	Stevens
Carey	Murphy	Tofarud

Messrs.	Messrs.	Messrs.
Crocker	Olson of Burleigh	Van Arnam
Eastgate	Pathman	Van Camp
Forbes	Ployhar	Whitman
Hamilton	Porter	
Hart	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fredrickson	Patten
Conrath	McCrorry	Patterson
Erickson	Magnuson	Peck
Ettestad	Marshall	Ritchie
Fine	Olson of Barnes	Wog
Fleckten	Olson of Eddy	

Absent and not voting:

Messrs.  
Brant

So the bill was passed and the title agreed to.

Senate Bill No. 191. A Bill For an Act to Amend and Re-enact Sections 3676, 3677 and 3680 of the Compiled Laws of the State of North Dakota for 1913, Relating to Finances of Cities Organized Under the General Laws 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 38, nays 10, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Porter
Baird	Hjelmstad	Rusch
Bakken	Kretschmar	Sathre
Bond	Lynch	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Forbes	Pathman	Whitman
Fredrickson	Patterson	Wog
Hamilton	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	McCrorry	Peck
Conrath	Magnuson	Ritchie
Fine	Olson of Eddy	
Fleckten	Patten	



Absent and not voting:

Messrs.  
Brant

So the bill passed and the title was agreed to.

Senate Bill No. 192. A Bill For an Act to Amend and Re-enact Sections 3625 and 3626, Compiled Laws of the State of North Dakota for 1913, Relating to the Duties of City Auditors.

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 2, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Ployhar
Bakken	Hart	Porter
Benson	Hjelmstad	Ritchie
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McCrory	Schlosser
Carey	McLachlin	Seamands
Conrath	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Martin	Tofsrud
Erickson	Murphy	Van Arnam
Ettestad	Olson of Barnes	Van Camp
Fine	Olson of Burleigh	Whitman
Fleckten	Olson of Eddy	Wog
Forbes	Pathman	

Those voting in the negative were:

Messrs.	Messrs.
Patten	Peck

So the bill passed and the title was agreed to.

Senate Bill No. 202. A Bill For an Act providing for the investment of the funds of County Mutual Insurance Companies, and prescribing the character of such investment.

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 7, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hjelmstad	Ritchie
Baird	Kretschmar	Rusch
Benson	Lynch	Sathre
Bond	McLachlin	Schlosser

Messrs.	Messrs.	Messrs.
Brant	Magnuson	Seamands
Brunsdale	Marshall	Steel
Carey	Murphy	Stevens
Crocker	Olson of Barnes	Tofsrud
Eastgate	Olson of Burleigh	Van Arnam
Ettestad	Olson of Eddy	Van Camp
Fine	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Patterson	
Hamilton	Ployhar	
Hart	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Peck
Conrath	McCrorry	
Erickson	Martin	

So the bill passed and the title was agreed to.

Senate Bill No. 210. A Bill For an Act to Amend and Re-enact Section 10136 of the Supplement to the Compiled Laws of the State of North Dakota, for 1913, relating to liability for bringing intoxicating liquor into the State of North Dakota.

Was read the third time.

Senator Whitman moved that further action on Senate Bill No. 210 be indefinitely postponed.

Roll call demanded.

The question being on the motion by Senator Whitman, 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.
Atkins	Ettestad	Peck
Baird	Hamilton	Porter
Bakken	Hart	Rusch
Bond	Kretschmar	Schlosser
Brunsdale	Lynch	Tofsrud
Carey	Martin	Whitman
Conrath	Olson of Burleigh	Wog
Eastgate	Pathman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	McCrorry	Ployhar
Brant	McLachlin	Ritchie
Crocker	Magnuson	Sathre
Erickson	Marshall	Steel
Fine	Murphy	Stevens
Fleckten	Olson of Barnes	Van Arnam

Messrs.	Messrs.	Messrs.
Forbes	Olson of Eddy	Van Camp
Fredrickson	Patten	
Hjelmstad	Patterson	

Absent and not voting:

Messrs.  
Seamands

So the motion was lost.

Senator Patterson offered the following amendment: In line 13 and 14 of the printed bill, change the "two hundred dollars" to "fifty dollars" and "one thousand" to "one hundred", and in line 15 strike out "one year" and insert "six months" in lieu thereof.

Senator Fine offered as a substitute motion: Leave the figures in lines 13 and 14 as they originally appeared in the printed bill, and change the words "one year" in line 15 to "six months."

Senator Murphy moved that further action on Senate Bill 210 be deferred one legislative day.

Which motion prevailed.

Senator Ployhar moved that the Senate do adjourn after the first and second reading of House Bills is completed.

Which motion prevailed.

#### FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 25. A Bill For an Act to Provide for the Nomination and Election of Candidates for the Offices of Presidential Electors, National Committeeman, Delegates to National Party Conventions, United States Senator, Members of Congress, Judges of the Supreme and District Courts, all Elective State and County Officers, Members of the Legislative Assembly, County Commissioners, Party Precinct Committeemen and County Official Newspaper; to Provide for Forms of Ballots and Requirements of New Parties with Reference Thereto; to Repeal All Acts or Parts of Acts in Conflict Herewith, including Sections 910 to 916 inclusive, Compiled Laws 1913 and to Change the Date of Holding all General, City, Township and Village Elections.

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

House Bill No. 209. A Bill For an Act to Amend and Re-enact Section 1240 of the Supplement to the Compiled Laws of 1913, Relating to Special School Districts.

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

House Bill No. 225. A Bill For an Act Requiring the Board of Railroad Commissioners to Investigate and Fix Rates, Charges, Practices, Rules and Regulations of Carriers and

Railroad Corporations for the Transportation of Fuel, Specifying the Proceedings therefor, Making an Appropriation for such Purpose and for the Defense of such Rates, and Repealing Sections 4798a1 to 4798a5, inclusive, of the Supplement to the Compiled Laws 1913, and Repealing Sections 4795a1 to 4795a11, inclusive, of the Supplement to the Compiled Laws 1913, so far as the same is Applicable to Rates for the Transportation of Fuel.

Was read the first and second times and referred to the Committee on Railroads.

House Bill No. 244. A Bill For an Act to Amend and Re-enact Section 8887 of the Compiled Laws of North Dakota for the year 1913.

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

House Bill No. 245. A Bill For an Act to Amend and Re-enact Section 8895 of the Compiled Laws of North Dakota for the year 1913, and to Repeal Section 8896 of said Compiled Laws.

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

House Bill No. 247. A Bill For an Act to Amend and Re-enact Section 1 of Chapter 101 of the Session Laws of 1925 relating to the signing of bonds by public officials.

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

House Bill No. 261. A Bill For an Act Authorizing and providing for the submission of controversies between the State Highway Commission of the State of North Dakota and parties contracting therewith to arbitration, and providing for the entry of judgment as in cases of arbitration between other parties and providing for the enforcement of such judgments.

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

House Bill No. 263. A Bill For an Act to Amend and Re-enact Section 2546a6 of the Supplement to the Compiled Laws of North Dakota, year 1913, for Application for Mothers Pension, and Hearing.

Was read the first and second times and referred to the Committee on Women's and Children's Welfare.

House Bill No. 267. A Bill For an Act to Amend and Re-enact Section 4550 of the Compiled Laws of North Dakota for the year 1913, Providing the Place of Holding of Stockholders and Directors meetings, and Repealing Section 4550 of the Compiled Laws of North Dakota for the year 1913.

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

House Bill No. 269. A Bill For an Act to Amend and Re-enact Section 9167 of the Compiled Laws of the State of North Dakota for 1913 relating to Stay of Execution in Forcible Detainer.

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

House Bill No. 271. A Bill For an Act Empowering Foreign Executors, Administrators, Guardians, Heirs and Legatees of Deceased Non-residents whose Estates have been Probated Outside this State to Assign Mortgages; and Confirming and Legalizing Assignments heretofore made by such Executors, Administrators, Guardians, Heirs and Legatees.

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

House Bill No. 274. A Bill For an Act Governing Specifications and Bids upon Paving, Requiring Bids upon Several Types to be asked for.

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

House Bill No. 296. A Bill For an Act to Amend and Re-enact Subdivision 6, of Section 381 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Duties of the State Historical Society.

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

House Bill No. 298. A Bill For an Act to Provide for the Renewal of Corporate Existence and Repealing Section No. 4562 of the Compiled Laws of North Dakota, 1913.

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

House Bill No. 313. A Bill For an Act Providing Additional Requirement for the office of County Coroner.

Was read the first and second times and referred to the Committee on Counties.

House Bill No. 52. A Bill For an Act Amending and Re-enacting Chapter 107, Laws of North Dakota for the year 1925, Relating to the Sale of Cigarettes, and Cigarette Papers and Wrappers and Papers Used and Prepared for the Making of Cigarettes; Providing for Issuing Licenses for the Purpose of Making sales Thereof and Furnishing of Bond; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof, and Penalty for Violation of this Act; and Defining the Duties of the Attorney General, State Auditor and State Treasurer Imposed Under the Provision of this Act; and Providing that Any Person Violating this Act shall be enjoined and that Any Building or Premises Made Use of for Purposes in Violation of this Act Shall be Deemed a Nuisance

and Abated by Injunction; and to include Snuff within the provisions and requirements thereof.

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

House Bill No. 187. A Bill For an Act to Provide Protection on the Lives of Children by Fraternal Benefit Societies and to Repeal Section 5070a of the Supplement to the Compiled Laws of 1913.

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

House Bill No. 188. A Bill For an Act to Amend Section 2664, Supplement to the Compiled Laws of 1913, Relating to Estrays and the Sale Thereof.

Was read the first and second times and referred to the Committee on Livestock.

House Bill No. 199. A Bill For an Act to Amend and Re-enact Section 10322a4 of the Supplement to the Compiled Laws 1913 relating to the powers and duties of the North Dakota Game and Fish Board.

Was read the first and second times and referred to the Committee on Game and Fish.

House Bill No. 215. A Bill For an Act relating to banking, regulating the administration of the affairs of insolvent banks, providing for their liquidation, vesting the proceedings and requesting it to assume original jurisdiction in Supreme Court with jurisdiction of such liquidation pro-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 continuing receiverships, and making an appropriation to meet the expenses incident to carrying out the purpose 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, and providing for the re-opening and reorganization of closed or suspended banks, and providing for liquidation of closed banks by the depositors therein, and designating a custodian of records and property after winding up receiverships, and providing for dividends.

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

House Bill No. 251. A Bill For an Act Providing that the Right of Any County Holding a Tax Certificate, or Other Tax Lien on Lands Acquired by the State Treasurer as Trustee of the State of North Dakota under the Provisions of Chapter 154 of the Session Laws of North Dakota for 1919 and Chapter 292 of the Session Laws of North Dakota for 1923 and Acts Amendatory Thereof, to enforce the Collection of the Same shall be Suspended until July 1st, 1929; Providing the rate of Interest such Tax Certificates and Tax

Liens Shall Bear; and Prohibiting the Assignment or Transfer of All Tax Certificates or Tax Liens Held by the County on any Lands that have been Foreclosed Under Said Acts.

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

Pursuant to Senator Ployhar's motion, the Senate adjourned.

W. D. AUSTIN,  
Secretary.

## FORTY-SEVENTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 19, 1927.

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

Prayer by the Chaplain, Rev. Walter E. Vater.

Roll call:

All members present.

Senator Ettestad requested the Senate to pass to the Eighth Order of Business.

Which request was granted.

Senator Sathre moved that the vote by which Senate Bill 155 was passed be reconsidered.

Roll call demanded.

The question being on the motion by Senator Sathre, 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.
Bakken	Hjelmstad	Patterson
Benson	McCrary	Peck
Brant	McLachlin	Ritchie
Conrath	Magnuson	Sathre
Erickson	Marshall	Schlosser
Ettestad	Martin	Stevens
Fine	Olson of Burleigh	Van Arnam
Fleckten	Olson of Eddy	Wog
Hamilton	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Rusch
Baird	Hart	Seamands



Messrs.	Messrs.	Messrs.
Bond	Kretschmar	Steel
Brunsdale	Lynch	Tofsrud
Carey	Murphy	Van Camp
Crocker	Pathman	Whitman
Eastgate	Porter	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fredrickson	Olson of Barnes	Ployhar

So the motion was declared lost.

Senator Hamilton moved that Senate Bill 259 be withdrawn from the State Affairs Committee and re-referred to the Committee on Temperance.

Which motion prevailed.

Senator Fine asked the unanimous consent of the Senate to withdraw Senate Bills 210 and 214 from further consideration.

Which request was granted.

Senator Sathre requested the unanimous consent of the Senate to withdraw Senate Bill 216 from further consideration.

Which request was granted.

Senator O. A. Olson requested the unanimous consent of the Senate to withdraw Senate Bill 203 from further consideration.

Which request was granted.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-sixth day and recommend that the same be corrected as follows:

On page 21 strike out all of line 41 and insert in lieu thereof the following: "Concurrent Resolution L".

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

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

Senator Fine requested that the Senate pass to the Eighth Order of Business.

Which request was granted.

Senator Fine then moved that Concurrent Resolution "N" be placed upon first and second reading at this time.

Which motion prevailed.

Senator Fine introduced:

Concurrent Resolution "N". A Concurrent Resolution memorializing the President of the United States of America to sign the McNary-Haugen Bill, passed by the House of Representatives and Senate of the United States.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING:

Section 1. Whereas, the Senate of the United States, and the House of Representatives of the United States Congress, have acted favorably upon the McNary-Haugen Farm Relief Measure, and

Whereas, the said bill is now before the President of the United States for his approval and signature;

Be It Resolved, that the Senate of the State of North Dakota, the House of Representatives concurring therein, do hereby respectfully petition the Honorable Calvin Coolidge, President of the United States to act favorably upon the said bill and approve the same.

Be It Further Resolved, that the Secretary of State of the State of North Dakota, is hereby instructed and directed to forward a duly certified and authenticated copy of this resolution to the Honorable Calvin Coolidge, President of the United States.

Senator Fine then moved that Concurrent Resolution "N" be placed on third reading and final passage.

Which motion prevailed.

### THIRD READING OF SENATE BILLS

Concurrent Resolution "N".

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.
Atkins	Forbes	Olson of Eddy
Baird	Fredrickson	Pathman
Bakken	Hamilton	Patten
Benson	Hart	Patterson
Bond	Hjelmstad	Peck
Brant	Lynch	Ployhar
Brunsdale	McCrorry	Ritchie
Carey	McLachlin	Schlosser
Conrath	Magnuson	Steel
Crocker	Marshall	Tofsrud

Messrs.	Messrs.	Messrs.
Ettestad	Martin	Whitman
Erickson	Murphy	Wog
Fine	Olson of Barnes	
Fleckten	Olson of Burleigh	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Eastgate	Seamands	Van Camp
Porter	Stevens	
Rusch	Van Arnam	

Absent and not voting:

Messrs.	Messrs.
Kretschmar	Sathre

So Concurrent Resolution "N" was passed.

Senator Fine moved that the vote by which Concurrent Resolution "N" was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Communications protesting the proposed law for Sunday shows were presented from Minot by Senator Bond.

Communications favoring the same proposed law were presented by Senator Carey from Wahpeton, by Senator Erickson from Crosby, and President Maddock from Stanley.

President Maddock received the following telegram:

Grand Forks, North Dakota,  
February 19, 1927.

Walter Maddock,  
Lieutenant Governor,  
Bismarck, N. D.

Legislative bodies of all Northwestern States are memorializing the President to sign the McNary-Haugen Bill. Would suggest that like action be taken by North Dakota legislation.

North Dakota Wheat Growers' Association

By A. J. SCOTT,  
Secretary.

Senator Fleckten presented telegrams from Berthold opposing Senate Bill 77 and favoring House Bills 228 and 276.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Banks and Banking to whom was referred:

Senate Bill No. 249. A Bill For an Act Providing a Limitation for filing and bringing suit on claims against insolvent banks or their receivers.

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

In line 2 of the printed bill, after the word "by" insert "registered".

In line 4 of the printed bill, strike out the word "him", and insert in lieu thereof, "the receiver".

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.

Mr. President: Your Committee on Judiciary to whom was referred:

Concurrent Resolution relative to the Stabilization of the Dollar.

Have had the same under consideration and recommend that the same be reported in without recommendation.

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. 127. A Bill For an Act Providing Maximum Punishments for Persons Convicted of a Felony Who Have Been Convicted of Two or More Felonies In Any State of the United States, and Prescribing the Procedure in Such 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.

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 134. A Bill For an Act Defining the Crime of Aggravated Assault and Battery and Prescribing the Punishment Therefor.

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: A Majority of your Committee on Judiciary to whom was re-referred:

Senate Bill No. 72. A Bill For an Act to Amend and Re-enact Section 6707, Compiled Laws, 1913, Relating to Contract Liens upon Crops, and Requiring all Contracts for Liens to Secure the Purchase Price or Rental of Land to be Filed for Record.

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

L. R. BAIRD,  
FRANK E. PLOYHAR,  
J. E. STEVENS,  
S. J. ATKINS,  
JOHN VAN ARNAM,  
ALFRED STEEL,  
JOSEPH G. FORBES,  
P. O. SATHRE,  
OBERT A. OLSON.

Senar Baird moved that the Majority report be adopted.

Mr. President: A Minority of your Committee on Judiciary to whom was re-referred:

Senate Bill No. 72. A Bill For an Act to Amend and Re-enact Section 6707, Compiled Laws, 1913, Relating to Contract Liens upon Crops, and Requiring all Contracts for Liens to Secure the Purchase Price or Rental of Land to be Filed for Record.

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

In the Title of the Printed Bill strike out the words "or Rental".

In line 7 of the printed bill strike out the words "or rental".

In line 8 of the printed bill after the word "contracts" insert the words "hereafter made".

In line 10 of the printed bill strike out the words "or rental".

At the end of the bill strike out the period and add the following: "and such contract may be filed and indexed in the manner and form now provided for the filing and indexing of chattel mortgages. Provided, however, that this act shall not affect any contract now in existence".

And when so amended recommend the same do pass.

W. D. LYNCH,  
O. H. OLSON,  
OLE ETTESTAD,  
C. J. OLSON,  
G. PATTERSON,  
GUST WOG.

Senator O. H. Olson moved the substitution of the word "Minority" for the word "Majority".

Roll call demanded.

The question being on the motion of Senator O. H. Olson, 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.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Bond	Hjelmstad	Patterson
Conrath	Lynch	Peck
Erickson	McCrorry	Stevens
Ettestad	Magnuson	Van Camp
Fine	Marshall	Wog
Fleckten	Olson of Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Rusch
Baird	McLachlin	Schlosser
Brant	Martin	Seamands
Brunsdale	Murphy	Steel
Carey	Olson of Burleigh	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Whitman
Forbes	Porter	
Hart	Ritchie	

Absent and not voting:

Messrs.  
Sathre

So the motion was declared lost.

The question being upon the original motion the question was put and the motion prevailed and the Majority report of the Committee was adopted.

Mr. President: A Majority of your Committee on Judiciary to whom was referred:

Senate Bill No. 255. A Bill For an Act Creating a Municipal Court, Providing for the Appointment of a Judge or Judges of said Court Defining the Jurisdiction thereof and Delegating Power to the Judge thereof to Make from time to time Announce in Writing at least Thirty Days Prior to Going into Effect of Rules and Regulations Governing Practice therein, Providing that the Governor Appoint such Judges and Providing Fees that May Be Charged.

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

L. R. BAIRD,  
FRANK E. PLOYHAR,  
J. E. STEVENS,  
W. D. LYNCH,  
S. J. ATKINS,  
JOHN VAN ARNAM,  
ALFRED STEEL,  
JOSEPH G. FORBES,  
P. O. SATHRE,  
OBERT A. OLSON.

Senator Baird moved that the report of the Majority be adopted.

Mr. President: A Minority of your Committee on Judiciary to whom was referred:

Senate Bill No. 255. A Bill For an Act Creating a Municipal Court, Providing for the Appointment of a Judge or Judges of said Court Defining the Jurisdiction thereof and Delegating Power to the Judge thereof to Make from time to time Announce in Writing at least Thirty Days Prior to Going into Effect of Rules and Regulations Governing Practice therein, Providing that the Governor Appoint such Judges and Providing Fees that May Be Charged.

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

G. PATTERSON,  
GUST WOG,  
A. A. PECK.

Senator Patterson moved the substitution of the word "Minority" for the word "Majority".

Which motion was lost.

The question being upon the original motion the question was put and the motion prevailed and the Majority report of the Committee was adopted.

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 141. A Bill For an Act Providing that the Question of Operating and Conducting Moving Picture Shows in Any County in the State of North Dakota on the First Day of the Week Shall Upon Petition of a Certain Percentage of the Electors Therein Be Submitted to the Electors Thereof for Decision; Providing the Form of the Ballot to be Used at Such Election; and Providing that Upon a Favorable Vote of the Electors Voting Upon the Question, It Shall Thereafter Be Lawful to Operate and Conduct Moving Picture Shows Therein on Said Day.

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

In line 1, section 1 of the printed bill, strike out the word "Five" in writing and figures, and insert in lieu thereof the word "Twenty-five" in writing and figures.

Section 4 of the printed bill is amended to read as follows:

"Section 4. When an election has been held, under the provisions of this act, it shall be unlawful to again call an election thereunder, until four years has elapsed from the date of the last election".

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 C. J. Olson moved that further consideration of Senate Bill 141 be indefinitely postponed.

Roll call demanded but not granted.

The question being upon Senator Olson's motion, the question was put and the motion prevailed.

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 60. A Bill For an Act providing for the licensing and regulation of the practice of barbering.

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

FRANK E. PLOYHAR,  
Chairman.

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

Mr. President: A Majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 65. A Bill For an Act to Amend and Re-enact, Section 3, of Chapter 162, of the Session Laws of the State of North Dakota for the Year 1919, and Acts Amendatory thereof, relating to the Workmen's Compensation Act.

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

Change the word "phlange" wherever it appears in the bill to "phalange".

In line 195, page 9 of the printed bill, change the word "dceased" to "deceased".

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.



Senator Ployhar moved that the Majority report be adopted.

Mr. President: A Minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 65. A Bill For an Act to Amend and Re-enact, Section 3, of Chapter 162, of the Session Laws of the State of North Dakota for the Year 1919, and Acts Amendatory thereof, relating to the Workmen's Compensation Act.

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

C. J. OLSON.  
Chairman.

Senator C. J. Olson moved the substitution of the word "Minority" for the word "Majority".

Which motion was lost.

The question being upon the original motion, the question was put and the motion prevailed and the Majority report of the Committee was adopted.

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 170. A Bill For an Act Providing For the Inspection of Scales, Weights and Measures under the Jurisdiction of the Board of Railroad Commissioners, Prescribing the Powers and Duties of said Board, Defining the Standard of Weights and Measures, Providing Penalties for the Violation Thereof, Regulating the Use and Sale of Weights and Measures, Providing for the Fixation of Fees, Making an Appropriation to Carry Out the Provisions of this Act, and Repealing Chapter 344 of the Session Laws of North Dakota for 1923.

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

In lines 2 and 3 of section 13 of the printed bill strike out the words "Fifty Thousand Dollars" in writing and figures and insert in lieu thereof the words and figures "Twenty-five Thousand Dollars annually".

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 re-referred:

Senate Bill No. 176. A Bill For an Act to Amend and Re-enact Section 690 of the Supplement to the 1913 Compiled Laws, Relating to the Removal of Public Officers by the Governor and Appeals Therefrom.

Have had the same under consideration and recommend that the same be returned to the Senate without recommendation and placed on calendar for third reading.

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. 222. A Bill For an Act to Encourage the Sale of Gasoline or Motor Fuel for Use in High Compression Motors with Resulting Fuel Economy, Permitting the Coloring of such Motor Fuel and Prohibiting the Sale of so-called "Gasoline Improvers" which are worthless or harmful; Making Violations hereof a Misdemeanor and Providing the Penalty therefor.

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

At the end of line 8 and beginning of line 9 of section 1 of the printed bill, strike out the words "duly approved" and insert the words "favorably reported on" in lieu thereof.

In line 9 of section 1 of the printed bill, after the word "Standards" change the period to a comma and insert the following: "or the Surgeon General or Bureau of Public Health of the United States".

In Line 2 of Section 2 of the printed bill change the figures "30%" to "25%" and the figures "70%" to "75%" and strike out the words "pure paraffin gasoline" and insert the following: "straight run gasoline from typical Mid-Continent crude oil".

In Line 1 of Section 3 of the printed bill after the word "determine" insert the word "whether".

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. 237. A Bill For an Act relating to banks, providing for Savings Deposits, fixing the reserve, limiting the investment of such deposits, exempting the same from the Depositors' Guaranty Fund law, and providing a penalty for the violation of the provisions hereof.

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

In the title of the printed bill, before the word "Savings" insert the word "Secured".

In Line 2 of section 1 of the printed bill and also in line 15 of the same section, before the word "Savings" insert the word "Secured".

In Line 1 of Section 2 of the printed bill before the word "Savings" insert the word "Secured".

Section 6 of the printed bill is hereby amended to read as follows:

"Section 6. Any bank may provide that a notice of 60 days is required, before the withdrawal of any deposit, made under the Provisions of this act".

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:

Concurrent Resolution "L" by Senator Fine, and printed in Senate Journal of February 18, 1927.

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

FRANK E. PLOYHAR,  
Chairman.

Sen. 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:

Concurrent Resolution "M" introduced by Senators Benson and Schlosser and printed in Senate Journal of February 18, 1927.

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 Education to whom was referred:

Senate Bill No. 208. A Bill For an Act to Amend and Re-enact Section 1725 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to the State Normal and Industrial School at Ellendale, 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:

Senate Bill No. 209. A Bill For an Act to Amend and Re-enact Sections 1594 and 1595 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to the Granting of Diplomas in Normal 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.

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 226. A Bill For an Act to Amend and Re-enact Section 506a6 and 506a9 of the Supplement to the Compiled Laws of 1913.

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

In line 26 on page 3 of the printed bill, after the word "nurse" add the following:

"Registration must be renewed on September 1st of each year and a fee of \$1.00 is required for the renewal certificate. On May 1st, the Secretary of the Board shall mail to all Registered Nurses, an application for re-registration, and re-registration must be applied for before August 1st, and the application and fee (\$1.00) must be in the hands of the Secretary of the Board by that time. The nurse must be prepared to show the certificate upon request".

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:

Senate Bill No. 247. A Bill For an Act clarifying what constitutes a consolidated school.

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. 251. A Bill For an Act to Provide annexation of land so that common school districts may be co-extensive with civil townships, and providing for equalization of assets and liabilities, and declaring an emergency.

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 Appropriations to whom was referred:

Senate Bill No. 219. A Bill For an Act Appropriating the Sum of \$1,500.00 out of the State Highway Operating Fund of the Highway Commission, for the purpose of re-imbursing certain Mechanics for losses sustained in the destruction of the Highway Commission Shops by fire.

Have had the same under consideration and recommend that the same be returned to the Senate without recommendation and placed on the calendar for third reading.

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. 258. A Bill For an Act Appropriating the Sum of Five Thousand Dollars (\$5,000.00) From the General Funds of the State to Compensate Honorable Chas. M. Cooley, Judge of the First Judicial District of North Dakota, for Services Rendered as Special Judge Under Chapter 137 of the Session Laws of North Dakota for 1925.

Have had the same under consideration and recommend that the same be returned to the Senate without recommendation and placed on the calendar for third reading.

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. 257. A Bill For an Act to Reimburse and Pay Company "A", First Regiment North Dakota National Guard Training School, a Corporation, Allowance for Maintenance and Support of Company "A" for the last half of 1917, all of 1918, and all of 1919, and Appropriation.

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 Cities and Municipal Corporations to whom was referred:

Senate Bill No. 231. A Bill For an Act To amend and re-enact Subdivision (1) of Section 4059, of Chapter 96, of the Laws of 1921, relating to the Powers of Park Boards.

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

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 242. A Bill For an Act to Amend and Re-enact Section 3999 of the Compiled Laws of North Dakota, for 1913, relating to Paid Fire Department and Fireman's Relief Association.

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

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 250. A Bill For an Act to Establish a Fund for Pensioning Police Officers in Cities and Cities under the Commission Form of Government and Providing for the Payment of Pensions to Retired Police Officers and their Dependents in case of Death.

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

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 258. A Bill For an Act to Validate and Legalize Certain Proceedings of Park Districts and their Commissioners Relating to Bond Issues.

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

JOSEPH G. FORBES,  
Chairman.

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

Mr. President: Your Committee on Livestock to whom was referred:

Senate Bill No. 93. A Bill For an Act Relating to Dogs and the Protection of Live stock and Poultry from Damage by Dogs; Providing for the Licensing of Dogs; Regulating the Keeping of Dogs, and Authorizing their Destruction in Certain Cases; Providing for the Determination and Payment of Damages Done by Dogs to Live Stock and Poultry; Imposing Powers and Duties on Certain State, County, City, Village and Township Officers and Employees, and Providing 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:

Strike out everything after the words "A BILL" and insert the following:

For an Act Providing for the Licensing of Dogs; Regulating the Keeping of Dogs, and Authorizing Their Destruction in Certain Cases; Imposing Powers and Duties on Certain State, County, City, Village and Township Officers and Employees, and Providing Penalties for the Violation of this Act; and Repealing All Acts and Parts of Acts in Conflict With this Act.

BE IT RESOLVED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

Section 1. This act shall be known and may be cited as the dog law of nineteen hundred twenty-seven of the State of North Dakota. For the purpose of this act the following terms shall have the following meaning respectively designated for each. The word "person" shall include State and local officers or employees, individuals, corporations, copartner-

ships, and associations. Singular words shall include the plural. Masculine words shall include the feminine and neuter. The word "owner" when applied to the proprietorship of a dog, shall include every person having a right of property in such dog, and every person who keeps or harbors such dog or has it in his care, and every person who permits such dog to remain on or on or about any premises occupied by him. The term "kennel" shall mean any establishment wherein or whereon dogs are kept for the purpose of breeding, sale or sporting purposes. The term "police officer" shall mean any person employed or elected by the people of the State of North Dakota, or by any municipality, county or township, and whose duty it is to preserve peace or to make arrests or to enforce the law.

Section 2. From and after the passage and approval of this act it shall be unlawful for any person to own any dog four months old or over, unless said dog is licensed as hereinafter provided, or to own any dog four months old and over that does not at all times wear a collar with metal tag attached as hereinafter provided, except when engaged in lawful hunting accompanied by its owner or custodian; for any owner of any female dog to permit said female dog to go beyond premises of such owner when she is in heat, unless such female dog is held properly in leash; or for any person, except the owner or authorized agent, to remove any license tag from a dog; or for any owner to allow any dog to stray beyond his premises unless under reasonable control of some person or when engaged in lawful hunting, accompanied by his owner or custodian.

Section 3. Every dog shall at all times between sunset of each day and sunrise of the following day be confined upon the premises of its owner or custodian, except when said dog is otherwise under reasonable control of some person.

Section 4. The State Live Stock Sanitary Board shall have the general supervision over the licensing and regulation of dogs and may employ all proper means for the enforcement of the acts and all police officers of the State, county, municipality or township shall be at its disposal for that purpose.

Section 5. It shall be the duty of the State Live Stock Sanitary Board to purchase from time to time, as may be necessary, a sufficient number of tags for the State of North Dakota. The board shall also furnish to each county treasurer, on or before November fifteenth of each year, a book containing proper forms for issuing dog licenses required in his county, together with the necessary blanks for the use of the assessors of such county. The aforesaid tags and blanks shall be purchased from such board by the treasurers of the counties as the same may be needed to comply with the provisions of this act. Such tags and blanks shall be sold at cost to the said treasurers. The State Treasurer is hereby authorized to advance to the said board, out of the appropriation hereinafter provided for, such sum of money as may be necessary from time to time to pay for the tags and blanks so purchased by the State Live Stock Sanitary



Board, which sum shall be repaid to the State Treasurer from the money collected from the county treasurers in payment for the tags and blanks. The said board is hereby authorized to extend thirty days' credit to any county treasurer for tags and blanks so purchased. The tags required by this act shall be not more than one and one-half inches in length and uniform in shape throughout the State, the general shape of which shall be changed from year to year; such tags shall have impressed upon them the calendar year for which they are issued and shall bear the name of the county issuing them and shall be numbered consecutively

Section 6. After the taking effect of this act and on or before the tenth day of January of each year thereafter, the owner of any dog four months old or over shall apply to the county treasurer in writing for a license for each such dog owned or kept by him. Such application shall state the breed, sex, age, color and markings of such dog and the name and address of the last previous owner and shall be accompanied by the following fees: (1) male dogs; first dog, one dollar and fifty cents; second dog, two dollars; third dog, three dollars; (2) Female dogs; first dog, two dollars; second dog, three dollars; third dog, four dollars, and (3) Spayed dogs; same fees as male dogs.

Section 7. The money so collected shall be turned into the general fund of the county, and all expenditures authorized to be paid by the provisions of this act shall be paid out of the general funds of the county.

Section 8. The county treasurer shall deliver to said owner a license and also one of the metal tags before mentioned, such tag to be affixed to a substantial collar to be furnished by the owner, which with the tag attached shall at all times be kept on the dog for which the license is issued, except when such dog is engaged in lawful hunting accompanied by its owner or custodian.

Section 9. Any person becoming the owner after the tenth day of January, nineteen hundred twenty-eight, or any year thereafter, of any dog four months old or over, which has not already been licensed, or any person owning a dog which becomes four months old at any time after the tenth of January of any year shall forthwith apply for and secure a license for such dog, and in case of application made at any time after the tenth day of July of any year, the license fee shall be one-half the amount fixed as the annual license fee for such dog.

Section 10. Each license issued shall be dated and shall bear a serial number corresponding to the number on the metal tag furnished to said owner; it shall also bear the name of the county issuing the same and a full description of the dog licensed.

Section 11. Any person who keeps or operates a kennel may, in lieu of the individual license required under this act, apply to the county treasurer for a kennel license entitling to keep or operate such kennel. Such license shall be issued

by the county treasurer, on a form prepared and supplied by the State Live Stock Sanitary Board, and shall entitle the licensee to keep any number of dogs four months old or over not at any time exceeding a certain number to be specified in the license. The fee to be paid for each kennel license shall be ten dollars for five dogs or less, and fifteen dollars for more than five dogs. With each kennel license the county treasurer shall issue a number of metal tags equal to the number of dogs authorized to be kept in the kennel. All such tags shall bear the name of the county issuing it, the number of the kennel license, and shall be readily distinguishable from the individual license tags for the same year.

Section 12. The license of a kennel shall, at all times, keep one of such tags attached to a collar on each dog four months old or over kept by him under a kennel license. No dog bearing a kennel tag shall be permitted to stray or be taken anywhere outside the limits of the kennel. This section does not prohibit the taking of dogs having a kennel license outside the limits of the kennel temporarily in leash, nor does it prohibit the taking of such dogs out of the kennel temporarily for the purpose of hunting, breeding, trial or show.

Section 13. If any dog tag is lost, it shall be replaced without cost by the county treasurer upon application by the owner of the dog, and upon production of such license and a sworn statement of the facts regarding the loss of such tag.

Section 14. No license or license tag issued for one dog shall be transferable to another dog. Whenever the ownership or possession of any dog is permanently transferred from one person to another within the State, the license of such dog may be likewise transferred, upon notice given to the county treasurer who shall note such transfer upon his record. This act does not require the procurement of a new license, or the transfer of a license already secured, when the possession of the dog is temporarily transferred for the purpose of hunting game, or for breeding, trial or show in the State of North Dakota.

Section 15. The county treasurer shall keep a record of all dog licenses and all kennel licenses issued during the year in each city and township in his county. Such record shall contain the name and address of the person to whom each license is issued. In the case of an individual license the record shall also state the breed, sex, age, color, and markings of the dog licensed; and in the case of a kennel license, it shall state the place where the business is conducted. The record shall be a public record and open to inspection during business hours.

Section 16. It shall be the duty of the assessor of every city, village and township of the State of North Dakota annually, on taking his assessment of property as required by law, to make diligent inquiry as to the number of dogs owned, harbored or kept by all persons in his assessing district;

and the said assessor shall annually on or before the first day of June nineteen hundred and twenty-eight, and annually thereafter, make a complete report to the county treasurer, for his county, on a blank form furnished by the State Live Stock Sanitary Board, setting forth name of every owner or keeper of any dog or dogs, subject to license under this act, how many of each sex are owned by him, and if a kennel license is maintained such fact shall be also stated. Every assessor shall receive for his services in listing such dogs at the rate of ten cents for each dog so listed, which sum shall be paid out of the general funds of the county.

Section 17. On June fifteenth of nineteen hundred twenty-eight and each year thereafter, each county treasurer shall make a comparison of his records of the dogs actually licensed in each city, village or township of his county with the report of the assessor of said city, village or township to determine and locate all unlicensed dogs. On and after June fifteenth of each year every unlicensed dog, subject to license under the provisions of this act, is hereby declared a public nuisance and the county treasurer shall immediately thereafter list all such unlicensed dogs, as shown by the returns in his office of the assessors, and shall deliver copies of such lists to the sheriff and prosecuting attorney of said county. On receiving from the county treasurer the name of any owner of any unlicensed dog, the prosecuting attorney shall at once commence the necessary proceedings against the owner of said dog, as required by the provisions of this act. It shall be the duty of the sheriff or any police officer, marshal or constable to locate and kill, or cause to be killed all such unlicensed dogs. Failure, refusal or neglect on the part of any such officer to carry out the provisions of this section shall constitute nonfeasance in office. Any such officer shall also kill, on complaint from the prosecuting attorney, any dog that is in the habit of running at large unaccompanied by its owner or his agent. The board of county commissioners of the county shall determine the remuneration of every police and county officer for carrying out the provisions of this act, which shall be paid out of the general funds of the county.

Section 18. Any person may kill any dog which he sees in the act of pursuing, worrying or wounding any live stock or attacking persons, and there shall be no liability on such person in damages or otherwise, for such killing. Except as provided in this section it shall be unlawful for any person, other than the officers mentioned in Section 17 thereof, to kill, injure or attempt to kill or injure any dog which bears a license tag for the current year.

Section 19. Any person or police officer violating or failing or refusing to comply with any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars, or to imprisonment in the county jail not exceeding thirty days, or to both such fine and imprisonment at the discretion of the court. All fines collected under the provisions of this act shall be forthwith paid to the treasurer

of the county and by him credited to the general funds of the county.

Section 20. Nothing in this act shall be construed to prevent the owner of a licensed dog from recovery, by action at law, from any police officer or other person, the value of any dog illegally killed by such police officer or other person.

Section 21. Nothing in this act contained shall be construed as limiting the common law liability of the owner of a dog for damages committed by it.

Section 22. None of the provisions of this act shall be construed to require the licensing of any dog imported into this State, for a period not exceeding thirty days, for show, trial, breeding or hunting purposes.

Section 23. If any section, clause or proviso of this act shall be declared to be inconsistent with the constitution and void by any court of competent jurisdiction, said section, clause or proviso so declared to be unconstitutional and void shall thereby cease to be a part of this act, but the remainder of said act shall stand and be in full force.

Section 24. There is hereby appropriated out of any monies in the general funds of the State, not otherwise appropriated, the sum of \$5,000.00, or so much thereof as may be necessary to carry out the provisions of this act.

Section 25. All acts and parts of acts in conflict with this act are hereby repealed.

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.

Mr. President: Your Committee on Counties to whom was referred:

Senate Bill No. 154. A Bill For an Act relating to and fixing the salaries of the County Auditor, the County Treasurer, the Register of Deeds, the County Sheriff, the Clerk of the District Court, the County Judge, the State's Attorney, and the County Superintendent of Schools, also fixing the number of and the salaries to be paid to the Deputies, and providing for Clerks and Assistants to be employed in the offices of the County Auditor, County Treasurer, Register of Deeds, Clerk of the District Court, County Sheriff, State's Attorney, County Judge and the County Superintendent of Schools, (in Counties having a County Court of increased jurisdiction and have a population exceeding forty thousand,) and repealing all acts or parts of acts in conflict therewith.

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

In line 3, Section 3 of the printed bill after the word "at" strike out the words "Two Thousand" and insert in lieu

thereof the words "Eighteen Hundred". In line 4 strike out the figures (\$2,000.00) and insert in lieu thereof the figures (\$1,800.00).

In line 5 of the printed bill after the word "at" strike out the words "Two Thousand" and insert in lieu thereof the words "Eighteen Hundred". In line 6 strike out the figures (\$2,000.00) and insert in lieu thereof the figures (\$1,800.00).

In line 18, Section 3 of the printed bill after the word "at" strike out the words "Two Thousand Four" and insert in lieu thereof the words "Eighteen Hundred". Strike out the figures (\$2,400.00) and insert in lieu thereof the figures (\$1,800.00).

In line 19 of the printed bill after the word "at" strike out the words "One Thousand Eight" and insert in lieu thereof the word "Fifteen". Strike out the figures (\$1,800.00) and insert in lieu thereof the figures (\$1,500.00).

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 Counties to whom was referred:

Senate Bill No. 159. A Bill For an Act to Amend and Re-enact Section 3236 of the Supplement to the 1913 Compiled Laws of the State of North Dakota, relating to the removal of County Seat by ballot and notice of result.

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

On page 1 beginning with section 1 of the printed bill strike out all that follows and insert in lieu thereof the following:

Section 1. Amendment. That Section 3236 of the Supplement to the 1913 Compiled Laws of the State of North Dakota to be Amended and Re-enacted to read as follows:

Section 3236. In voting on the question, each elector must vote for the place in the county which he prefers by placing opposite the name of the place the mark (X). When the returns have been received and compared and the result ascertained by the board, if two-thirds or more of all the legal votes cast by those voting on the proposition are in favor of any particular place, the board must give notice of the result by posting notices thereof in all the election precincts published in the county at least once a week for four weeks; in the county and by publishing a like notice in a newspaper provided, however, that if at a special election called upon a thirty day notice given as provided by section 982, Compiled Laws, 1913, by the board of county commissioners who, by the filing of the petition, are required to call the same with-

in fifteen days thereafter, and which election must be held prior to January 1st, 1917, in any county which, at the time said petition is presented to the board of county commissioners, has no courthouse, or has a courthouse building and jail the actual cash value whereof does not exceed the sum of ten thousand (\$10,000.00) dollars and which courthouse at the time of filing the petition is situated in a city, town or village the nearest boundaries of which are less than three (3) miles and 4,000 feet from one of the boundary lines of said county or in a city, town or village not upon a railroad, sixty per cent of all the legal votes cast on the proposition at such election in favor of any particular place shall be sufficient to accomplish the removal of the county seat to such place and the notices herein required shall be given accordingly, provided, however, that this act shall not affect county seats within four miles of the state boundary line, nor county seats situated on sections 13 and 24; provided, however, that in any county voting on such question where the boundary lines are different than they were at the time when the county seat was located in such county, and the actual cash value of its courthouse, buildings and jail is less than ten thousand (\$10,000.00), if a majority or more of all the legal votes cast by those voting on the proposition are in favor of any particular place such majority shall determine the location of the county seat.

And when so amended return to the Senate without recommendation.

OLE ETTESTAD,  
Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred:

Senate Bill No. 184. A Bill For an Act to Amend and Re-enact Sections 3, 8 and 9, Chapter 159, Session Laws of 1919, and Section 3 of Chapter 154, Session Laws of 1925, Relating to Insurance on Public Buildings, Providing for the Classification of All Public Property, and Limiting the Amount of Insurance to be Carried by the State Fire and Tornado Fund.

Have had the same under consideration and 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.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 207. A Bill For an Act to Require Certain Tax Records to be in Permanent and Bound Book Form.

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

H. J. RUSCH,  
Chairman.

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

Mr. President: A Majority of your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 243. A Bill For an Act to Amend and Re-enact Sections 2346a20, 2346a21 and 2346a22 of the Supplement to the Compiled Laws 1913.

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

In Section 1, line 6, of the printed bill, strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$1,000.00".

On page 2, line 24 of the printed bill, strike out the figures "\$1,500.00", and insert in lieu thereof the figures "\$1,000.00".

On page 2, section 2, line 6 of the printed bill, strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$1,000.00".

On page 3, line 21, of the printed bill, strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$1,000.00".

On page 4, line 14, of the printed bill, strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$1,000.00".

And when so amended recommend the same do pass.

H. J. RUSCH,  
P. J. MURPHY,  
FRED VAN CAMP,  
C. N. BRUNSDALE,  
JOSEPH G. FORBES,  
O. T. TOFSRUD.

Senator Rusch moved that the Majority report be adopted.

Mr. President: A Minority of your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 243. A Bill For an Act to Amend and Re-enact Sections 2346a20, 2346a21 and 2346a22 of the Supplement to the Compiled Laws 1913.

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

OLE ETTESTAD,  
GUST WOG,  
JOHN W. BENSON,  
E. H. BRANT.

Senator Ettestad moved the substitution of the word "Minority" for the word "Majority".

Roll call demanded.

The question being on the motion by Senator Ettestad; the roll was called, and there were ayes 23, nays 26, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCroy	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Sathre
Fine	Martin	Wog
Fleckten	Olson of Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman
Hart	Rusch	

So the motion was declared lost.

The question being upon the original motion the question was put and the motion prevailed and the Majority report of the Committee was adopted.

Mr. President: Your Committee on Highways and Bridges to whom was referred:

House Bill No. 76. A Bill For an Act to Appropriate the Sum of \$3,000.00 from any Moneys in the State Highway Fund, for the Purpose of Making a Preliminary Survey and Sounding of the Missouri River at or Near Washburn, North Dakota to Determine the Advisability and Feasibility of Constructing a Bridge Across said River Between the City of Washburn in McLean County and the City of Center in Oliver County, under the Provisions of Subsection C of Section 2976t15 of the Supplement to the Compiled Laws of 1913.

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.



Mr. President: Your Committee on Highways and Bridges to whom was referred:

House Bill No. 165. A Bill For an Act to Appropriate the sum of \$3,000.00 from any Moneys in the State Highway Fund, for the Purpose of Making a Preliminary survey and Sounding of the Missouri River at or near Garrison, North Dakota, to determine the Advisability and Feasibility of Constructing a Bridge Across said River Between the city of Garrison in McLean County and the City of Mannheim in Mercer County, under the Provisions of Subsection C of Section 2976t15 of the Supplement to the Compiled Laws of 1913.

Have had the same under consideration and recomend 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.

Mr. President: Your Committee on Highways and Bridges to whom was referred:

House Bill No. 176. A Bill For an Act to Amend and Re-enact Section 1958a3 of the Supplement to the Compiled Laws of North Dakota of 1913, said Section being Chapter 11 of the Session Laws of North Dakota of 1925; An Act to Appropriate the sum of \$75,000.00, 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 1919.

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.

Mr. President: Your Committee on Highways and Bridges to whom was referred:

House Bill No. 189. A Bill For an Act to Appropriate the sum of \$3,000.00 from any Moneys in the State Highway Fund, for the Purpose of Making a Preliminary Survey and Sounding of the Missouri River at or near Elbowoods, North Dakota, on State Highway Route No. 24, to Determine the Advisability and Feasibility of Constructing a Bridge Across Said River on Said State Highway Route, Under the Provisions of Subsection C. of Section 2976t15 of the Supplement to the Compiled Laws of 1913.

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.

Mr. President: Your Committee on Highways and Bridges to whom was referred:

House Bill No. 220. A Bill For an Act to appropriate the sum of Thirty Thousand (\$30,000.00) Dollars, From any moneys in the State Highway Fund, for the purpose of aiding in the construction of a Bridge across the Bois De Sioux River, Between the city of Wahpeton, Richland County, North Dakota, and the city of Breckenridge, Wilkin County, Minnesota, 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.

S. J. ATKINS,  
Chairman.

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

Mr. President: Your Committee on Mines and Minerals to whom was referred:

Senate Bill No. 146. A Bill For an Act Providing for the Leasing of State or School Lands supposed to Contain Oil and to Make and Establish Rules and Regulating relative to the Development thereof; Providing for Royalty to be Collected therefrom, and for the Sale of Improvements on such Lands; for the Assignment thereof and for Geological Reports thereon.

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

By adding Section 7, which reads as follows:

"Section 7. Provided that the lessee who first establishes and has in operation a well which actually produces oil in commercial quantities shall have the first right to lease any or all lands under the control of the Board of University and School Lands within a radius of seven (7) miles of such producing well".

And when so amended recommend the same do pass.

D. H. HAMILTON,  
Chairman.

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

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 217. A Bill For an Act Defining the Powers and Duties of the Board of Administration Relating to the Construction of Residence Halls or Dormitories on Lands of the Educational Institutions Under Its Control.

Also,

Senate Bill No. 218. A Bill For an Act Authorizing the Organization of Non-Profit Sharing Institutional Holding Associations and Defining Their Powers.

Also,

Senate Bill No. 199. A Bill For an Act to Amend and Re-enact Section 4206 of the Compiled Laws of North Dakota 1913, Relating to the Compensation of Township Treasurers.

Also,

Senate Bill No. 198. A Bill For an Act to Amend and Re-enact Section 1172 of the Compiled Laws of North Dakota, 1913, Relating to the Compensation of School Treasurers in Common and Consolidated School Districts.

Also,

Senate Bill No. 174. A Bill For an Act Requiring School Districts Maintaining a High School to Pay the High School Tuition of Pupils Residing in such Districts More Than Six Miles From Such High School When No Transportation by Vehicle is Furnished to Such Children.

And find the same correctly re-engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 163. A Bill For an Act to amend and re-enact Sections 714a8 and 714a13 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the designating of Depositories of Public Funds and fixing maximum and minimum rates of interest that may be paid thereon.

Also,

Senate Bill No. 155. A Bill For an Act to Amend and Re-enact Section 1194 of the Compiled Laws of 1913, relating to

High Schools Established and Maintained by two or more School Districts, Providing a Board of Education therefor and Prescribing its Powers and Duties; Providing that Certain De Facto School Districts shall be Validated and Re-established under the Provisions of this Act.

And find the same correctly Re-Engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 256. A Bill For an Act to Amend and Re-enact Section 5031 of the Compiled Laws of North Dakota of 1913, relating to Limit of Property that may be Acquired by Fraternal Corporations.

Also,

Concurrent Resolution "K".

Also,

Senate Bill No. 234 A Bill For an Act to Authorize the Supreme Court to Direct the Calling of Special Terms in any of the Counties of the State and to Designate a District Judge to Preside at such Term.

Also,

Senate Bill No. 240. A Bill For an Act to Amend and Re-enact Section 10322a26 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 248. A Bill For an Act Legalizing and Validating all legal publications made prior to the 1st day of January, 1927, contrary to the provisions of Chapter 187 of Session Laws, 1919, and of Initiated Measure relating to Official Newspapers approved November 2, 1920.

Also,

Senate Bill No. 224. 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 Corporation Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

Also,

Senate Bill No. 225. A Bill For an Act to amend and re-enact Section 89 of the Compiled Laws of the State of

North Dakota of 1913 relating to the exchange of laws with other states.

Also,

Senate Bill No. 230. A Bill For an Act to provide for the Assessment and Taxation of Property of Power Companies, defining the same, providing for furnishing information relative to such property, outlining duties of the Tax Commissioner, State Board of Equalization, County Auditor and County Treasurer. Repealing all Acts and parts of Acts in conflict with the provisions of this Act.

Also,

Senate Bill No. 185. A Bill For an Act Providing for a Refund to Hail Tax Purchasers and Persons Paying Hail Taxes for Which Their Lands Were Not Liable, Designating the Funds From Which Payment Shall Be Made, and Declaring the Duty of the Insurance Commissioner in Relation Thereto.

Also,

Senate Bill No. 213. A Bill For an Act to Amend and Re-enact Section 1438a1 Article 2a of Chapter 12 of the Supplement to the Compiled Laws of 1913-1925, Relating to High School Tuition Fee.

Also,

Senate Bill No. 223. A Bill For an Act Providing that the Making, Signing or Procurement of a False Affidavit for Garnishment shall constitute a Misdemeanor.

Also,

Senate Bill No. 254. A Bill For an Act to Amend and Re-enact Section 1438a2 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 221. A Bill For an Act to Amend and Re-enact Section 10322a85 of the Supplement to the Compiled Laws of North Dakota 1913, Relating to Fish and the manner of taking.

Also,

Senate Bill No. 246. A Bill For an Act to Amend and Re-enact Article 55b of Chapter 38 of the Political Code of the State of North Dakota, being sections 2976v1 to 2976v16, both inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over Any Public Highway by Motor Propelled Vehicles; Defining Auto Transportation Companies; Providing for Supervision and Regulation Thereof by the Board of Railroad Commissioners of the State of North Dakota; Provid-

ing for the Enforcement of the Provisions of This Act and for Punishment for Violation Thereof.

Also,

Senate Bill No. 139. A Bill For an Act Making it Unlawful to Sell or Possess Cigarettes without being Stamped, Showing the Tax Thereon to Have Been Paid, and Providing Penalty Therefor.

Also,

Senate Bill No. 161. A Bill For an Act to amend and reenact Section 4251 of the Compiled Laws of 1913 relating to fees of pound master and notice of taking up estrays and sale of estrays.

Also,

Senate Bill No. 164. A Bill For an Act to Amend and Reenact Section 7619 of the Compiled Laws of North Dakota for the Year 1913, Relating to Order of Trial.

And find the same correctly Engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Senate Bill 155 was messaged to the House.

House Bills 54 and 221 were returned to the House indefinitely postponed.

Senate Bills 114, 126, 136, 317, 153, 162, 171, 172, 174, 181, 183, 191, 192, 195, 196, 198, 199, 202, 204, 217, 218, 220 and 236 were messaged to the House.

House Bill 83 was returned to House passed unchanged.

Senate Bills No. 7, 8, 9, 26, 28, 30, 50, 67, 83, 95, 99, 97, 110, 119, 101, 74 and 47 delivered to Governor February 19th.

#### MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
February 19, 1927.

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

House Bill No. 252. A Bill For an Act to Provide for the Payment by the Bank of North Dakota of Taxes on Certain Lands that the State Treasurer as Trustee of the State of North Dakota holds as Security under Chapter 154, of the Session Laws of North Dakota for 1919 and Chapter 292 of the Session Laws of North Dakota for 1923 and Acts Amendatory thereof; Making an Appropriation therefor; Provid-

ing for the Reimbursement of the Bank of North Dakota therefrom and Establishing a Revolving Fund Therefor.

House Bill No. 266. A Bill For an Act to Amend and Re-enact Section 2618 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913.

House Bill No. 275. 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 State of North Dakota, the Provinces of Saskatchewan and Manitoba and the Dominion of Canada and the United States of America, Respecting the Use, Control, Utilization and Disposition of the Waters of the Mouse River (named the Souris River in Canada) and the Rights of said State of North Dakota and said Provinces and the Dominion of Canada and the United States Thereto.

House Bill No. 285. A Bill For an Act to Amend and Re-enact Section 3551a1 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the salaries of County Auditor, County Treasurer, Sheriffs and county superintendents of schools.

House Bill No. 310. A Bill For an Act to Amend and Re-enact Section 630a4 of the Supplement to the Compiled Laws of North Dakota, for 1913, relating to notice given by Weed Commissioner, relative to the Sow Thistle and duties of Commissioner.

House Bill No. 314. A Bill For an Act to Amend and Re-enact Section 1370 of the Compiled Laws of North Dakota for the year 1913, Relating to Teachers' Examinations Conducted by County Superintendent and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 194. A Bill For an Act to Amend and Re-enact Section 3688, Compiled Laws of North Dakota, 1913, relating to Vacation of Streets, Alleys and Public Grounds in Cities.

House Bill No. 155. A Bill For an Act Relating to Fur Bearing Animals; Regulating the Taking Thereof, and Fixing Penalties.

House Bill No. 167. A Bill For an Act providing a hearing upon claims rejected by the Depositors' Guaranty Fund Commission of the State of North Dakota, for appeals from Final Decisions Rendered by said Commission to the District Court of Burleigh County and for Appeals from said District Court to the Supreme Court, and providing for the procedure upon such hearing and appeals.

House Bill No. 249. A Bill For an Act to Amend and Re-enact Section 6954a1 Supplement to the 1913 Compiled Laws, relating to the collection of items through banking channels and establishing the liability of collecting agencies.

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

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 19 1927.

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

House Bill No. 279. A Bill For an Act to Permit the District Court to Parole Persons Confined in the County Jail, Serving a Sentence, to the County Commissioners of the Various Counties of the State for the Purpose of Performing Work and Labor upon the Construction, Maintenance and Up Keep of State, County and Township Roads, and Providing that Such Persons in Such Confinement in any County May Be Transferred by any Presiding District Judge, from One County to any Other County in the State, Upon an Order Issued After a Proper Application and Hearing Before said Judge, and be Committed to the Sheriff of such County in Accordance with the Terms of his Sentence, and for the Paroles of such Persons Serving Sentence in any County Jail, and Providing for Maintenance and Support and Compensation, and Punishment of such Persons that may Violate their Paroles.

House Bill No. 305. A Bill For an Act to Amend and Re-enact Section 1 of Chapter 182 of the Session Laws of 1923, being Section 5235A1 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913.

House Bill No. 309. A Bill For an Act requiring agents of railroad companies to report to the Sheriffs of their respective counties the fact that emigrant cars are ordered, and relating further to the duties of the sheriffs and providing penalties therefor.

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

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 19 1927.

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

Senate Bill No. 118. A Bill For an Act to Amend and Re-enact Section 2125, Compiled Laws 1913.

Which the House has indefinitely postponed.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.



## SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 28. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection.

House Bill No. 37. A Bill For an Act Making an Appropriation for the Inspection and Eradication of Bee Diseases, Under the Provisions of Chapter 140, Session Laws of North Dakota for the Year 1923.

House Bill No. 46. 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 1913.

House Bill No. 47. 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.

House Bill No. 48. A Bill For an Act Making an Appropriation to Pay the Burial Expenses of Inmates of the Penitentiary and State Training School as Prescribed by Chapter 12, Laws of 1915.

House Bill No. 49. A Bill For an Act Making an Appropriation to Pay for the Burial Expense of Honorably Discharged Sailors, Soldiers and Marines of the United States War of the Rebellion and Erection of Head Stones Therefor, as Authorized by Sections 3181, 3182, 3183, and 3184 of the Compiled Laws of 1913.

House Bill No. 88. A Bill For an Act to Repeal Sections 1707 and 1708 of the Compiled Laws of North Dakota for 1913, Relating to the Care, Maintenance and Instruction of Blind Children under School Age.

House Bill No. 98. A Bill For an Act to Repeal Section 7 of Chapter 203, Session Laws 1919, relating to Vocational Education.

House Bill No. 69. A Bill For an Act to Amend and Re-enact Section 189c6 of the Supplement to the Compiled Laws 1913, Relating to Insurance on Municipally Owned Property.

House Resolution introduced by Mr. Halcrow.

And the President signed the same in the presence of the Senate.

## THIRD READING OF SENATE BILLS

Senate Bill No. 152. A Bill For an Act to Repeal Section 2845 of the Compiled Laws of 1913.

Was read the third time.

Senator McLachlin moved that further consideration of Senate Bill 152 be indefinitely postponed.

Which motion prevailed.

Senate Bill No. 139. A Bill For an Act Making it Unlawful to Sell or Possess Cigarettes without being Stamped, Showing the Tax Thereon to Have Been Paid, and Providing 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 45, nays 2, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Pathman
Bakken	Hamilton	Patten
Benson	Hart	Patterson
Bond	Hjelmstad	Peck
Brant	Kretschmar	Ployhar
Brunsdale	Lynch	Porter
Carey	McCroxy	Ritchie
Conrath	McLachlin	Rusch
Crocker	Magnuson	Sathre
Eastgate	Marshall	Schlosser
Erickson	Martin	Seamands
Ettestad	Murphy	Steel
Fine	Olson of Barnes	Van Camp
Fleckten	Olson of Burleigh	Whitman
Forbes	Olson of Eddy	Wog

Those voting in the negative were:

Messrs.	Messrs.
Baird	Stevens

Absent and not voting:

Messrs.	Messrs.
Tofsrud	Van Arnam

So the bill passed and the title was agreed to. Emergency clause declared carried.

Senator Hamilton moved that the vote by which Senate Bill No. 139 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 161. A Bill For an Act to amend and re-enact Section 4251 of the Compiled Laws of 1913 relating to

fees of pound master and notice of taking up estrays and sale of estrays.

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:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Fredrickson	Ployhar
Baird	Hart	Porter
Bakken	Hjelmstad	Ritchie
Benson	Kretschmar	Rusch
Bond	Lynch	Sathre
Brant	McCrorry	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steel
Conrath	Marshall	Stevens
Crocker	Murphy	Tofsrud
Eastgate	Olson of Barnes	Van Arnam
Erickson	Olson of Burleigh	Van Camp
Ettestad	Olson of Eddy	Whitman
Fine	Pathman	Wog
Fleckten	Patten	
Forbes	Patterson	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>
Martin	Peck

Absent and not voting:

**Messrs.**  
Hamilton

So the bill passed and the title was agreed to.

Senate Bill No. 163. A Bill For an Act to amend and re-enact Sections 714a8 and 714a13 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the designating of Depositories of Public Funds and fixing maximum and minimum rates of interest that may be paid thereon.

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 8, absent and not voting 1.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hjelmstad	Ritchie
Baird	Kretschmar	Rusch
Bakken	Lynch	Sathre

Messrs.	Messrs.	Messrs.
Bond	McLachlin	Schlosser
Brant	Magnuson	Seamands
Brunsdale	Marshall	Steel
Carey	Martin	Stevens
Crocker	Murphy	Tofsrud
Eastgate	Olson of Burleigh	Van Arnam
Erickson	Olson of Eddy	Van Camp
Ettestad	Pathman	Whitman
Forbes	Patterson	Wog
Fredrickson	Ployhar	
Hart	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fleckten	Patten
Conrath	McCrorry	Peck
Fine	Olson of Barnes	

Absent and not voting:

Messrs.  
Hamilton

So the bill passed and the title was agreed to.

Senate Bill No. 164. A Bill For an Act to Amend and Re-enact Section 7619 of the Compiled Laws of North Dakota for the Year 1913, Relating to Order 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 22, nays 26, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hjelmstad	Patten
Brant	McCrorry	Patterson
Conrath	Magnuson	Peck
Erickson	Marshall	Ritchie
Ettestad	Martin	Wog
Fine	Olson of Barnes	
Fleckten	Olson of Burleigh	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Pathman	Tofsrud
Crocker	Ployhar	Van Arnam
Eastgate	Porter	Van Camp
Forbes	Rusch	Whitman
Hart	Sathre	

Absent and not voting:

Messrs.

Hamilton

So the bill was declared lost.

Senate Bill No. 185. A Bill For an Act Providing for a Refund to Hail Tax Purchasers and Persons Paying Hail Taxes for Which Their Lands Were Not Liable, Designating the Funds From Which Payment Shall Be Made, and Declaring the Duty of the Insurance Commissioner in Relation Thereto.

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 0.

Those voting in the affirmative were:

Messrs.

Atkins  
Baird  
Bond  
Brunsdale  
Carey  
Crocker  
Eastgate  
Forbes  
Hart

Messrs.

Kretschmar  
Lynch  
McLachlin  
Murphy  
Pathman  
Patterson  
Ployhar  
Porter  
Ritchie

Messrs.

Rusch  
Schlosser  
Seamands  
Steel  
Stevens  
Tofsrud  
Van Arnam  
Van Camp  
Whitman

Those voting in the negative were:

Messrs.

Bakken  
Benson  
Brant  
Conrath  
Erickson  
Ettestad  
Fine  
Fleckten

Messrs.

Fredrickson  
Hamilton  
Hjelmstad  
McCrorry  
Magnuson  
Marshall  
Martin  
Olson of Barnes

Messrs.

Olson of Burleigh  
Olson of Eddy  
Patten  
Peck  
Sathre  
Wog

So the bill passed and the title was agreed to.

Senator Tofsrud moved that the vote by which Senate Bill No. 185 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 213. A Bill For an Act to Amend and Re-enact Section 1438a1 Article 2a of Chapter 12 of the Supplement to the Compiled Laws of 1913-1925, Relating to High School Tuition Fee.

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 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Peck
Baird	Hjelmstad	Ployhar
Bakken	Kretschmar	Porter
Bond	Lynch	Ritchie
Brant	McCrary	Rusch
Brunsdale	McLachlin	Sathre
Carey	Magnuson	Schlosser
Conrath	Marshall	Seamands
Crocker	Martin	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Fine	Olson of Burleigh	Van Arnam
Forbes	Olson of Eddy	Van Camp
Fredrickson	Pathman	Whitman
Hamilton	Patterson	Wog

Those voting in the negative were:

Messrs.	Messrs.
Benson	Flechten
Ettestad	Patten

So the bill passed and the title was agreed to.

Senate Bill No. 221. A Bill For an Act to Amend and Re-enact Section 10322a85 of the Supplement to the Compiled Laws of North Dakota 1913, Relating to Fish and the manner of taking.

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.
Atkins	Hamilton	Patterson
Baird	Hart	Peck
Bakken	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Ritchie
Brunsdale	McCrary	Rusch
Carey	McLachlin	Sathre
Conrath	Magnuson	Schlosser
Crocker	Marshall	Seamands
Eastgate	Martin	Steel
Erickson	Murphy	Stevens
Ettestad	Olson of Barnes	Tofsrud
Fine	Olson of Burleigh	Van Arnam

Messrs. Forbes Fredrickson	Messrs. Olson of Eddy Pathman	Messrs. Van Camp Wog
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Those voting in the negative were:

Messrs. Benson	Messrs. Fleckten	Messrs. Patten
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Absent and not voting:

Messrs.  
Whitman

So the bill passed and the title was agreed to.

Senate Bill No. 223. A Bill For an Act Providing that the Making, Signing or Procurement of a False Affidavit for Garnishment shall constitute a Misdemeanor.

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 25, absent and not voting 0.

Those voting in the affirmative were:

Messrs. Bakken Benson Brant Erickson Ettestad Fine Fleckten Fredrickson	Messrs. Hamilton Hart Hjelmstad McCrary Magnuson Marshall Martin Murphy	Messrs. Olson of Barnes Olson of Burleigh Olson of Eddy Patterson Ritchie Rusch Stevens Wog
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Those voting in the negative were:

Messrs. Atkins Baird Bond Brunsdale Carey Conrath Crocker Eastgate Forbes	Messrs. Kretschmar Lynch McLachlin Pathman Patten Peck Ployhar Porter Sathre	Messrs. Schlosser Seamands Steel Tofsrud Van Arnam Van Camp Whitman
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So the bill was declared lost.

Senate Bill No. 224. 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 Corporation Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Ritchie
Brunsdale	McLachlir	Rusch
Conrath	Magnuson	Sathre
Crocker	Marshall	Seamands
Eastgate	Martin	Steel
Erickson	Murphy	Stevens
Ettestad	Olson of Barnes	Tofsrud
Fine	Olson of Eddy	Van Arnam
Fleckten	Pathman	Whitman
Forbes	Patten	Wog

Those voting in the negative were:

Messrs.  
McCrory

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bakken	Hart	Schlosser
Carey	Olson of Burleigh	Van Camp

So the bill passed and the title was agreed to.

Senator Sathre moved that the Senate do now recess for ten minutes. Which motion prevailed and the Senate recessed.

The Senate reassembled pursuant to recess taken, the President presiding.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bill:

Concurrent Resolution "N".

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.



## SIGNING BILLS

The Secretary announced that the President was about to sign:

The McNary-Haugen Concurrent Resolution.

And the President signed the same in the presence of the Senate.

## THIRD READING OF SENATE BILLS

Senate Bill No. 225. A Bill For an Act to amend and re-enact Section 89 of the Compiled Laws of the State of North Dakota of 1913 relating to the exchange of laws with other states.

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.
Atkins	Hart	Peck
Raird	Hjelmstad	Porter
Bakken	Kretschmar	Rusch
Benson	Lynch	Sathre
Bond	McCroy	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steel
Conrath	Marshall	Stevens
Crocker	Martin	Tofsrud
Eastgate	Murphy	Van Arnam
Erickson	Olson of Barnes	Van Camp
Ettestad	Olson of Burleigh	Whitman
Fleekten	Pathman	Wog
Forbes	Patten	
Hamilton	Patterson	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brant	Fredrickson	Ployhar
Fine	Olson of Eddy	Ritchie

So the bill passed and the title was agreed to.

Senator Rusch moved that final action on Senate Bill No. 230 be deferred one legislative day.

Which motion prevailed.

Senate Bill No. 234. A Bill For an Act to Authorize the Supreme Court to Direct the Calling of Special Terms in any of the Counties of the State and to Designate a District Judge to Preside at such Term.

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.
Atkins	Hart	Porter
Baird	Hjelmstad	Patterson
Bond	Kretschmar	Peck
Bakken	Lynch	Rusch
Benson	McCroery	Sathre
Brant	McLachlin	Schlosser
Brunsdale	Magnuson	Seamands
Carey	Marshall	Steel
Conrath	Martin	Stevens
Crocker	Murphy	Tofsrud
Eastgate	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Forbes	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Hamilton	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Fredrickson	Ritchie
Fine	Ployhar	

So the bill passed and the title was agreed to.

Senate Bill No. 240. A Bill For an Act to Amend and Re-enact Section 10322a26 of the Supplement to the 1913 Compiled 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 41, nays 5, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Ployhar
Baird	Hamilton	Porter
Bakken	Hart	Rusch
Benson	Kretschmar	Sathre
Bond	Lynch	Schlosser
Brant	McCroery	Seamands
Brunsdale	McLachlin	Steel
Carey	Murphy	Stevens
Conrath	Olson of Barnes	Tofsrud
Crocker	Olson of Burleigh	Van Arnam
Eastgate	Olson of Eddy	Van Camp
Erickson	Pathman	Whitman
Ettestad	Patterson	Wog
Fleckten	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Hjelmstad	Marshall	Patten
Magnuson	Martin	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fine	Fredrickson	Ritchie

So the bill passed and the title was agreed to.

Senate Bill No. 246. A Bill For an Act to Amend and Re-enact Article 55b of Chapter 38 of the Political Code of the State of North Dakota, being sections 2976v1 to 2976v16, both inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over Any Public Highway by Motor Propelled Vehicles; Defining Auto 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 Punishment 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 44, nays 3, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Rusch
Bond	Lynch	Sathre
Brant	McCrory	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steel
Conrath	Marshall	Stevens
Crocker	Martin	Tofsrud
Eastgate	Murphy	Van Arnam
Erickson	Olson of Barnes	Van Camp
Ettestad	Olson of Burleigh	Whitman
Fine	Olson of Eddy	Wog
Forbes	Pathman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fleckten	Patten	Peck

Absent and not voting:

Messrs.	Messrs.
Fredrickson	Ritchie

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senate Bill No. 248. A Bill For an Act Legalizing and Validating all legal publications made prior to the 1st day of January, 1927, contrary to the provisions of Chapter 187 of Session Laws, 1919, and of Initiated Measure relating to Official Newspapers approved November 2, 1920.

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.
Atkins	Kretschmar	Sathre
Baird	Lynch	Schlosser
Bond	McLachlin	Seamands
Brant	Murphy	Steel
Brunsdale	Olson of Burleigh	Stevens
Carey	Pathman	Tofsrud
Crocker	Peck	Van Arnan
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman
Hart	Rusch	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Flechten	Marshall
Benson	Fredrickson	Martin
Conrath	Hamilton	Olson of Barnes
Erickson	Hjelmstad	Olson of Eddy
Ettestad	McCroly	Patten
Fine	Magnuson	Patterson

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to.

Senate Bill No. 254. A Bill For an Act to Amend and Re-enact Section 1438a2 of the Supplement to the 1913 Compiled Laws of North Dakota.

Was read the third time.

Senator Lynch moved that further action on Senate Bill 254 be deferred.

Which motion prevailed.

Senate Bill No. 256. A Bill For an Act to Amend and Re-enact Section 5031 of the Compiled Laws of North Dakota of 1913, relating to Limit of Property that may be Acquired by Fraternal Corporations.

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.
Atkins	Fredrickson	Patten
Baird	Hamilton	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Lynch	Porter
Brant	Kretschmar	Rusch
Brunsdale	McCrorry	Sathre
Carey	McLachlin	Seamands
Conrath	Magnuson	Schlosser
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to.

Concurrent Resolution K.

Was read the third time.

The question being on the final passage of the Concurrent Resolution, 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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hjelmstad	Ployhar
Benson	Kretschmar	Porter
Bond	Lynch	Rusch
Brant	McCrorry	Sathre
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Schlosser
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp

Messrs.	Messrs.	Messrs.
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	

Absent and not voting:

Messrs.	Messrs.
Hart	Ritchie

So the Resolution passed and the title was agreed to.

#### MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
February 19, 1927.

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

Senate Concurrent Resolution "N" by Senator Fine.

Which the House has concurred in.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Senator Patterson requested a return to the Eighth Order of Business.

Senator Patterson then moved to reconsider the vote by which Senate Bill 141 was indefinitely postponed.

Roll call demanded.

The question being on the motion by Senator Patterson, 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.
Baird	Hamilton	Peck
Bakken	Hjelmstad	Ployhar
Brant	McCrary	Rusch
Conrath	McLachlin	Sathre
Erickson	Martin	Schlcasser
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Whitman
Fleckten	Patterson	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patten
Benson	Hart	Seamands
Bond	Lynch	Steel
Brunsdale	Magnuson	Stevens

Messrs.	Messrs.	Messrs.
Carey	Marshall	Tofsrud
Crocker	Murphy	Van Camp
Eastgate	Olson of Barnes	
Forbes	Pathman	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Kretschmar	Porter	Ritchie

So the motion was declared carried.

Senator Hamilton explained his vote:

Believing that any bill introduced has a parliamentary right to be fairly and honestly considered by the body in which it is introduced, and that this was short-cut, jagged and killed without a Committee having considered it, I vote "aye".

Senator Sathre explained his vote:

I am opposed to the bill but I vote "aye" for the reason that I am willing it should have fair consideration on the floor by this body.

Senator Patterson moved the adoption of the Committee report on Senate Bill 141.

Roll call demanded.

The question being on the motion by Senator Patterson, the roll was called, and there were ayes 23, nays 23, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Fleckten	Peck
Bakken	Hamilton	Ployhar
Benson	McCrorry	Rusch
Brant	McLachlin	Schlosser
Conrath	Martin	Van Arnam
Erickson	Olson of Burleigh	Whitman.
Ettestad	Olson of Eddy	Wog
Fine	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Patten
Bond	Hjelmstad	Sathre
Brunsdale	Lynch	Seamands
Carey	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Murphy	Tofsrud

Messrs. Forbes Fredrickson	Messrs. Olson of Barnes Pathman	Messrs. Van Camp
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Absent and not voting:

Messrs. Kretschmar	Messrs. Porter	Messrs. Ritchie
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So the motion was declared lost.

Senator Stevens moved that the vote by which the Committee report on Senate Bill No. 141 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Rusch moved to amend his previous motion, so that final action on Senate Bill 230 be deferred.

Which motion prevailed.

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: Mrs. Frank E. Ployhar, Paula M. Kittel, S. T. Lillehaugen, A. A. Steenhaus, G. A. Gannon, Ray Gergen, Mike Market, Ole Stefferud, Mrs. Wm. Evenson, C. W. Lewis, Mr. and Mrs. R. R. Smith, and J. E. Blegeberg.

Senator Ployhar moved that the Senate do now recess until 11:00 A. M., Monday.

Which motion prevailed and the Senate recessed.

W. D. AUSTIN,  
Secretary.



FORTY-SEVENTH DAY AFTER RECESS  
AND THE FORTY-NINTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 21, 1927.

The Senate re-assembled at 1:00 P. M., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 179. A Bill For an Act Amending and Re-enacting Sections 5012a2 and 5012a3 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Extinct Denominational and Religious Societies.

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

(To be substituted for line 15 page 3 of the printed bill and subsequent lines): church or society extinct and shall direct the officers thereof, if any, to transfer all its property to the general ecclesiastical body or central organization, of whatever name, entitled thereto, or if there are no such local officers the order of the court or judge shall in specific terms operate as and effect a conveyance of such property, or the court may direct that the same be sold in such manner and upon such notice as shall be ordered, and that the proceeds thereof, after payment of all debts of such church or society, shall be paid over to such central organization. Judgment shall be entered upon such order as in other actions or proceedings. Such central organization shall have power to control, manage or convey all property and to invest all proceeds from the sale thereof so transferred to and vested in it, subject to the provision that the same, in whatever form it may exist, shall be used for the work of such central organization within the territorial limits of the state of North Dakota, and shall not be devoted to any other purpose.

And when so amended recommend the same do pass.

WALTER BOND,  
Chairman.

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

Mr. President: Your Committee on Public Safety to whom was referred:

Senate Bill No. 120. A Bill For an Act Declaring all Racing or Trial of Speed by or Between Automobiles or Other Motor Driven Vehicles a Common Nuisance, Making Anyone Participating, Aiding or Abetting Therein Guilty of a Misdemeanor, and Providing Additional Penalty Therefor.

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

In the title in the fourth line of the printed bill strike out the comma, and insert a period after the word "misdemeanor" and strike out the rest of the line. In line 5, of the printed bill, insert a period after the word "misdemeanor", and strike out all of lines 6, 7, and 8.

And when so amended recommend the same do pass.

P. O. SATHRE,  
Chairman.

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

Mr. President: Your Committee on Temperance to whom was referred:

Senate Bill No. 259. A Bill For an Act to Control and Suppress Venereal Diseases, to Regulate and Control the Sale of Patent Medicines, Nostrums, Devices and Drugs Sold by any Person, Firm or Corporation, Fixing a License and Tax for the Sale of such Articles, Regulating all Persons that shall Treat Persons Afflicted with such Disease, Regulating the Hospital Treatment of such Patients and Regulating such Hospitals, Providing for Punishing Persons that become Chronic Patients Afflicted with such Disease and Providing for Unsexing such Person as become Chronic Patients through Repeated Exploits in the field of Promiscuous Sexual Intercourse, and Providing Fines and Penalties for such as Violate the Provisions of this Law.

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

NELS MAGNUSON,  
Chairman.

Senator Magnuson 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. 252. A Bill For an Act to Amend and Re-enact Sub-division 5 of Section 2 of Chapter 165, Session Laws

of North Dakota for the year 1925, Relating to Mothers Pensions.

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

A. S. MARSHALL,  
Chairman.

Senator Marshall 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. 253. A Bill For an Act to Amend and Re-enact Section 10246a1 of the Supplement to the Compiled Laws of North Dakota for 1913, Regulating and Fixing the Hours of Labor of Females and Providing Penalties for Violation Thereof.

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

A. S. MARSHALL,  
Chairman.

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

Mr. President: Your Committee on Public Safety to whom was referred:

Senate Bill No. 160. A Bill For an Act regulating the operation of vehicles on highways and providing for traffic signs and signals and defining the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act and to provide for the enforcement of this act and the disposition of fines and forfeitures collected hereunder and to make uniform the law relating to the subject matter of this act.

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

P. O. SATHRE,  
Chairman.

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

Mr. President: A Majority of your Committee on Tax and Tax Laws to whom was referred:

Senate Bill No. 186. A Bill For an Act to Amend and Re-enact Section 189b6 of the Supplement to the 1913 Compiled Laws of North Dakota Providing for a Flat Tax and Permanent Surplus and the Purposes Thereof.

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

H. J. RUSCH,  
P. J. MURPHY,  
O. T. TOFSRUD,  
JOSEPH G. FORBES,  
FRED VAN CAMP,  
C. N. BRUNSDALE.

Senator Rusch moved that the Majority report be adopted.

Mr. President: A Minority of your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 186. A Bill For an Act to Amend and Re-enact Section 189b6 of the Supplement to the 1913 Compiled Laws of North Dakota Providing for a Flat Tax and Permanent Surplus and the Purposes Thereof.

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

OLE ETTESTAD,  
GUST WOG.

Senator Ettestad moved the substitution of the word "minority" for the word "majority".

Which motion was lost.

The question being upon the original motion, the question was put and the motion prevailed and the majority report of the committee was adopted.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 215. A Bill For an Act to Levy a Tax of One Mill upon each Dollar of Assessed Valuation of All Taxable Property within the State for Each Year for the Purpose of Augmenting the Depositors' Guaranty Fund.

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:

An Act providing for the discontinuance of the Depositors' Guaranty Fund, the liquidation of claims against it, the levy of a tax with which to liquidate such claims, and the winding up of its affairs, repealing acts in conflict therewith, and providing for the submission of the Act to a referendum vote of the electors.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF  
THE STATE OF NORTH DAKOTA:

Section 1. From and after the close of business on December 31st, 1927, deposits in state banking associations shall

not be guaranteed by the Depositors' Guaranty Fund, existing under Chapter 200 of the Session Laws of North Dakota for the year 1923, and except as herein provided for said Act shall be inoperative from and after the taking effect hereof.

Section 2. All guaranteed deposits in said banking associations that shall have become insolvent and have been closed voluntarily or by the Banking Department at the close of the business day of December 31st, 1927, shall remain guaranteed by the said Depositors' Guaranty Fund, and all going state banking associations shall continue to make reports of their deposits, as in said Chapter 200 of the Session Laws of 1923 provided, including the report to be made June 30th, 1936, unless the obligations against the said Fund shall have been sooner liquidated as herein provided for.

Section 3. The Guaranty Fund Commission shall continue to make assessments and collections against going banking associations and to perform all the duties imposed upon them by the said Chapter 200 Laws of 1923 in connection with the administration and management of such fund and the payment of approved claims of deposits until the assessments levied on the 1936 reports shall have been paid (unless claims against such fund shall have been sooner liquidated) and the affairs of the said Fund closed as herein provided for. Provided, However: the assessments levied against banks during said period shall be at the rate of not to exceed five assessments each year of one-twentieth of one per cent each on the average deposits, as in said Chapter 200 Laws of 1923 provided.

Section 4. To aid in the payment of approved claims against the Depositors' Guaranty Fund a tax of one mill on the dollar of the assessed valuation of all the property of the State shall be levied each year, beginning with the year 1928 and continuing until sufficient has been realized, together with the assessments against banks on account of deposits as herein provided for, to pay all such allowed claims, without interest. No levy shall be made hereunder, however, subsequent to the year 1938. The revenue from such levy as collected each year, together with all interest and penalty thereon, shall be paid into and become a part of the Depositors' Guaranty Fund as the same is available at the end of each month to be used and paid out as provided by said Chapter 200 of the Laws of 1923, and the State Board of Equalization is directed to take all steps and do all things necessary to effectuate the making of said levy and the application of the funds to be realized therefrom to the uses and purposes herein provided for. Provided, However; for the year 1928 such levy shall be limited to such fraction of one mill as is available after first making a levy of such part of one mill as is necessary for the purpose of meeting the requirements of the Return Soldiers Fund, existing under the provisions of Section 3187C1 to 3187C10, inclusive, of the Supplement to the Compiled Laws of 1913.

Section 5. When all collections have been made of assessments against banks on account of deposits as herein

limited, and the one mill tax for the year 1938 has been collected as herein provided for, the Guaranty Fund Commission shall, as expeditiously as possible, complete the payment of allowed claims against the Depositors' Guaranty Fund as far as the same can be paid out of the funds belonging to it, and it shall thereupon make a final accounting to the State Treasurer and turn over to him any balance, if any, of said fund, and the offices of the members of the Guaranty Fund Commission shall thereupon cease to exist, and the Governor of the State shall thereupon make a public proclamation of the fact that the affairs of the Depositors' Guaranty Fund have been closed and that it has ceased to exist.

Section 6. Any balance in the said Guaranty Fund that may be accounted for and turned over to the State Treasurer, as in the last preceding section provided for, shall be covered into the general fund of the State.

Section 7. This Act shall be submitted to a referendum vote of the electors of the State at the primary election of 1928, and for the purpose of facilitating such submission the Secretary of State and all other public officers shall proceed, without any petition for a referendum being filed, and cause the same to be submitted in all things the same as though a referendum petition had been duly filed as provided by the Constitution and statutes of the State, and this Act shall not go into effect unless a majority of the votes cast on the question at said election shall be in its favor, but if the official canvass of the votes so cast shall show such majority in favor of such Act it shall then become operative as a law thirty days after such election. Provided, However; this section of the Act requiring its submission to a referendum vote shall become operative and binding July 1st, 1927.

Section 8. All Acts and Parts of Acts in conflict herewith are hereby expressly repealed.

And when so amended, be returned to Senate without recommendation and be placed on calendar for third reading.

H. J. RUSCH,  
Chairman.

Senator Rusch 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:

Senate Bill No. 157. A Bill For an Act Making an Appropriation for the Construction of a State Radio Broadcasting Station at the Capitol in Bismarck, and providing for its construction and management.

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

P. T. KRETSCHMAR,  
ALFRED STEEL,  
L. R. BAIRD,  
C. W. CAREY,  
FRANK E. PLOYHAR,  
P. J. MURPHY,  
H. J. RUSCH,  
WALTER BOND,  
FRED VAN CAMP,

Senator Kretschmar moved that the majority report be adopted.

Mr. President: A Minority of your Committee on Appropriations to whom was referred:

Senate Bill No. 157. A Bill For an Act Making an Appropriation for the Construction of a State Radio Broadcasting Station at the Capitol in Bismarck, and providing for its construction and management.

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

D. H. HAMILTON,  
R. W. PATEN,  
JOHN W. BENSON,  
A. S. MARSHALL,  
E. H. BRANT,  
NELS MAGNUSON.

Senator Hamilton moved the substitution of the word "minority" for the word "majority".

Roll call demanded.

The question being on the motion by Senator Hamilton, the roll was called, and there were ayes 19, nays 25, absent and not voting 4, passing 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Hjelmstad	Olson of Eddy
Brant	McCrory	Patten
Conrath	Magnuson	Patterson
Erickson	Marshall	Peck
Fleckten	Martin	Wog
Fredrickson	Olson of Barnes	
Hamilton	Olson of Burleigh	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Sathre
Baird	Kretschmar	Schlosser
Benson	Lynch	Seamands
Bond	McLachlin	Steel

Messrs.	Messrs.	Messrs.
Brunsdale	Murphy	Stevens
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	
Forbes	Rusch	

**Absent and not voting:**

Messrs.	Messrs.
Ettestad	Ritchie
Fine	Tofsrud

Those Passing:

Messrs.  
Whitman

So the motion was declared lost.

The question being upon the original motion the question was put, and the motion prevailed and the majority report of the committee was adopted.

Senator Benson gave notice that on the next legislative day he would move for a reconsideration of the vote by which the majority report of the committee on Senate Bill No. 157 was indefinitely postponed.

Senator Sathre requested that the Senate pass to the Thirteenth Order of Business.

Which request was granted.

**THIRD READING OF SENATE BILLS**

Senate Bill No. 230. A Bill For an Act to provide for the Assessment and Taxation of Property of Power Companies, defining the same, providing for furnishing information relative to such property, outlining duties of the Tax Commissioner, State Board of Equalization, County Auditor and County Treasurer. Repealing all Acts and parts of Acts in conflict with 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 40, nays 6, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Pathman
Baird	Fredrickson	Patten
Bakken	Hamilton	Patterson
Benson	Hart	Peck
Bond	Hjelmstad	Ployhar
Brant	Lynch	Rusch
Brunsdale	McCrory	Sathre
Carey	Magnuson	Seamands



Messrs.	Messrs.	Messrs.
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Whitman
Erickson	Olson of Barnes	Wog
Ettestad	Olson of Burleigh	
Fleckten	Olson of Eddy	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Kretschmar	Porter	Van Arnam
McLachlin	Schlosser	Van Camp

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fine	Ritchie	Tofsrud

So the bill passed and the title was agreed to.

Senate Bill No. 254. A Bill For an Act to Amend and Re-enact Section 1438a2 of the Supplement to the 1913 Compiled Laws of North Dakota.

Was read the third time.

Senator Lynch offered the following amendment: In line 1 of the engrossed bill after the figure "1438a2" insert the following: "of the supplment to the 1913 compiled Laws of North Dakota is hereby amended and re-enacted to read as follows". Strike out the word "enrolled" at the end of the bill and insert in lieu thereof the words "in attendance".

Which motion prevailed.

Senator Hjelmstad offered the following amendment: Whenever the words "two and one-half" occur in the bill change the same to "two".

Which motion prevailed.

Senator Patten moved that further consideration of Senate Bill 254 be indefinitely postponed.

Roll call demanded.

The question being on the motion by Senator Patten, the roll was called, and there were ayes 22, nays 23, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hart	Patterson
Carey	Hjelmstad	Peck
Conrath	McCroy	Schlosser
Crocker	Magnuson	Wog
Ettestad	Martin	
Fleckten	Olson of Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Lynch	Sathre
Baird	McLachlin	Seamands
Bond	Marshall	Steel
Brunsdale	Murphy	Stevens
Eastgate	Pathman	Van Arnam
Erickson	Ployhar	Van Camp
Forbes	Porter	Whitman
Kretschmar	Rusch	

Absent and not voting:

Messrs.	Messrs.
Fine	Ritchie
Olson of Burleigh	Tofsrud

So the motion was declared lost.

Senator Benson moved that further consideration of Senate Bill 254 be made a special order of business for 3:00 P. M.

Which motion prevailed.

Senator Carey moved that the Senate do now adjourn.

Which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

#### FORTY-NINTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 21, 1927.

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

Prayer by the Chaplain, Rev. John A. H. Slag.

Roll call.

All members present.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-seventh day and recommend that the same be corrected as follows:

On page 42 after line 6 insert the following: "Third Reading of Senate Bills".

On page 49 in line 8 after the word "which" insert the following: "The committee report on".

In line 9 on same page after the word "was" strike out the word "passed" and insert in lieu thereof the word "lost".

In line 13 on same page strike out the figures "141" and insert the figures "230" in lieu thereof.

On page 18, last line Section 6, correct spelling of the word "spayed".

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

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

Senate Bills 139, 161, 163, 185, 213, 221, 224, 225, 234, 240, 246, 248, 256 and Concurrent Resolution "K" were messaged to the House.

#### MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
February 19, 1927.

Mr. President: I have the honor to inform you that the House refuses to concur in the Senate amendment to House Bill No. 106, and the Speaker has appointed the following as a conference committee:

REP. CRAIG,  
REP. FOWLER,  
REP. SWENDSEID,

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 21, 1927.

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

House Bill No. 277. A Bill For an Act empowering and Authorizing Cities and Villages to Refund and Reissue Special Improvement Warrants upon the Surrender of the Outstanding Warrants by the Holders Thereof.

House Bill No. 317. A Bill For an Act Authorizing the State Board of Armory Supervisors to Convey the Armory Located in the City of Hillsboro, State of North Dakota, to the City of Hillsboro.

House Bill No. 321. A Bill For an Act to Amend and Re-enact Section 3705 of the Compiled Laws of North Dakota for 1913, relating to the Advertising for Bids for Special Improvements.

House Bill No. 319. A Bill For an Act Providing for Special assessments for the construction of Sewer and Water Connections, and Providing for a Special Assessment fund for that purpose.

House Bill No. 335. A Bill For an Act to prevent fraud and deception in the manufacture and sale of concentrated

commercial feeding stuffs and providing for registration and labeling thereof and repealing Chapter 37 of the Session Laws of 1921, Sections 1 to 13, inclusive, and all other acts or parts of acts inconsistent herewith.

House Bill No. 348. A Bill For an Act Amending Section 375b3 of the Supplement to the Compiled Laws of North Dakota for the year 1913 relating to the duties of the State Printer.

House Bill No. 240. A Bill For an Act to Appropriate \$2,000.00 for the Payment of the Expenses to be Incurred by Boys and Girls Club Work at State Fairs.

House Bill No. 293. A Bill For an Act relating to the consolidation or merger of banks.

House Bill No. 334. A Bill For an Act to amend and reenact Section 2642 of the Compiled Laws of North Dakota of 1913, relating to the liability of owners of dogs killing sheep and other domestic animals.

House Bill No. 362. A Bill For an Act authorizinz the Commissioner of Agriculture and Labor to Declare Quarantine Measures, should it be necessary, to prevent the introduction of the European Corn Borer into North Dakota, and prescribing penalty for violations.

House Bill No. 17. A Bill For an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Department of Motor Vehicle Registration.

House Bill No. 270. A Bill For an Act to Validate Sales of Real Estate Made by an Executor or Administrator pursuant to contract, which has not been confirmed by the County Court.

House Bill No. 292. A Bill For an Act Relating to the Recording of Sheriff's Deeds and Other Conveyances of Real Property Acquired by the Bank of North Dakota, as Agent for the State Treasurer as Trustee of the State of North Dakota under the Provisions of Chapter 154 of the Session Laws of North Dakota for 1919 and Chapter 292 of the Session Laws of North Dakota for 1923, and Acts Amendatory thereof; Prescribing the Duties of the County Auditor and Register of Deeds in respect thereto; and Providing that Section 2212 of the Supplement to the Compiled Laws of North Dakota for 1913 shall not be Applicable Thereto.

House Bill No. 295. A Bill For an Act to Amend and Reenact Section 7377 of the Compiled Laws of the State of North Dakota for 1913, relating to limitations of actions.

House Bill No. 306. A Bill For an Act Relating to the Deposits of Money by Executors, Administrators and Guardians in Solvent Banks or Trust Companies.

House Bill No. 311. A Bill For an Act to Provide for the Payment of Outstanding Warrants issued by any Board of Drain Commissioners for expenses incurred and for services of surveyors, engineers and other persons or corporations,

contracted for and rendered prior to the establishment of drains for the purpose of draining agricultural lands, in cases where any such Board has established such drain or drains, and same has thereafter been abandoned, or the construction thereof postponed for a period of more than two years, and providing for the reconveyance of land no longer required for Drainage purposes.

House Bill No. 351. A Joint Resolutoin to Amend and Re-enact Section 179 of Article 11 of the Constitution of the State of North Dakota as Amended by Article 20 of the Amendments thereto, Relating to Revenue and Taxation.

House Bill No. 352. A Bill For an Act to Amend and Re-enact Sections 10180, 10181, 10182 and 10183 of the Compiled Laws of North Dakota for 1913 Prohibiting the Sale, Bartering or Giving Away of Snuff to Minors, Providing Penalties Therefor and Repealing Acts in Conflict Therewith.

House Bill No. 356. A Bill For an Act to Amend and Re-enact Section 2 of Chapter 213, of the Compiled Laws of North Dakota for 1925 Regulating the Expenditure of money for Traveling Expenses of Members, Officers, and Employees of State Departments.

House Bill No. 264. A Bill For an Act Authorizing and Empowering the Board of Park Commissioners of the Park District of any City, to Contract for the Purchase of Lands for Park Purposes, upon Deferred and Installment payments; Limiting the Amount of such Purchases; and Requiring all payments so made therefor, to be made from Revenues derived from the Tax Levy of such District authorized by Law; Repeal.

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

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

THE SPEAKER'S ROOMS  
HOUSE OF REPRESENTATIVES U. S.  
WASHINGTON, D. C.

February 18, 1927.

The President of the Senate,  
Bismarck, North Dakota.  
My Dear Sir:

I have for acknowledgment your communication of recent date transmitting a copy of a resolution adopted by a Joint Committee of the House and Senate of the Twentieth Legislative Assembly of the State of North Dakota relative to the Great Lakes St. Lawrence Seaway.

Very truly yours,  
NICHOLAS LONGWORTH.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 249. A Bill For an Act Providing a Limitation for filing and bringing suit on claims against insolvent banks or their receivers.

Also,

Senate Bill No. 258. A Bill For an Act to Validate and Legalize Certain Proceedings of Park Districts and their Commissioners Relating to Bond Issues.

Also,

Senate Bill No. 65. A Bill For an Act to Amend and Re-enact, Section 3, of Chapter 162, of the Session Laws of the State of North Dakota for the Year 1919, and Acts Amendatory thereof, relating to the Workmen's Compensation Act.

Also,

Senate Bill No. 226. A Bill For an Act to Amend and Re-enact Section 506a6 and 506a9 of the Supplement to the Compiled Laws of 1913.

Also,

Senate Bill No. 237. A Bill For an Act relating to banks, providing for Savings Deposits, fixing the reserve, limiting the investment of such deposits, exempting the same from the Depositors' Guaranty Fund law, and providing a penalty for the violation of the provisions hereof.

Also,

Senate Bill No. 243. A Bill For an Act to Amend and Re-enact Sections 2346a20, 2346a21 and 2346a22 of the Supplement to the Compiled Laws 1913.

Also,

Senate Bill No. 159. A Bill For an Act to Amend and Re-enact Section 3236 of the Supplement to the 1913 Compiled Laws of the State of North Dakota, relating to the removal of County Seat by ballot and notice of result.

Also,

Senate Bill No. 170. A Bill For an Act Providing For the Inspection of Scales, Weights and Measures under the Jurisdiction of the Board of Railroad Commissioners, Prescribing the Powers and Duties of said Board, Defining the Standard of Weights and Measures, Providing Penalties for the Violation Thereof, Regulating the Use and Sale of Weights and Measures, Providing for the Fixation of Fees, Making an Appropriation to Carry Out the Provisions of this Act, and Repealing Chapter 344 of the Session Laws of North Dakota for 1923.

Also,

Senate Bill No. 222. A Bill For an Act to Encourage the Sale of Gasoline or Motor Fuel for Use in High Compression Motors with Resulting Fuel Economy, Permitting the Coloring of such Motor Fuel and Prohibiting the Sale of so-called "Gasoline Improvers" which are worthless or harmful; Making Violations hereof a Misdemeanor and Providing the Penalty therefor.

Also,

Senate Bill No. 93. A Bill For an Act Providing for the Licensing of Dogs; Regulating the Keeping of Dogs, and Authorizing Their Destruction in Certain Cases; Imposing Powers and Duties on Certain State, County, City, Village and Township Officers and Employees, and Providing Penalties for the Violation of this Act; and Repealing All Acts and Parts of Acts in Conflict With this Act.

Also,

Senate Bill No. 146. A Bill For an Act Providing for the Leasing of State or School Lands supposed to Contain Oil and to Make and Establish Rules and Regulating relative to the Development thereof; Providing for Royalty to be Collected therefrom, and for the Sale of Improvements on such Lands; for the Assignment thereof and for Geological Reports thereon.

Also,

Senate Bill No. 154. A Bill For an Act relating to and fixing the salaries of the County Auditor, the County Treasurer, the Register of Deeds, the County Sheriff, the Clerk of the District Court, the County Judge, the State's Attorney, and the County Superintendent of Schools, also fixing the number of and the salaries to be paid to the Deputies, and providing for Clerks and Assistants to be employed in the offices of the County Auditor, County Treasurer, Register of Deeds, Clerk of the District Court, County Sheriff, State's Attorney, County Judge and the County Superintendent of Schools, (in Counties having a County Court of increased jurisdiction and have a population exceeding forty thousand,) and repealing all acts or parts of acts in conflict therewith.

Also,

Senate Bill No. 219. A Bill For an Act Appropriating the Sum of \$1,500.00 out of the State Highway Operating Fund of the Highway Commission, for the purpose of re-imbursing certain Mechanics for losses sustained in the destruction of the Highway Commission Shops by fire.

Also,

Senate Bill No. 184. A Bill For an Act to Amend and Re-enact Sections 3, 8 and 9, Chapter 159, Session Laws of 1919, and Section 3 of Chapter 154, Session Laws of 1925, Relating to Insurance on Public Buildings, Providing for the Clas-

sification of All Public Property, and Limiting the Amount of Insurance to be Carried by the State Fire and Tornado Fund.

Also,

Senate Bill No. 176. A Bill For an Act to Amend and Re-enact Section 690 of the Supplement to the 1913 Compiled Laws, Relating to the Removal of Public Officers by the Governor and Appeals Therefrom.

Also,

Senate Bill No. 247. A Bill For an Act clarifying what constitutes a consolidated school.

Also,

Senate Bill No. 238. A Bill For an Act Appropriating the Sum of Five Thousand Dollars (\$5,000.00) From the General Funds of the State to Compensate Honorable Chas. M. Cooley, Judge of the First Judicial District of North Dakota, for Services Rendered as Special Judge Under Chapter 137 of the Session Laws of North Dakota for 1923.

Also,

Senate Bill No. 231. A Bill For an Act To amend and re-enact Subdivision (1) of Section 4059, of Chapter 96, of the Laws of 1921, relating to the Powers of Park Boards.

Also,

Senate Concurrent Resolution L.

Also,

Senate Concurrent Resolution M.

Also,

Senate Concurrent Resolution Regarding Stabilization of the Dollar.

And find the same correctly Engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved the report be adopted. Which motion prevailed and the report of the committee was adopted.

Senator Murphy moved that House Bill 168 be re-referred to the Committee on Insurance.

Which motion prevailed and the bill was so re-referred.

Senator Baird moved that House Bill 127 be re-referred to the Judiciary Committee.

Which motion prevailed and the bill was so re-referred.



Senator Atkins moved that House Bill 165 be re-referred to the Committee on Highways.

Which motion prevailed and the bill was so re-referred.

THIRD READING OF SENATE BILLS

Senate Bill No. 65. A Bill For an Act to Amend and Re-enact, Section 3, of Chapter 162, of the Session Laws of the State of North Dakota for the Year 1919, and Acts Amendatory thereof, relating to the Workmen's Compensation Act.

Was read the third time.

Senator Ployhar offered the following amendments:

In the printed bill, in line 120, after the comma, insert the word "and".

In line 138 after the word "extent" insert "25%" and place semi-colon after "%" sign.

In line 153 after word "alike" place semi-colon and add "if none of them are wholly dependent, but one or more are partly dependent, 10% divided among such dependents, share and share alike".

In line 155 place a period after the word "parent" and add "if there is a widow, widower, child or dependent parent".

In line 167 change ninth word to "that".

In line 210 change letter "i" in parenthesis to "m".

Which amendments were adopted.

The question being on the final passage of the bill, as amended, the roll was called, and there were ayes 35, nays 14, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Ritchie
Baird	Hjelmstad	Rusch
Bakken	Kretschmar	Sathre
Bond	Lynch	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Murphy	Steel
Conrath	Olson of Burleigh	Stevens
Crocker	Pathman	Tofsrud
Eastgate	Patterson	Van Arnam
Ettestad	Peck	Van Camp
Forbes	Ployhar	Whitman
Hamilton	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fredrickson	Olson of Barnes
Brant	McCrorry	Olson of Eddy

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Erickson	Magnuson	Patten
Fine	Marshall	Wog
Fleckten	Martin	

So the bill passed and the title was agreed to.

Senator Kretschmar moved that the vote by which Senate Bill No. 65 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 93. A Bill For an Act Providing for the Licensing of Dogs; Regulating the Keeping of Dogs, and Authorizing Their Destruction in Certain Cases; Imposing Powers and Duties on Certain State, County, City, Village and Township Officers and Employees, and Providing 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, the roll was called, and there were ayes 30, nays 19, absent and not voting 0.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hjelmstad	Peck
Benson	Lynch	Ployhar
Bond	McLachlin	Porter
Brunsdale	Magnuson	Sathre
Crocker	Marshall	Schlosser
Eastgate	Murphy	Seamands
Forbes	Olson of Burleigh	Stevens
Fredrickson	Olson of Eddy	Van Arnam
Hamilton	Pathman	Van Camp
Hart	Patterson	Whitman

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Baird	Fine	Ritchie
Bakken	Fleckten	Rusch
Brant	Kretschmar	Steel
Carey	McCrorry	Tofsrud
Conrath	Martin	Wog
Erickson	Olson of Barnes	
Ettestad	Patten	

So the bill passed and the title was agreed to.

Senator Hamilton moved that the vote by which Senate Bill No. 93 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 146. A Bill For an Act Providing for the Leasing of State or School Lands supposed to Contain Oil

and to Make and Establish Rules and Regulating relative to the Development thereof; Providing for Royalty to be Collected therefrom, and for the Sale of Improvements on such Lands; for the Assignment thereof and for Geological Reports thereon.

Was read the third time.

Senator Hamilton moved to amend the bill by adding the words "Section 8. Emergency. An emergency is hereby declared to exist and this act shall become effective immediately upon its passage and approval".

Which motion prevailed and the amendment was adopted.

The question being on the final passage of the bill, as amended, the roll was called, and there were ayes 46, nays 3, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Peck
Bakken	Hjelmstad	Ployhar
Benson	Kretschmar	Porter
Bond	Lynch	Ritchie
Brant	McCroy	Rusch
Brunsdale	McLachlin	Sathre
Carey	Magnuson	Schlosser
Conrath	Marshall	Steel
Crocker	Martin	Tofsrud
Eastgate	Murphy	Van Arnam
Erickson	Olson of Barnes	Van Camp
Ettestad	Olson of Burleigh	Whitman
Fleckten	Olson of Eddy	Wog
Forbes	Pathman	
Fredrickson	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Finē	Seamands	Stevens

So the bill passed and the title was agreed to. Emergency clause declared carried.

Senator Murphy moved that the vote by which Senate Bill No. 146 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 154. A Bill For an Act relating to and fixing the salaries of the County Auditor, the County Treasurer, the Register of Deeds, the County Sheriff, the Clerk of the District Court, the County Judge, the State's Attorney, and the County Superintendent of Schools, also fixing the number of and the salaries to be paid to the Deputies, and providing for Clerks and Assistants to be employed in the offices of the County Auditor, County Treasurer, Register of

Deeds, Clerk of the District Court, County Sheriff, State's Attorney, County Judge and the County Superintendent of Schools, (in Counties having a County Court of increased jurisdiction and have a population exceeding forty thousand,) 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 43, nays 4, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Porter
Baird	Hart	Ritchie
Bakken	Hjelmstad	Rusch
Benson	Kretschmar	Sathre
Bond	Lynch	Schlosser
Brant	McLachlin	Seamands
Brunsdale	Magnuson	Steel
Carey	Marshall	Stevens
Conrath	Murphy	Tofsrud
Crocker	Olson of Burleigh	Van Arnam
Eastgate	Olson of Eddy	Van Camp
Erickson	Pathman	Whitman
Ettestad	Patterson	Wog
Forbes	Peck	
Fredrickson	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.
Fine	McCroory
Fleckten	Martin

Absent and not voting:

Messrs.	Messrs.
Olson of Barnes	Patten

So the bill passed and the title was agreed to.

Senator Murphy moved that the vote by which Senate Bill No. 154 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### SPECIAL ORDER AT 3 O'CLOCK P. M.

Senate Bill No. 254. A Bill For an Act to Amend and Re-enact Section 1438a2 of the Supplement to the 1913 Compiled Laws of North Dakota.

Was read the third time.

Senator Stevens offered the following amendment: In line 2 of the printed bill strike out the words "the duty of" and insert in lieu thereof "optional with".

Which amendment was lost.

The question being on the final passage of the bill, as amended, the roll was called, and there were ayes 27, nays 22, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Sathre
Baird	Marshall	Schlosser
Bond	Murphy	Seamands
Brunsdale	Olson of Barnes	Steel
Crocker	Olson of Burleigh	Stevens
Eastgate	Pathman	Tofsrud
Erickson	Ployhar	Van Arnam
Forbes	Porter	Van Camp
Lynch	Rusch	Whitman

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hart	Patterson
Carey	Hjelmstad	Peck
Conrath	Kretschmar	Ritchie
Ettestad	McCrory	Wog
Fine	Magnuson	
Fleckten	Martin	

So the bill passed and the title was agreed to.

Senator Lynch moved that the vote by which Senate Bill No. 254 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 159. A Bill For an Act to Amend and Re-enact Section 3236 of the Supplement to the 1913 Compiled Laws of the State of North Dakota, relating to the removal of County Seat by ballot and notice of result.

Was read the third time.

Senator Frederickson moved that further consideration of Senate Bill 159 be indefinitely postponed.

Roll call demanded.

The question being on the motion by Senator Frederickson, the roll was called, and there were ayes 32, nays 17, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Ritchie
Baird	Lynch	Rusch
Bond	Magnuson	Sathre

Messrs.	Messrs.	Messrs.
Brunsdale	Marshall	Schlosser
Carey	Murphy	Seamands
Crocker	Olson of Barnes	Steel
Eastgate	Olson of Burleigh	Stevens
Forbes	Olson of Eddy	Tofsrud
Fredrickson	Pathman	Van Camp
Hart	Ployhar	Whitman
Hjelmstad	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fine	Patten
Benson	Fleckten	Patterson
Brant	Hamilton	Peck
Conrath	McCrory	Van Arnam
Erickson	McLachlin	Wog
Ettestad	Martin	

So the motion prevailed.

Senator Frederickson moved that the vote by which Senate Bill No. 159 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 170. A Bill For an Act Providing For the Inspection of Scales, Weights and Measures under the Jurisdiction of the Board of Railroad Commissioners, Prescribing the Powers and Duties of said Board, Defining the Standard of Weights and Measures, Providing Penalties for the Violation Thereof, Regulating the Use and Sale of Weights and Measures, Providing for the Fixation of Fees, Making an Appropriation to Carry Out the Provisions of this Act, and Repealing Chapter 344 of the Session Laws of North Dakota for 1923.

Was read the third time.

Senator Ployhar offered the following amendment: In section 13, line 3 of the engrossed bill, strike out the word "annually" and insert in lieu thereof "for the year 1927-1928, and \$25,000.00 for the year 1928-1929".

Which amendment was adopted.

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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCrory	Schlosser

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Carey	McLachlin	Seamands
Conrath	Magnuson	Stevens
Crocker	Marshall	Tofsrud
Eastgate	Murphy	Van Arnam
Erickson	Olson of Barnes	Van Camp
Ettestad	Olson of Burleigh	Whitman
Fine	Olson of Eddy	Wog
Fleckten	Pathman	
Forbes	Patten	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Martin	Sathre	Steel

So the bill passed and the title was agreed to. Emergency clause declared carried.

Senate Bill No. 176. A Bill For an Act to Amend and Re-enact Section 690 of the Supplement to the 1913 Compiled Laws, Relating to the Removal of Public Officers by the Governor and Appeals Therefrom.

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 11, absent and not voting 0.

Those voting in the affirmative were:

Atkins	Fredrickson	Ployhar
Baird	Hart	Porter
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bakken	Hjelmstad	Peck
Benson	McCroxy	Ritchie
Conrath	Patten	Wog
Hamilton	Patterson	

So the bill passed and the title was agreed to.

Senate Bill No. 184. A Bill For an Act to Amend and Re-enact Sections 3, 8 and 9, Chapter 159, Session Laws of 1919, and Section 3 of Chapter 154, Session Laws of 1925, Relating to Insurance on Public Buildings, Providing for the Classification of All Public Property, and Limiting the Amount

of Insurance to be Carried by the State Fire and Tornado Fund.

Was read the third time.

Senator Baird moved to amend the bill by changing figure "3" in line 2 of the title of the engrossed bill to figure "13".

Which motion prevailed.

Senator Baird offered a further amendment. In line 1 of the title of the engrossed bill strike out figure "9" and insert figure "10" in lieu thereof.

Which motion prevailed.

The question being on the final passage of the bill, as amended, the roll was called, and there were ayes 26, nays 23, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman
Hart	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCroory	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Sathre
Fine	Martin	Wog
Fleckten	Olson of Barnes	

So the bill passed and the title was agreed to, and the emergency clause declared lost.

Senator Porter moved that the vote by which Senate Bill No. 184 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator O. H. Olson explained his vote: Believing as I do that this bill protects insurance companies rather than the state, I vote "no".

Senator Van Arnam explained his vote: Believing that this is a fair and square deal for everybody, I vote "aye".



Senate Bill No. 219. A Bill For an Act Appropriating the Sum of \$1,500.00 out of the State Highway Operating Fund of the Highway Commission, for the purpose of re-imbursing certain Mechanics for losses sustained in the destruction of the Highway Commission Shops by fire.

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 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Hjelmstad	Peck
Bakken	McCrary	Ployhar
Benson	Magnuson	Sathre
Brant	Marshall	Schlosser
Conrath	Martin	Steel
Crocker	Olson of Barnes	Tofsrud
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Fredrickson	Patten	Wog
Hamilton	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Porter
Bond	Hart	Ritchie
Brunsdale	Kretschmar	Rusch
Carey	Lynch	Seamands
Eastgate	McLachlin	Stevens
Erickson	Murphy	Van Arnam
Ettestad	Pathman	

So the bill passed and the title was agreed to. Emergency clause declared lost.

Senator Hamilton moved that the vote by which Senate Bill No. 219 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The President pro tem was called to the chair.

Senate Bill No. 222. A Bill For an Act to Encourage the Sale of Gasoline or Motor Fuel for Use in High Compression Motors with Resulting Fuel Economy, Permitting the Coloring of such Motor Fuel and Prohibiting the Sale of so-called "Gasoline Improvers" which are worthless or harmful; Making Violations hereof a Misdemeanor and Providing the 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 47, nays 0, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Ritchie
Brant	McCrory	Rusch
Brunsdale	McLachlin	Sathre
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	

Absent and not voting:

Messrs.	Messrs.
Lynch	Schlosser

So the bill passed and the title was agreed to.

Senator Sathre moved that the vote by which Senate Bill No. 222 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 226. A Bill For an Act to Amend and Re-enact Section 506a6 and 506a9 of the Supplement to 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 28, nays 19, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Pathman	Olson of Burleigh
Baird	Ployhar	Seamands
Bond	Porter	Steel
Brunsdale	Rusch	Stevens
Carey	Sathre	Tofsrud
Crocker	Kretschmar	Van Arnam
Eastgate	Lynch	Van Camp
Forbes	McLachlin	Whitman
Hart	Martin	
Hjelmstad	Murphy	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Olson of Eddy
Benson	Fredrickson	Patten

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Brant	Hamilton	Patterson
Conrath	McCrary	Peck
Erickson	Magnuson	Wog
Ettestad	Marshall	
Fine	Olson of Barnes	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>
Ritchie	Schlosser

So the bill passed and the title was agreed to.

Senator Porter moved that the vote by which Senate Bill No. 226 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 231. A Bill For an Act To amend and re-enact Subdivision (1) of Section 4059, of Chapter 96, of the Laws of 1921, relating to the Powers of Park Boards.

Was read the third time.

Senator Forbes offered the following amendment and moved its adoption.

Strike out everything in the old bill and insert the following:

**A BILL**

For an Act to Amend and Re-enact Subdivision (1) of Section 4059, of the 1925 Supplement to the Compiled Laws of the State of North Dakota 1913, relating to the Powers of Park Boards.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

Section 1. Amendment. That Subdivision (1) of Section 4059, of the 1925 Supplement to the Compiled Laws of the State of North Dakota 1913, be amended and re-enacted to read as follows:

Section 4059. Powers of Park Commission; limited levy; bonds. The Park Commission shall have power:

(1) To acquire by purchase, gift, devise, condemnation or otherwise, land within its territorial limits, or within six miles thereof for park, boulevards and ways, and shall have sole and exclusive authority to maintain, govern, erect, and improve the same, and in all cases where such board has acquired the legal title in fee to such lands, power to sell and convey the same; such conveyance to be executed by the President and Clerk of such Board.

Which amendment was adopted.

The question being on the final passage of the bill, as amended, the roll was called, and there were ayes 36, nays 11, absent and not voting 2.

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hamilton	Ployhar
Baird	Hart	Porter
Bakken	Hjelmstad	Rusch
Bond	Kretschmar	Sathre
Brant	Lynch	Schlosser
Brunsdale	McCroy	Seamands
Carey	McLachlin	Steel
Crocker	Marshall	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Forbes	Pathman	Van Camp
Fredrickson	Patterson	Whitman

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Benson	Fleckten	Patten
Conrath	Magnuson	Peck
Eastgate	Olson of Barnes	Wog
Fine	Olson of Eddy	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>
Martin	Ritchie

So the bill passed and the title was agreed to.

Senator Whitman moved that the vote by which Senate Bill No. 231 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 237. A Bill For an Act relating to banks, providing for Savings Deposits, fixing the reserve, limiting the investment of such deposits, exempting the same from the Depositors' Guaranty Fund law, and providing a penalty for the violation of the provisions hereof.

Was read the third time.

Senator Ettestad offered the following amendment: Strike out section 6 of the engrossed bill and restore section 6 as it appeared in the original bill.

Which motion prevailed.

The question being on the final passage of the bill, as amended, 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.
Atkins	Fine	Olson of Eddy
Baird	Fleckten	Pathman
Bakken	Forbes	Patten
Benson	Fredrickson	Patterson
Bond	Hamilton	Ployhar
Brant	Hjelmstad	Sathre
Brunsdale	Lynch	Schlosser
Carey	McCrorry	Steel
Conrath	Magnuson	Stevens
Crocker	Marshall	Van Camp
Eastgate	Murphy	Whitman
Erickson	Olson of Barnes	Wog
Ettestad	Olson of Burleigh	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Kretschmar	Porter	Tofsrud
McLachlin	Rusch	Van Arnam
Peck	Seamands	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Hart	Martin	Ritchie

So the bill passed and the title was agreed to. Emergency clause declared carried.

Senator Fleckten moved that the vote by which Senate Bill No. 237 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 238. A Bill For an Act Appropriating the Sum of Five Thousand Dollars (\$5,000.00) From the General Funds of the State to Compensate Honorable Chas. M. Cooley, Judge of the First Judicial District of North Dakota, for Services Rendered as Special Judge Under Chapter 137 of the Session Laws of North Dakota for 1923.

Was read the third time.

Senator Benson offered the following amendment: In section 1, change last word of line 2 to "four" and change figure "5" in line 3 to figure "4".

Which amendment was lost.

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.
Atkins	Hjelmstad	Patterson
Baird	Kretschmar	Peck

Messrs.	Messrs.	Messrs.
Bakken	Lynch	Ployhar
Benson	McCrorry	Porter
Brant	McLachlin	Sathre
Crocker	Magnuson	Schlosser
Erickson	Marshall	Seamands
Fredrickson	Murphy	Steel
Hamilton	Olson of Burleigh	Van Camp
Hart	Olson of Eddy	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bond	Fleckten	Stevens
Brunsdale	Forbes	Tofsrud
Carey	Olson of Barnes	Van Arnam
Conrath	Pathman	Wog
Eastgate	Patten	
Ettestad	Rusch	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fine	Martin	Ritchie

So the bill passed and the title was agreed to. Emergency clause declared lost.

Senator Sathre moved that the vote by which Senate Bill No. 238 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 243. A Bill For an Act to Amend and Re-enact Sections 2346a20, 2346a21 and 2346a22 of the Supplement to the Compiled Laws 1913.

Was read the third time.

Senator Ployhar moved the previous question.

The question being on the main question, the motion was put and the main question prevailed.

The question being on the final passage of the bill, 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.
Atkins	Hart	Porter
Baird	Kretschmar	Rusch
Bond	Lynch	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Murphy	Steel
Crocker	Olson of Burleigh	Tofsrud
Eastgate	Pathman	Van Camp
Forbes	Ployhar	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Patten
Benson	Hamilton	Patterson
Brant	Hjelmstad	Peck
Conrath	McCrary	Stevens
Erickson	Magnuson	Van Arnam
Ettestad	Marshall	Wog
Fine	Olson of Barnes	
Fleckten	Olson of Eddy	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Martin	Ritchie	Sathre

So the bill was declared lost.

Senator Patten moved that the vote by which Senate Bill No. 243 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

Senate Bill No. 247. A Bill For an Act clarifying what constitutes a consolidated 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 1, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Peck
Baird	Hamilton	Ployhar
Bakken	Hart	Porter
Benson	Kretschmar	Rusch
Bond	Lynch	Sathre
Brant	McCrary	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steel
Conrath	Marshall	Stevens
Crocker	Murphy	Tofsrud
Eastgate	Olson of Barnes	Van Arnam
Erickson	Olson of Burleigh	Van Camp
Ettestad	Olson of Eddy	Whitman
Fine	Pathman	Wog
Fleckten	Patten	
Forbes	Patterson	

Those voting in the negative were:

Messrs.  
Hjelmstad

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

So the bill passed and the title was agreed to.

Senator Fleckten moved that the vote by which Senate Bill No. 247 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 249. A Bill For an Act Providing a Limitation for filing and bringing suit on claims against insolvent banks or their receivers.

Was read the third time.

Senator Ployhar moved to amend by inserting: Section 2. Emergency. An emergency is hereby declared to exist, and this Act shall become effective immediately upon its passage and approval.

Which amendment was adopted.

The question being on the final passage of the bill, as amended, the roll was called, and there were ayes 37, nays 10, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hjelmstad	Porter
Baird	Kretschmar	Rusch
Bond	Lynch	Sathre
Brant	McLachlin	Schlosser
Brunsdale	Magnuson	Seamands
Carey	Marshall	Steel
Crocker	Murphy	Stevens
Eastgate	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Forbes	Olson of Eddy	Van Camp
Fredrickson	Pathman	Whitman
Hamilton	Patterson	
Hart	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fine	Peck
Benson	Fleckten	Wog
Conrath	McCrary	
Erickson	Patten	

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

So the bill passed and the title was agreed to. Emergency clause declared carried.

Senator Kretschmar moved that the vote by which Senate Bill No. 249 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.



Senate Bill No. 258. A Bill For an Act to Validate and Legalize Certain Proceedings of Park Districts and their Commissioners Relating to Bond Issues.

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 5, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Pathman
Baird	Hamilton	Patterson
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McCroly	Schlosser
Carey	McLachlin	Seamands
Conrath	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Forbes	Olson of Eddy	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Ettestad	Patten	Wog
Fleckten	Peck	

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

So the bill passed and the title was agreed to.

Senator Bakken moved that the vote by which Senate Bill No. 258 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Benson requested a return to the Eighth Order of Business.

Which request was granted.

Senator Benson moved that the vote by which Senate Bill 157 was lost be reconsidered.

Which motion was lost.

Senator Benson then moved that the Senate do now adjourn.

Which motion was lost.

Senator Benson moved that his amendment to Senate Bill 157 be read from the desk.

Which motion was lost.

Concurrent Resolution L.

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 23, absent and not voting 2, passing 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrory	Peck
Erickson	Magnuson	Sathre
Ettestad	Marshall	Tofsrud
Fine	Olson of Barnes	Wog
Fleckten	Olson of Burleigh	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

Those Passing:

Messrs.  
Kretschmar

So the Concurrent Resolution was declared lost.

Senator Ployhar moved that the vote by which Concurrent Resolution "L" was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Concurrent Resolution M.

Was read the third time.

The question being on the final passage of Concurrent Resolution "M", 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.
Atkins	Forbes	Rusch
Baird	Hart	Schlosser
Benson	Kretschmar	Seamands
Bond	Lynch	Steel
Brunsdale	McLachlin	Stevens
Carey	Murphy	Tofsrud
Crocker	Olson of Burleigh	Van Arnam
Eastgate	Pathman	Van Camp
Erickson	Porter	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brant	Hamilton	Olson of Eddy
Conrath	Hjelmstad	Patten
Ettestad	McCrary	Patterson
Fine	Magnuson	Peck
Fleckten	Marshall	Sathre
Fredrickson	Olson of Barnes	Wog

Absent and not voting:

Messrs.	Messrs.
Bakken	Ployhar
Martin	Ritchie

So the Concurrent Resolution was passed and the title was agreed to.

Senator Porter moved that the vote by which Concurrent Resolution "M" was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Concurrent Resolution by Senator Whitman.

Senator Benson moved that further consideration of Concurrent Resolution in Journal of January 11th be indefinitely postponed.

Which motion prevailed.

Senate Bills 93, 154, 230, 222, 219, 184, 176, 170 and 226 were messaged to the House.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 253. A Bill For an Act to Amend and Re-enact Section 10246a1 of the Supplement to the Compiled Laws of North Dakota for 1913, Regulating and Fixing the Hours of Labor of Females and Providing Penalties for Violation Thereof.

Also,

Senate Bill No. 215. A Bill For an Act to Levy a Tax of One Mill upon each Dollar of Assessed Valuation of All Tax-

able Property within the State for Each Year for the Purpose of Augmenting the Depositors' Guaranty Fund.

Also,

Senate Bill No. 179. A Bill For an Act Amending and Re-enacting Sections 5012a2 and 5012a3 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Extinct Denominational and Religious Societies.

Also,

Senate Bill-No. 160. A Bill For an Act regulating the operation of vehicles on highways and providing for traffic signs and signals and defining the power-of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act and to provide for the enforcement of this act and the disposition of fines and forfeitures collected hereunder and to make uniform the law relating to the subject matter of this act.

Also,

Senate Bill No. 120. A Bill For an Act Declaring all Racing or Trial of Speed by or Between Automobiles or Other Motor Driven Vehicles a Common Nuisance, Making Anyone Participating, Aiding or Abetting Therein Guilty of a Misdemeanor, and Providing Additional Penalty Therefor.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the Committee was adopted.

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: O. B. Holden, L. M. Anderson, W. E. Stegner, Fred Anderson, Marjorie Morris and Miss Lambertus.

Senator Patten moved that the Senate do now recess until 9:30 a. m. Wednesday.

Which motion prevailed and the Senate recessed.

W. D. AUSTIN,  
Secretary.

FORTY-NINTH DAY AFTER RECESS AND  
FIFTY-FIRST DAY

Senate Chamber,  
Bismarck, North Dakota.  
February 23, 1927.

The Senate re-assembled at 9:30 A. M., pursuant to recess taken, the President presiding.

THIRD READING OF SENATE BILLS

Senate Bill No. 120. A Bill For an Act Declaring all Racing or Trial of Speed by or Between Automobiles or Other Motor Driven Vehicles a Common Nuisance, Making Anyone Participating, Aiding or Abetting Therein Guilty of a Misdemeanor, and Providing Additional 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 23, nays 16, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Benson	Lynch	Ployhar
Conrath	McCrorry	Porter
Crocker	Magnuson	Steel
Eastgate	Marshall	Stevens
Ettestad	Murphy	Tofsrud
Fine	Olson of Barnes	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog
Fredrickson	Patten	
Hjelmstad	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Erickson	Peck
Baird	Hamilton	Rusch
Bakken	Hart	Schlosser

Messrs.	Messrs.	Messrs.
Bond	Kretschmar	Van Arnam
Brunsdale	McLachlin	
Carey	Olson of Burleigh	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brant	Ritchie	Seamands
Martin	Sathre	

So the bill passed and the title was agreed to.

Senator Whitman explained his vote:

I vote "aye" for the purpose of making a motion to reconsider the vote by which this bill was passed.

Senator O. H. Olson moved that Senate Bill 179 be placed at the foot of the calendar.

Which motion prevailed.

Senate Bill No. 215. A Bill For an Act to Levy a Tax of One Mill upon each Dollar of Assessed Valuation of All Taxable Property within the State for Each Year for the Purpose of Augmenting the Depositors' Guaranty Fund.

Was read the third time.

The question being on the final passage of the bill, the roll was called, and there were ayes 15, nays 30, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Benson	Hart	Patterson
Ettestad	Hjelmstad	Stevens
Fleckten	Magnuson	Tofsrud
Fredrickson	Marshall	Van Camp
Hamilton	Olson of Eddy	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Fine	Patten
Baird	Forbes	Peck
Bakken	Kretschmar	Ployhar
Bond	Lynch	Porter
Brunsdale	McCrory	Rusch
Carey	McLachlin	Schlosser
Conrath	Murphy	Seamands
Crocker	Olson of Barnes	Steel
Eastgate	Olson of Burleigh	Van Arnam
Erickson	Pathman	Whitman

Absent and not voting:

Messrs.	Messrs.
Brant	Ritchie
Martin	Sathre

So the bill was declared lost.

Senator Forbes moved that the vote by which Senate Bill No. 215 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 253. A Bill For an Act to Amend and Re-enact Section 10246a1 of the Supplement to the Compiled Laws of North Dakota for 1913, Regulating and Fixing the Hours of Labor of Females and Providing Penalties for Violation Thereof.

Was read the third time.

Senator Bakken moved that further consideration of Senate Bill 253 be indefinitely postponed.

Which motion was lost.

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.
Atkins	Hart	Rusch
Baird	Kretschmar	Sathre
Bond	Lynch	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Marshall	Steel
Crocker	Murphy	Stevens
Eastgate	Olson of Burleigh	Tofsrud
Ettestad	Pathman	Van Arnam
Forbes	Ployhar	Van Camp
Fredrickson	Porter	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Olson of Barnes
Benson	Hamilton	Olson of Eddy
Brant	Hjelmstad	Patten
Conrath	McCrorry	Patterson
Erickson	Magnuson	Peck
Fine	Martin	Wog

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to.

Senator Whitman moved that the vote by which Senate Bill No. 253 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 160. A Bill For an Act regulating the operation of vehicles on highways and providing for traffic signs and signals and defining the power of local authorities

to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act and to provide for the enforcement of this act and the disposition of fines and forfeitures collected hereunder and to make uniform the law relating to the subject matter of this act.

Was read the third time.

Senator Sathre offered the following amendment: Strike out the word "not" in the last line of Section 70 of the engrossed bill.

Which amendment was adopted.

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.
Atkins	Hart	Patten
Baird	Kretschmar	Ployhar
Bakken	Lynch	Porter
Benson	McLachlin	Sathre
Bond	Magnuson	Schlosser
Brant	Marshall	Steel
Brunsdale	Martin	Stevens
Carey	Murphy	Tofsrud
Crocker	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Forbes	Olson of Eddy	Whitman
Fredrickson	Pathman	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Conrath	Fleckten	Patterson
Eastgate	Hamilton	Peck
Erickson	Hjelmstad	Rusch
Ettestad	McCrary	Seamands

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to.

Senator Sathre moved that the vote by which Senate Bill No. 160 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 179. A Bill For an Act Amending and Re-enacting Sections 5012a2 and 5012a3 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Extinct Denominational and Religious Societies.

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.
Atkins	Fredrickson	Ployhar
Baird	Kretschmar	Porter
Benson	Lynch	Rusch
Bond	McCrary	Sathre
Brant	McLachlin	Schlosser
Brunsdale	Magnuson	Seamands
Carey	Marshall	Steel
Conrath	Martin	Stevens
Crocker	Murphy	Tofsrud
Eastgate	Olson of Burleigh	Van Arnam
Erickson	Olson of Eddy	Van Camp
Ettestad	Pathman	Whitman
Fine	Patten	Wog
Forbes	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Hamilton	Olson of Barnes
Fleckten	Hjelmstad	Peck

Absent and not voting:

Messrs.	Messrs.
Hart	Ritchie

So the bill passed and the title was agreed to.

Senator Forbes moved that the vote by which Senate Bill No. 179 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 231. A Bill For an Act To amend and re-enact Subdivision (1) of Section 4059, of Chapter 96, of the Laws of 1921, relating to the Powers of Park Boards.

Also,

Senate Bill No. 237. A Bill For an Act relating to banks, providing for Savings Deposits, fixing the reserve, limiting the investment of such deposits, exempting the same from the Depositors' Guaranty Fund law, and providing a penalty for the violation of the provisions hereof.

Also,

Senate Bill No. 249. A Bill For an Act Providing a Limitation for filing and bringing suit on claims against insolvent banks or their receivers.

Also,

Senate Bill No. 65. A Bill For an Act to Amend and Re-enact, Section 3, of Chapter 162, of the Session Laws of the State of North Dakota for the Year 1919, and Acts Amendatory thereof, relating to the Workmen's Compensation Act.

Also,

Senate Bill No. 146. A Bill For an Act Providing for the Leasing of State or School Lands supposed to Contain Oil and to Make and Establish Rules and Regulating relative to the Development thereof; Providing for Royalty to be Collected therefrom, and for the Sale of Improvements on such Lands; for the Assignment thereof and for Geological Reports thereon.

Also,

Senate Bill No. 254. A Bill For an Act to Amend and Re-enact Section 1438a2 of the Supplement to the 1913 Compiled Laws of North Dakota.

And find the same correctly re-engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Concurrent Resolution O.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Senator Benson requested a return to the Eighth Order of Business.

Which request was granted.

Senator Benson presented Concurrent Resolution "O" and moved it be read from the desk.

Which motion prevailed and the Resolution was so read.

Senator Whitman moved the adoption of the Resolution.

Which motion prevailed.

## CONCURRENT RESOLUTION "O"

(Senator Benson)

Be It Resolved by the Senate of North Dakota, the House of Representatives concurring:

Whereas, the Congress has passed a bill providing for the regulation of radio, wherein it becomes the duty of the President of the United States to appoint five Commissioners; and,

Whereas, it is the sense of this Assembly that some of the Commissioners should be appointed from essentially non-broadcast listeners; and,

Whereas, the State of North Dakota has no broadcast stations of importance, but has a large and increasing number of listeners,

Now, Therefore, We, the Twentieth Legislative Assembly of the State of North Dakota respectfully petition the President of the United States to appoint a resident of the State of North Dakota as the Commissioner for this Radio District.

Be It Further Resolved, that a copy of these resolution be transmitted to the President of the United States, the Secretary of Commerce and Labor, and to the North Dakota Senators and Representatives in Congress.

Senator Whitman moved that the vote by which Senate Bill 120 was passed be reconsidered.

Roll call demanded.

The question being on the motion by Senator Whitman, the roll was called, and there were ayes 36, nays 22, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Erickson	Olson of Burleigh
Baird	Ettestad	Patman
Bakken	Hamilton	Patterson
Bond	Hart	Peck
Brant	Kretschmar	Rusch
Brunsdale	Lynch	Schlosser
Carey	McLachlin	Van Arnam
Crocker	Martin	Whitman
Eastgate	Murphy	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Magnuson	Seamands
Conrath	Marshall	Steel
Fine	Olson of Barnes	Stevens
Fleckten	Olson of Eddy	Tofsrud
Forbes	Patten	Van Camp

Messrs.	Messrs.	Messrs.
Fredrickson	Ployhar	Wog
Hjelmstad	Porter	
McCrary	Sathre	

Absent and not voting:

Messrs.  
Ritchie

So the motion prevailed.

Senator Whitman moved that further consideration of Senate Bill 120 be indefinitely postponed.

Roll call demanded.

The question being on the motion by Senator Whitman, the roll was called, and there were ayes 18, nays 30, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Ettestad	Olson of Burleigh
Baird	Hamilton	Patterson
Bakken	Hart	Rusch
Bond	Kretschmar	Schlosser
Brunsdale	Martin	Van Arnam
Carey	McLachlin	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Hjelmstad	Peck
Brant	Lynch	Ployhar
Conrath	McCrary	Porter
Crocker	Magnuson	Sathre
Eastgate	Marshall	Seamands
Erickson	Murphy	Steel
Fine	Olson of Barnes	Stevens
Fleckten	Olson of Eddy	Tofsrud
Forbes	Pathman	Van Camp
Fredrickson	Patten	Wog

Absent and not voting:

Messrs.  
Ritchie

So the motion was lost.

Senator Hjelmstad moved that Senate Bill 120 be placed on final passage.

Which motion prevailed.

Senate Bill No. 120. A Bill For an Act Declaring all Racing or Trial of Speed by or Between Automobiles or Other Motor Driven Vehicles a Common Nuisance, Making Anyone Participating, Aiding or Abetting Therein Guilty of a Misdemeanor, and Providing Additional Penalty Therefor.

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:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Benson	Hjelmstad	Ployhar
Brant	Lynch	Porter
Conrath	McCrorry	Sathre
Crocker	Magnuson	Seamands
Eastgate	Marshall	Steel
Erickson	Murphy	Stevens
Fine	Olson of Barnes	Tofsrud
Fleckten	Olson of Eddy	Van Camp
Forbes	Patten	Wog
Fredrickson	Pathman	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hamilton	Peck
Baird	Hart	Rusch
Bakken	Kretschmar	Schlosser
Bond	McLachlin	Van Arnam
Brunsdale	Martin	Whitman
Carey	Olson of Burleigh	
Ettestad	Patterson	

Absent and not voting:

**Messrs.**  
Ritchie

So the bill passed and the title was agreed to.

Senator Stevens moved that the vote by which Senate Bill No. 120 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Baird moved that the vote by which House Bill 127 was indefinitely postponed be reconsidered.

Which motion prevailed.

Senator Baird moved that House Bill 127 be re-referred to the Committee on Judiciary.

Which motion prevailed and the bill was so re-referred.

Senator Stevens moved for a reconsideration of the vote by which Senate Bill 243 was lost.

Which motion prevailed.

Senator Ployhar moved that Senate Bill 243 be placed on final passage.

Which motion prevailed.

Senate Bill No. 243. A Bill For an Act to Amend and Re-enact Sections 2346a20, 2346a21 and 2346a22 of the Supplement to the Compiled Laws 1913.

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.
Atkins	Hart	Porter
Baird	Kretschmar	Rusch
Bond	Lynch	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Martin	Steel
Crocker	Murphy	Tofsrud
Eastgate	Olson of Burleigh	Van Camp
Forbes	Pathman	Whitman
Hamilton	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Patterson
Benson	Hjelmstad	Peck
Brant	McCrary	Sathre
Conrath	Magnuson	Stevens
Erickson	Marshall	Van Arnam
Ettestad	Olson of Barnes	Wog
Fine	Olson of Eddy	
Fleckten	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ritchie		

So the bill passed and the title was agreed to.

Senator Ployhar moved that the vote by which Senate Bill No. 243 was passed be reconsidered and the motion to reconsider be laid on the table.

Roll call demanded.

The question being on the adoption of the clincher motion, 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.
Atkins	Hart	Porter
Baird	Kretschmar	Rusch
Bond	Lynch	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Murphy	Seamands
Crocker	Olson of Burleigh	Steel
Eastgate	Pathman	Tofsrud
Forbes	Patterson	Van Camp
Hamilton	Ployhar	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Olson of Barnes
Benson	Fredrickson	Olson of Eddy
Brant	Hjelmstad	Patten
Conrath	McCrary	Peck
Erickson	Magnuson	Stevens
Ettestad	Marshall	Van Arnam
Fine	Martin	Wog

Absent and not voting:

Messrs.  
Ritchie

So the clincher motion prevailed.

Senator Hamilton moved for a reconsideration of the vote by which Senate Bill 94 was lost.

Which motion prevailed.

Senator Hamilton then moved that Senate Bill 94 be placed on final passage.

Which motion prevailed.

Senate Bill No. 94. A Bill For an Act Fixing the Salaries and Providing for the Payment of Necessary Expenses of the Judges of the Supreme and District Court of the State of North Dakota.

The question being on the final passage of the bill, the roll was called, and there were ayes 18, nays 30, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Rusch
Baird	Magnuson	Sathre
Bakken	Martin	Schlosser
Brant	Murphy	Seamands
Crocker	Olson of Burleigh	Steel
Lynch	Plopyhar	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Forbes	Pathman
Bond	Fredrickson	Patten
Brunsdale	Hamilton	Patterson
Carey	Hart	Peck
Conrath	Hjelmstad	Porter
Eastgate	Kretschmar	Stevens
Erickson	McCrary	Tofsrud
Ettestad	Marshall	Van Arnam
Fine	Olson of Barnes	Van Camp
Fleckten	Olson of Eddy	Wog

Absent and not voting:

Messrs.

Ritchie

So the bill was declared lost.

Senator Hamilton moved that the vote by which Senate Bill No. 94 was defeated be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Benson requested a return to the Eighth Order of Business.

Which request was granted.

Senator Benson moved that the vote by which Senate Bill 157 was lost be reconsidered.

Which motion was lost.

Senator Bond moved that the Senate do now recess subject to the call of the chair.

Which motion prevailed and the Senate recessed.

Senate Bill 238, 247, 258, Concurrent Resolution M, 65, 231, 146, 237, 249, 254, 160, 253, 179, 243 and 120 and Concurrent Resolution O were messaged to the House.

The Senate re-assembled pursuant to recess taken, the President presiding.

#### MESSAGES FROM THE HOUSE

House Chamber,  
Bismarck, North Dakota,  
February 23, 1927.

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

House Bill No. 191. A Bill For an Act to Prescribe Who Shall be Qualified Electors in Certain Bond Elections in this State.

House Bill No. 353. A Bill For an Act Providing the percentage of contracts of public corporations which shall be held back until the completion of such contracts.

House Bill No. 55. A Bill For an Act relating to school finances, providing that each school board or Board of Education of each school district, shall annually prepare a budget of proposed expenditures; providing for a public hearing in regard to proposed expenditures and levies; fixing a date for annual levy; providing that all expenditures must conform to the budget as adopted. Repealing Section 1182, Compiled Laws of 1913 as amended by Chapter 143, Session



Laws of 1915; Sections 1211, 1212 and 1221, Compiled Laws of 1913, Section 1222, Compiled Laws of 1913 as amended by Chapter 139, Session Laws of 1915 and as again amended by Chapter 215, Session Laws of 1919; Section 1258 Compiled Laws of 1913 as amended by Chapter 144, Session Laws of 1915; Sections 1298, 1301, 1302 and 1331 Compiled Laws of 1913.

House Bill No. 355. A Bill For an Act to amend and re-enact Section 1162 of the Compiled Laws of North Dakota for the year 1913 pertaining to meetings of the school board in common school districts and prescribing their compensation therefor.

House Bill No. 361. A Bill For an Act Relating to Live Stock Passes across Railroads.

House Bill No. 93. A Bill For an Act to Amend and Re-enact Section 4 of Chapter 162 of the Session Laws for the Year 1919, as amended by Chapter 145 of the Session Laws of 1921, as Amended by Chapter 220 of the Session Laws of 1925.

House Bill No. 219. A Bill For an Act to Amend and re-enact Sections 6762 and 6764 of the Compiled Laws of North Dakota for the year 1913, relating to the renewal and filing of chattel mortgages and providing for the cancellation and satisfaction thereof and removing them from the public files.

House Bill No. 223. A Bill For an Act to Amend and Re-enact Sections 714a8 and 714a13 of the Supplement to the Compiled Laws of North Dakota for 1913, relating to Proposals for the Designation of Depositories and Rates of Interest on Public Funds.

House Bill No. 318. A Bill For an Act to Amend and Re-enact Section 3704 of the Compiled Laws of North Dakota for 1913, as amended by Chapter 212 of the Laws of 1925, providing for a resolution declaring improvement work to be done by special assessments necessary, and permitting protests against said improvements to be filed by property owners.

House Bill No. 328. A Bill For an Act to amend and re-enact Section 3711 of the Supplement to the Compiled Laws of 1913, relating to special assessments and the issuance of warrants for public improvements.

House Bill No. 255. A Bill For an Act making an appropriation for the Erection of a Building for girls and furnishing equipment therefor at the State Training School, Mandan, North Dakota.

House Bill No. 227. A Bill For an Act Making an Appropriation for Agricultural Fair purposes and providing for the division, expenditure and disbursement thereof.

House Bill No. 327. A Bill For an Act to Provide for the Protection of River Bottom Lands and Defining the Powers

and Duties of the Boards of County Commissioners in Connection Therewith.

House Bill No. 341. A Bill For an Act to be known as the Estate Tax Act, to establish a tax on gifts, legacies, inheritances, bequests, successions and transfers, to provide for its collection and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this act, and by any act hereby repealed; and to repeal sections 2364b1, 2346b2, 2346b3, 2346b4, 2346b5, 2346b6, 2346b7, 2346b8, 2346b9, 2346b10, 2346b11, 2346b12, 2346b13, 2346b14, 2346b15, 2346b16, 2346b17, 2346b18, 2346b19, 2346b20, 2346b21, 2346b22, 2346b23, 2346b24, 2346b25, 2346b26, 2346b27, 2346b28, 2346b29, 2346b30, 2346b31, 2346b32, 2346b33, 2346b34, 2346b35, 2346b36, 2346b37, 2346b38, 2346b39, 2346b40, 2346b41, 2346b42, 2346b43, 2346b44, 2346b45, 2346b46, 2346b47, 2346b48, 2346b49, 2346b50, 2346b51, 2346b52, 2346b53, 2346b54, 2346b55, 2346b56, 2346b57, of the Supplement to the Compiled Laws of 1913, and all acts or parts of acts in conflict with this act are hereby repealed.

House Bill No. 349. Hotel and Restaurant Inspection Act. An Act Providing for the inspection of hotels, lodging houses, boarding houses 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.

House Bill No. 35. A Bill For an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, New Building, Equipment, Public Health Laboratories, Lignite Testing, Clay Testing and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

House Bill No. 40. A Bill For an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of The Agricultural College, Fargo, North Dakota.

House Bill No. 333. A Bill For an Act to Amend Section 1443 of the Compiled Laws of North Dakota for the Year 1913 Pertaining to State Aid to Graded Consolidated and Rural Schools; to Repeal Section 1444 of the Compiled Laws of North Dakota for the Year 1913 Pertaining to State School Inspection and to Repeal All Acts and Parts of Acts in Conflict with this Act.

House Bill No. 336. A Bill For an Act Requiring Counties to Pay the Tuition for Children Attending School in the State whose Parents Reside upon County Poor Farms Owned by such Counties.

House Bill No. 38. A Bill For an Act Making an Appropriation to pay the General Maintenance, and as an Offset

for Federal Aid, in Extension Division Work of The Agricultural College.

House Bill No. 254. A Bill For an Act Making an Appropriation for the Purpose of Erecting a Ward Building at the State Hospital for the Insane at Jamestown.

House Bill No. 230. A Bill For an Act to Amend and Re-enact Section 10 of Chapter 181 of the Session Laws of 1925, Relating to the Establishment of Railroad Crossings.

House Bill No. 331. A Bill For an Act to Amend and Re-enact Section 1151 of the Compiled Laws of North Dakota, for 1913, relating to election of officers of Common School Districts, and prescribing qualifications therefore.

House Bill No. 29. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, and Miscellaneous General Expenses of the Department of Minimum Wage.

House Bill No. 198. A Bill For an Act to Amend and Re-enact Section 35, Chapter 161, Session Laws of 1915, as amended by Section 7, Chapter 224, Session Laws of 1923; and Section 36, Chapter 161, Session Laws of 1915, as amended by Section 5, Chapter 134, Session Laws of 1919, as amended by Section 8, Chapter 224, Session Laws of 1923; and Section 37, Chapter 161, Session Laws of 1915, Relating to Game and Fish.

House Bill No. 202. A Bill For an Act to Amend Sections 7, 8 and 13, Chapter 292, Session Laws of 1923, Relating to the Bonds of North Dakota Real Estate Series; and to Amend Sections 9 and 12, Chapter 292, of the Session Laws of 1923, as Amended by Sections 2 and 3 of Chapter 100 of the Session Laws of 1925, Relating to the Bonds of North Dakota Real Estate Series.

House Bill No. 224. A Bill For an Act to Amend and Re-enact Sections 2189, 2191, 2192 and 2197 and to repeal Section 2197a of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to tax sales and Redemption therefrom.

House Bill No. 238. A Bill For an Act Regulating the Use and Sale of Bottles and Glassware for Testing Milk and Cream for Butter Fat, and to repeal Section 2353 of the Supplement to the Compiled Laws of North Dakota.

House Bill No. 243. A Bill For an Act to Amend and Re-enact Section 189b3 of the Supplement to the Compiled Laws of 1913.

House Bill No. 162. A Bill For an Act Creating a State Highway Commission, Defining its Powers and Duties and Fixing the Compensation of the Commission.

House Bill No. 41. A Bill For an Act to Amend and Re-enact Article 20 of Chapter 5 of the political code of the Compiled Laws of North Dakota for the year 1913; relating to Barbers' Examining Board of the State of North Dakota;

and providing Rules and Regulations with respect to the Sanitary conditions of Barber shops; prescribing who may follow the occupation of Barbering; and Regulate the power of said Board in the Supervision of Barber shops and Barber schools.

House Bill No. 303. A Bill For an act providing for the selection of jurors for service in district courts and in courts of increased jurisdiction, and repealing sections 817 and 819 of the compiled laws for 1913 and all acts and parts of acts in conflict therewith.

House Bill No. 39. A Bill For an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, New Buildings, Pure Seed and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

House Bill No. 63. A Bill For an Act to appropriate the Sum of \$35,000.00 from the State Highway Bridge Fund for the Purpose of Aiding in the Construction of a Bridge Across the Little Missouri River at a Point at, or Near the Present Location of Chaloner's Ferry on Federal Highway No. 85, in McKenzie County, North Dakota, under the Provisions of Chapter 73, of the Laws of North Dakota for the Year 1919 and Acts Amendatory thereof.

House Bill No. 246. A Bill For an Act to Amend and Re-enact Section 234, Compiled Laws 1913, and Section 5146 (10) of the Supplement to the Compiled Laws 1913, being Sub-division 3 of Chapter 219, Session Laws 1917.

House Bill No. 253. A Bill For an Act to Amend and Re-enact Sub-section B of Section 2976t15 of Supplement to the Compiled Laws of North Dakota for the Year 1913.

House Bill No. 315. A Concurrent Resolution. For an Amendment to Section 82, Article three of the Constitution of the State of North Dakota as amended by Article 43 of the amendments thereto, Relating to the Election of State Officers and Fixing the Qualifications and Terms of said Officers.

House Bill No. 211. A Bill For an Act Creating the Department of State Highways, Defining Its Powers and Duties, Providing for its Government and Imposing Penalties for Violations Thereof.

House Bill No. 250. 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 Bureaus; 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.

House Bill No. 268. A Bill for an Act to Provide for the Taxing and Licensing of Motor Vehicles and Trailers, the Creation of a Department of Motor Vehicle Registration, the Appointment of a Registrar of Motor Vehicles, His Powers and Duties, Establishing the Method of Distribution of the Fees Received therefrom, Fixing Penalties for Violation of this Act and Providing for an Appropriation for Administering the Same and for the Use of the State Highway Commission, and to make Uniform the Law Relating to the Subject Matter of this Act.

House Bill No. 363. A Bill For an Act Transferring the Sum of One Hundred Thousand Dollars (\$100,000.00) from the Special Bridge Fund Provided by Subdivision (C) of Section 2976t15 of the Supplement to the Compiled Laws of North Dakota for 1913, to the General Fund of the State.

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

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Senator Stevens moved that the Senate do now adjourn.

Which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

#### FIFTY-FIRST DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 23, 1927.

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

Prayer by the Chaplain, Rev. John A. H. Slag.

Roll call.

All members present except Senator Ritchie.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 47th day after recess and 49th day and recommend that the same be corrected as follows:

On page 2 in line 16 after figure "8" strike out balance of line and all of line 17.

To line 42, page 32 add: Emergency clause declared carried.

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

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

UNITED STATES SENATE  
Committee on Indian Affairs

February 19th, 1927.

Honorable Walter Maddock,  
President of the Senate,  
Bismarck, North Dakota.  
My dear Mr. Maddock:

The resolution relative to the Great Lakes-St. Lawrence Seaway received.

I appreciate this action on the part of the North Dakota Legislature and the resolution will be referred to the Committee on Commerce.

I assure you I shall be glad to do everything I can to promote favorable action on this measure.

Yours very truly,  
LYNN J. FRAZIER.

COMMUNICATION FROM THE GOVERNOR

February 21, 1927.

To the Senate of the State of North Dakota:

I have to inform you that on February 19, 1927 at 11:45 o'clock A. M., I approved the following Senate Bills and have this day filed the same with the Secretary of State:

Senate Bill No. 7. A Bill For an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid into or Credited to the General Fund.

Senate Bill No. 8. A Bill For an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913, and to Meet Other Requirements Prescribed by the Federal Statutes.

Senate Bill No. 9. A Bill For an Act Making 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 Reenacted by Chapter 266, Laws of 1915, and as Amended and Reenacted by the Initiated Law approved November 2nd, 1920, and as Provided for in Chapter 143, Laws of 1923.

Senate Bill No. 28. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Fund Accruing from Testers' License Fees Collected and Paid into the Treasury under the provisions of Chapter 103, Session Laws 1917, the same being

Section 2863b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

Senate Bill No. 47. A Bill For an Act to Amend and Re-enact Section 2898, Compiled Laws of North Dakota for 1913, Relating to the Manner of Labeling and Branding Seeds Offered for Sale Within the State of North Dakota.

Senate Bill No. 50. A Bill For an Act to Amend and Re-enact Section 2163a7 of Supplement to Compiled Laws of the State of North Dakota 1913, being Section Seven of Chapter 318 Laws 1923.

Senate Bill No. 67. A Bill For an Act to Amend and Re-enact Sub-Section 3 of Section 6635c of the Compiled Laws of North Dakota for the Year 1913, Relating to the Incontestable Clause to be Included in the Required Provisions of Life Policies.

Senate Bill No. 74. A Bill For an Act Authorizing and Empowering the Board of Railroad Commissioners to appoint Examiners for the Purpose of Holding Hearings, and Prescribing the Powers and Duties of Such Examiners.

Senate Bill No. 83. A Bill For an Act to Amend and Re-enact Section 2645 of the Supplement to the Compiled Laws of 1913, relating to Wolf Bounty.

Senate Bill No. 95. A Bill For an Act Making an Appropriation for the Payment of Compiled Laws of 1913 Purchased by the Secretary of State for Official Purposes.

Senate Bill No. 97. A Bill For an Act to Amend and Re-enact Section 7844 of the Compiled Laws of North Dakota for the year 1913, Relating to the Power of and Proceedings had in the Supreme Court on Appeals.

Senate Bill No. 99. A Bill For An Act to Amend and Re-enact Section 8519, Compiled Laws of 1913, Relating to the Practice of Law by County Judges.

Senate Bill No. 101. A Bill For an Act to Amend and Re-enact Section 8849 of the Compiled Laws of North Dakota, 1913, Relating to Decrees of Distribution in County Court.

Senate Bill No. 110. A Bill For an Act Providing For the Compulsory Licensing of Non-residents Making Auction Sales Within this State; Providing for the Manner of Payment of License Fee, and Providing a Penalty for the Violation Thereof.

Senate Bill No. 119. A Bill For an Act Relating to Insurance upon Lives of Directors, Officers, Agents and Employees of Corporations and Prescribing What Shall Constitute Evidence of Due Authority for all Corporate Actions with Reference Thereto.

Very truly yours,

A. J. SORLIE,  
Governor.

February 21, 1927.

## V E T O

To the Senate of the State of North Dakota:

I herewith return Senate Bill No. 30, an act to transfer to the General Fund in the State Treasury the balance on hand July 1, 1927 in the Auto Transportation Fund, from moneys collected and credited under the provisions of Chapter 91, Session Laws of 1925, the same being Sections 2976 to 2976v16, inclusive, of the supplement to the 1913 Compiled Laws of North Dakota, 1913-1926, relating to Auto Transportation companies, without my approval.

Most of the moneys collected in the Auto Transportation fund is collected before July first of each year and used to take care of the expenses of the department during the year. If this law went into effect there would be no moneys in this fund to take care of the work of the department for the remainder of the year, since no provision has been made in the budget to take care of this department.

For this reason I have vetoed this bill.

Very truly yours,  
A. G. SORLIE,  
Governor.

Senator Kretschmar moves that the Senate do pass Senate Bill 30 over the Governor's veto.

Senator Patterson moved that the motion before the house be laid upon the table.

Which motion prevailed.

THE INDUSTRIAL COMMISSION  
OF NORTH DAKOTA  
BISMARCK, N. D.

February 23, 1927.

Senate Chamber,  
Twentieth Legislative Assembly,  
Bismarck, North Dakota.  
Mr. President:

We have the honor to transmit herewith a typewritten report of the Industrial Commission of North Dakota for the calendar year 1926. Bound printed copies will be mailed to each Member as soon as received from the printer.

Respectfully,  
N. D. INDUSTRIAL COMMISSION,  
By JOHN GAMMONS,  
Secretary.



Senator Kretschmar moved that the letter of transmittal only be printed in the Journal.

Which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Game and Fish to whom was referred:

House Bill No. 199. A Bill For an Act to Amend and Re-enact Section 10322a4 of the Supplement to the Compiled Laws 1913 relating to the powers and duties of the North Dakota Game and Fish Board.

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.

Senator Kretschmar moved that the absent senator be excused.

Which motion prevailed.

Senator Ployhar moved that the Senate proceed to the 16th order of business.

Which motion prevailed.

THIRD READING OF HOUSE BILLS.

House Bill No. 153. A Bill For an Act to Amend and Re-enact Section 14, Chapter 161, Session Laws of 1913, Relating to Game and Fish; Right of Search and Seizure, and to Repeal Section 15, Chapter 161, 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 4, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Peck
Baird	Hamilton	Ployhar
Bakken	Hart	Porter
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McCrorry	Schlosser
Carey	McLachlin	Seamands
Conrath	Magnuson	Steel
Crocker	Murphy	Stevens
Eastgate	Olson of Barnes	Tofsrud
Erickson	Olson of Burleigh	Van Arnam

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
<b>Fine</b>	<b>Pathman</b>	<b>Whitman</b>
<b>Fleckten</b>	<b>Patten</b>	<b>Wog</b>
<b>Forbes</b>	<b>Patterson</b>	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>
<b>Ettestad</b>	<b>Martin</b>
<b>Marshall</b>	<b>Olson of Eddy</b>

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>
<b>Benson</b>	<b>Ritchie</b>
<b>Hjelmstad</b>	<b>Van Camp</b>

So the bill passed and the title was agreed to.

House Bill No. 166. A Bill For an Act conferring additional powers upon the Governor to open and close seasons in any and all subdivisions of the State when deemed necessary for the better protection of game birds, fish or 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 2, absent and not voting 3.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
<b>Atkins</b>	<b>Hamilton</b>	<b>Patterson</b>
<b>Baird</b>	<b>Hart</b>	<b>Peck</b>
<b>Bakken</b>	<b>Kretschmar</b>	<b>Ployhar</b>
<b>Bond</b>	<b>Lynch</b>	<b>Porter</b>
<b>Brant</b>	<b>McCroly</b>	<b>Rusch</b>
<b>Brunsdale</b>	<b>McLachlin</b>	<b>Sathre</b>
<b>Carey</b>	<b>Magnuson</b>	<b>Schlosser</b>
<b>Conrath</b>	<b>Marshall</b>	<b>Steel</b>
<b>Crocker</b>	<b>Martin</b>	<b>Stevens</b>
<b>Eastgate</b>	<b>Murphy</b>	<b>Tofsrud</b>
<b>Erickson</b>	<b>Olson of Barnes</b>	<b>Van Arnam</b>
<b>Fine</b>	<b>Olson of Burleigh</b>	<b>Van Camp</b>
<b>Fleckten</b>	<b>Olson of Eddy</b>	<b>Whitman</b>
<b>Forbes</b>	<b>Pathman</b>	<b>Wog</b>
<b>Fredrickson</b>	<b>Patten</b>	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>
<b>Ettestad</b>	<b>Seamands</b>

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
<b>Benson</b>	<b>Hjelmstad</b>	<b>Ritchie</b>

So the bill passed and the title was agreed to.

House Bill No. 79. 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 and Empowering the State Board to Supervise and control the Issuance of Certificates of Authority Thereto.

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.
Atkins	Hamilton	Ployhar
Baird	Hart	Porter
Bakken	Kretschmar	Rusch
Bond	Lynch	Sathre
Brant	McCrorry	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Burleigh	Van Arnam
Ettestad	Pathman	Van Camp
Fine	Patten	Whitman
Forbes	Patterson	
Fredrickson	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Martin	Wog
Conrath	Olson of Barnes	
Fleckten	Olson of Eddy	

Absent and not voting:

Messrs.	Messrs.
Hjelmstad	Ritchie

So the bill passed and the title was agreed to.

Senator Lynch moved that House Bill 81 be placed on the calendar after House Bill 80.

Which motion prevailed.

House Bill No. 97. A Bill For an Act to Repeal Section 17 of Chapter 174, Session Laws 1919, Making an Annual Appropriation for the Purpose of Carrying Out the Provisions of said Chapter.

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:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hart	Ployhar
Baird	Hjelmstad	Porter
Benson	Kretschmar	Rusch
Bond	Lynch	Sathre
Brant	McLachlin	Schlosser
Brunsdale	Magnuson	Seamands
Carey	Marshall	Steel
Conrath	Murphy	Stevens
Crocker	Olson of Burleigh	Tofsrud
Eastgate	Olson of Eddy	Van Arnam
Erickson	Pathman	Van Camp
Forbes	Patten	Whitman
Fredrickson	Patterson	Wog
Hamilton	Peck	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bakken	Fleckten	Olson of Barnes
Ettestad	McCroroy	
Fine	Martin	

Absent and not voting:

**Messrs.**  
Ritchie

So the bill passed and the title was agreed to.

House Bill No. 144. A Bill For an Act Making an Appropriation of \$21,495.88 to Repay the Bank of North Dakota for a Loan Made to the Hospital for the Insane and also for the Payment of any Interest Due Thereon.

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:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McCroroy	Schlosser
Carey	McLachlin	Seamands
Conrath	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman

Messrs.	Messrs.	Messrs.
Fleckten	Pathman	Wog
Forbes	Patten	

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

So the bill passed and the title was agreed to. Emergency clause declared carried.

House Bill No. 151. A Bill For an Act Making it the Duty of the State Engineer to Assist County Boards of Flood Irrigation in the Performance of their Duties and Making an Appropriation therefor.

Was read the third time.

The question being on the final passage of the bill, the roll was called, and there were ayes 38, nays 7, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Patterson
Baird	Fredrickson	Peck
Bakken	Hamilton	Ployhar
Benson	Hart	Porter
Bond	Hjelmstad	Rusch
Brant	Lynch	Sathre
Brunsdale	McCroy	Schlosser
Carey	McLachlin	Steel
Conrath	Magnuson	Tofsrud
Crocker	Marshall	Van Arnam
Eastgate	Murphy	Van Camp
Ettestad	Olson of Burleigh	Whitman
Fine	Pathman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Erickson	Olson of Eddy	Wog
Fleckten	Patten	
Olson of Barnes	Seamands	

Absent and not voting:

Messrs.	Messrs.
Kretschmar	Ritchie
Martin	Stevens

So the bill passed and the title was agreed to.

House Bill No. 152. A Bill For an Act to Amend and Re-enact Section 5167 of the Compiled Laws of 1913 as amended by Chapter 94, Session Laws of 1925, Requiring Regular and Special Reports to the State Examiner by Banking Associations, Savings Banks and Trust Companies, and Providing Penalties for Failure to Make 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 37, nays 11, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Rusch
Baird	Hjelmstad	Sathre
Benson	Kretschmar	Schlosser
Bond	Lynch	Seamands
Brunsdale	McLachlin	Steel
Carey	Marshall	Stevens
Conrath	Murphy	Tofsrud
Crocker	Olson of Burleigh	Van Arnam
Eastgate	Pathman	Van Camp
Fine	Patten	Whitman
Forbes	Patterson	Wog
Fredrickson	Ployhar	
Hamilton	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Olson of Barnes
Brant	McCrory	Olson of Eddy
Erickson	Magnuson	Peck
Ettestad	Martin	

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to.

House Bill No. 169. A Bill For an Act to Amend and Re-enact Section 4799 of the Compiled Laws of the State of North Dakota for the Year 1913; Relating to Free Passes, Franks and Special Privileges Prohibited, Exceptions.

Was read the third time.

Senator Hamilton offered the following amendment:

In line 9 of the printed bill after the word "carrier" insert "and members of the legislature."

Roll call demanded.

The question being on amendment by Senator Hamilton, 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.
Baird	Hart	Ployhar
Benson	Kretschmar	Porter
Bond	Lynch	Schlosser

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Carey	Martin	Seamands
Eastgate	Murphy	Stevens
Erickson	Olson of Burleigh	Van Camp
Ettestad	Patterson	Whitman
Hamilton	Peck	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Fredrickson	Patten
Bakken	Hjelmstad	Rusch
Brant	McCrary	Sathre
Brunsdale	McLachlin	Steel
Conrath	Magnuson	Tofsrud
Crocker	Marshall	Van Arnam
Fine	Olson of Barnes	Wog
Fleckten	Olson of Eddy	
Forbes	Pathman	

Absent and not voting:

**Messrs.**  
Ritchie

So the amendment was declared lost.

Senator Patterson offered the following amendment:

In line 9 of the printed bill after the word "carrier" insert "and all farmers residing in the State of North Dakota."

Which amendment was lost.

Senator Stevens offered the following amendment:

On page 2, line 31, of the printed bill after the word "state" add "or to persons engaged in promoting the interests of public welfare".

Senator Patterson offered a substitute motion:

Add the words "or private" after the word "public."

Which motion was lost.

The question being upon the original motion the question was put and the motion was lost.

Senator Patterson moved that further consideration of House Bill 169 be indefinitely postponed.

Which motion was lost.

Senator Bond offered the following amendment:

Strike out the last two words of line 9, section 1 of the printed bill, and the first nine words of line 10.

Which amendment prevailed.

Senator Stevens offered the following amendment and moved its adoption:

In line 1 of the title of the printed bill strike out the words "Amend and Re-enact" and insert in lieu thereof the word "Repeal".

Strike out everything in the printed bill after the enacting clause and insert the following:

"Section 1. Repeal. Section 4799 of the Compiled Laws of the State of North Dakota for the year 1913, relating to free passes, Franks and Special Privileges Prohibited, Exceptions, is hereby Repealed.

Which motion prevailed and the amendment was adopted.

The question being on the final passage of the bill, as amended, the roll was called, and there were ayes 28, nays 20, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Ployhar
Baird	Hart	Porter
Bond	Hjelmstad	Schlosser
Brunsdale	Kretschmar	Seamands
Carey	Martin	Stevens
Conrath	Murphy	Tofsrud
Crocker	Olson of Burleigh	Van Arnam
Eastgate	Patten	Wog
Fine	Patterson	
Fleckten	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Lynch	Pathman
Benson	McCrorry	Rusch
Brant	McLachlin	Sathre
Erickson	Magnuson	Steel
Ettestad	Marshall	Van Camp
Forbes	Olson of Barnes	Whitman
Fredrickson	Olson of Eddy	

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to.

Senator Patterson moved that the vote by which House Bill No. 169 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 180. A Bill For an Act Making an Appropriation for the North Dakota Children's Home Society, of 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 47, nays 1, absent and not voting 1.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hamilton	Patterson
Baird	Hart	Peck
Bakken	Hjelmstad	Ployhar
Benson	Kretschmar	Porter
Bond	Lynch	Rusch
Brant	McCrorry	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog
Fredrickson	Patten	

Those voting in the negative were:

**Messrs.**  
Erickson

Absent and not voting:

**Messrs.**  
Ritchie

So the bill passed and the title was agreed to.

House Bill No. 181. A Bill For an Act Making an Appropriation of \$8,000.00 for the Maintenance, Improvements, Repairs, Rents, Insurance and Upkeep of the State Capitol Building for the Balance of the Fiscal Year Ending June 30, 1927.

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:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hart	Ployhar
Baird	Hjelmstad	Porter
Bakken	Lynch	Rusch
Benson	McCrorry	Sathre
Bond	McLachlin	Schlosser
Brant	Magnuson	Seamands
Brunsdale	Marshall	Steel
Carey	Martin	Stevens
Conrath	Murphy	Tofsrud
Eastgate	Olson of Barnes	Van Arnam
Erickson	Olson of Burleigh	Van Camp

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Fine	Olson of Eddy	Whitman
Fleckten	Patten	Wog
Forbes	Patterson	
Fredrickson	Peck	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Crocker	Hamilton	Pathman
Ettestad	Kretschmar	Ritchie

So the bill passed and the title was agreed to.

House Bill No. 80. A Bill For an Act Providing for an Increase of Surplus of Banking Associations and exempting such Surplus from Taxation.

Was read the third time.

Senator Patterson offered the following amendment:

In line 8, section 1 of the printed bill insert "as" and change capital to small "s" in "Such". After the word "depositors" in line 9 insert "it shall at all times be invested in U. S. Bonds or State of North Dakota Bonds and held in trust by the State Examiner for the purpose for which it is intended,"

Roll call demanded.

The question being on the amendment by Senator Patterson, the roll was called, and there were ayes 20, nays 28, absent and not voting 1.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bakken	Fredrickson	Olson of Barnes
Benson	Hamilton	Olson of Eddy
Brant	Hjelmstad	Patten
Conrath	McCroroy	Patterson
Erickson	Magnuson	Peck
Fine	Marshall	Wog
Fleckten	Martin	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Ettestad	Porter	Whitman
Forbes	Rusch	
Hart	Sathre	

Absent and not voting:

**Messrs.**  
Ritchie

So the amendment was lost.

Senator Patterson offered a further amendment to the bill:

Strike out all of lines 8, 9, 10 and 11 of the printed bill.

Which amendment was lost.

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:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hart	Sathre
Baird	Kretschmar	Schlosser
Bond	Lynch	Seamands
Brunsdale	McLachlin	Steel
Carey	Murphy	Stevens
Crocker	Olson of Burleigh	Tofsrud
Eastgate	Pathman	Van Arnam
Forbes	Ployhar	Van Camp
Fredrickson	Porter	Whitman

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bakken	Fleckten	Olson of Barnes
Benson	Hamilton	Olson of Eddy
Brant	Hjelmstad	Patten
Conrath	McCrorry	Patterson
Erickson	Magnuson	Peck
Ettestad	Marshall	Rusch
Fine	Martin	Wog

Absent and not voting:

**Messrs.**  
Ritchie

So the bill passed and the title was agreed to.

Senator Lynch moved that the vote by which House Bill No. 80 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 81. A Bill For an Act to Amend and Re-enact Section 5172 of the Compiled Laws of North Dakota for 1913, Relating to the Limits of Loans by Banking Associations.

Was read the third time.

Senator Fine offered the following amendments:

In line 8 of the printed bill change the figure 15 to 10.  
In line 12 on page 2 change 12½ to read 10.

Which amendment was lost.

The question being on the final passage of the bill, the roll was called, and there were ayes 31, nays 17, absent and not voting 1.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hjelmstad	Sathre
Baird	Kretschmar	Schlosser
Bond	Lynch	Seamands
Brant	McLachlin	Steel
Brunsdale	Marshall	Stevens
Carey	Murphy	Tofsrud
Crocker	Olson of Burleigh	Van Arnam
Eastgate	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman
Fredrickson	Ployhar	
Hart	Porter	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bakken	Fleckten	Patten
Benson	Hamilton	Patterson
Conrath	McCrorry	Peck
Erickson	Magnuson	Rusch
Ettestad	Martin	Wog
Fine	Olson of Barnes	

Absent and not voting:

**Messrs.**  
Ritchie

So the bill passed and the title was agreed to.

Senator Lynch moved that the vote by which House Bill 81 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Rusch explained his vote:

I vote "no" for the reason that I believe the percentage upon capital stock on loans to private individuals is too large.

#### COMMUNICATION FROM THE GOVERNOR

February 23, 1927.

To the Senate of the State of North Dakota:

I have to inform you that I have this day approved:

Senate Bill No. 26. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand

July 1, 1927, in the Special Fund Accruing from Fees collected by the State Securities Commission under the Provisions of Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

This bill has this day been filed with the Secretary of State.

Very truly yours,  
A. G. SORLIE,  
Governor.

#### FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 279. A Bill For an Act to Permit the District Court to Parole Persons Confined in the County Jail, Serving a Sentence, to the County Commissioners of the Various Counties of the State for the Purpose of Performing Work and Labor upon the Construction, Maintenance and Up Keep of State, County and Township Roads, and Providing that Such Persons in Such Confinement in any County May Be Transferred by any Presiding District Judge, from One County to any Other County in the State, Upon an Order Issued After a Proper Application and Hearing Before said Judge, and be Committed to the Sheriff of such County in Accordance with the Terms of his Sentence, and for the Paroles of such Persons Serving Sentence in any County Jail, and Providing for Maintenance and Support and Compensation, and Punishment of such Persons that may Violate their Paroles.

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

House Bill No. 305. A Bill For an Act to Amend and Re-enact Section 1 of Chapter 182 of the Session Laws of 1923, being Section 5235A1 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913.

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

The President pro tem was called to the chair.

House Bill No. 309. A Bill For an Act requiring agents of railroad companies to report to the Sheriffs of their respective counties the fact that emigrant cars are ordered, and relating further to the duties of the sheriffs and providing penalties therefor.

Was read the first and second times and referred to the Committee on Railroads.

House Bill No. 252. A Bill For an Act to Provide for the Payment by the Bank of North Dakota of Taxes on Certain Lands that the State Treasurer as Trustee of the State of North Dakota holds as Security under Chapter 154, of the Session Laws of North Dakota for 1919 and Chapter 292 of the Session Laws of North Dakota for 1923 and Acts Amen-

datory thereof; Making an Appropriation therefor; Providing for the Reimbursement of the Bank of North Dakota therefrom and Establishing a Revolving Fund Therefor.

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

House Bill No. 266. A Bill For an Act to Amend and Re-enact Section 2618 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913.

Was read the first and second times and referred to the Committee on Livestock.

House Bill No. 275. 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 State of North Dakota, the Provinces of Saskatchewan and Manitoba and the Dominion of Canada and the United States of America, Respecting the Use, Control, Utilization and Disposition of the Waters of the Mouse River (named the Souris River in Canada) and the Rights of said State of North Dakota and said Provinces and the Dominion of Canada and the United States Thereto.

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

House Bill No. 285. A Bill For an Act to Amend and Re-enact Section 3551a1 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the salaries of County Auditor, County Treasurer, Sheriffs and county superintendents of schools.

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

House Bill No. 310. A Bill For an Act to Amend and Re-enact Section 630a4 of the Supplement to the Compiled Laws of North Dakota, for 1913, relating to notice given by Weed Commissioner, relative to the Sow Thistle and duties of Commissioner.

Was read the first and second times and referred to the Committee on Agriculture.

House Bill No. 314. A Bill For an Act to Amend and Re-enact Section 1370 of the Compiled Laws of North Dakota for the year 1913, Relating to Teachers' Examinations Conducted by County Superintendent and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first and second times and referred to the Committee on Education.

House Bill No. 194. A Bill For an Act to Amend and Re-enact Section 3688, Compiled Laws of North Dakota, 1913, relating to Vacation of Streets, Alleys and Public Grounds in Cities.

Was read the first and second times and referred to the Committee on Cities and Municipal Corporations.

House Bill No. 155. A Bill For an Act Relating to Fur Bearing Animals; Regulating the Taking Thereof, and Fixing Penalties.

Was read the first and second times and referred to the Committee on Game and Fish.

House Bill No. 167. A Bill for an Act Providing for Appeals from Final Decisions Rendered by the Depositors' Guaranty Fund Commission of the State of North Dakota to the District Court, and Appeals from the District Court to the Supreme Court, and Providing for the Procedure upon said Appeals.

Was read the first and second times and referred to the Committee on Judiciary.

House Bill No. 249. A Bill For an Act to Amend and Re-enact Section 6954a1 Supplement to the 1913 Compiled Laws relating to the collection of items through bank channels and establishing the liability of collecting agencies.

Was read the first and second times and referred to the Committee on Banks and Banking.

House Bill No. 277. A Bill For an Act empowering and Authorizing Cities and Villages to Refund and Reissue Special Improvement Warrants upon the Surrender of the Outstanding Warrants by the Holders Thereof.

Was read the first and second times and referred to the Committee on Cities and Municipal Corporations.

House Bill No. 317. A Bill For an Act Authorizing the State Board of Armory Supervisors to Convey the Armory Located in the City of Hillsboro, State of North Dakota, to the City of Hillsboro.

Was read the first and second times and referred to the Committee on Military Affairs.

House Bill No. 321. A Bill For an Act to Amend and Re-enact Section 3705 of the Compiled Laws of North Dakota for 1913, relating to the Advertising for Bids for Special Improvements.

Was read the first and second times and referred to the Committee on Cities and Municipal Corporations.

House Bill No. 319. A Bill For an Act Providing for Special assessments for the construction of Sewer and Water Connections, and Providing for a Special Assessment fund for that purpose.

Was read the first and second times and referred to the Committee on Cities and Municipal Corporations.

House Bill No. 335. A Bill For an Act to prevent fraud and deception in the manufacture and sale of concentrated commercial feeding stuffs and providing for registration and labeling thereof and repealing Chapter 37 of the Session Laws of 1921, Sections 1 to 13, inclusive, and all other acts or parts of acts inconsistent herewith.

Was read the first and second times and referred to the Committee on State Affairs.

House Bill No. 348. A Bill For an Act Amending Section 375b3 of the Supplement to the Compiled Laws of North Dakota for the year 1913 relating to the duties of the State Printer.

Was read the first and second times and referred to the Committee on State Affairs.

House Bill No. 240. A Bill For an Act to Appropriate \$2,000.00 for the Payment of the Expenses to be Incurred by Boys and Girls Club Work at State Fairs.

Was read the first and second times and referred to the Committee on Appropriations.

House Bill No. 293. A Bill For an Act relating to the consolidation or merger of banks.

Was read the first and second times and referred to the Committee on Banks and Banking.

House Bill No. 334. A Bill For an Act to amend and reenact Section 2642 of the Compiled Laws of North Dakota of 1913, relating to the liability of owners of dogs killing sheep and other domestic animals.

Was read the first and second times and referred to the Committee on Livestock.

House Bill No. 362. A Bill For an Act authorizing the Commissioner of Agriculture and Labor to Declare Quarantine Measures, should it be necessary, to prevent the introduction of the European Corn Borer into North Dakota, and prescribing penalty for violations.

Was read the first and second times and referred to the Committee on Agriculture.

House Bill No. 17. A Bill For an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Department of Motor Vehicle Registration.

Was read the first and second times and referred to the Committee on Appropriations.

House Bill No. 270. A Bill For an Act to Validate Sales of Real Estate Made by an Executor or Administrator pursuant to contract, which has not been confirmed by the County Court.



Was read the first and second times and referred to the Committee on Judiciary.

House Bill No. 292. A Bill For an Act Relating to the Recording of Sheriff's Deeds and Other Conveyances of Real Property Acquired by the Bank of North Dakota, as Agent for the State Treasurer as Trustee of the State of North Dakota under the Provisions of Chapter 154 of the Session Laws of North Dakota for 1919 and Chapter 292 of the Session Laws of North Dakota for 1923, and Acts Amendatory thereof; Prescribing the Duties of the County Auditor and Register of Deeds in respect thereto; and Providing that Section 2212 of the Supplement to the Compiled Laws of North Dakota for 1913 shall not be Applicable Thereto.

Was read the first and second times and referred to the Committee on Judiciary.

House Bill No. 295. A Bill For an Act to Amend and Re-enact Section 7377 of the Compiled Laws of the State of North Dakota for 1913, relating to limitations of actions.

Was read the first and second times and referred to the Committee on Judiciary.

House Bill No. 306. A Bill For an Act Relating to the Deposits of Money by Executors, Administrators and Guardians in Solvent Banks or Trust Companies.

Was read the first and second times and referred to the Committee on Banks and Banking.

House Bill No. 311. A Bill For an Act to Provide for the Payment of Outstanding Warrants issued by any Board of Drain Commissioners for expenses incurred and for services of surveyors, engineers and other persons or corporations, contracted for and rendered prior to the establishment of drains for the purpose of draining agricultural lands, in cases where any such Board has established such drain or drains, and same has thereafter been abandoned, or the construction thereof postponed for a period of more than two years, and providing for the reconveyance of land no longer required for Drainage purposes.

Was read the first and second times and referred to the Committee on Drainage and Irrigation.

House Bill No. 351. A Joint Resolutoin to Amend and Re-enact Section 179 of Article 11 of the Constitution of the State of North Dakota as Amended by Article 20 of the Amendments thereto, Relating to Revenue and Taxation.

Was read the first and second times and referred to the Committee on State Affairs.

House Bill No. 352. A Bill For an Act to Amend and Re-enact Sections 10180, 10181, 10182 and 10183 of the Compiled Laws of North Dakota for 1913 Prohibiting the Sale, Bartering or Giving Away of Snuff to Minors, Providing Penalties Therefor and Repealing Acts in Conflict Therewith.

Was read the first and second times and referred to the Committee on State Affairs.

House Bill No. 356. A Bill For an Act to Amend and Re-enact Section 2 of Chapter 213, of the Compiled Laws of North Dakota for 1925 Regulating the Expenditure of money for Traveling Expenses of Members, Officers, and Employees of State Departments.

Was read the first and second times and referred to the Committee on State Affairs.

House Bill No. 264. A Bill For an Act Authorizing and Empowering the Board of Park Commissioners of the Park District of any City, to Contract for the Purchase of Lands for Park Purposes, upon Deferred and Installment payments; Limiting the Amount of such Purchases; and Requiring all payments so made therefor, to be made from Revenues derived from the Tax Levy of such District authorized by Law; Repeal.

Was read the first and second times and referred to the Committee on Cities and Municipal Corporations.

House Bill No. 29. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, and Miscellaneous General Expenses of the Department of Minimum Wage.

Was read the first and second times and referred to the Committee on Appropriations.

House Bill No. 35. A Bill For an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, New Building, Equipment, Public Health Laboratories, Lignite Testing, Clay Testing and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Was read the first and second times and referred to the Committee on Appropriations.

House Bill No. 38. A Bill For an Act Making an Appropriation to pay the General Maintenance, and as an Offset for Federal Aid, in Extension Work of The Agricultural College.

Was read the first and second times and referred to the Committee on Appropriations.

House Bill No. 39. A Bill For an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, New Buildings, Pure Seed and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

Was read the first and second times and referred to the Committee on Appropriations.

House Bill No. 40. A Bill For an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of The Agricultural College, Fargo, North Dakota.

Was read the first and second times and referred to the Committee on Appropriations.

House Bill No. 41. A Bill For an Act to Amend and Re-enact Article 20 of Chapter 5 of the political code of the Compiled Laws of North Dakota for the year 1913; relating to Barbers' Examining Board of the State of North Dakota; and providing Rules and Regulations with respect to the Sanitary conditions of Barber shops; prescribing who may follow the occupation of Barbering; and Regulate the power of said Board in the Supervision of Barber shops and Barber schools.

Was read the first and second times and referred to the Committee on State Affairs.

House Bill No. 55. A Bill For an Act relating to school finances, providing that each school board or Board of Education of each school district, shall annually prepare a budget of proposed expenditures; providing for a public hearing in regard to proposed expenditures and levies; fixing a date for annual levy; providing that all expenditures must conform to the budget as adopted. Repealing Section 1182, Compiled Laws of 1913 as amended by Chapter 143, Session Laws of 1915; Sections 1211, 1212 and 1221, Compiled Laws of 1913, Section 1222, Compiled Laws of 1913 as amended by Chapter 139, Session Laws of 1915 and as again amended by Chapter 215, Session Laws of 1919; Section 1258 Compiled Laws of 1913 as amended by Chapter 144, Session Laws of 1915; Sections 1298, 1301, 1302 and 1331 Compiled Laws of 1913.

Was read the first and second times and referred to the Committee on Education.

House Bill No. 63. A Bill For an Act to appropriate the Sum of \$35,000.00 from the State Highway Bridge Fund for the Purpose of Aiding in the Construction of a Bridge Across the Little Missouri River at a Point at, or Near the Present Location of Chaloner's Ferry on Federal Highway No. 85, in McKenzie County, North Dakota, under the Provisions of Chapter 73, of the Laws of North Dakota for the Year 1919 and Acts Amendatory thereof.

Was read the first and second times and referred to the Committee on Highways.

House Bill No. 93. A Bill For an Act to Amend and Re-enact Section 4 of Chapter 162 of the Session Laws for the Year 1919, as amended by Chapter 145 of the Session Laws of 1921, as Amended by Chapter 220 of the Session Laws of 1925.

Was read the first and second times and referred to the Committee on State Affairs.

House Bill No. 162. A Bill For an Act Creating a State Highway Commission, Defining its Powers and Duties and Fixing the Compensation of the Commission.

Was read the first and second times and referred to the Committee on State Affairs.

House Bill No. 191. A Bill For an Act to Prescribe Who Shall be Qualified Electors in Certain Bond Elections in this State.

Was read the first and second times and referred to the Committee on Elections.

House Bill No. 198. A Bill For an Act to Amend and Re-enact Section 35, Chapter 161, Session Laws of 1915, as amended by Section 7, Chapter 224, Session Laws of 1923; and Section 36, Chapter 161, Session Laws of 1915, as amended by Section 5, Chapter 134, Session Laws of 1919, as amended by Section 8, Chapter 224, Session Laws of 1923; and Section 37, Chapter 161, Session Laws of 1915, Relating to Game and Fish.

Was read the first and second times and referred to the Committee on Game and Fish.

House Bill No. 202. A Bill For an Act to Amend Sections 7, 8 and 13, Chapter 292, Session Laws of 1923, Relating to the Bonds of North Dakota Real Estate Series; and to Amend Sections 9 and 12, Chapter 292, of the Session Laws of 1923, as Amended by Sections 2 and 3 of Chapter 100 of the Session Laws of 1925, Relating to the Bonds of North Dakota Real Estate Series.

Was read the first and second times and referred to the Committee on Judiciary.

House Bill No. 219. A Bill For an Act to Amend and re-enact Sections 6762 and 6764 of the Compiled Laws of North Dakota for the year 1913, relating to the renewal and filing of chattel mortgages and providing for the cancellation and satisfaction thereof and removing them from the public files.

Was read the first and second times and referred to the Committee on Judiciary.

House Bill No. 223. A Bill For an Act to Amend and Re-enact Sections 714a8 and 714a13 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Proposals for the Designation of Depositories and Rates of Interest on Public Funds.

Was read the first and second times and referred to the Committee on State Affairs.

House Bill No. 227. A Bill For an Act Making an Appropriation for Agricultural Fair purposes and providing for the division, expenditure and disbursement thereof.

Was read the first and second times and referred to the Committee on State Affairs.

House Bill No. 230. A Bill For an Act to Amend and Re-enact Section 10 of Chapter 181 of the Session Laws of 1925, Relating to the Establishment of Railroad Crossings.

Was read the first and second times and referred to the Committee on Railroads.

House Bill No. 238. A Bill For an Act Regulating the Use and Sale of Bottles and Glassware for Testing Milk and Cream for Butter Fat.

Was read the first and second times and referred to the Committee on Ways and Means.

House Bill No. 243. A Bill For an Act to Amend and Re-enact Section 189b3 of the Supplement to the Compiled Laws of 1913.

Was read the first and second times and referred to the Committee on Appropriations.

House Bill No. 246. A Bill For an Act to Amend and Re-enact Section 234, Compiled Laws 1913, and Section 5146 (10) of the Supplement to the Compiled Laws 1913, being Sub-division 3 of Chapter 219, Session Laws 1917.

Was read the first and second times and referred to the Committee on Banks and Banking.

House Bill No. 250. 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 Bureaus; 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 times and referred to the Committee on Insurance.

House Bill No. 253. A Bill For an Act to Amend and Re-enact Sub-section B of Section 297615 of Supplement to the Compiled Laws of North Dakota for the Year 1913.

Was read the first and second times and referred to the Committee on Appropriations.

House Bill No. 254. A Bill For an Act Making an Appropriation for the Purpose of Erecting a Ward Building at the State Hospital for the Insane at Jamestown.

Was read the first and second times and referred to the Committee on Appropriations.

House Bill No. 255. A Bill For an Act making an appropriation for the Erection of a Building for girls and furnishing equipment therefor at the State Training School, Mandan, North Dakota.

Was read the first and second times and referred to the Committee on Appropriations.

House Bill No. 303. A Bill For an act providing for the selection of jurors for service in district courts and in courts of increased jurisdiction, and repealing sections 817 and 819 of the compiled laws for 1913 and all acts and parts of acts in conflict therewith.

Was read the first and second times and referred to the Committee on Judiciary.

House Bill No. 315. A Concurrent Resolution. For an Amendment to Section 82, Article three of the Constitution of the State of North Dakota as amended by Article 43 of the amendments thereto, Relating to the Election of State Officers and Fixing the Qualifications and Terms of said Officers.

Was read the first and second times and referred to the Committee on Education.

House Bill No. 318. A Bill For an Act to Amend and Re-enact Section 3704 of the Compiled Laws of North Dakota for 1913, as amended by Chapter 212 of the Laws of 1925, providing for a resolution declaring improvement work to be done by special assessments necessary, and permitting protests against said improvements to be filed by property owners.

Was read the first and second times and referred to the Committee on Cities and Municipal Corporations.

House Bill No. 327. A Bill For an Act to Provide for the Protection of River Bottom Lands and Defining the Powers and Duties of the Boards of County Commissioners in Connection Therewith.

Was read the first and second times and referred to the Committee on Taxes and Tax Laws.

House Bill No. 328. A Bill For an Act to amend and re-enact Section 3711 of the Supplement to the Compiled Laws of 1913, relating to special assessments and the issuance of warrants for public improvements.

Was read the first and second times and referred to the Committee on Cities and Municipal Corporations.

House Bill No. 331. A Bill For an Act to Amend and Re-enact Section 1151 of the Compiled Laws of North Dakota, for 1913, relating to election of officers of Common School Districts, and prescribing qualifications therefore.

Was read the first and second times and referred to the Committee on Education.

House Bill No. 333. A Bill For an Act to Amend Section 1443 of the Compiled Laws of North Dakota for the Year 1913 Pertaining to State Aid to Graded Consolidated and Rural Schools; to Repeal Section 1444 of the Compiled Laws of North Dakota for the Year 1913 Pertaining to State School Inspection and to Repeal All Acts and Parts of Acts in Conflict with this Act.

Was read the first and second times and referred to the Committee on Education.

House Bill No. 336. A Bill For an Act Requiring Counties to Pay the Tuition for Children Attending School in the State whose Parents Reside upon County Poor Farms Owned by such Counties.

Was read the first and second times and referred to the Committee on Education.

House Bill No. 341. A Bill For an Act to be known as the Estate Tax Act, to establish a tax on gifts, legacies, inheritances, bequests, successions and transfers, to provide for its collection and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this act, and by any act hereby repealed; and to repeal sections 2364b1, 2346b2, 2346b3, 2346b4, 2346b5, 2346b6, 2346b7, 2346b8, 2346b9, 2346b10, 2346b11, 2346b12, 2346b13, 2346b14, 2346b15, 2346b16, 2346b17, 2346b18, 2346b19, 2346b20, 2346b21, 2346b22, 2346b23, 2346b24, 2346b25, 2346b26, 2346b27, 2346b28, 2346b29, 2346b30, 2346b31, 2346b32, 2346b33, 2346b34, 2346b35, 2346b36, 2346b37, 2346b38, 2346b39, 2346b40, 2346b41, 2346b42, 2346b43, 2346b44, 2346b45, 2346b46, 2346b47, 2346b48, 2346b49, 2346b50, 2346b51, 2346b52, 2346b53, 2346b54, 2346b55, 2346b56, 2346b57, of the Supplement to the Compiled Laws of 1913, and all acts or parts of acts in conflict with this act are hereby repealed.

Was read the first and second times and referred to the Committee on Judiciary.

House Bill No. 353. A Bill For an Act Providing the percentage of contracts of public corporations which shall be held back until the completion of such contracts.

Was read the first and second times and referred to the Committee on State Affairs.

House Bill No. 355. A Bill For an Act to amend and reenact Section 1162 of the Compiled Laws of North Dakota for the year 1913 pertaining to meetings of the school board in common school districts and prescribing their compensation therefor.

Was read the first and second times and referred to the Committee on Education.

House Bill No. 349. Hotel and Restaurant Inspection Act. An Act Providing for the inspection of hotels, lodging houses, boarding houses 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 times and referred to the Committee on Judiciary.

House Bill No. 361. A Bill For an Act Relating to Live Stock Passes across Railroads.

Was read the first and second times and referred to the Committee on Livestock.

House Bill No. 363. A Bill For an Act Transferring the Sum of One Hundred Thousand Dollars (\$100,000.00) from the Special Bridge Fund Provided by Subdivision (C) of Section 2976t15 of the Supplement to the Compiled Laws of North Dakota for 1913, to the General Fund of the State.

Was read the first and second times and referred to the Committee on State Affairs.

House Bill No. 211. A Bill For an Act Creating the Department of State Highways, Defining Its Powers and Duties, Providing for its Government and Imposing Penalties for Violations Thereof.

Was read the first and second times and referred to the Committee on State Affairs.

House Bill No. 268. A Bill for an Act to Provide for the Taxing and Licensing of Motor Vehicles and Trailers, the Creation of a Department of Motor Vehicle Registration, the Appointment of a Registrar of Motor Vehicles, His Powers and Duties, Establishing the Method of Distribution of the Fees Received therefrom, Fixing Penalties for Violation of this Act and Providing for an Appropriation for Administering the Same and for the Use of the State Highway Commission, and to make Uniform the Law Relating to the Subject Matter of this Act.

Was read the first and second times and referred to the Committee on State Affairs.

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: J. O. Wegen, Roy A. Ployhar, F. L. Dwight, S. E. Snider, H. S. Selvig, Mr. Simonson, R. C. Dobson, B. A. Dickinson and A. M. Frisk.

Senator Ployhar moved that the Senate do now recess until 1:00 P. M., Thursday.



WEDNESDAY, FEBRUARY 23, 1927

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Which motion prevailed and the Senate recessed.

W. D. AUSTIN,  
Secretary.

FIFTY-FIRST DAY AFTER RECESS AND  
FIFTY-SECOND DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 24, 1927.

The Senate re-assembled at 1:00 P. M., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 9. A Bill for an Act Making an Appropriation for the Payment of Salaries and Wages, Improvements and Repairs, Equipment and Miscellaneous Items 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. 10. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, 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. 11. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal and Industrial School at Ellendale.

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. 197. A Bill For an Act to Transfer the Sum of \$25,000.00 from the Fund Appropriated to the North Dakota Agricultural College for Equipment to said College's Fund for Maintenance.

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 Judiciary to whom was referred:

House Bill No. 135. A Bill For an Act to Amend and Re-enact Section 10605 of the Compiled Laws of North Dakota for the Year 1913, Relating to Examination of Witnesses in Preliminary Examinations.

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. 160. A Bill For an Act to Amend and Re-enact Section 4 of Chapter 292, Session Laws of 1923, the same being Section 2290-c-4 of the Supplement to 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.

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 171. A Concurrent Resolution To Amend and Re-enact Section 7 of Article 1 of the Constitution of the State of North Dakota, Relating to the Right of Trial by Jury.

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:

House Bill No. 192. A Bill For an Act Defining the Effect of Instruments, Affecting Real and Personal Property Belonging to a Trust, Executed by Trustees in Their Representative Capacity as Trustee.

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. 200. A Bill For an Act to Amend and Re-enact Section 3969, of the Compiled Laws of North Dakota for the year of 1913, as amended by Chapter 79, of the Session Laws of North Dakota for the year of 1919, and Chapter 32, of the Session Laws of North Dakota for the year of 1921 and Chapter 172 of the Session Laws of North Dakota for the year 1923, Relating to excluding farm lands from the limits of Cities, towns and villages.

Have had the same under consideration and recommend that the same be reported in without recommendation.

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. 219. A Bill For an Act to Amend and re-enact Sections 6762 and 6764 of the Compiled Laws of North Dakota for the year 1913, relating to the renewal and filing of chattel mortgages and providing for the cancellation and satisfaction thereof and removing them from the public files.

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. 244. A Bill For an Act to Amend and Re-enact Section 8887 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.

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 247. A Bill For an Act to Amend and Re-enact Section 1 of Chapter 101 of the Session Laws of 1925 relating to the signing of bonds by public officials.

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. 269. A Bill For an Act to Amend and Re-enact Section 9167 of the Compiled Laws of the

State of North Dakota for 1913 relating to Stay of Execution in Forcible Detainer.

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.

### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 83. A Bill For an Act to Amend and Re-enact Section 6 of Chapter 160 of the Sessions Laws of North Dakota for the Year 1919, as Amended and Re-enacted by Chapter 77 of the Session Laws of North Dakota for the Year 1921, as Amended and Re-enacted by Chapter 232 of the Session Laws of North Dakota for the Year 1923, as Amended and Re-enacted by Chapter 151 of the Session Laws of North Dakota for the year 1925, the same being Section 189b6 of the Supplement to the Compiled Laws of North Dakota for 1913; Relating to Flat Hail Insurance Tax and Permanent Surplus Fund.

House Bill No. 174. A Bill For an Act to Prescribe the Manner of Taking and Killing Game Birds and Animals, Prohibiting the Use of Traps, Snares, Lights and Other Artificial Means, and Repealing Sections 10332a24 and 10322a25 of the Supplement to the Compiled Laws 1913, and Any and All Acts in Conflict.

Joint Memorial Resolution.

And the President signed the same in the presence of the Senate.

Senator C. J. Olson moved that the absent Senators be excused.

Which motion prevailed.

### THIRD READING OF HOUSE BILLS

House Bill No. 123. A Bill For an Act Governing Borrowing by Means of Bond Issues by Counties, Cities, Villages, Townships, School Districts, Park Districts and other Municipalities as Defined Herein; and Repealing Sections 1272, 1274, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1333, 1336, 1337, 1338, 1339, 1422, 3449, 3450, 3452, 3453, 3454, 3456, 3457, 3458, 3459, 3462, 3463, 3464, 3465, 3466, 3467, 3468, 3469, 3470, 3868, 4014, 4015, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030,

4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4254, 4255, 4256, 4257, 4258, 4259, 4260, 4261 of the Compiled Laws of North Dakota for the year 1913 and repealing Sections 1273, 1274a1, 1274a2, 1275, 1276, 1277, 1303, 1307, 1321a14, 1332, 1334, 1335, 1341, 1421, 1422, 3451, 3743c1, 3743c2, 3743c3, 3882a1, 3882a2, 4016, 4037b, 4037c, 4037d1 and 4037d2 of the Supplement to the Compiled Laws of 1913, and 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 46, nays 0, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Kretschmar	Porter
Benson	Lynch	Rusch
Bond	McCrory	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnan
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Patterson	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brant	Hjelmstad	Ritchie

So the bill passed and the title was agreed to.

House Concurrent Resolution relating to Roosevelt National Park.

Was read the third time.

The question being on the final passage of the Resolution, 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.
Atkins	Hamilton	Patterson
Baird	Hart	Peck
Bakken	Hjelmstad	Ployhar
Benson	Kretschmar	Porter
Bond	Lynch	Sathre

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Brunsdale	McCroory	Schlosser
Carey	McLachlin	Seamands
Conrath	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Martin	Tofsrud
Erickson	Murphy	Van Arnam
Ettestad	Olson of Barnes	Van Camp
Fine	Olson of Burleigh	Whitman
Fleckten	Olson of Eddy	Weg
Forbes	Pathman	
Fredrickson	Patten	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Brant	Ritchie	Rusch

So the Concurrent Resolution passed.

Senator Atkins moved that final action on House Bill 76 be deferred one legislative day.

Which motion prevailed.

Senator Benson moved that final action on House Bill 176 be deferred one legislative day.

Which motion prevailed.

Senator Patten moved that final action on House Bill 189 be deferred one legislative day.

Which motion prevailed.

Senator Benson moved that the Senate do now adjourn.

Which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

#### FIFTY-SECOND DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 24, 1927.

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the chaplain, Rev. John A. H. Slag.

Roll call.

All members present except Senator Ritchie.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal



of the Forty-ninth day after recess and Fifty-first day and recommend that the same be corrected as follows:

On page 11 strike out all of line 13.

On page 32 strike out last word in line 5 and first word of line 6.

On page 32 line 38 strike out word "present". In line 39 after word "percentage" add "upon capital stock".

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

Senator Olson moved that the report be adopted, which motion prevailed, and the report was adopted.

The President appointed as a Joint Conference Committee on House Bill 106, Senators Fine, Porter and Lynch.

February 22, 1927.

Honorable Walter Maddock,  
President of the Senate,  
Twentieth Legislative Assembly,  
Bismarck, North Dakota.

Dear Sir:

I have the honor to submit herewith a gavel made from the Washington Elm, and presented by the Board of Park Commissioners of the City of Cambridge, Massachusetts, to the Senate of the Legislative Assembly of the State of North Dakota.

This gavel is presented with the compliments of said Board. A copy of letter of transmittal you will find attached.

Very respectfully,  
ROBERT BYRNE,  
Secretary of State.

CITY OF CAMBRIDGE  
MASSACHUSETTS  
OFFICE OF THE BOARD OF PARK COMMISSIONERS

April 24, 1925.

Mr. Robert Byrne,  
Secretary of State of North Dakota,  
Bismarck.

Dear Sir:

I am sending you to-day, under separate cover, two gavels, made from Washington Elm, presented to the State of North Dakota, by the City of Cambridge, one to be placed on the

desk of the speaker of the House, and one to be placed on the desk of the speaker of the Senate.

This carries out an order of the City Council of this city, that two gavels be presented by the City of Cambridge, through the Board of Park Commissioners, to each state of the Union, for the speakers of both Legislative bodies.

Should the State deem it advisable to place these gavels in a museum rather than on the desks of the speakers, I am sure the Board will have no objections.

Respectfully,  
ROSE E. MANNING,  
Clerk of the Board.

Senator Benson moved that the President appoint a committee of three to draft a suitable letter to the City of Cambridge, Mass., in appreciation of its gift.

Which motion prevailed and the President appointed as such committee Senators Benson, Steel and Van Camp.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 6. A Bill For an Act to appropriate \$4,200.00 to pay Travel Expense, and Stenographer's salary of the Dairy Division of the Department of Agriculture and Labor for the Period Commencing February 1, 1927, and ending June 30, 1927.

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. 19. A Bill For an Act Making an Appropriation for Use by 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.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 20. A Bill For an Act Making an Appropriation 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.

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. 45. A Bill For an Act Making an Appropriation to Pay C. E. Lounsbury, Wahpeton, North Dakota, Balance Due Him for Witness Fees, Mileage and Attorney's Fees in the Investigation of the State Highway 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.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 50. A Bill For an Act Making an Appropriation to Pay F. J. Graham, Ellendale, North Dakota, Balance Due Him for Services as Attorney for Special House Committee in the Investigation of the State Highway 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.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 111. A Bill For an Act Making an Appropriation for the Purpose of Carrying out the Provisions of Chapter 17, Session Laws of 1921, Relating to Preserva-

tion and Control of the Artesian Waters of the State, for the Biennial Period from July 1, 1927 to June 30, 1929.

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 Patten moved that the absent Senator be excused.

Which motion prevailed.

Senator Benson moved that House Bill 220 be laid over for one legislative day.

Which motion was lost.

### THIRD READING OF HOUSE BILLS

House Bill No. 220. A Bill For an Act to appropriate the sum of Thirty Thousand (\$30,000.00) Dollars, From any moneys in the State Highway Fund, for the purpose of aiding in the construction of a Bridge across the Bois De Sioux River, Between the city of Wahpeton, Richland County, North Dakota, and the city of Breckenridge, Wilkin County, Minnesota, 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, the roll was called, and there were ayes 39, nays 9, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Peck
Baird	Hjelmstad	Ployhar
Bakken	Kretschmar	Porter
Benson	Lynch	Rusch
Bond	McLachlin	Sathre
Brant	Magnuson	Schlosser
Brunsdale	Marshall	Seamands
Carey	Martin	Steel
Crocker	Murphy	Stevens
Eastgate	Olson of Barnes	Van Arnan
Erickson	Olson of Burleigh	Van Camp
Ettestad	Pathman	Whitman
Forbes	Patterson	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Conrath	Wredrickson	Olson of Eddy
Fine	Hart	Patten
Fleckten	McCrorry	Tofsrud

Absent and not voting:

Messrs.

Ritchie

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senator Forbes moved that the vote by which House Bill No. 220 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 199. A Bill For an Act to Amend and Re-enact Section 10322a4 of the Supplement to the Compiled Laws 1913 relating to the powers and duties of the North Dakota Game and Fish Board.

Was read the third time.

Senator Fine offered the following amendment: In section 6 of the printed bill, strike out the last four words of line 28 and the first word of line 29.

Which amendment was lost.

Senator Hamilton offered the following amendment: In section 6 of the printed bill, strike out everything after the word "law" in line 27 down to the word "and" in line 31.

Which amendment was lost.

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.

Atkins  
Baird  
Benson  
Bond  
Brant  
Brunsdale  
Carey  
Conrath  
Crocker  
Eastgate  
Forbes  
Fredrickson

Messrs.

Hamilton  
Hjelmstad  
Kretschmar  
Lynch  
McCrory  
McLachlin  
Magnuson  
Murphy  
Olson of Burleigh  
Olson of Eddy  
Pathman  
Ployhar

Messrs.

Porter  
Rusch  
Schlosser  
Seamands  
Steel  
Stevens  
Tofsrud  
Van Arnam  
Van Camp  
Whitman  
Wog

Those voting in the negative were:

Messrs.

Erickson  
Ettestad  
Fine  
Fleckten

Messrs.

Hart  
Marshall  
Martin  
Olson of Barnes

Messrs.

Patten  
Patterson  
Peck  
Sathre

Absent and not voting:

Messrs.	Messrs.
Bakken	Ritchie

So the bill passed and the title was agreed to.

House Bill No. 9. A Bill For an Act Making an Appropriation for the Payment of Salaries and Wages, Improvements and Repairs, Equipment and Miscellaneous Items 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 47, nays 0, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Lynch	Porter
Brant	Kretschmar	Rusch
Brunsdale	McCroory	Sathre
Carey	McLachlin	Seamands
Conrath	Magnuson	Schlosser
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog
Fredrickson	Patten	

Absent and not voting:

Messrs.	Messrs.
Bakken	Ritchie

So the bill passed and the title was agreed to.

Senator Kretschmar moved that the vote by which House Bill No. 9 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 10. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, 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 0, absent and not voting 2.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hamilton	Patterson
Baird	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Rusch
Brunsdale	McCrary	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog
Fredrickson	Patten	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>
Bakken	Ritchie

So the bill passed and the title was agreed to.

Senator Kretschmar moved that the vote by which House Bill No. 10 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 11. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal and Industrial School at Ellendale.

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:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hamilton	Patterson
Baird	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Rusch
Brunsdale	McCrary	Sathre
Carey	McLachlin	Schlosser

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Erickson	Martin	Stevens
Eastgate	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog
Fredrickson	Patten	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>
Bakken	Ritchie

So the bill passed and the title was agreed to.

Senator Kretschmar moved that the vote by which House Bill No. 11 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 197. A Bill For an Act to Transfer the Sum of \$25,000.00 from the Fund Appropriated to the North Dakota Agricultural College for Equipment to said College's Fund for Maintenance.

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:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hamilton	Patterson
Baird	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Rusch
Brunsdale	McCroy	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Forbes	Olson of Eddy	Whitman
Fredrickson	Pathman	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Fleckten	Patten	Wog



Absent and not voting:

Messrs.	Messrs.
Bakken	Ritchie

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senator Kretschmar moved that the vote by which House Bill No. 197 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 135. A Bill For an Act to Amend and Re-enact Section 10605 of the Compiled Laws of North Dakota for the Year 1913, Relating to Examination of Witnesses in Preliminary Examinations.

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.
Atkins	Hamilton	Patterson
Baird	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Rusch
Brunsdale	Martin	Sathre
Carey	McCroxy	Schlosser
Conrath	McLachlin	Seamands
Crocker	Magnuson	Steel
Eastgate	Marshall	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog
Fredrickson	Patten	

Absent and not voting:

Messrs.	Messrs.
Bakken	Ritchie

So the bill passed and the title was agreed to.

House Bill No. 160. A Bill For an Act to Amend and Re-enact Section 4 of Chapter 292, Session Laws of 1923, the same being Section 2290-c-4 of the Supplement to 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 31, nays 16, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Brant	Hamilton	Peck
Brunsdale	Hjelmstad	Rusch
Carey	McCrory	Sathre
Conrath	McLachlin	Schlosser
Crocker	Magnuson	Steel
Erickson	Marshall	Van Arnam
Ettestad	Olson of Barnes	Whitman
Fine	Olson of Burleigh	Wog
Fleckten	Olson of Eddy	
Forbes	Pathman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Baird	Lynch	Seamands
Benson	Martin	Stevens
Bond	Murphy	Tofsrud
Eastgate	Patten	Van Camp
Hart	Ployhar	
Kretschmar	Porter	

Absent and not voting:

Messrs.	Messrs.
Ritchie	Bakken

So the bill passed and the title was agreed to.

House Bill No. 192. A Bill For an Act Defining the Effect of Instruments, Affecting Real and Personal Property Belonging to a Trust, Executed by Trustees in Their Representative Capacity as Trustee.

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.
Baird	Kretschmar	Sathre
Bond	Lynch	Schlosser
Brunsdale	McCrory	Steel
Carey	McLachlin	Stevens
Crocker	Murphy	Tofsrud
Eastgate	Patterson	Van Arnam
Ettestad	Ployhar	Van Camp

Messrs.  
Forbes  
Fredrickson

Messrs.  
Porter  
Rusch

Messrs.  
Whitman  
Wog

Those voting in the negative were:

Messrs.  
Atkins  
Benson  
Brant  
Conrath  
Erickson  
Fine  
Fleckten

Messrs.  
Hamilton  
Hart  
Hjelmstad  
Magnuson  
Marshall  
Martin  
Olson of Barnes

Messrs.  
Olson of Burleigh  
Olson of Eddy  
Pathman  
Patten  
Peck  
Seamands

Absent and not voting:

Messrs.  
Bakken

Messrs.  
Ritchie

So the bill passed and the title was agreed to.

House Bill No. 200. A Bill For an Act to Amend and Re-enact Section 3969, of the Compiled Laws of North Dakota for the year of 1913, as amended by Chapter 79, of the Session Laws of North Dakota for the year of 1919, and Chapter 32, of the Session Laws of North Dakota for the year of 1921 and Chapter 172 of the Session Laws of North Dakota for the year 1923, Relating to excluding farm lands from the limits of Cities, towns and villages.

Was read the third time.

Senator Rusch moved that final action on House Bill 200 be deferred one legislative day.

Which motion prevailed.

House Bill No. 219. A Bill For an Act to Amend and re-enact Sections 6762 and 6764 of the Compiled Laws of North Dakota for the year 1913, relating to the renewal and filing of chattel mortgages and providing for the cancellation and satisfaction thereof and removing them from the public files.

Was read the third time.

Senator Fine moved that final action on House Bill 219 be deferred one legislative day.

Which motion prevailed.

House Bill No. 244. A Bill For an Act to Amend and Re-enact Section 8887 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 47, nays 0, absent and not voting 2.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hamilton	Patterson
Baird	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Rusch
Brunsdale	McCrory	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog
Fredrickson	Patten	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>
Bakken	Ritchie

So the bill passed and the title was agreed to.

House Bill No. 247. A Bill For an Act to Amend and Re-enact Section 1 of Chapter 101 of the Session Laws of 1925 relating to the signing of bonds by public officials.

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:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hart	Rusch
Baird	Hjelmstad	Ployhar
Benson	Kretschmar	Porter
Bond	Lynch	Sathre
Brunsdale	McCrory	Schlosser
Carey	McLachlin	Seamands
Conrath	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog
Hamilton	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brant	Fredrickson	Patterson
Erickson	Martin	Peck

Absent and not voting:

Messrs.	Messrs.
Bakken	Ritchie

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
February 24, 1927.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 108. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 159 of the Session Laws for the Year 1919, Relating to Readjustment of Rates.

Concurrent Resolution "H".

Concurrent Resolution "E".

Senate Bill No. 150. A Bill For an Act to Amend and Re-enact Section 1531 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the State Library.

Senate Bill No. 12. A Bill For an Act Making an Appropriation for Salaries, Clerkhire and Miscellaneous Expenses of the Game and Fish Board.

Which the House has passed unchanged.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

House Chamber,  
Bismarck, North Dakota,  
February 24, 1927.

Mr. President: I have the honor to return:

A Concurrent Resolution by Senator Martin.

Which the House has amended as follows:

Strike out all of the resolution after the word "maintain", in line sixteen in the original engrossed resolution, and add the following:

"the price of wheat in 1919 and 1920 upon relative price level with that which was guaranteed and maintained during the period of the actual continuance of the operations of the World War.

And Further, that the Federal Government neglected to redeem its implied promise to so do.

And Further, the market price for wheat for the said years dropped considerably below the minimum price guaranteed by the Federal Government through the Federal Grain Corporation, and that by reason thereof the wheat farmers of the United States sustained tremendous losses on account of the said reduction and price.

And Whereas, the said United States or Federal Grain 1920 wheat crop was vastly enhanced by reason of the scarcity of labor and the consequent high prices paid therefor, and the high prices prevailing for all implements, machinery and supplies necessarily used by the wheat farmers of the United States in the production of the said 1919 and 1920 crops.

And Whereas, the said United States or Federal Grain Corporation closed out and ceased its operations with a large surplus in the treasury, which said surplus represented profits realized by the said Federal Grain corporation during the period of the war when it operated and enjoyed a complete monopoly of the wheat markets of the United States, and through said power and influence it exercised a dominant power over the markets of the world; and that in justice and equity the said surplus belongs to the wheat growers of the United States of America;

Whereas, the Federal Government after the close of the World War and the termination of its contract with the manufacturers of war materials and supplies, many such manufacturers were settled with and paid large sums as a remuneration for losses sustained on account of the contract relation existing between the Federal Government and the said manufacturers.

Whereas Further, the Federal Government settled with paid claims of the railroads and transportation companies with which it had contracts either expressed or implied, for the transportation of war material, soldiers, sailors, and so forth, and that large sums were paid to said transportation companies in settlement of claims which they presented to the Federal Government, many of which claims were not covered by express contracts.

Whereas, the Federal Government during the period of war, by its rules and regulations assumed to dictate and control the production acreage of wheat grown in the United States during the period of actual hostilities, and for the

year 1919 and 1920, being the reconstruction period after the war; and in consequence thereof an implied contract arose between the wheat growers and the Federal Government, and the wheat growers relied upon the said implied contract and in justice and right should be remunerated for their losses in a sum not less than a price guaranteed by the Federal Government for wheat during the period of hostilities;

Whereas, the Federal Government realized a profit at the expense of the wheat grower and that the wheat grower in good faith complied with all the rules, regulations and requests of the Federal Government. It is the sense of the Senate and House of Representatives of the State of North Dakota that in justice and equity Congress should take full cognizance of these millions of dollars now in the National Treasury, so retained and belonging to the Wheat Growers of the United States; that this money should be made available to use in any manner required in connection with Legislation which should be enacted at the earliest possible date, establishing for the grower of wheat in the United State, a price for his product, based upon American standards of living and cost.

Further, that a copy of this resolution be prepared by the Secretary of State of the State of North Dakota and forwarded to the President and Vice President of the United States, and to each Senator and member of the House of Representatives from the State of North Dakota.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Senator Hamilton requested a return to the Eighth Order of Business.

Which request was granted.

Senator Hamilton then moved that the Senate do concur in the House amendments to the Concurrent Resolution introduced by Senator Martin.

Which motion prevailed.

Senator Hamilton moved that the Resolution be placed upon final passage.

Which motion prevailed.

The question being on the final passage of the Concurrent Resolution as amended by the House, the roll was called, and there were ayes 45, nays 0, absent and not voting 4.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Fredrickson	Patten
Baird	Hamilton	Patterson
Benson	Hart	Peck
Bond	Hjelmstad	Ployhar
Brant	Lynch	Porter
Brunsdale	McCroory	Rusch
Carey	McLachlin	Sathre
Comrath	Magnuson	Schlosser
Crocker	Marshall	Seamands
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>
Bakken	Ritchie
Kretschmar	Steel

So the Concurrent Resolution was passed.

Senator Atkins moved that final action on House Bill 76 be deferred one legislative day.

Which motion prevailed.

Senator Benson moved that the Senate do now adjourn.

Which motion was lost.

House Bills 79, 80, 81, 97, 144, 151, 152, 153, 180, 181, 220, 199, 9, 10, 11 and 197 were returned to the House passed unchanged.

House Bills 166 and 169 were returned to the House passed amended.

Senator Benson moved that the Senate do now recess until 1:00 P. M., Friday.

Which motion prevailed and the Senate recessed.

**W. D. AUSTIN,**  
**Secretary.**



FIFTY-SECOND DAY AFTER RECESS AND  
FIFTY-THIRD DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 25, 1927.

The Senate re-assembled at 1:00 P. M., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Highways to whom was referred:

House Bill No. 62. A Bill For an Act to Amend and Re-enact Sections 1 and 2, of Chapter 73, of the Session Laws of North Dakota for 1919, Providing for State Aid in the Construction of Bridges Across State Lines of Inter-State Highways, or Roads Across the Little Missouri River, or Roads Across Navigable Streams within the State of North Dakota.

Have had the same under consideration and recommend that the same be reported in without recommendation.

S. J. ATKINS,  
Chairman.

Senator Atkins moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways to whom was referred:

House Bill No. 63. A Bill For an Act to appropriate the Sum of \$35,000.00 from the State Highway Bridge Fund for the Purpose of Aiding in the Construction of a Bridge Across the Little Missouri River at a Point at, or Near the Present Location of Chaloner's Ferry on Federal Highway No. 85, in McKenzie County, North Dakota, under the Provisions of Chapter 73, of the Laws of North Dakota for the Year 1919 and Acts Amendatory thereof.

Have had the same under consideration and recommend that the same be reported in without recommendation.

S. J. ATKINS,  
Chairman.

Senator Atkins moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways to whom was referred:

House Bill No. 165. A Bill for an Act to appropriate the sum of \$3,000.00 from any Moneys in the State Highway Fund, for the Purpose of Making a Preliminary survey and Sounding of the Missouri River at or near Garrison, North Dakota, to determine the Advisibility and Feasibility of Constructing a Bridge Across said River Between the city of Garrison in McLean County and the City of Mannhaven in Mercer County, under the Provisions of Subsection C of Section 2976t15 of the Supplement to the Compiled Laws of 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.

Mr. President: Your Committee on Railroads to whom was referred:

House Bill No. 230. A Bill For an Act to Amend and Re-enact Section 10 of Chapter 181 of the Session Laws of 1925, Relating to the Establishment of Railroad Crossings.

Have had the same under consideration and recommend that the same do pass.

W. S. WHITMAN,  
Chairman.

Senator Whitman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Railroads to whom was referred:

House Bill No. 309. A Bill For an Act requiring agents of railroad companies to report to the Sheriffs of their respective counties the fact that emigrant cars are ordered, and relating further to the duties of the sheriffs and providing penalties therefor.

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.

Mr. President: Your Committee on Railroads to whom was referred:

House Bill No. 225. A Bill For an Act Requiring the Board of Railroad Commissioners to Investigate and Fix Rates, Charges, Practices, Rules and Regulations of Carriers and Railroad Corporations for the Transportation of Fuel, Specifying the Proceedings therefor, Making an Appropriation for such Purpose and for the Defense of such Rates, and Repealing Sections 4798a1 to 4798a5, inclusive, of the Supplement to the Compiled Laws 1913, and Repealing Sections 4795a1 to 4795a11, inclusive, of the Supplement to the Compiled Laws 1913, so far as the same is Applicable to Rates for the Transportation of Fuel.

Have had the same under consideration and recommend that the same do pass.

W. S. WHITMAN,  
Chairman.

Senator Whitman 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. 168. A Bill For an Act to Amend Section 8719 of the Compiled Laws of North Dakota for 1913, Relating to the Exemption of the Avails of Life Insurance Payable to the Personal Representatives of a Deceased, his Heirs or Estate.

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.

Mr. President: Your Committee on Insurance to whom was referred:

House Bill No. 187. A Bill For an Act to Provide Protection on the Lives of Children by Fraternal Benefit Societies and to Repeal Section 5070a of the Supplement to the Compiled Laws of 1913.

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.

Mr. President: Your Committee on Insurance to whom was referred:

House Bill No. 218. A Bill For an Act to Amend and Re-enact Section 4915, Supplement to the 1913 Compiled Laws of North Dakota.

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 Insurance to whom was referred:

House Bill No. 250. 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 Bureaus; 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 prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 92. A Bill For an Act Providing for the Investment of Moneys in 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. 59. A Bill For an Act to Amend Section 714A5 Supplement to the 1913 Compiled Laws of North Da-

kota, relating to the designation of depositories for public funds.

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. 216. A Bill for an Act Creating a Judicial Council for the State of North Dakota, and Providing for the Continuous Study of the Administration of Justice.

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. 363. A Bill For an Act Transferring the Sum of One Hundred Thousand Dollars (\$100,000.00) from the Special Bridge Fund Provided by Subdivision (C) of Section 2976t15 of the Supplement to the Compiled Laws of North Dakota for 1913, to the General Fund of the State.

Have had the same under consideration and recommend that the same be reported in without recommendation, and placed on the calendar for third reading.

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. 296. A Bill For an Act to Amend and Re-enact Subdivision 6, of Section 381 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Duties of the State Historical Society.

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 Providing for the Appointment of Representatives on Behalf of the State of North Dakota to Negotiate a Compact and Agreement Between the State of North Dakota, the Provinces of Saskatchewan and Manitoba and the Dominion of Canada and the United States of America, Respecting the Use, Control, Utilization and Disposition of the Waters of the Mouse River (named the Souris River in Canada) and the Rights of said State of North Dakota and said Provinces and the Dominion of Canada and the United States 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:

House Bill No. 223. A Bill For an Act to Amend and Re-enact Sections 714a8 and 714a13 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Proposals for the Designation of Depositories and Rates of Interest on Public Funds.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,  
Chairman.

Sen. 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. 217. 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 and South Dakota, Respecting the Use, Control, Utilization and Regulation of the Waters of the James River and the Rights of said States 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:

House Bill No. 93. A Bill For an Act to Amend and Re-enact Section 4 of Chapter 162 of the Session Laws for the Year 1919, as amended by Chapter 145 of the Session Laws of 1921, as Amended by Chapter 220 of the Session Laws of 1925.

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. 116. A Bill For an Act Giving the Legislative Assent of the State of North Dakota to the Purpose of the Grants of Money Authorized and Provided for in the Act of Congress Entitled, "An Act to Authorize the More Complete Endowment of Agricultural Experiment Stations, and For Other Purposes," Approved February 24, 1925.

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. 157. A Bill for An Act to Amend and Re-enact Chapter 145 of the Session Laws of 1919, as embodied in Section 1755 Supplement to the 1913 Compiled Laws 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:

House Bill No. 177. A Bill For an Act Authorizing the Board of Railroad Commissioners to Require the Extension of Electric Transmission Lines, and the Service Furnished Thereby, to Cities, Towns, Villages, and the Inhabitants

Thereof, Within or Contiguous to the Territory Served by Such Transmission Lines, and to Fix the Rates and Charges for Such Service, and the Rules and Regulations to be Observed in Connection 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. 109. A Bill For an Act to Repeal Sections 1804 and 1806, of the Compiled Laws of North Dakota for 1913, Relating to the State Trolley Line.

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.

Senator Martin moved that House Bill 109 be indefinitely postponed.

Roll call demanded.

Senator Ployhar moved the call of the Senate.

Which call was granted.

The roll was called and all Senators reported present except Senator Hart and Senator Ritchie, who was excused.

Senator Stevens moved that further business under the call be suspended.

Which motion prevailed.

The question being on the motion by Senator Martin, the roll was called, and there were ayes 31, nays 17, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fine	Olson of Burleigh
Baird	Fleckten	Olson of Eddy
Bakken	Fredrickson	Pathman
Benson	Hamilton	Patten
Bond	Hart	Patterson
Brant	Hjelmstad	Peck
Brunsdale	McCrary	Rusch
Conrath	Magnuson	Sathre
Crocker	Marshall	Tofsrud



Messrs.	Messrs.	Messrs.
Erickson	Martin	Wog
Ettestad	Olson of Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Carey	Murphy	Stevens
Eastgate	Ployhar	Van Arnam
Forbes	Porter	Van Camp
Kretschmar	Schlosser	Whitman
Lynch	Seamands	
McLachlin	Steel	

Absent and not voting:

Messrs.  
Ritchie

So the bill was indefinitely postponed.

Senator Patterson moved that the vote by which House Bill No. 109 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Murphy moved that the Senate do now adjourn.

Which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

#### FIFTY-THIRD DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 25, 1927.

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, Rev. John A. H. Slag.

Roll call.

All members present except: Senator Ritchie.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-first day after recess and Fifty-second day and find the same correct.

C. J. OLSON,  
Chairman.

Senator Olson moved that the report be adopted, which motion prevailed and the report was adopted.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 68. A Bill For an Act to Appropriate \$3,000.00 to the North Dakota State Corn Show for the Biennial period Ending July 1, 1929, Agreeable with Chapter 108 of the Session Laws of 1925.

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. 12. A Bill For an Act Making an Appropriation for the Payment of Salaries and Wages, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses of the State School of Science at Wahpeton, 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. A Majority of your Committee on Counties to whom was referred:

House Bill No. 313. A Bill For an Act Providing Additional Requirement for the office of County Coroner.

Have had the same under consideration and recommend that the same do pass.

W. H. PORTER,  
WALTER H. SCHLOSSER,  
C. A. SEAMANDS,  
JOSEPH G. FORBES,  
W. R. BOND,  
J. L. HART.

Senator Porter moved that the report be adopted.

Mr. President: A Minority of your Committee Counties to whom was referred:

House Bill No. 313. A Bill For an Act Providing Additional Requirement for the office of County Coroner.

Have had the same under consideration and recommend that the same be amended as follows:

That wherever the figures "5,000" appear in the bill that the same be stricken out and the figures "10,000" be inserted in lieu thereof.

And when so amended recommend the same do pass.

OLE ETTESTAD,  
JOHN W. BENSON,  
E. H. BRANT,  
L. O. FREDRICKSON.

Senator Ettestad moved the substitution of the word "minority" for the word "majority".

Which motion prevailed and the Minority report of the Committee was adopted.

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 106. A Bill for an Act to Amend and Re-enact sections 8651-8657 and 8682 of the Compiled Laws of 1913 relating to the qualification, appointment, removal and discharge of Executors, Administrators and Guardians, and to repeal all acts and parts of acts in conflict herewith.

Have had the same under consideration and recommend that the original House Bill, as printed, be amended as follows:

Page 5, line 13 after the word "children" the following be inserted: "if such husband has minor children living".

And when so amended recommend the same do pass.

C. W. FINE,  
W. D. LYNCH,  
W. H. PORTER,  
MINNIE D. CRAIG,  
R. E. SWENDSEID,  
A. W. FOWLER.

Senator Benson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Porter moved that the Conference Committee on House Bill 106 be discharged.

Which motion prevailed.

Senator Porter moved that the rules be suspended and House Bill 106 as amended by the Conference Committee be placed on third reading and final passage.

Which motion prevailed.

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called, and there were ayes 41, nays 2, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patten
Baird	Hart	Patterson
Bakken	Hjelmstad	Peck
Benson	Kretschmar	Porter
Brant	Lynch	Rusch
Carey	McCrorry	Schlosser
Conrath	McLachlin	Seamands
Crocker	Magnuson	Steel
Eastgate	Marshall	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fleckten	Olson of Burleigh	Whitman
Forbes	Olson of Eddy	Wog
Fredrickson	Pathman	

Those voting in the negative were:

Messrs.	Messrs.
Brunsdale	Sathre

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bond	Martin	Ritchie
Fine	Ployhar	Van Camp

So the bill passed and the title was agreed to.

Senator Benson moved that the vote by which House Bill No. 106 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Hamilton moved that the absent Senator be excused.

Which motion prevailed.

Senator Ployhar moved that House Bill 33 be re-referred to the Insurance Committee.

Which motion prevailed and the bill was so re-referred.

Senator Ployhar moved that the vote by which the Committee report on House Bill 157 was adopted be reconsidered.

Which motion prevailed.

Senator Ployhar then moved that House Bill 157 be re-referred to the State Affairs Committee.

Which motion prevailed and the bill was so re-referred.

Senator Benson moved that the vote by which the Committee report on House Bill 165 was indefinitely postponed be reconsidered.

Which motion was lost.

Senator Whitman moved that the vote by which the Committee report on House Bill 250 was indefinitely postponed be reconsidered.

Which motion prevailed.

Senator O. H. Olson moved that House Bill 250 be placed on the calendar for third reading.

Which motion prevailed.

### THIRD READING OF HOUSE BILLS

House Bill No. 76. A Bill For an Act to appropriate the Sum of \$3,000.00 from any Moneys in the State Highway Fund, for the Purpose of Making a Preliminary Survey and Sounding of the Missouri River at or Near Washburn, North Dakota to Determine the Advisability and Feasibility of Constructing a Bridge Across said River Between the City of Washburn in McLean County and the City of Center in Oliver County, under the Provisions of Subsection C of Section 2976t15 of the Supplement to the Compiled Laws of 1913.

Was read the third time.

Senator Patten moved that further consideration of House Bill 76 be indefinitely postponed.

Which motion prevailed.

House Bill No. 176. A Bill For an Act to Amend and Re-enact Section 1958a3 of the Supplement to the Compiled Laws of North Dakota of 1913, said Section being Chapter 11 of the Session Laws of North Dakota of 1925; An Act to appropriate the sum of \$75,000.00, 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 1919.

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.
Atkins	Hjelmstad	Olson of Barnes
Baird	Pathman	Olson of Burleigh
Bakken	Ployhar	Patterson
Bond	Porter	Schlosser
Brunsdale	Rusch	Seamands
Carey	Sathre	Steel
Crocker	Kretschmar	Stevens
Eastgate	Lynch	Tofsrud

Messrs.	Messrs.	Messrs.
Ettestad	Magnuson	Van Camp
Forbes	Marshall	Whitman
Hamilton	Martin	Wog
Hart	Murphy	
McLachlin	Van Arnam	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fine	Olson of Eddy
Brant	Fleckten	Patten
Conrath	Fredrickson	Peck
Erickson	McCrorry	

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to. Emergency clause declared carried.

Senator Rusch moved that the vote by which House Bill No. 176 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Hamilton explained his vote: I voted for this bill two years ago and as long as they haven't been able to agree upon a site, I like to show mercy to my fellow men and allow them two years more. I vote "aye".

House Bill No. 189. A Bill For an Act to Appropriate the sum of \$3,000.00 from any Moneys in the State Highway Fund, for the Purpose of Making a Preliminary Survey and Sounding of the Missouri River at or near Elbowoods, North Dakota, on State Highway Route No. 24, to Determine the Advisability and Feasibility of Constructing a Bridge Across Said River on Said State Highway Route, Under the Provisions of Subsection C. of Section 2976t15 of the Supplement to 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 46, nays 1, absent and not voting 1, passed 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patten
Baird	Hamilton	Patterson
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McCrorry	Seamands
Carey	McLachlin	Steel
Conrath	Magnuson	Stevens

Messrs.	Messrs.	Messrs.
Crocker	Marshall	Tofsrud
Eastgate	Martin	Van Arnam
Erickson	Murphy	Van Camp
Ettestad	Olson of Barnes	Whitman
Fine	Olson of Burleigh	Wog
Fleckten	Olson of Eddy	
Forbes	Pathman	

Those voting in the negative were:

Messrs.  
Schlosser

Absent and not voting:

Messrs.  
Ritchie

Those Passing:

Messrs.  
Peck

So the bill passed and the title was agreed to.

House Bill No. 200. A Bill For an Act to Amend and Re-enact Section 3969, of the Compiled Laws of North Dakota for the year of 1913, as amended by Chapter 79, of the Session Laws of North Dakota for the year of 1919, and Chapter 32, of the Session Laws of North Dakota for the year of 1921 and Chapter 172 of the Session Laws of North Dakota for the year 1923, Relating to excluding farm lands from the limits of Cities, towns and villages.

Was read the third time.

The question being on the final passage of the bill, the roll was called, and there were ayes 15, nays 31, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Fine	Hjelmstad
Bakken	Fleckten	Olson of Barnes
Benson	Fredrickson	Peck
Conrath	Hamilton	Schlosser
Ettestad	Hart	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	McLachlin	Porter
Bond	Magnuson	Rusch
Brant	Marshall	Sathre
Brunsdale	Martin	Seamands
Carey	Murphy	Steel
Crocker	Olson of Burleigh	Stevens
Eastgate	Olson of Eddy	Tofsrud
Erickson	Pathman	Van Camp

Messrs.	Messrs.	Messrs.
Forbes	Patten	Van Arnam
Lynch	Patterson	
McCrorry	Ployhar	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Kretschmar	Ritchie	Wog

So the bill was declared lost.

House Bill No. 219. A Bill For an Act to Amend and re-enact Sections 6762 and 6764 of the Compiled Laws of North Dakota for the year 1913, relating to the renewal and filing of chattel mortgages and providing for the cancellation and satisfaction thereof and removing them from the public files.

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.
Atkins	Hart	Porter
Baird	Hjelmstad	Rusch
Bond	Lynch	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Murphy	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Forbes	Pathman	
Fredrickson	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Patten
Benson	Hamilton	Patterson
Brant	McCrorry	Peck
Conrath	Martin	Sathre
Erickson	Olson of Barnes	Tofsrud

Absent and not voting:

Messrs.	Messrs.	Messrs.
Kretschmar	Ritchie	Wog

So the bill passed and the title was agreed to.

House Bill No. 6. A Bill For an Act to Appropriate \$4,200.00 to pay Travel Expense, and Stenographer's salary of the Dairy Division of the Department of Agriculture and Labor for the Period Commencing February 1, 1927, and ending June 30, 1927.

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:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Fredrickson	Patten
Baird	Hamilton	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Lynch	Porter
Brant	McCroroy	Rusch
Brunsdale	McLachlin	Sathre
Carey	Magnuson	Schlosser
Conrath	Marshall	Seamands
Crocker	Martin	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>
Fleckten	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Kretschmar	Ritchie	Wog

So the bill passed and the title was agreed to and the emergency clause was declared carried.

House Bill No. 19. A Bill For an Act Making an Appropriation for Use by 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 40, nays 4, absent and not voting 5.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Porter
Benson	Hjelmstad	Rusch
Bond	McCroroy	Sathre
Brant	McLachlin	Seamands
Brunsdale	Magnuson	Steel
Carey	Marshall	Stevens
Conrath	Murphy	Tofsrud
Crocker	Olson of Barnes	Van Arnam
Eastgate	Olson of Burleigh	Van Camp

Messrs.	Messrs.	Messrs.
Erickson	Olson of Eddy	Whitman
Fine	Pathman	
Forbes	Patten	

Those voting in the negative were:

Messrs.	Messrs.
Ettestad	Martin
Fleckten	Ployhar

Absent and not voting:

Messrs.	Messrs.	Messrs.
Kretschmar	Ritchie	Wog
Lynch	Schlosser	

So the bill passed and the title was agreed to.

House Bill No. 20. A Bill For an Act Making an Appropriation 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.

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 4, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Peck
Baird	Hamilton	Ployhar
Benson	Hart	Porter
Bond	Hjelmstad	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Seamands
Carey	Marshall	Steel
Crocker	Murphy	Stevens
Eastgate	Olson of Burleigh	Tofsrud
Erickson	Olson of Eddy	Van Arnam
Ettestad	Pathman	Van Camp
Fine	Patten	Whitman
Forbes	Patterson	Wog

Those voting in the negative were:

Messrs.	Messrs.
Bakken	Fleckten
Conrath	Olson of Barnes

Absent and not voting:

Messrs.	Messrs.	Messrs.
Kretschmar	McCrory	Ritchie
Lynch	Martin	Schlosser

So the bill passed and the title was agreed to.

House Bill No. 45. A Bill For an Act Making an Appropriation to Pay C. E. Lounsbury, Wahpeton, North Dakota, Balance Due Him for Witness Fees, Mileage and Attorney's Fees in the Investigation of the State Highway Commission.

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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hjelmstad	Ployhar
Benson	Kretschmar	Rusch
Bond	Lynch	Sathre
Brant	McCroxy	Schlosser
Brunsdale	McLachlin	Steel
Carey	Magnuson	Stevens
Crocker	Marshall	Tofsrud
Eastgate	Murphy	Van Arnam
Erickson	Olson of Barnes	Van Camp
Ettestad	Olson of Burleigh	Whitman
Fine	Olson of Eddy	Wog
Fleckten	Pathman	
Forbes	Patten	

Those voting in the negative were:

Messrs.	Messrs.
Conrath	Porter
Hart	Seamands

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

So the bill passed and the title was agreed to and the emergency clause declared carried.

House Bill No. 50. A Bill For an Act Making an Appropriation to Pay F. J. Graham, Ellendale, North Dakota, Balance Due Him for Services as Attorney for Special House Committee in the Investigation of the State Highway Commission.

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.
Atkins	Forbes	Pathman
Baird	Fredrickson	Patten
Bakken	Hamilton	Patterson

Messrs.	Messrs.	Messrs.
Benson	Hart	Peck
Bond	Hjelmstad	Ployhar
Brant	Kretschmar	Rusch
Brunsdale	Lynch	Sathre
Carey	McCrory	Schlosser
Conrath	McLachlin	Steel
Crocker	Magnuson	Stevens
Eastgate	Marshall	Van Arnam
Erickson	Murphy	Van Camp
Ettestad	Olson of Barnes	Whitman
Fine	Olson of Burleigh	Wog
Fleckten	Olson of Eddy	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Porter	Seamands	Tofsrud

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

So the bill passed and the title was agreed to and the emergency clause declared carried.

House Bill No. 111. A Bill For an Act Making an Appropriation for the Purpose of Carrying out the Provisions of Chapter 17, Session Laws of 1921, Relating to Preservation and Control of the Artesian Waters of the State, for the Biennial Period from July 1, 1927 to June 30, 1929.

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.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Kretschmar	Porter
Benson	Lynch	Rusch
Bond	McCrory	Sathre
Brant	McLachlin	Schlosser
Brunsdale	Magnuson	Seamands
Carey	Marshall	Steel
Conrath	Murphy	Stevens
Crocker	Olson of Barnes	Tofsrud
Eastgate	Olson of Burleigh	Van Camp
Erickson	Olson of Eddy	Van Arnam
Fine	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Ettestad	Fleckten	Hjelmstad

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

So the bill passed and the title was agreed to.

House Bill No. 59. A Bill For an Act to Amend Section 714A5 Supplement to the 1913 Compiled Laws of North Dakota, relating to the designation of depositories for public funds.

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.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Whitman
Forbes	Porter	
Hart	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Olson of Barnes
Benson	Fredrickson	Olson of Eddy
Brant	Hamilton	Patten
Conrath	Hjelmstad	Patterson
Erickson	McCrary	Peek
Ettestad	Magnuson	Sathre
Fine	Marshall	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Martin	Ritchie	Van Camp

So the bill passed and the title was agreed to.

House Bill No. 62. A Bill For an Act to Amend and Re-enact Sections 1 and 2, of Chapter 73, of the Session Laws of North Dakota for 1919, Providing for State Aid in the Construction of Bridges Across State Lines of Inter-State Highways, or Roads Across the Little Missouri River, or Roads Across Navigable Streams within 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 37, nays 8, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fleckten	Peck
Baird	Fredrickson	Ployhar
Bakken	Hamilton	Rusch
Benson	Hart	Sathre
Bond	Hjelmstad	Schlosser
Brant	Lynch	Seamands
Brunsdale	Magnuson	Steel
Conrath	Marshall	Stevens
Crocker	Murphy	Van Arnam
Eastgate	Olson of Burleigh	Whitman
Erickson	Olson of Eddy	Wog
Ettestad	Patten	
Fine	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Carey	McLachlin	Porter
Forbes	Olson of Barnes	Tofsrud
McCrorry	Pathman	

Absent and not voting:

Messrs.	Messrs.
Kretschmar	Ritchie
Martin	Van Camp

So the bill passed and the title was agreed to and the emergency clause declared carried.

House Bill No. 63. A Bill For an Act to Appropriate the Sum of \$35,000.00 from the State Highway Bridge Fund for the Purpose of Aiding in the Construction of a Bridge Across the Little Missouri River at a Point at, or Near the Present Location of Chaloner's Ferry on Federal Highway No. 85, in McKenzie County, North Dakota, under the Provisions of Chapter 73, of the Laws of North Dakota for the Year 1919 and Acts Amendatory thereof.

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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Conrath	McLachlin	Seamands
Crocker	Magnuson	Steel
Eastgate	Marshall	Stevens
Erickson	Murphy	Van Arnam

Messrs.	Messrs.	Messrs.
Ettestad	Olson of Burleigh	Whitman
Fine	Olson of Eddy	Wog
Fleckten	Pathman	
Forbes	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
McCrorry	Olson of Barnes	Tofsrud

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brunsdale	Martin	Schlosser
Carey	Ritchie	Van Camp

So the bill passed and the title was agreed to. Emergency clause declared carried.

House Bill No. 92. A Bill For an Act Providing for the Investment of Moneys in 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 32, nays 13, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hjelmstad	Porter
Baird	Kretschmar	Rusch
Bond	Lynch	Sathre
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steel
Crocker	Murphy	Stevens
Eastgate	Olson of Burleigh	Tofsrud
Forbes	Olson of Eddy	Van Arnam
Fredrickson	Pathman	Whitman
Hamilton	Patterson	Wog
Hart	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Ettestad	Olson of Barnes
Benson	Fine	Patten
Brant	Fleckten	Peck
Conrath	McCrorry	
Erickson	Marshall	

Absent and not voting:

Messrs.	Messrs.
Martin	Schlosser
Ritchie	Van Camp

So the bill passed and the title was agreed to.

House Bill No. 116. A Bill For an Act Giving the Legislative Assent of the State of North Dakota to the Purpose of the Grants of Money Authorized and Provided for in the Act of Congress Entitled, "An Act to Authorize the More Complete Endowment of Agricultural Experiment Stations, and For Other Purposes," Approved February 24, 1925.

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 15, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Ettestad	Olson of Eddy
Baird	Forbes	Pathman
Bakken	Fredrickson	Ployhar
Bond	Hart	Rusch
Brant	Hjelmstad	Sathre
Brunsdale	McCrary	Seamands
Carey	McLachlin	Steel
Crocker	Magnuson	Van Arnam
Eastgate	Murphy	Whitman
Erickson	Olson of Burleigh	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Lynch	Peck
Conrath	Marshall	Porter
Fine	Olson of Barnes	Stevens
Fleckten	Patten	Tofsrud
Kretschmar	Patterson	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Hamilton	Ritchie	Van Camp
Martin	Schlosser	

So the bill passed and the title was agreed to.

Senator Benson moved that the Senate do now recess for ten minutes.

Which motion prevailed and the Senate recessed.

The Senate re-assembled, pursuant to recess taken, the President presiding.

Senator Ployhar requested a return to the Eighth Order of Business.

Which request was granted.

Senator Ployhar then moved that the vote by which the committee report on House Bill 223 was indefinitely postponed be reconsidered.

Which motion prevailed.



Senator Ployhar further moved that House Bill 223 be re-referred to the State Affairs Committee.

Which motion prevailed and the bill was re-referred.

Senator Benson moved that the vote by which the committee report on House Bill 165 was indefinitely postponed be reconsidered.

Roll call demanded.

Senator Atkins demanded a call of the Senate.

The call was granted.

All Senators reported present except Senators Ritchie and Martin, who were excused.

Senator Ployhar moved that further business under the call be dispensed with.

Which motion prevailed.

The question being on the motion by Senator Benson, the roll was called, and there were ayes 15, nays 32, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Benson	Fine	Olson of Eddy
Brant	Fleckten	Patten
Conrath	Fredrickson	Patterson
Erickson	Magnuson	Peck
Ettestad	Marshall	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Hjelmstad	Rusch
Baird	Kretschmar	Sathre
Bakken	Lynch	Schlosser
Bond	McCrorry	Seamands
Brunsdale	McLachlin	Steel
Carey	Murphy	Stevens
Crocker	Olson of Barnes	Tofsrud
Eastgate	Olson of Burleigh	Van Arnam
Forbes	Pathman	Van Camp
Hamilton	Ployhar	Whitman
Hart	Porter	

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

So the motion was lost.

Senator Atkins moved that the vote by which the committee report on House Bill No. 165 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Atkins moved for a reconsideration of the vote by which House Bill No. 76 was indefinitely postponed.

Senator Hjelmstad moved that the previous motion be laid on the table.

Roll call.

The question being on the motion by Senator Hjelmstad, the roll was called, and there were ayes 22, nays 25, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Forbes	Olson of Eddy
Benson	Fredrickson	Patten
Brant	Hamilton	Patterson
Carey	Hjelmstad	Peck
Erickson	McCrorry	Schlosser
Ettestad	Magnuson	Wog
Fine	Marshall	
Fleckten	Olson of Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Lynch	Seamands
Baird	McLachlin	Steel
Bond	Murphy	Stevens
Brunsdale	Olson of Burleigh	Tofsrud
Conrath	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Hart	Rusch	
Kretschmar	Sathre	

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

So the motion was declared lost.

The question being upon the original motion the question was put and the motion prevailed.

Senator Atkins moved that House Bill 76 be placed on the calendar for final passage.

Which motion prevailed.

House Bill No. 76. A Bill For an Act to appropriate the sum of \$3,000.00 from any moneys in the State Highway Fund, for the purpose of making a preliminary survey and sounding of the Missouri River at or near Washburn, North Dakota to determine the advisability and feasibility of constructing a bridge across said river between the city of Washburn in McLean County and the city of Center in Oliver County, under the provisions of subsection C of section 2976t15 of the supplement to 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 23, nays 23, absent and not voting 2, passing 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Lynch	Schlosser
Baird	McLachlin	Seamands
Bond	Murphy	Steel
Brunsdale	Olson of Burleigh	Stevens
Eastgate	Ployhar	Tofsrud
Hamilton	Porter	Van Arnam
Hart	Rusch	Whitman
Kretschmar	Sathre	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fine	Olson of Barnes
Benson	Fleckten	Olson of Eddy
Brant	Forbes	Pathman
Carey	Fredrickson	Patten
Conrath	Hjelmstad	Patterson
Crocker	McCrary	Van Camp
Erickson	Magnuson	Wog
Ettestad	Marshall	

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

Those Passing:

Messrs.  
Peck

So the bill was declared lost.

Senator Patten moved that the vote by which House Bill 76 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

House Bills 123, 135, 160, 192, 244 and 247 and Concurrent Resolution regarding Roosevelt National Park were returned to the House passed unchanged.

#### MESSAGES FROM THE HOUSE

House Chamber,  
Bismarck, North Dakota,  
February 25, 1927.

Mr. President: I have the honor to transmit herewith the following:

## CONCURRENT RESOLUTION

Introduced in the House of Representatives of the State of North Dakota by the Appropriations Committee.

Be It Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring:

That a Joint Committee of five be appointed, consisting of two members of the Senate to be appointed by the President of the Senate and three Members of the House of Representatives to be appointed by the Speaker of the House of Representatives, to visit the State Training School at Mandan, North Dakota and to confer with the Superintendent of said School and the Board of Administration as to the location of a site for the new building to be erected at said Training School.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 25, 1927.

Mr. President: I have the honor to transmit herewith the following:

A Concurrent Resolution by Representative Freeman.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,  
C. R. VERRY,  
Chief Clerk

## CONCURRENT RESOLUTION

Be It Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring Therein, That

Whereas, Section 7 of Chapter 163 of the Session Laws of 1925, provides in part, as follows:

"The Governor, as Manager of the affairs of the Association, shall cause a complete record to be kept of all its transactions, and such records shall show, at all times, all the liabilities and assets of such Association, and the current value, of all land and other property owned. It shall also show purchases made for the plant account, or money received from the sale of plant equipment and property, all disbursements for expenses and for the purchase of supplies of every kind, and all receipts from sales. An inventory showing current

costs and values shall be taken during June and December of each year, and on the first day of July and January of each year, a statement shall be prepared under the direction of the Governor, and filed with the Industrial Commission, showing in a detailed and itemized manner, the condition of the business and the results of operation during the preceding six months period, and in making and procuring of such statements, the Governor may demand the services of the Auditor, or may entirely disregard him, and cause such statement to be otherwise made. The Governor, as Manager of the Association, shall also make a detailed report of its transactions, with inventories as of December 31st of each year, and shall file the same with the Industrial Commission not later than the first day of the following February, which report shall be printed and copies thereof be delivered to the State Board of Audit and all members of the Legislature." and

Whereas, the Governor has failed and neglected to file with the Industrial Commission any statement or inventory for the three six months periods ending December 31, 1925, June 30, 1926 and December 31, 1926, as directed by Section 7 of Chapter 163 of the Session Laws of 1925, and has failed to file printed copies of such statements and inventories, for the years ending December 31, 1925 and December 31, 1926, with the State Board of Audit and all Members of the Legislature, and

Whereas, the Governor, in the preparation of the reports required of him by law, has elected not to avail himself of the services of the Auditor, employed by the Industrial Commission in compliance with paragraphs B. and C. of Section 6, Chapter 163, Session Laws of 1925, but on the contrary has employed one, F. F. Burchard, of Grand Forks, N. D., for the ostensible purpose of preparing such audit reports and inventories, and has caused to be paid said Burchard, from funds of the State Mill and Elevator Association, the sum of \$8,814.10, for the eighteen months period preceding December 31, 1926, and,

Whereas, the audit reports prepared and filed by Mr. K. C. Nelson, Auditor for the Industrial Commission, and Mr. O. B. Lund, Auditor and Accountant employed by the State Board of Auditors, (both reports being in possession of the Governor and also available to all Members of the Legislature) disclose a total deficit at the Mill and Elevator of over \$1,253,000.00 as of December 31, 1926, \$617,550.56 of which accrued during the past biennium, being \$188,403.05 for the year 1925, and \$429,147.51 for the year 1926, and,

Whereas, in his inaugural address delivered to the Twentieth Legislative Assembly on January 4th, 1927, the Governor, in commenting upon the financial results of the State Mill and Elevator for the years 1925 and 1926, made the following statement:

"The State Mill and Elevator, now becoming better known as a State Laboratory for our basic product, hard

spring wheat, while not paying interest on the investment of \$4,500,000 showed an operating profit of \$143,000 for the year 1925, amounting to about 3½ per cent on the capital invested. It is too early to make any report for 1926. This industry is working out in a splendid way by helping to merchandise our Grain."

That at the time such inaugural address was delivered, the Governor had in his possession the regular monthly audit reports on the financial condition of the State Mill and Elevator, prepared by the Industrial Commission's Auditor and delivered to him at thirty day intervals for the months of January to November, 1926, inclusive, disclosing an actual deficit for the eleven months period ending November 30th, 1926, of \$363,516.75, which facts were also a matter of common knowledge through Press reports, and that the Governor, while having such official reports in his possession showing said deficit for eleven months of the year 1926, has failed and neglected, either through his inaugural address or otherwise, to communicate such information to this Assembly.

Now, Therefore, Be It Resolved, That the Governor be requested to forthwith file with the Industrial Commission and this Assembly the statements and inventories required by law for the three six months periods ending December 31, 1925, June 30, 1926 and December 31, 1926, "showing in a detailed and itemized manner the condition of the business (of the Mill and Elevator Association) and the results of operation," to the end that the Industrial Commission may have the data and information which should have been furnished by the Governor, to make it possible for the Commission to deliver printed copies thereof "to the State Board of Audit and all Members of the Legislature", as required by law, which reports the Industrial Commission has been unable to make by reason of the failure and neglect of the Governor to file the required statements, and

Be it further resolved, that the Governor be requested to state to this Assembly the reasons why the deficit of the State Mill and Elevator for the year 1926 is more than \$240,000 in excess of that suffered during the year 1925; and that he advise this Assembly what prospects there may be, if any, of a better financial record for the ensuing two year period.

Referred to Committee on State Affairs.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 24, 1927.

Mr. President: I have the honor to return herewith the following:

Concurrent Resolution "G".

Concurrent Resolution "M".

Concurrent Resolution "O".

Which the House has passed unchanged.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
February 25, 1927.

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 78. A Bill For an Act Making an Appropriation to Provide for the Payment of a Deficit in the State Wolf Bounty Fund.

Which the House has passed unchanged.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 25, 1927.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 79. A Bill For an Act to amend and reenact Section 2132a1, 2132a5 and 2132a9 of the 1913-1925 Supplement to the 1913 Compiled Laws of North Dakota, known as the Classification of Acre Property Law.

Senate Bill No. 230. A Bill For an Act to provide for the Assessment and Taxation of Property of Power Companies, defining the same, providing for furnishing information relative to such property, outlining duties of the Tax Commissioner, State Board of Equalization, County Auditor and County Treasurer. Repealing all Acts and parts of Acts in conflict with the provisions of this Act.

Senate Bill No. 104. A Bill For an Act to Amend and Reenact Section 2166 of the Supplement to the Compiled Laws of 1913 Relating to Delinquent Personal Property Taxes.

Senate Bill No. 139. A Bill For an Act Making it Unlawful to Sell or Possess Cigarettes without being Stamped, Showing the Tax Thereon to Have Been Paid, and Providing Penalty Therefor.

Senate Bill No. 79. A Bill For an Act to amend and re-enact Section 2132a1, 2132a5 and 2132a9 of the 1913-1925 Supplement to the 1913 Compiled Laws of North Dakota, known as the Classification of Acre Property Law.

Senate Bill No. 120. A Bill For an Act Declaring all Racing or Trial of Speed by or Between Automobiles or Other Motor Driven Vehicles a Common Nuisance, Making Anyone Participating, Aiding or Abetting Therein Guilty of a Misdemeanor, and Providing Additional Penalty Therefor.

Senate Bill No. 219. A Bill For an Act Appropriating the Sum of \$1,500.00 out of the State Highway Operating Fund of the Highway Commission, for the purpose of re-imbursing certain Mechanics for losses sustained in the destruction of the Highway Commission Shops by fire.

Senate Bill No. 142. A Bill For an Act to Amend and Re-enact Section 696, Compiled Laws of 1913, as Amended by Chapter 249, Sessions Laws of 1917; Relating to Filling Vacancies in Public Offices.

Which the House has indefinitely postponed.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 24, 1927.

Mr. President: I have the honor to inform you that the House approved the report of the Conference Committee on House Bill No. 106.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 24, 1927.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 166.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 24, 1927.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 169.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.



Bismarck, North Dakota,  
February 25, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 14. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate.

Which the House has amended as follows:

That in Line 30 of Section 1 of the Printed Bill, the figures "28,000.00" be stricken out and the figures "25,000.00" be substituted in lieu thereof.

That in Line 32 of Section 1 of the Printed Bill, the figures "22,750.00" be stricken out and the figures "25,750.00" be substituted in lieu thereof.

That in Lines 3 and 42 of Section 1 of the Printed Bill, the figures "30,950.00" be stricken out and the figures "33,950.00" be substituted in lieu thereof.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 24, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 22. A Bill For an act to authorize a tax levy in cities and villages for the purpose of providing a fund for the maintenance or employment of a band for municipal purposes, and providing for submission of the question of levying a tax for such purpose to the voters of such cities and towns.

Which the House has amended as follows:

In Line one, in the title of the printed bill, strike out the word "towns" and insert in lieu thereof the word "villages".

In Section one, line one of the printed bill, strike out the word "towns" and insert in lieu thereof the word "villages".

In Section one, line three of the printed bill, strike out the words "not to exceed two mills".

In Section two, line five of the printed bill, strike out the word "two" and insert in lieu thereof "a blank line".

In Section two, line six of the printed bill, after the word "mills" insert in parenthesis ("specifying the rate").

In Section four, page two of the printed bill, strike out the balance of the section, after the term "Section 4", and insert in lieu thereof the following:

"Said levy shall be deemed authorized if two-thirds of the votes cast at said election be in favor of the proposition.

The governing body of said city or village may thereupon include in their budget an appropriation for the maintenance or employment of a band for municipal purposes and may levy to cover such appropriation in their annual tax levy. The amount of levy to cover such appropriation together with the aggregate amount for general purposes shall be within the limitation prescribed by Section 2163a1 and 2163a6 of the supplement to the compiled laws of 1913, or acts amendatory thereof. The amount appropriated for the maintenance or employment of a band for municipal purposes shall in no case exceed four thousand dollars and shall further be subject to the following limitations:

(a) In cities or villages having a net assessed valuation not in excess of five million dollars, the amount appropriated shall not exceed one mill on the net assessed valuation of the property of the city or village.

(b) In cities or villages having a net assessed valuation of over five million dollars and not in excess of fifteen million dollars the amount appropriated shall not exceed one-half of one mill on the net assessed valuation of the taxable property of the city or village.

(c) In cities or villages having a net assessed valuation in excess of fifteen million dollars, the amount appropriated shall not exceed one-fourth of one mill on the net assessed valuation of the taxable property of the city or village.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 25, 1927.

Mr. President: I have the honor to return:

**Senate Bill No. 52. A Bill For an Act Authorizing Actions to be Commenced and Prosecuted by and against Partnerships and Associations, in Their Firm or Common Name, and making the Judgments in all such Actions Binding upon the Joint Property of all the Members or Associates of such Partnerships or Associations.**

Which the House has amended as follows:

Where the word "then" appears in line 7 of the original bill, put in a comma and add the following: "one of whom shall be an active officer or manager, if there be such". In Section 1 of the original bill in line 7 strike out the word "one" and insert in lieu thereof the word "two". In Section 2 of line 4 of the original bill after the word "unless" strike out the words "the names of".

And the further amendment:

That in the amendments of the Standing Committee the word "then" be corrected to read "them".

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

February 24, 1927.  
Bismarck, North Dakota,

Mr. President: I have the honor to return:

Senate Bill No. 85. A Bill For an Act to Amend and Re-enact Section 8099a of the Supplement to the Compiled Laws of 1913 pertaining to the giving of Notice of Intention to foreclose real estate mortgages and legalizing and validating foreclosure sales heretofore made where no such notice of intention to foreclose has been given on mortgages executed prior to July 1, 1919.

Which the House has amended as follows:

After the words "1913" in the title of the original bill, strike out the period and insert a comma and add the following: "pertaining to the giving of notice of intention to foreclose real estate mortgages and legalizing and validating foreclosure sales heretofore made where no such notice of intention to foreclose has been given on mortgages executed prior to July 1, 1919". After the word "discontinued" in the original Senate Bill add the following: "Section 2. All sales of real estate made or that may hereafter be made under a mortgage foreclosure of mortgages executed prior to July 1, 1919, are hereby declared legal and valid for all purposes even though no notice of intention to foreclose has been given and served as provided in said Chapter 131 of the Session Laws of 1919, as amended by Chapter 66 of the Session Laws of 1921, as amended by Session Laws of 1925. Section 3. 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 the further amendments:

In line 9 of the printed bill, strike out the words "the notice" and insert in lieu thereof the words "the mailing of the notice or personal service of the same".

In line 30, page 2 of the printed bill, after the word "sufficient" strike out the period and insert a semi-colon and insert the following: "Provided further, that the certificate of said county judge that no executor or administrator has been appointed, recorded in the office of the said register of deeds, shall be sufficient evidence of the fact".

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota  
February 24, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 103. A Bill For an Act to Amend and Re-enact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to Holidays.

Which the House has amended as follows:

And recommend the report of the standing committee be approved as to the amendment in line 13 of the body of the bill by striking out the word "in" and inserting in lieu thereof the word "about".

And the further amendment:

Provided, however, that nothing in this Act contained shall be construed to prevent the holding of legislative sessions or the taking of final action on any legislative matter upon any of the aforesaid holidays, other than Sundays, and provided further, that any action heretofore taken upon any legislative matter upon such holiday be and the same is hereby declared to be valid and legal for all purposes.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 24, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 166. A Bill For an Act to Amend and Re-enact Section 10322a28 of the Supplement to the Compiled Laws 1913, and Repealing Section 10322a29 of the Supplement to the Compiled Laws 1913.

Which the House has amended as follows:

In the printed bill on line 10 after the word "shall" strike out balance of line 10 and 11 and insert in lieu thereof "constitute an Act of Trespass, and shall be subject to the penalties thereof".

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

**Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:**

Senate Bill No. 108. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 159 of the Session Laws for the Year 1919, Relating to Readjustment of Rates.

Also,

Senate Bill No. 150. A Bill For an Act to Amend and Re-enact Section 1531 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the State Library.

Also,

Senate Bill No. 12. A Bill For an Act Making an Appropriation for Salaries, Clerkhire and Miscellaneous Expenses of the Game and Fish Board.

Also,

Concurrent Resolution "E."

Also,

Concurrent Resolution "H."

Also,

Concurrent Resolution by Senator Martin.

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: F. E. Whelan, Archie Sellers, R. L. Mountain, A. A. Stone, John Eaton, Anton Larson, W. E. Borene, Spence Owens and Henry Ford Westlie.

Senator Ployhar moved that the Senate do now recess until 1:30 P. M., Saturday.

Which motion prevailed and the Senate recessed.

W. D. AUSTIN,  
Secretary.

FIFTY-THIRD DAY AFTER RECESS AND  
FIFTY-FOURTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 26, 1927.

The Senate re-assembled at 1:30 P. M., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Tax and Tax Laws to whom was referred:

House Bill No. 224. A Bill For an Act to Amend and Re-enact Sections 2189, 2191, 2192 and 2197 and to repeal Section 2197a of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to tax sales and Redemption therefrom.

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.

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 327. A Bill For an Act to Provide for the Protection of River Bottom Lands and Defining the Powers and Duties of the Boards of County Commissioners in Connection Therewith.

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.

Mr. President: Your Committee on Judiciary to whom was re-referred:

House Bill No. 127. A Bill For an Act Providing Maximum Punishments for Persons Convicted of a Felony Who Have Been Convicted of Two or More Felonies In Any State of the United States, and Prescribing the Procedure in Such Cases.

Have had the same under consideration and recommend that the same be amended as follows:

At the end of the engrossed bill add the following:

"Section 4. Provided, that the provisions of this Act shall not apply to offenses made felonies by statute not involving moral turpitude.

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. 207. A Bill For an Act to Amend and Re-enact Section 3498, of the Compiled Laws of North Dakota, for the year 1913, relating to fees to be charged by the Clerk of the District Court.

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. 214. A Bill For an Act to Provide for the Granting of Decrees of Separation from Bed and Board, Specifying the Grounds upon which such Decree may be entered, and providing for the Maintenance of Spouse or Children, and for the Division by the Court, of Joint and Separate Property of Husband and Wife.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, sub-section 3, of the engrossed bill strike out the word "three" and insert in lieu thereof the word "one".

At the end of the engrossed bill add:

"Section 6. No action shall be brought or maintained under the provisions of this act unless the plaintiff has complied with the statutory residence and citizenship provisions required of the plaintiff in a divorce proceeding."

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 re-referred:

House Bill No. 104. A Bill For an Act to Legalize the Execution and Acknowledgment of Certain Deeds, Mortgages, and Other Instruments in Writing, and the Record Thereof, and Making the Same or Certified Copies Thereof, Admissible in Evidence.

Have had the same under consideration and recommend that the same be amended as follows:

At the end of the engrossed bill add the following:

"Provided, that nothing in this act shall be construed to validate any deed, transfer or other instrument in writing where there shall be now pending any suit, action or proceeding of any kind affecting the title to any real property owned by the State of North Dakota or any subdivision thereof, or of any person, firm or corporation."

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. 261. A Bill For an Act Authorizing and providing for the submission of controversies between the State Highway Commission of the State of North Dakota and parties contracting therewith to arbitration, and providing for the entry of judgment as in cases of arbitration between other parties and providing for the enforcement of such judgments.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out Section 5 of the engrossed bill and insert in lieu thereof the following:



"Section 5. No right shall exist to demand arbitration against the State Highway Commission until the following conditions shall have been complied with; that is, the contractor must give the Commission notice in writing that he claims the contract has been or will be fully performed on a day stated, which shall not be less than ten days after the giving of such notice. At the time stated in the notice the Commission shall cause the work to be inspected, and if it claims the work has not been completed it shall with all reasonable dispatch, having regard to the early completion of the work, specify the particulars in which it is incomplete and direct that it be completed accordingly, or if it considers further work necessary to bring the project up to the desired standard for acceptance either by it or the United States Bureau of Public Roads, even though it considers such contract complete, it may likewise specify any such additional work, and the contractor must proceed with all reasonable dispatch, having due regard to weather conditions, with the performance of all such additional work with a view to a speedy completion of the project. When the contractor claims in good faith, supported by affidavit furnished to the Commission, that he has completed such additional work according to the specifications furnished him and the Commission fails for ten days to accept such work as completed, he shall have the right to institute proceedings hereunder. The arbitrators shall then determine all controversies between the parties growing out of the contract, including the question whether it had been performed at the time claimed by the contractor and whether the additional work required by the Commission as specified has been done, and if not it shall specify the particulars in which it has not been done and give appropriate directions with reference thereto, and shall make a proper award for any extra work it finds the contractor entitled to, making such award so far as is practicable upon the basis of the contract price, having due regard to what is just and equitable between the parties under the facts and circumstances of the case.

Provided, However; in any case where controversy already exists at the time of this act taking effect and it is claimed by the contractor that the contract has been performed and he has removed his equipment from the job, arbitration may be had and all the controversy settled without obligation on his part to do extra work as aforesaid.

If after the making of an award which requires the contractor to do further work, any controversies arise between the parties as to the doing of such work, such controversies may be submitted to the same arbitrators on five days notice for further determination."

Insert Section 6 as follows:

"Section 6. No arbitration shall be had hereunder unless commenced within six months after the right thereto has arisen, except in the case of controversies already existing in which case it may be commenced at any time within six months after the taking effect hereof."

Renumber Section 6 of the engrossed bill to be Section 7 and Section 7 of the engrossed bill to be Section 8.

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. 271. A Bill For an Act Empowering Foreign Executors, Administrators, Guardians, Heirs and Legatees of Deceased Non-residents whose Estates have been Probated Outside this State to Assign Mortgages; and Confirming and Legalizing Assignments heretofore made by such Executors, Administrators, Guardians, Heirs and Legatees.

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. 270. A Bill For an Act to Validate Sales of Real Estate Made by an Executor or Administrator pursuant to contract, which has not been confirmed by the County Court.

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. 279. A Bill For an Act to Permit the District Court to Parole Persons Confined in the County Jail, Serving a Sentence, to the County Commissioners of the Various Counties of the State for the Purpose of Performing Work and Labor upon the Construction, Maintenance and Up Keep of State, County and Township Roads, and Providing that Such Persons in Such Confinement in any County May Be Transferred by any Presiding District Judge, from One County to any Other County in the State, Upon an Order Issued After a Proper Application and Hearing Before said Judge, and be Committed to the Sheriff of such County in

Accordance with the Terms of his Sentence, and for the Paroles of such Persons Serving Sentence in any County Jail, and Providing for Maintenance and Support and Compensation, and Punishment of such Persons that may Violate their Paroles.

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. 292. A Bill For an Act Relating to the Recording of Sheriff's Deeds and Other Conveyances of Real Property Acquired by the Bank of North Dakota, as Agent for the State Treasurer as Trustee of the State of North Dakota under the Provisions of Chapter 154 of the Session Laws of North Dakota for 1919 and Chapter 292 of the Session Laws of North Dakota for 1923, and Acts Amendatory thereof; Prescribing the Duties of the County Auditor and Register of Deeds in respect thereto; and Providing that Section 2212 of the Supplement to the Compiled Laws of North Dakota for 1913 shall not be Applicable 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.

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 295. A Bill For an Act to Amend and Re-enact Section 7377 of the Compiled Laws of the State of North Dakota for 1913, relating to limitations 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.

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 303. A Bill For an act providing for the selection of jurors for service in district courts and in

courts of increased jurisdiction, and repealing sections 817 and 819 of the compiled laws for 1913 and all acts and parts of acts in conflict therewith.

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:

House Bill No. 341. A Bill For an Act to be known as the Estate Tax Act, to establish a tax on gifts, legacies, inheritances, bequests, successions and transfers, to provide for its collection and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this act, and by any act hereby repealed; and to repeal sections 2346b1, 2346b2, 2346b3, 2346b4, 2346b5, 2346b6, 2346b7, 2346b8, 2346b9, 2346b10, 2346b11, 2346b12, 2346b13, 2346b14, 2346b15, 2346b16, 2346b17, 2346b18, 2346b19, 2346b20, 2346b21, 2346b22, 2346b23, 2346b24, 2346b25, 2346b26, 2346b27, 2346b28, 2346b29, 2346b30, 2346b31, 2346b32, 2346b33, 2346b34, 2346b35, 2346b36, 2346b37, 2346b38, 2346b39, 2346b40, 2346b41, 2346b42, 2346b43, 2346b44, 2346b45, 2346b46, 2346b47, 2346b48, 2346b49, 2346b50, 2346b51, 2346b52, 2346b53, 2346b54, 2346b55, 2346b56, 2346b57, of the Supplement to the Compiled Laws of 1913, and all acts or parts of acts in conflict with this act are hereby repealed.

Have had the same under consideration and recommend that the same be amended as follows:

In No. 3 of subdivision (a) of paragraph (2) of Section 3 of the engrossed bill strike out "2,000.00" and insert in lieu thereof "\$3,000.00", strike out the period, insert a comma and add the following: "and if a minor, not exceeding \$5,000.00".

In line 5 of section 9 of the engrossed bill strike out "50%" where it occurs the first time and insert in lieu thereof "25%" and where it occurs the second and third times strike out "50%" and insert in lieu thereof "75%".

In line 11 of section 9 of the engrossed bill strike out "accounting of" and insert in lieu thereof the following: "discharge in".

In line 3 of Section 12 of the engrossed bill strike out "six (6)" and insert in lieu thereof "five (5)".

Beginning with the word "for" in line 5 of Section 12 of the engrossed bill strike out the following: "for a period of one year and ten (10) per cent per annum thereafter".

Beginning with the word "The" in line 6 of Section 12 of the engrossed bill strike out the balance of the Section.

Strike out Section 19 of the engrossed bill.

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. 349. Hotel and Restaurant Inspection Act. An Act Providing for the inspection of hotels, lodging houses, boarding houses 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 2, Section 2 of the engrossed bill after the word "high" insert the following: "and not fireproof".

In line 1, Section 3 of the engrossed bill after the word "each" insert the words "hotel and".

In line 2, Section 3 of the engrossed bill after the word "chemical" insert the word "fire".

In line 3, Section 3 of the engrossed bill beginning with the word "and" after the word "Underwriters" strike out the following: "and each and every hotel shall be provided with at least one such chemical fire extinguisher".

In line 6, Section 4 of the engrossed bill after the word "loops" strike out the word "of".

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 Appropriations to whom was referred:

House Bill No. 13. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses of the School for the Deaf at Devils Lake, North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In Line Three of the Engrossed Bill, after the word "of", strike out the figures "\$194,935.00" and insert the figures "\$193,735.00".

Strike out Line Forty-six "3—Grand Piano, \$800.00". Strike out Line Fifty-three "1—Western Union Clock Rental, \$400.00". In line Fifty-six strike out the figures "\$194,935.00" and insert in lieu thereof the figures "\$193,735.00".

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.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 17. A Bill For an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Department of Motor Vehicle Registration.

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. 27. A Bill For an Act Making an Appropriation to Pay Salary, Stenographer and General Expenses of the Commissioner of Immigration.

Have had the same under consideration and recommend that the same be amended as follows:

In line Three of the Engrossed Bill after the word "of" strike out the figures "\$13,200.00" and insert in lieu thereof the figures "\$24,500.00". In line Eight strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$6,000.00". In line Sixteen strike out the figures "\$500.00" and insert in lieu thereof the figures "\$800.00". Insert line Fourteen and one-half "Preparing and Displaying Exhibits, \$10,000.00". In line Eighteen strike out the figures "\$13,200.00" and insert in lieu thereof the figures "\$24,500.00".

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.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 240. A Bill For an Act to Appropriate \$2,000.00 for the Payment of the Expenses to be Incurred by Boys and Girls Club Work at State Fairs.

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 Amend and Re-enact Sub-section B of Section 2976t15 of Supplement to the Compiled Laws of North Dakota for the Year 1913.

Have had the same under consideration and recommend that the same be amended as follows:

In line Four of the Engrossed Bill after the word "exceed" strike out the figures "\$300,000.00" and insert in lieu thereof the figures "\$350,000.00". In line Thirty-two after the word "of" strike out the figures "\$300,000.00" and insert the figures "\$350,000.00".

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.

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

House Bill No. 194. A Bill For an Act to Amend and Re-enact Section 3688, Compiled Laws of North Dakota, 1913, relating to Vacation of Streets, Alleys and Public Grounds in Cities.

Have had the same under consideration and recommend that the same do pass.

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 52. A Bill For an Act Amending and Re-enacting Chapter 107, Laws of North Dakota for the year 1925, Relating to the Sale of Cigarettes, and Cigarette Papers and Wrappers and Papers Used and Prepared for the Making of Cigarettes; Providing for Issuing Licenses for the Purpose of Making sales Thereof and Furnishing of Bond; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof, and Penalty for Violation of this Act; and Defining the Duties of the Attorney General, State Auditor and State Treasurer Imposed Under the Provision of this Act; and Providing that Any Person Violating this Act shall be enjoined and that Any Building or Premises Made Use of for Purposes in Violation of this Act Shall be Deemed a Nuisance and Abated by Injunction; and to include Snuff within the provisions and requirements thereof.

Have had the same under consideration and recommend that the same be amended as follows:

In class E of page 3 of the engrossed bill, strike out the word "three" and insert the word "one" in lieu thereof.

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:

House Bill No. 352. A Bill For an Act to Amend and Re-enact Sections 10180, 10181, 10182 and 10183 of the Compiled Laws of North Dakota for 1913 Prohibiting the Sale, Bartering or Giving Away of Snuff to Minors, Providing Penalties Therefor and Repealing Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be amended as follows:

At the end of Section 5 of the engrossed bill add the following:

"Provided, further, that the possession by any consumer thereof, of cigarettes or snuff in the original package or box, upon which stamps are by this act required to be affixed, without such stamps being so affixed thereto; shall be prima facie evidence of an infraction and evasion of the provisions of this act, and shall be and constitute a misdemeanor".

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. 353. A Bill For an Act Providing the percentage of contracts of public corporations which shall be held back until the completion of such contracts.

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. 285. A Bill For an Act to Amend and Re-enact Section 3551a1 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the salaries of County Auditor, County Treasurer, Sheriffs and county superintendents of schools.

Have had the same under consideration and recommend that the same be amended as follows:

In section 1 in line 1 of the engrossed bill, strike out the figures "2551a1" and insert "3551a1" in lieu thereof.

Strike out the word "providing" at the end of the next to last line of engrossed bill and insert the word "provided" in lieu thereof.

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 Cities and Municipal Corporations to whom was referred:

House Bill No. 264. A Bill For an Act Authorizing and Empowering the Board of Park Commissioners of the Park District of any City, to Contract for the Purchase of Lands for Park Purposes, upon Deferred and Installment payments; Limiting the Amount of such Purchases; and Requiring all payments so made therefor, to be made from Revenues derived from the Tax Levy of such District authorized by Law; Repeal.

Have had the same under consideration and recommend that the same do pass.

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 277. A Bill For an Act empowering and Authorizing Cities and Villages to Refund and Reissue Special Improvement Warrants upon the Surrender of the Outstanding Warrants by the Holders Thereof.

Have had the same under consideration and recommend that the same do pass.

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 319. A Bill For an Act Providing for Special assessments for the construction of Sewer and Water Connections, and Providing for a Special Assessment fund for that purpose.

Have had the same under consideration and recommend that the same do pass.

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 321. A Bill For an Act to Amend and Re-enact Section 3705 of the Compiled Laws of North Dakota for 1913, relating to the Advertising for Bids for Special Improvements.

Have had the same under consideration and recommend that the same do pass.

JOSEPH G. FORBES,  
Chairman.

Senator Forbes 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. 328. A Bill For an Act to amend and re-enact Section 3711 of the Supplement to the Compiled Laws of 1913, relating to special assessments and the issuance of warrants for public improvements.

Have had the same under consideration and recommend that the same do pass.

JOSEPH G. FORBES,  
Chairman.

Senator Forbes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Livestock to whom was referred:

House Bill No. 334. A Bill For an Act to amend and re-enact Section 2642 of the Compiled Laws of North Dakota of 1913, relating to the liability of owners of dogs killing sheep and other domestic animals.

Have had the same under consideration and recommend that the same do pass.

J. E. EASTGATE,  
Chairman.

Senator Eastgate moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Live Stock to whom was referred:

House Bill No. 361. A Bill For an Act Relating to Live Stock Passes across Railroads.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. EASTGATE,  
Chairman.

Senator Eastgate moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Livestock to whom was referred:

House Bill No. 266. A Bill For an Act to Amend and Re-enact Section 2618 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. E. EASTGATE,  
Chairman.

Senator Eastgate moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways and Bridges to whom was referred:

House Bill No. 183. A Bill For an Act to Appropriate the Sum of Twenty Thousand (\$20,000.00) Dollars for the purpose of Aiding in the Construction of a Bridge and Ap-

proaches Across Box Elder Creek of the State Line between North Dakota and South Dakota at a Point approximately five miles east of the Montana State Line, 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 returned to the Senate without recommendation.

S. J. ATKINS,  
Chairman.

Senator Atkins 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 and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

#### FIFTY-FOURTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 26, 1927.

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the chaplain, Rev. John A. H. Slag.

Roll call.

All members present except Senator Ritchie.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifth-second day after recess and Fifty-third day and recommend that the same be corrected as follows:

On page 10 in line 27 strike out the word "minority" and insert the word "majority".

On page 13 in line 12 from bottom of page strike out figures "38" and insert the figures "37", and strike out figures "10" and insert figures "11".

In vote on House Bill 176 on page 14 show Senator Fine voting in negative instead of affirmative.

On page 17 in line 4 strike out the word "negative" and insert the word "affirmative".

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

Senator Olson moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Fleckten presented a petition from Ward County protesting passage of House Bills 323, 324, 325 and 326.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Ways and Means to whom was referred:

House Bill No. 238. A Bill For an Act Regulating the Use and Sale of Bottles and Glassware for Testing Milk and Cream for Butter Fat.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, strike out the following: "No person shall be guilty of the violation of this Act, nor be subject to Prosecution thereunder, who shall, for the purpose of testing Milk or Cream for Butterfat, use within one year after the taking effect of this Act, bottles or glassware purchased prior to the date this Act becomes effective".

And when so amended, recommend that the same do pass.

WALTER BOND,  
Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred:

House Bill No. 87. A Bill For an Act to Amend and Re-enact Section 8 of Chapter 17, Session Laws 1921, the Same Being Section 2790b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Preservation and Control of Artesian Waters of this State.

Have had the same under consideration and recommend that the same do pass.

WALTER BOND,  
Chairman.

Senator Bond 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. 315. A Concurrent Resolution. For an Amendment to Section 82, Article three of the Constitution of the State of North Dakota as amended by Article 43 of the amendments thereto, Relating to the Election of State Officers and Fixing the Qualifications and Terms of said Officers.

Have had the same under consideration and recommend that the same be indefinitely postponed.

Senator Steel moved that the report be adopted, which motion prevailed and the report was adopted.

ALFRED STEEL,  
Chairman.

Mr. President: Your Committee on Education to whom was referred:

House Bill No. 331. A Bill For an Act to Amend and Re-enact Section 1151 of the Compiled Laws of North Dakota, for 1913, relating to election of officers of Common School Districts, and prescribing qualifications therefore.

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:

House Bill No. 333. A Bill For an Act to Amend Section 1443 of the Compiled Laws of North Dakota for the Year 1913 Pertaining to State Aid to Graded Consolidated and Rural Schools; to Repeal Section 1444 of the Compiled Laws of North Dakota for the Year 1913 Pertaining to State School Inspection and to Repeal 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.

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. 336. A Bill For an Act Requiring Counties to Pay the Tuition for Children Attending School in the State whose Parents Reside upon County Poor Farms Owned by such Counties.

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:

House Bill No. 170. A Bill For an Act Providing For the Placing of Placards Containing the Ten Commandments of the Christian Religion, in School Rooms and Class Rooms of Public Institutions of Learning.

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. 314. A Bill For an Act to Amend and Re-enact Section 1370 of the Compiled Laws of North Dakota for the year 1913, Relating to Teachers' Examinations Conducted by County Superintendent and Repealing All Acts and Parts of Acts in Conflict Herewith.

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:

House Bill No. 355. A Bill For an Act to amend and re-enact Section 1162 of the Compiled Laws of North Dakota for the year 1913 pertaining to meetings of the school board in common school districts and prescribing their compensation therefor.

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: A Majority of your Committee on Education to whom was referred:

House Bill No. 209. A Bill For an Act to Amend and Re-enact Section 1240 of the Supplement to the Compiled Laws of 1913, Relating to Special School Districts.

Have had the same under consideration and recommend that the same do pass.

ALFRED STEEL,  
W. H. PORTER,  
P. J. MURPHY,  
P. O. SATHRE,  
JOHN VAN ARNAM,  
J. E. EASTGATE,  
W. G. CROCKER.

Senator Steel moved that the report be adopted.

Mr. President: A Minority of your Committee on Education to whom was referred:

House Bill No. 209. A Bill For an Act to Amend and Re-enact Section 1240 of the Supplement to the Compiled Laws of 1913, Relating to Special School Districts.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. S. MARSHALL,  
A. A. PECK,  
OLE ETTESTAD,  
C. J. OLSON.

Senator Ettestad moved the substitution of the word "minority" for the word "majority".

Which motion was lost.

The question being upon the original motion, the question was put and the motion prevailed and the Majority report of the Committee was adopted.

Mr. President: A Majority of your Committee on Education to whom was referred:

House Bill No. 204. A Bill For an Act to Amend and Re-enact Section 1190 of the Supplement to the Compiled Laws of 1913, Relating to Consolidation of Schools and Transportation of Pupils.

Have had the same under consideration and recommend that the same do pass.

ALFRED STEEL,  
W. H. PORTER,  
P. J. MURPHY,  
JOHN VAN ARNAM,  
J. E. EASTGATE,  
W. G. CROCKER.

Senator Steel moved that the report be adopted.

Mr. President: A Minority of your Committee on Education to whom was referred:



House Bill No. 204. A Bill For an Act to Amend and Re-enact Section 1190 of the Supplement to the Compiled Laws of 1913, Relating to Consolidation of Schools and Transportation of Pupils.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. S. MARSHALL,  
A. A. PECK,  
P. O. SATHRE,  
OLE ETTTESTAD,  
C. J. OLSON.

Senator Ettetstad moved the substitution of the word "minority" for the word "majority".

Roll call demanded.

The question being on the motion by Senator Ettetstad, 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.
Bakken	Fredrickson	Pathman
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrory	Peck
Erickson	Magnuson	Sathre
Ettetstad	Marshall	Wog
Fine	Olson of Barnes	
Fleckten	Olson of Eddy	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Schlosser
Baird	Kretschmar	Seamands
Bond	Lynch	Steel
Brunsdale	McLachlin	Stevens
Carey	Murphy	Tofsrud
Crocker	Ployhar	Van Arnam
Eastgate	Porter	Van Camp
Forbes	Rusch	Whitman

Absent and not voting:

Messrs.	Messrs.	Messrs.
Martin	Olson of Burleigh	Ritchie

So the motion was declared lost.

The question being upon the original motion, the question was put and the motion prevailed and the report of the Committee was adopted.

Mr. President: A Majority of your Committee on Education to whom was referred:

House Bill No. 51. A Bill For an Act to Amend and re-enact Section 1342 of supplement to the Compiled Laws of 1913.

Have had the same under consideration and recommend that the same do pass.

ALFRED STEEL,  
W. H. PORTER,  
P. J. MURPHY,  
JOHN VAN ARNAM,  
J. E. EASTGATE,  
W. G. CROCKER.

Senator Steel moved that the report be adopted.

Mr. President: A Minority of your Committee on Education to whom was referred:

House Bill No. 51. A Bill For an Act to Amend and re-enact Section 1342 of supplement to the Compiled Laws of 1913.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. S. MARSHALL,  
A. A. PECK,  
OLE ETTESTAD,  
C. J. OLSON.

Senator Ettestad moved the substitution of the word "minority" for the word "majority".

Roll call demanded.

The question being on the motion by Senator Ettestad, the roll was called, and there were ayes 22, nays 25, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Hamilton	Pathman
Benson	Hjelmstad	Patten
Brant	McCrary	Patterson
Conrath	Magnuson	Peck
Erickson	Marshall	Sathre
Ettestad	Olson of Barnes	Wog
Fine	Olson of Burleigh	
Fleckten	Olson of Eddy	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Seamands
Baird	Kretschmar	Steel
Bond	Lynch	Stevens
Brunsdale	McLachlin	Tofsrud
Carey	Murphy	Van Arnam

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Fredrickson	Schlosser	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>
Martin	Ritchie

So the motion was declared lost.

The question being upon the original motion, the question was put and the motion prevailed, and the Majority report of the Committee was adopted.

**Mr. President:** Your Committee on Enrollment and En-grossment respectfully report that they have examined the following:

Senate Concurrent Resolution "G".

Also,

Senate Concurrent Resolution "M".

Also,

Senate Concurrent Resolution "O".

Also,

Senate Bill No. 78. A Bill For an Act Making an Appropriation to provide for the Payment of a Deficit in the State Wolf Bounty Fund.

And find the same correctly enrolled.

**WALTER H. SCHLOSSER,**  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Senator Sathre moved that the Senate do concur in the House amendments to Senate Bill 103.

Which motion prevailed.

Senator Pathman moved that the vote by which House Bill 76 was lost be reconsidered.

Which motion prevailed.

Senator Murphy moved that the Senate do concur in the House amendments to Senate Bill 22.

Which motion prevailed.

Senator Murphy then moved that the rules be suspended, and Senate Bill 22 be considered properly engrossed and placed upon third reading and final passage.

Which motion prevailed.

### THIRD READING OF SENATE BILLS

Senate Bill No. 22. A Bill For an act to authorize a tax levy in cities and towns for the purpose of providing a fund for the maintenance or employment of a band for municipal purposes, and providing for submission of the question of levying a tax for such purpose to the voters of such cities and towns.

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 6, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Ployhar
Baird	Hart	Porter
Bakken	Hjelmstad	Rusch
Bond	Kretschmar	Sathre
Brant	Lynch	Schlosser
Brunsdale	McCrorry	Seamands
Carey	McLachlin	Steel
Crocker	Magnuson	Stevens
Eastgate	Marshall	Tofsrud
Erickson	Murphy	Van Arnam
Ettestad	Olson of Barnes	Van Camp
Fine	Olson of Burleigh	Whitman
Forbes	Olson of Eddy	Wog
Fredrickson	Pathman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fleckten	Patterson
Conrath	Patten	Peck

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

So the bill passed and the title was agreed to.

Senator Pathman moved that House Bill 76 be placed on final passage.

Which motion prevailed.

Senator Tofsrud moved that the rules be suspended and Senate Bill 103 be placed on final passage.

Which motion prevailed.

Senate Bill No. 103. A Bill For an Act to Amend and Re-enact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to Holidays.

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 5, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McCroy	Schlosser
Carey	McLachlin	Seamands
Crocker	Magnuson	Steel
Eastgate	Marshall	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fleckten	Olson of Burleigh	Van Camp
Forbes	Olson of Eddy	Whitman
Fredrickson	Pathman	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fine	Patterson
Conrath	Patten	

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

So the bill passed and the title was agreed to.

Senator Forbes moved that the Senate do concur in the House amendments to Senate Bill 52.

Which motion prevailed.

Senator Forbes moved that the rules be suspended and Senate Bill 52 be considered properly engrossed and placed upon final passage.

Which motion prevailed.

Senate Bill No. 52. A Bill For an Act Authorizing Actions to be Commenced and Prosecuted by and against Partnerships and Associations, in Their Firm or Common Name, and making the Judgments in all such Actions Binding upon the Joint Property of all the Members or Associates of such Partnerships or Associations.

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 16, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Sathre
Baird	Lynch	Seamands

Messrs.	Messrs.	Messrs.
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Patterson	Van Camp
Ettestad	Ployhar	Whitman
Forbes	Porter	Wog
Hart	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Olson of Barnes
Benson	Fredrickson	Olson of Eddy
Brant	Hjelmstad	Patten
Conrath	McCrory	Peck
Erickson	Magnuson	
Fine	Marshall	

Absent and not voting:

Messrs.	Messrs.
Hamilton	Ritchie
Martin	Schlosser

So the bill passed and the title was agreed to.

Senator Forbes moved that the vote by which Senate Bill No. 52 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Ployhar moved that the vote by which the committee report on House Bill 93 was adopted be reconsidered.

Which motion prevailed.

Senator Forbes moved that the Senate do not concur in the House amendments to Senate Bill 85 and that a conference committee be appointed.

Which motion prevailed.

Senator Atkins moved that House Bill 76 be placed at the head of the calendar.

Which motion prevailed.

Senator Ployhar moved that House Bill 93 be re-referred to the State Affairs Committee.

Which motion prevailed.

Senator Rusch moved that Senate Bill 175 be recalled from the House.

Which motion prevailed.

Senator Stevens moved that the Senate do concur in the House amendments to Senate Bill 166.

Which motion prevailed.

Senator Stevens then moved that the rules be suspended and that Senate Bill 166 be considered properly engrossed and placed upon final passage.

Which motion prevailed.

Senate Bill No. 166. A Bill For an Act to Amend and Re-enact Section 10322a28 of the Supplement to the Compiled Laws 1913, and Repealing Section 10322a29 of the Supplement to the Compiled Laws 1913.

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 0, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McCroy	Schlosser
Carey	McLachlin	Seamands
Conrath	Magnuson	Stevens
Crocker	Marshall	Tofsrud
Eastgate	Murphy	Van Arnam
Erickson	Olson of Barnes	Van Camp
Ettestad	Olson of Burleigh	Whitman
Fine	Olson of Eddy	Wog
Fleckten	Pathman	
Forbes	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Martin	Ritchie	Steel

So the bill passed and the title was agreed to.

Senator Sathre moved that Senate Bill 125 be recalled from the House.

Which motion prevailed.

The President appointed as a conference committee on Senate Bill 85 Senators Forbes, Sathre and Brant.

### THIRD READING OF HOUSE BILLS

House Bill No. 76. A Bill For an Act to Appropriate the Sum of \$3,000.00 from any Moneys in the State Highway Fund, for the Purpose of Making a Preliminary Survey and Sounding of the Missouri River at or Near Washburn, North

Dakota to Determine the Advisability and Feasibility of Constructing a Bridge Across said River Between the City of Washburn in McLean County and the City of Center in Oliver County, under the Provisions of Subsection C of Section 2976t15 of the Supplement to 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 26, nays 20, absent and not voting 2, passing 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman
Hart	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Olson of Barnes
Benson	Fredrickson	Olson of Eddy
Brant	Hamilton	Patten
Conrath	Hjelmstad	Patterson
Erickson	McCroory	Sathre
Ettestad	Magnuson	Wog
Fine	Marshall	

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

Those Passing:

Messrs.  
Peck

So the bill passed and the title was agreed to.

Senator Patten moved that the vote by which House Bill No. 76 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Kretschmar requested a return to the Eighth Order of Business.

Which request was granted.



Senator Kretschmar moved that the Senate do concur in the House amendments to Senate Bill 14.

Which motion prevailed.

Senator Kretschmar further moved that Senate Bill 14 be considered properly engrossed and that the rules be suspended and the bill placed on final passage.

Which motion prevailed.

Senate Bill No. 14. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate.

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 0, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McCrorry	Schlosser
Carey	McLachlin	Seamands
Conrath	Magnuson	Stevens
Crocker	Marshall	Tofsrud
Eastgate	Murphy	Van Arnam
Erickson	Olson of Barnes	Van Camp
Ettestad	Olson of Burleigh	Whitman
Fine	Olson of Eddy	Wog
Fleckten	Pathman	
Forbes	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Martin	Ritchie	Steel

So the bill passed and the title was agreed to.

Senator Hamilton moved that the absent Senator be excused.

Which motion prevailed.

## MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
February 26, 1927.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 181. A Bill For an Act to Amend and Re-enact Sections 3874 and 3875 of the Compiled Laws of North Dakota for 1913, Relating to Tax Levy of Villages and Duties of County Auditors with Reference Thereto.

Senate Bill No. 80. A Bill For an Act to Amend and Re-enact Section 3029 of the Compiled Laws of North Dakota for the year 1913, relating to the method of obtaining a Peddler's License.

Senate Bill No. 136. A Bill For An Act to Prevent the Procreation of Feeble-minded, Insane, Epileptic, Habitual Criminals, Moral Degenerates and Sexual Perverts, Who May be Inmates of State Institutions, Authorizing and Providing for the Sterilization of Such Persons and Providing for Appeals to the District Court in Certain Cases; and Repealing Sections 11429 to 11438 inclusive of the Compiled Laws of North Dakota for 1913.

Senate Bill No. 169. A Bill For an Act Limiting the Time in Which to File Claims Against the Returned Soldiers Fund Under the Provisions of Chapter 206, Laws of 1919, and Laws Amendatory Thereto.

Senate Bill No. 11. A Bill For an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Chapter 145 of the Session Laws of 1923, and Magpie Bounty as Provided For by Chapter 144 of Session Laws of 1923.

Senate Bill No. 32. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School of Forestry at Bottineau.

Senate Bill No. 35. A Bill For an Act Making an Appropriation For the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal School, Mayville, North Dakota.

Senate Bill No. 238. A Bill For an Act Appropriating the Sum of Five Thousand Dollars (\$5,000.00) From the General Funds of the State to Compensate Honorable Chas. M. Cooley, Judge of the First Judicial District of North Dakota, for Services Rendered as Special Judge Under Chapter 137 of the Session Laws of North Dakota for 1923.

Which the House has passed unchanged.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 26, 1927.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 220. A Bill For an Act to repeal Section 2306 of the Supplement to the Compiled Laws of 1913 and Sections 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, and 2346 of the Compiled Laws of North Dakota for the year 1913 relating to tax judgment procedure on lands forfeited to the State or County for taxes.

Senate Bill No. 133. A Bill For an Act to Amend and Re-enact Section 7598 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Dismissal of Actions in the Courts of Record of this State which have been Pending for a Period of Five Years, Wherein the Plaintiff or his Successor in Interest has Neglected to Prosecute said Action.

Senate Bill No. 247. A Bill For an Act clarifying what constitutes a consolidated school.

Concurrent Resolution K introduced by Senator Bakken  
Which the House has indefinitely postponed.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 26, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 1. A Bill For an Act to amend and re-enact Section 2202 of the Compiled Laws of the State of North Dakota for the year 1913 as amended and re-enacted by Section 5 of Chapter 199, Session Laws of 1925, relating to giving notice of expiration of period of redemption on property forfeited to the county at tax sale, issuance of tax deeds to the county and sale of property acquired by the county through tax deed.

Which the House has amended as follows:

All references to line and page apply to the engrossed bill received from the Senate.

In line four, page four, section "D" of the bill after the words "Register of Deeds" where the same first appears, insert "and Clerk of Court".

In the same line and section where the words "Register of Deeds" appear again, insert the following: "and Clerk of Court within ten days after".

In line five of the same section, strike out the word "upon" and after the words "County Auditor" strike out the word "of" and insert in lieu thereof the word "by".

In line seven of the same section after the words "Register of Deeds" insert the words "and Clerk of Court".

In paragraph five, page 6 of the bill, strike out the period at the end of the last line, insert a comma and the following: "but only one heading shall be necessary for the entire list".

In paragraph six, page seven, line twelve, after the word "sold" strike out the period, insert a semi-colon and the following: "Provided if the cash value so determined by the Board of County Commissioners shall be less than such aggregate and in the opinion of the governing body of the subdivision having special assessments involved is less than the actual value, said determination of the county commissioners shall be subject to review and redetermination in an action brought within ten days from the date of the first publication of said valuations; notice of such appeal being served on the county commissioners of the county in question within the ten day period aforementioned. Such action may be brought by the governing board of any incorporated city or village to which is payable any assessment taxes included in such aggregate. All such determinations of value that in the opinion of the governing board of the city or village are too low shall be combined in one appeal and shall be determined de novo by the District Court".

On page eight of bill in the second line from the bottom of the page after the word "grant" insert a comma and the following: "bargain, sell, and convey.

On page nine of the bill between the second and third lines from the top of the page insert the following: "To Have and to Hold, Said mentioned tract\_\_\_\_\_or parcel\_\_\_\_\_of land, with the appurtenances thereunto belonging to the said party of the second part\_\_\_\_\_heirs, and assigns, forever, in as full and ample manner as the said County is empowered by law to sell the same".

On page ten, line four of paragraph seven after the words "just proportion thereof" insert the following: "which may be determined by the levy for the year's taxes for which the certificate was issued".

In paragraph 3, page 2, in the 5th line from the bottom of the page strike out the following words: "Upon written request as hereinafter provided" and the semi-colon.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

### THIRD READING OF HOUSE BILLS

House Bill No. 12. A Bill For an Act Making an Appropriation for the Payment of Salaries and Wages, Improvements and Repairs, New Building, Equipment and Mis-

cellaneous Expenses of the State School of Science at Wahpeton, 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 42, nays 1, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patten
Baird	Hamilton	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Brant	Lynch	Porter
Brunsdale	McCrary	Sathre
Carey	McLachlin	Seamands
Crocker	Magnuson	Steel
Eastgate	Marshall	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Wog
Forbes	Pathman	

Those voting in the negative were:

Messrs.  
Conrath

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bond	Ritchie	Whitman
Kretschmar	Rusch	
Martin	Schlosser	

So the bill passed and the title was agreed to.

Senator Carey moved that the vote by which House Bill No. 12 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 68. A Bill For an Act to Appropriate \$2,000.00 to the North Dakota State Corn Show for the Biennial period Ending July 1, 1929, Agreeable with Chapter 108 of the Session Laws of 1925.

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.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar

Messrs.	Messrs.	Messrs.
Benson	Kretschmar	Porter
Bond	Lynch	Rusch
Brant	McCrorry	Sathre
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Murphy	Tofsrud
Fine	Olson of Barnes	Van Arnam
Forbes	Olson of Burleigh	Van Camp
Fredrickson	Pathman	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Peck
Conrath	Hjelmstad	Wog
Erickson	Olson of Eddy	
Ettestad	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Martin	Ritchie	Schlosser

So the bill passed and the title was agreed to.

Senator Olson moved that the vote by which House Bill No. 63 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 177. A Bill For an Act Authorizing the Board of Railroad Commissioners to Require the Extension of Electric Transmission Lines, and the Service Furnished Thereby, to Cities, Towns, Villages, and the Inhabitants Thereof, Within or Contiguous to the Territory Served by Such Transmission Lines, and to Fix the Rates and Charges for Such Service, and the Rules and Regulations to be Observed in Connection Therewith.

Was read the third time.

The question being on the final passage of the bill, the roll was called, and there were ayes 46, nays 0, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McCrorry	Seamands
Carey	McLachlin	Steel
Conrath	Magnuson	Stevens
Crocker	Marshall	Tofsrud
Eastgate	Murphy	Van Arnam

Messrs.	Messrs.	Messrs.
Erickson	Olson of Barnes	Van Camp
Ettestad	Olson of Burleigh	Whitman
Fine	Olson of Eddy	Wog
Fleckten	Pathman	
Forbes	Patten	

Absent and not voting:

Messrs.	Messrs.	
Martin	Ritchie	Schlosser

So the bill passed and the title was agreed to. Emergency clause declared carried.

House Bill No. 216. A Bill for an Act Creating a Judicial Council for the State of North Dakota, and Providing for the Continuous Study of the Administration of Justice.

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 7, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Ployhar
Baird	Fredrickson	Porter
Benson	Hart	Rusch
Bond	Kretschmar	Sathre
Brant	Lynch	Seamands
Carey	McCroory	Steel
Crocker	McLachlin	Stevens
Eastgate	Marshall	Van Arnam
Erickson	Murphy	Van Camp
Ettestad	Olson of Barnes	Whitman
Fine	Olson of Burleigh	
Fleckten	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Magnuson	Wog
Conrath	Patten	
Hjelmstad	Peck	

Absent and not voting:

Messrs.	Messrs.	
Brunsdale	Olson of Eddy	Schlosser
Hamilton	Pathman	Tofsrud
Martin	Ritchie	

So the bill passed and the title was agreed to.

House Bill No. 217. 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 and South Dakota, Re-

specting the Use, Control, Utilization and Regulation of the Waters of the James River and the Rights of said 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 45, nays 0, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Patten
Baird	Hamilton	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Rusch
Brunsdale	McCrary	Sathre
Carey	McLachlin	Seamands
Conrath	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog

Absent and not voting:

Messrs.	Messrs.
Fredrickson	Ritchie
Martin	Schlosser

So the bill passed and the title was agreed to.

House Bill No. 218. A Bill For an Act to Amend and Re-enact Section 4915, Supplement to the 1913 Compiled 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 29, nays 17, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Rusch
Baird	Hart	Sathre
Benson	Kretschmar	Schlosser
Bond	Lynch	Steel
Brunsdale	McLachlin	Stevens
Carey	Murphy	Tofsrud
Crocker	Olson of Burleigh	Van Arnam
Eastgate	Pathman	Van Camp
Ettestad	Ployhar	Whitman
Forbes	Porter	



Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Brant	Hjelmstad	Patten
Conrath	McCrorry	Patterson
Erickson	Magnuson	Peck
Fine	Marshall	Wog
Fleckten	Olson of Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Martin	Ritchie	Seamands

So the bill passed and the title was agreed to.

Senator Carey moved that the vote by which House Bill No. 218 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Sathre moved that the Senate do now recess for ten minutes.

Which motion prevailed and the Senate recessed.

After recess: The President pro tem in the chair.

House Bill No. 225. A Bill For an Act Requiring the Board of Railroad Commissioners to Investigate and Fix Rates, Charges, Practices, Rules and Regulations of Carriers and Railroad Corporations for the Transportation of Fuel, Specifying the Proceedings therefor, Making an Appropriation for such Purpose and for the Defense of such Rates, and Repealing Sections 4798a1 to 4798a5, inclusive, of the Supplement to the Compiled Laws 1913, and Repealing Sections 4795a1 to 4795a11, inclusive, of the Supplement to the Compiled Laws 1913, so far as the same is Applicable to Rates for the Transportation of Fuel.

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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Ployhar
Bakken	Hart	Porter
Benson	Hjelmstad	Rusch
Bond	Kretschmar	Schlosser
Brant	Lynch	Seamands
Brunsdale	McCrorry	Steel
Carey	McLachlin	Stevens
Conrath	Magnuson	Tofsrud
Crocker	Marshall	Van Arnam
Erickson	Murphy	Van Camp

Messrs.	Messrs.	Messrs.
Ettestad	Olson of Burleigh	Whitman
Fine	Olson of Eddy	Wog
Fleckten	Pathman	
Forbes	Patten	

Those voting in the negative were:

Messrs.  
Peck

Absent and not voting:

Messrs.	Messrs.	Messrs.
Eastgate	Olson of Barnes	Sathre
Martin	Ritchie	

So the bill passed and the title was agreed to. Emergency clause declared carried.

House Bill No. 230. A Bill For an Act to Amend and Re-enact Section 10 of Chapter 181 of the Session Laws of 1925, Relating to the Establishment of Railroad Crossings.

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.
Atkins	Fredrickson	Patterson
Baird	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McCrorry	Schlosser
Carey	McLachlir	Seamands
Conrath	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Hamilton	Peck

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

So the bill was passed and the title was agreed to.

Senator Hamilton moved that final action on House Bill 250 be deferred one legislative day.

Which motion was lost.

Senator Benson moved that House Bill 250 be placed at the foot of the calendar.

Which motion prevailed.

House Bill No. 275. 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 State of North Dakota, the Provinces of Saskatchewan and Manitoba and the Dominion of Canada and the United States of America, Respecting the Use, Control, Utilization and Disposition of the Waters of the Mouse River (named the Souris River in Canada) and the Rights of said State of North Dakota and said Provinces and the Dominion of Canada 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 48, nays 0, absent and not voting 1.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Fredrickson	Patten
Baird	Hamilton	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Rusch
Brunsdale	McCrorv	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog

Absent and not voting:

**Messrs.**  
Ritchie

So the bill passed and the title was agreed to.

House Bill No. 296. A Bill For an Act to Amend and Re-enact Subdivision 6, of Section 381 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Duties 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 40, nays 8, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hjelmstad	Ployhar
Baird	Kretschmar	Porter
Benson	Lynch	Rusch
Bond	McCrorry	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Ettestad	Murphy	Tofsrud
Fine	Olson of Barnes	Van Arnam
Forbes	Olson of Burleigh	Van Camp
Fredrickson	Olson of Eddy	Whitman
Hamilton	Pathman	
Hart	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Erickson	Peck
Brant	Fleckten	Wog
Conrath	Patten	

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to.

House Bill No. 313. A Bill For an Act Providing Additional Requirement for the office of County Coroner.

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.
Atkins	Hamilton	Porter
Baird	Hart	Rusch
Bond	Kretschmar	Schlosser
Brunsdale	Lynch	Seamands
Carey	McLachlin	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Van Arnam
Ettestad	Pathman	Van Camp
Fleckten	Peck	Whitman
Forbes	Ployhar	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bakken	Fredrickson	Olson of Burleigh
Benson	Hjelmstad	Olson of Eddy
Brant	McCrorry	Patten
Conrath	Magnuson	Patterson
Erickson	Marshall	Tofsrud
Fine	Olson of Barnes	Wog

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>
Ritchie	Sathre

So the bill passed and the title was agreed to.

Senator Porter moved that the vote by which House Bill No. 313 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 363. A Bill For an Act Transferring the Sum of One Hundred Thousand Dollars (\$100,000.00) from the Special Bridge Fund Provided by Subdivision (C) of Section 2976t15 of the Supplement to the Compiled Laws of North Dakota for 1913, to the General Fund 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 27, nays 21, absent and not voting 1.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Kretschmar	Rusch
Baird	Lynch	Sathre
Bond	McLachlin	Schlosser
Brunsdale	Murphy	Seamands
Carey	Olson of Barnes	Steel
Crocker	Olson of Burleigh	Stevens
Eastgate	Pathman	Van Arnam
Forbes	Ployhar	Van Camp
Hart	Porter	Whitman

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bakken	Fleckten	Martin
Benson	Fredrickson	Olson of Eddy
Brant	Hamilton	Patten
Conrath	Hjelmstad	Patterson
Erickson	McCrorry	Peck
Ettestad	Magnuson	Tofsrud
Fine	Marshall	Wog

Absent and not voting:

Messrs.

Ritchie

So the bill passed and the title was agreed to.

Senator Porter moved that the vote by which House Bill No. 363 was passed be reconsidered and the motion to reconsider be laid on the table.

The question being on the adoption of the clincher motion, the roll was called, and there were ayes 27, nays 21, absent and not voting 1.

Those voting in the affirmative were:

Messrs.

Atkins  
Baird  
Bond  
Brunsdale  
Carey  
Crocker  
Eastgate  
Forbes  
Hart

Messrs.

Kretschmar  
Lynch  
McLachlin  
Murphy  
Olson of Barnes  
Olson of Burleigh  
Pathman  
Ployhar  
Porter

Messrs.

Rusch  
Sathre  
Schlosser  
Seamands  
Steel  
Stevens  
Van Arnam  
Van Camp  
Whitman

Those voting in the negative were:

Messrs.

Bakken  
Benson  
Brant  
Conrath  
Erickson  
Ettestad  
Fine

Messrs.

Fleckten  
Fredrickson  
Hamilton  
Hjelmstad  
McCrory  
Magnuson  
Marshall

Messrs.

Martin  
Olson of Eddy  
Patten  
Patterson  
Peck  
Tofsrud  
Wog

Absent and not voting:

Messrs.

Ritchie

So the clincher motion prevailed.

Senator Stevens moved that the Senate proceed with third reading of House Bill 250.

Which motion prevailed.

Senator Stevens moved that further action on House Bill 250 be indefinitely postponed.

Roll call.

The question being on the motion by Senator Stevens, the roll was called, and there were ayes 24, nays 24, absent and not voting 1.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hart	Rusch
Baird	Kretschmar	Schlosser
Bond	Lynch	Seamands
Brunsdale	McLachlin	Steel
Carey	Murphy	Stevens
Crocker	Pathman	Tofsrud
Eastgate	Ployhar	Van Arnam
Forbes	Porter	Van Camp

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bakken	Fredrickson	Olson of Burleigh
Benson	Hamilton	Olson of Eddy
Brant	Hjelmstad	Patten
Conrath	McCrary	Patterson
Erickson	Magnuson	Peck
Ettestad	Marshall	Sathre
Fine	Martin	Whitman
Fleckten	Olson of Barnes	Wog

Absent and not voting:

**Messrs.**  
Ritchie

So the motion was declared lost.

House Bill No. 250. 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 Bureaus; 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.

Senator O. H. Olson offered the following amendment: Restore the figures "10,000.00" as they appear in line 3, section 9 of the printed bill.

Which motion prevailed.

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:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bakken	Fredrickson	Olson of Burleigh
Benson	Hamilton	Olson of Eddy
Brant	Hjelmstad	Patten

Messrs.	Messrs.	Messrs.
Conrath	McCrorry	Patterson
Erickson	Magnuson	Peck
Ettestad	Marshall	Sathre
Fine	Martin	Whitman
Fleckten	Olson of Barnes	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Rusch
Baird	Kretschmar	Schlosser
Bond	Lynch	Seamands
Brunsdale	McLachlin	Steel
Carey	Murphy	Stevens
Crocker	Pathman	Tofsrud
Eastgate	Ployhar	Van Arnam
Forbes	Porter	Van Camp

Absent and not voting:

Messrs.  
Ritchie

So the bill was declared lost, lacking a constitutional majority.

Senator Stevens moved that the vote by which House Bill 250, was lost be reconsidered and the motion to reconsider be laid on the table.

Roll call demanded.

The question being on the motion by Senator Stevens, 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.
Atkins	Kretschmar	Seamands
Baird	Lynch	Steel
Bond	McLachlin	Stevens
Brunsdale	Murphy	Tofsrud
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Hart	Schlosser	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrorry	Peck
Erickson	Magnuson	Sathre
Ettestad	Marshall	Wog
Fine	Martin	
Fleckten	Olson of Barnes	



Absent and not voting:

**Messrs.**                      **Messrs.**  
Olson of Burleigh      Ritchie

So the clincher motion on House Bill 250 prevailed.

Senator Ployhar requested a return to the Tenth Order of Business, at which time the first Concurrent Resolution printed on page 28 of February 25 Journal was read from the desk.

Senator Ployhar moved that after the signing of bills and reading of announcements the Senate do recess until 1:00 P. M., Monday.

### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 181. A Bill For an Act Making an Appropriation of \$8,000.00 for the Maintenance, Improvements, Repairs, Rents, Insurance and Upkeep of the State Capitol Building for the Balance of the Fiscal Year Ending June 30, 1927.

House Bill No. 9. A Bill For an Act Making an Appropriation for the Payment of Salaries and Wages, Improvements and Repairs, Equipment and Miscellaneous Items for the State Hospital for the Insane at Jamestown, North Dakota.

House Bill No. 10. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

House Bill No. 11. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal and Industrial School at Ellendale.

House Bill No. 79. 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 and Empowering the State Board to Supervise and control the Issuance of Certificates of Authority Thereto.

House Bill No. 80. A Bill For an Act Providing for an Increase of Surplus of Banking Associations and exempting such Surplus from Taxation.

House Bill No. 81. A Bill For an Act to Amend and Re-enact Section 5172 of the Compiled Laws of North Dakota for 1913, Relating to the Limits of Loans by Banking Associations.

House Bill No. 97. A Bill For an Act to Repeal Section 17 of Chapter 174, Session Laws 1919, Making an Annual Ap-

appropriation for the Purpose of Carrying Out the Provisions of said Chapter.

House Bill No. 144. A Bill For an Act Making an Appropriation of \$21,495.88 to Repay the Bank of North Dakota for a Loan Made to the Hospital for the Insane and also for the Payment of any Interest Due Thereon.

House Bill No. 151. A Bill For an Act Making it the Duty of the State Engineer to Assist County Boards of Flood Irrigation in the Performance of their Duties and Making an Appropriation therefor.

House Bill No. 152. A Bill For an Act to Amend and Re-enact Section 5167 of the Compiled Laws of 1913 as amended by Chapter 94, Session Laws of 1925, Requiring Regular and Special Reports to the State Examiner by Banking Associations, Savings Banks and Trust Companies, and Providing Penalties for Failure to Make the Same.

House Bill No. 153. A Bill For an Act to Amend and Re-enact Section 14, Chapter 161, Session Laws of 1913, Relating to Game and Fish; Right of Search and Seizure, and to Repeal Section 15, Chapter 161, Session Laws of 1915.

House Bill No. 166. A Bill For an Act conferring additional powers upon the Governor to open and close seasons in any and all subdivisions of the State when deemed necessary for the better protection of game birds, fish or animals.

House Bill No. 180. A Bill For an Act Making an Appropriation for the North Dakota Children's Home Society, of Fargo, North Dakota.

House Bill No. 197. A Bill For an Act to Transfer the Sum of \$25,000.00 from the Fund Appropriated to the North Dakota Agricultural College for Equipment to said College's Fund for Maintenance.

House Bill No. 199. A Bill For an Act to Amend and Re-enact Section 10322a4 of the Supplement to the Compiled Laws 1913 relating to the powers and duties of the North Dakota Game and Fish Board.

House Bill No. 220. A Bill For an Act to appropriate the sum of Thirty Thousand (\$30,000.00) Dollars, From any moneys in the State Highway Fund, for the purpose of aiding in the construction of a Bridge across the Bois De Sioux River, Between the city of Wahpeton, Richland County, North Dakota, and the city of Breckenridge, Wilkin County, Minnesota, Under the Provisions of Chapter 73 of the laws of North Dakota for the year 1919.

House Bill No. 106. A Bill for an Act to Amend and Re-enact sections 8651-8657 and 8682 of the Compiled Laws of 1913 relating to the qualification, appointment, removal and discharge of Executors, Administrators and Guardians, and to repeal all acts and parts of acts in conflict herewith.

House Bill No. 123. A Bill For an Act Governing Borrowing by Means of Bond Issues by Counties, Cities, Villages, Townships, School Districts, Park Districts and other Municipalities as Defined Herein; and Repealing Sections 1272, 1274, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1333, 1336, 1337, 1338, 1339, 1422, 3449, 3450, 3452, 3453, 3454, 3456, 3457, 3458, 3459, 3462, 3463, 3464, 3465, 3466, 3467, 3468, 3469, 3470, 3868, 4014, 4015, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4254, 4255, 4256, 4257, 4258, 4259, 4260, 4261 of the Compiled Laws of North Dakota for the year 1913 and repealing Sections 1273, 1274a1, 1274a2, 1275, 1276, 1277, 1303, 1307, 1321a14, 1332, 1334, 1335, 1341, 1421, 1422, 3451, 3743c1, 3743c2, 3743c3, 3882a1, 3882a2, 4016, 4037b, 4037c, 4037d1 and 4037d2 of the Supplement to the Compiled Laws of 1913, and all Acts and Parts of Acts in Conflict Herewith.

House Bill No. 135. A Bill For an Act to Amend and Re-enact Section 10605 of the Compiled Laws of North Dakota for the Year 1913, Relating to Examination of Witnesses in Preliminary Examinations.

House Bill No. 160. A Bill For an Act to Amend and Re-enact Section 4 of Chapter 292, Session Laws of 1923, the same being Section 2290-c-4 of the Supplement to the Compiled Laws of North Dakota for 1913.

House Bill No. 192. A Bill For an Act Defining the Effect of Instruments, Affecting Real and Personal Property Belonging to a Trust, Executed by Trustees in Their Representative Capacity as Trustee.

House Bill No. 244. A Bill For an Act to Amend and Re-enact Section 8887 of the Compiled Laws of North Dakota for the year 1913.

House Bill No. 247. A Bill For an Act to Amend and Re-enact Section 1 of Chapter 101 of the Session Laws of 1925 relating to the signing of bonds by public officials.

Concurrent Resolution regarding the Roosevelt National Park.

Senate Bill No. 78. A Bill For an Act Making an Appropriation to provide for the Payment of a Deficit in the State Wolf Bounty Fund.

Senate Bill No. 150. A Bill For an Act to Amend and Re-enact Section 1531 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the State Library.

Senate Bill No. 12. A Bill For an Act Making an Appropriation for Salaries, Clerkhire and Miscellaneous Expenses of the Game and Fish Board.

Senate Bill No. 108. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 159 of the Session Laws for the Year 1919, Relating to Readjustment of Rates.

Concurrent Resolution by Senator Martin.

Concurrent Resolution "E".

Concurrent Resolution "H".

Concurrent Resolution "M".

Concurrent Resolution "G".

Concurrent Resolution by Senator Benson.

And the President signed the same in the presence of the Senate.

House Bills 6, 12, 19, 20, 45, 50, 59, 62, 63, 68, 76, 92, 111, 116, 176, 189, 219 and 177 were returned to the House passed unchanged.

House Bills 218 and 363 were returned to the House passed unchanged.

House Bill 313 was returned to the House passed amended.

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: P. D. Walker, B. C. Philips and Harold McCoy.

Pursuant to Senator Ployhar's motion, the Senate recessed.

W. D. AUSTIN,  
Secretary.

FIFTY-FOURTH DAY AFTER RECESS AND  
FIFTY-SIXTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 28, 1927.

The Senate re-assembled at 1:00 P. M., pursuant to recess taken, the President presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 176. A Bill For an Act to Amend and Re-enact Section 1958a3 of the Supplement to the Compiled Laws of North Dakota of 1913, said Section being Chapter 11 of the Session Laws of North Dakota of 1925; An Act to Appropriate the sum of \$75,000.00, 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 1919.

And the President signed the same in the presence of the Senate.

Senator Murphy requested a return to the Eighth Order of Business.

Which request was granted.

Senator Murphy then moved that the vote by which House Bill No. 168 was indefinitely postponed be reconsidered.

Which motion prevailed.

Senator Murphy further moved that House Bill 168 be referred to the Committee on Insurance.

Senator Bakken moved for a reconsideration of the vote by which House Bill No. 170 was indefinitely postponed.

Which motion prevailed.

Senator Bakken then moved that House Bill 170 be placed on the calendar.

Which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 18. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, Clerk-hire and General Expenses of the Department of Public Health.

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. 23. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, Clerk-hire and General Expenses of the State Historical Society.

Have had the same under consideration and recommend that the same be amended as follows:

In line three of the Engrossed Bill after the word "of" strike out the figures "\$23,150.00" and insert in lieu thereof the figures "24,150.00".

In line Seven strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$6,000.00".

In line Twenty-five strike out the figures "\$23,150.00" and insert in lieu thereof the figures "\$24,150.00".

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.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 35. A Bill For an Act Making an Appropriation to Pay for the General Maintenance, Improvements

and Repairs, New Building, Equipment, Public Health Laboratories, Lignite Testing, Clay Testing and Miscellaneous Expenses of the State University at Grand Forks, 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. 243. A Bill For an Act to Amend and Re-enact Section 189b3 of the Supplement to the Compiled Laws of 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 State Affairs to whom was referred:

Concurrent Resolution introduced in the House of Representatives by the Appropriation Committee, relating to the appointment of committee of select a site for a new building at the Training School.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Sen. 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. 41. A Bill for an Act to Amend and Re-enact Sections 560, 566, 567 and 571 of Article 22 of the Compiled Laws of North Dakota for the year 1913, Relating to the Barbers' Examining Board of the State of North Dakota; and to Provide for Said Board Adopting Rules and Regulations Relating to Sanitary Conditions in Barber Shops, Prohibiting the Occupation of Barbering upon Certain People, and Regulating the Power of Said Board in the Supervision of Barber Schools.

Have had the same under consideration and recommend that the same be amended as follows:

At the end of section 7 of the engrossed bill, add the following:

"Provided, that no school of Barbering shall make any charge for any services which is covered and included within the practise of barbering and which may be rendered by any student in such school".

Strike out subsection 6 of Section 18 and insert the following in lieu thereof:

"The use of any room or place for barbering which is also used for residential purposes, unless a substantial partition of ceiling height separates the portion used for residential purposes, from such room used for barbering".

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. 93. A Bill For an Act to Amend and Re-enact Section 4 of Chapter 162 of the Session Laws for the Year 1919, as amended by Chapter 145 of the Session Laws of 1921, as Amended by Chapter 220 of the Session Laws of 1925.

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. 100. A Bill For an Act To Provide for the Extermination of Rodent Pests, Gophers, Prairie Dogs, Rabbits and Crows, by County and Organized Townships, and in unorganized Townships; Providing a method of Procedure in exterminating, manner of raising necessary funds by Tax Levy, and for Assessment against real property; The Method of Expenditure of Moneys; and Repealing Sections 2869, 2870, 2871, 2872 and 2873 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, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 121. A Bill For an Act to Amend and Re-enact Section 489 of the Compiled Laws of 1913, Making Females Eligible to Register as Apprentices in Pharmacy.

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 word "females" and insert the word "persons", in lieu thereof.

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. 157. A Bill for an Act to Amend and Re-enact Chapter 145 of the Session Laws of 1919, as embodied in Section 1755 Supplement to the 1913 Compiled Laws of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In the second line of Section 1 of the engrossed bill, strike out the figures "1912" and insert the figures "1913" in lieu thereof.

At the end of section 1 of the engrossed bill, add the following amendment:

"Provided, however, that the salary of the assistant superintendent shall not exceed the sum of \$3600.00 per annum".

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. 226. A Bill For an Act to Amend and Re-enact Section 714a15 of the Supplement to the Compiled Laws of 1913 relating to the report of the treasurer under the public depository law (714a1 to 714a20 of the Supplement to the Compiled Laws of 1913).

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. 228. A Bill For an Act to Amend and Re-enact Section 544 of the Compiled Laws of 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, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 251. A Bill For an Act Providing that the Right of Any County Holding a Tax Certificate, or Other Tax Lien on Lands Acquired by the State Treasurer as Trustee of the State of North Dakota under the Provisions of Chapter 154 of the Session Laws of North Dakota for 1919 and Chapter 292 of the Session Laws of North Dakota for 1923 and Acts Amendatory Thereof, to enforce the Collection of the Same shall be Suspended until July 1st, 1929; Providing the rate of Interest such Tax Certificates and Tax Liens Shall Bear; and Prohibiting the Assignment or Transfer of All Tax Certificates or Tax Liens Held by the County on any Lands that have been Foreclosed Under Said Acts.

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. 348. A Bill For an Act Amending Section 375b3 of the Supplement to the Compiled Laws of North Dakota for the year 1913 relating to the duties of the State Printer.

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. 356. A Bill For an Act to Amend and Re-enact Section 2 of Chapter 213, of the Compiled Laws of North Dakota for 1925 Regulating the Expenditure of money for Traveling Expenses of Members, Officers, and Employees of State Departments.

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 Agriculture to whom was referred:

House Bill No. 362. A Bill For an Act authorizinz the Commissioner of Agriculture and Labor to Declare Quarantine Measures, should it be necessary, to prevent the introduction of the European Corn Borer into North Dakota, and prescribing penalty for violations.

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.

Mr. President: Your Committee on Agriculture to whom was referred:

House Bill No. 310. A Bill For an Act to Amend and Re-enact Section 630a4 of the Supplement to the Compiled Laws of North Dakota, for 1913, relating to notice given by Weed Commissioner, relative to the Sow Thistle and duties of Commissioner.

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.

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

House Bill No. 318. A Bill For an Act to Amend and Re-enact Section 3704 of the Compiled Laws of North Dakota

for 1913, as amended by Chapter 212 of the Laws of 1925, providing for a resolution declaring improvement work to be done by special assessments necessary, and permitting protests against said improvements to be filed by property owners.

Have had the same under consideration and recommend that the same do pass.

JOSEPH G. FORBES,  
Chairman.

Senator Forbes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Military Affairs to whom was referred:

House Bill No. 317. A Bill For an Act Authorizing the State Board of Armory Supervisors to Convey the Armory Located in the City of Hillsboro, State of North Dakota, to the City of Hillsboro.

Have had the same under consideration and recommend that the same do pass.

C. N. BRUNSDALE,  
Chairman.

Senator Brunsdale 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:

House Bill No. 263. A Bill For an Act to Amend and Re-enact Section 2546a6 of the Supplement to the Compiled Laws of North Dakota, year 1913, for Application for Mothers Pension, and Hearing.

Have had the same under consideration and recommend that the same do pass.

A. S. MARSHALL,  
Chairman.

Senator Marshall 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. 91. A Bill For an Act to Amend and Re-enact Section 17 of Chapter 162 of the Session Laws of North Dakota for the Year 1919, Known as the Workmen's Compensation Law, as Amended by the Session Laws of North Dakota for the Years 1921 and 1923.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1 of Section 1 of the engrossed bill after the word "of" strike out the word "Section" and insert in lieu thereof the word "Chapter".

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.

### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 6. A Bill For an Act to Appropriate \$4,200.00 to pay Travel Expense, and Stenographer's salary of the Dairy Division of the Department of Agriculture and Labor for the Period Commencing February 1, 1927, and ending June 30, 1927.

House Bill No. 12. A Bill For an Act Making an Appropriation for the Payment of Salaries and Wages, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses of the State School of Science at Wahpeton, North Dakota.

House Bill No. 19. A Bill For an Act Making an Appropriation for Use by the Board of Administration in Administering Child Welfare Laws.

House Bill No. 20. A Bill For an Act Making an Appropriation 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.

House Bill No. 45. A Bill For an Act Making an Appropriation to Pay C. E. Lounsbury, Wahpeton, North Dakota, Balance Due Him for Witness Fees, Mileage and Attorney's Fees in the Investigation of the State Highway Commission.

House Bill No. 50. A Bill For an Act Making an Appropriation to Pay F. J. Graham, Ellendale, North Dakota, Balance Due Him for Services as Attorney for Special House Committee in the Investigation of the State Highway Commission.

House Bill No. 59. A Bill For an Act to Amend Section 714A5 Supplement to the 1913 Compiled Laws of North Dakota, relating to the designation of depositories for public funds.

House Bill No. 62. A Bill For an Act to Amend and Re-enact Sections 1 and 2, of Chapter 73, of the Session Laws of North Dakota for 1919, Providing for State Aid in the Construction of Bridges Across State Lines of Inter-State High-

ways, or Roads Across the Little Missouri River, or Roads Across Navigable Streams within the State of North Dakota.

House Bill No. 63. A Bill For an Act to Appropriate the Sum of \$35,000.00 from the State Highway Bridge Fund for the Purpose of Aiding in the Construction of a Bridge Across the Little Missouri River at a Point at, or Near the Present Location of Chaloner's Ferry on Federal Highway No. 85, in McKenzie County, North Dakota, under the Provisions of Chapter 73, of the Laws of North Dakota for the Year 1919 and Acts Amendatory thereof.

House Bill No. 68. A Bill For an Act to Appropriate \$2,000.00 to the North Dakota State Corn Show for the Biennial period Ending July 1, 1929, Agreeable with Chapter 108 of the Session Laws of 1925.

House Bill No. 76. A Bill For an Act to Appropriate the sum of \$3,000.00 from any Moneys in the State Highway Fund, for the Purpose of Making a Preliminary Survey and Sounding of the Missouri River at or Near Washburn, North Dakota to Determine the Advisability and Feasibility of Constructing a Bridge Across said River Between the City of Washburn in McLean County and the City of Center in Oliver County, under the Provisions of Subsection C of Section 2976t15 of the Supplement to the Compiled Laws of 1913.

House Bill No. 92. A Bill For an Act Providing for the Investment of Moneys in the Workmen's Compensation Fund.

House Bill No. 111. A Bill For an Act Making an Appropriation for the Purpose of Carrying out the Provisions of Chapter 17, Session Laws of 1921, Relating to Preservation and Control of the Artesian Waters of the State, for the Biennial Period from July 1, 1927 to June 30, 1929.

House Bill No. 177. A Bill For an Act Authorizing the Board of Railroad Commissioners to Require the Extension of Electric Transmission Lines, and the Service Furnished Thereby, to Cities, Towns, Villages, and the Inhabitants Thereof, Within or Contiguous to the Territory Served by Such Transmission Lines, and to Fix the Rates and Charges for Such Service, and the Rules and Regulations to be Observed in Connection Therewith.

House Bill No. 116. A Bill For an Act Giving the Legislative Assent of the State of North Dakota to the Purpose of the Grants of Money Authorized and Provided for in the Act of Congress Entitled, "An Act to Authorize the More Complete Endowment of Agricultural Experiment Stations, and For Other Purposes," Approved February 24, 1925.

House Bill No. 189. A Bill For an Act to Appropriate the sum of \$3,000.00 from any Moneys in the State Highway Fund, for the Purpose of Making a Preliminary Survey and Sounding of the Missouri River at or near Elbowoods, North Dakota, on State Highway Route No. 24, to Determine the Advisability and Feasibility of Constructing a Bridge Across

Said River on Said State Highway Route, Under the Provisions of Subsection C. of Section 2976t15 of the Supplement to the Compiled Laws of 1913.

House Bill No. 218. A Bill For an Act to Amend and Re-enact Section 4915, Supplement to the 1913 Compiled Laws of North Dakota.

House Bill No. 219. A Bill For an Act to Amend and re-enact Sections 6762 and 6764 of the Compiled Laws of North Dakota for the year 1913, relating to the renewal and filing of chattel mortgages and providing for the cancellation and satisfaction thereof and removing them from the public files.

House Bill No. 363. A Bill For an Act Transferring the Sum of One Hundred Thousand Dollars (\$100,000.00) from the Special Bridge Fund Provided by Subdivision (C) of Section 2976t15 of the Supplement to the Compiled Laws of North Dakota for 1913, to the General Fund of the State.

And the President signed the same in the presence of the Senate.

Senator Kretschmar requested a return to the Eighth Order of Business.

Which request was granted.

Senator Kretschmar then moved for a reconsideration of the vote by which the Committee report on House Bill 356 was indefinitely postponed.

Which motion prevailed.

Senator Murphy then moved that House Bill 356 be referred to the Committee on State Affairs.

Which motion prevailed and the bill was so re-referred.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Banks and Banking to whom was referred:

House Bill No. 215. A Bill For an Act relating to banking, regulating the administration of the affairs of insolvent banks, providing for their liquidation, vesting the proceedings and requesting it to assume original jurisdiction in Supreme Court with jurisdiction of such liquidation profferance 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 continuing receiverships, and making an appropriation to meet the expenses incident to carrying out the purpose 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, and providing for the reopening and reorganization of closed or suspended banks, and providing for liquidation of closed banks by the depos-

itors therein, and designating a custodian of records and property after winding up receiverships, and providing for dividends.

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.

Mr. President: Your Committee on Banks and Banking to whom was referred

House Bill No. 246. A Bill For an Act to Amend and Re-enact Section 234, Compiled Laws 1913, and Section 5146 (10) of the Supplement to the Compiled Laws 1913, being Sub-division 3 of Chapter 219, Session Laws 1917.

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.

Mr. President: Your Committee on Banks and Banking to whom was referred:

House Bill No. 249. A Bill For an Act to Amend and Re-enact Section 6954a1 Supplement to the 1913 Compiled Laws, relating to the collection of items through banking channels and establishing the liability of collecting agencies.

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.

Mr. President: Your committee on Banks and Banking to whom was referred:

House Bill No. 293. A Bill For an Act relating to the consolidation or merger of banks.

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.



Mr. President: Your Committee on Banks and Banking to whom was referred:

House Bill No. 306. A Bill For an Act Relating to the Deposits of Money by Executors, Administrators and Guardians in Solvent Banks or Trust Companies.

Have had the same under consideration and recommend that the same be referred to the Senate without recommendation.

W. D. LYNCH,  
Chairman.

Senator Lynch 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. 38. A Bill For an Act Making an Appropriation to pay the General Maintenance, and as an Offset for Federal Aid, in Extension 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:

House Bill No. 39. A Bill For an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, New Buildings, Pure Seed and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch 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.

Senate Bills 12, 78, 108 and 150 were delivered to the Governor February 28.

Concurrent Resolutions by Senators Benson and Martin, also Resolutions "E", "G", "H", and "M" were delivered to the Secretary of State February 28.

Senator Ployhar moved that the Senate do now adjourn.

Which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

#### FIFTY-SITH DAY

Senate Chamber,  
Bismarck, North Dakota,  
February 28, 1927.

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, Rev. C. F. Strutz.

Roll call, all members present.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-third day after recess and Fifty-fourth day and recommend that the same be corrected as follows:

On page 15 in line 25 strike out the words "and Martin".

On page 25 in line 3 from the bottom of page strike out figures "75" and insert figures "175" in lieu thereof.

On page 28 strike out lines 1, 2 and 3.

On page 28 in line 3 from bottom strike out the last letter "s" in Senators.

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

Senator Olson moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred:

House Bill No. 55. A Bill For an Act relating to school finances, providing that each school board or Board of Education of each school district, shall annually prepare a budget of proposed expenditures; providing for a public hearing in regard to proposed expenditures and levies; fixing a date for annual levy; providing that all expenditures must conform to the budget as adopted. Repealing Section 1182, Compiled Laws of 1913 as amended by Chapter 143, Session Laws of 1915; Sections 1211, 1212 and 1221, Compiled Laws of 1913, Section 1222, Compiled Laws of 1913 as amended by Chapter 139, Session Laws of 1915 and as again amended by Chapter 215, Session Laws of 1919; Section 1258 Compiled Laws of 1913 as amended by Chapter 144, Session Laws of 1915; Sections 1298, 1301, 1302 and 1331 Compiled Laws of 1913.

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. 78. A Bill For an Act to Amend and Re-enact Chapter 142, Section 1 of the Session Laws of 1915, the same being Section 1221a of the Supplement to the Compiled Laws of North Dakota for the year 1913, being an Act Requiring the Payment of Tuition for Attendance at any Model High or Graded or Elementary School Which is Operated, Maintained or in any Manner Connected with the State University, any Normal School or any Educational Institution of Higher Learning.

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 Corporations Other Than Municipal to whom was referred:

House Bill No. 298. A Bill For an Act to Provide for the Renewal of Corporate Existence and Repealing Section No. 4562 of the Compiled Laws of North Dakota, 1913.

Have had the same under consideration and recommend that the same do pass.

FRED H. PATHMAN,  
Chairman.

Senator Pathman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations Other Than Municipal to whom was referred:

House Bill No. 267. A Bill For an Act to Amend and Re-enact Section 4550 of the Compiled Laws of North Dakota for the year 1913, Providing the Place of Holding of Stockholders and Directors meetings, and Repealing Section 4550 of the Compiled Laws of North Dakota for the year 1913.

Have had the same under consideration and recommend that the same do pass.

FRED H. PATHMAN,  
Chairman.

Senator Pathman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Livestock to whom was referred:

Senate Bill No. 188. A Bill For an Act to Provide for the Closing of Schools in Certain Towns and Villages Upon the Consolidation of the Schools in Such School Districts and Providing the Procedure Therefor.

Have had the same under consideration and recommend that the same do pass.

J. E. EASTGATE,  
Chairman.

Senator Eastgate moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Irrigation and Drainage to whom was referred:

House Bill No. 311. A Bill For an Act to Provide for the Payment of Outstanding Warrants issued by any Board of Drain Commissioners for expenses incurred and for services of surveyors, engineers and other persons or corporations, contracted for and rendered prior to the establishment of drains for the purpose of draining agricultural lands, in cases where any such Board has established such drain or drains, and same has thereafter been abandoned, or the construction thereof postponed for a period of more than two years, and providing for the reconveyance of land no longer required for Drainage purposes.

Have had the same under consideration and recommend that the same do pass.

J. E. FLECKTEN,  
Chairman.

Senator Fleckten moved that the report be adopted, which motion prevailed and the report was adopted.

#### RESOLUTION

Introduced by Benson, Steel and Van Camp, Committee To the City of Cambridge, Massachusetts:

Be It Resolved, by the Senate of the State of North Dakota, that grateful acknowledgment be made of the receipt of the Washington Elm Gavel, presented through the Hon. Board of Park Commissioners, of the City of Cambridge, Mass.

Be It Further Resolved, that said Gavel be used to proclaim the close of this Session, after which that said Gavel be placed in the Historical Museum, located in our Liberty Memorial Building at Bismarck, North Dakota.

Be It Further Resolved, that a copy of this Resolution be sent to the donors of said Gavel.

JOHN W. BENSON,  
ALFRED STEEL,  
FRED VAN CAMP.

Senator Benson moved that the resolution be adopted and the committee be discharged.

Which motion prevailed.

Senator Rusch moved that the Senate do not concur in the House amendments to Senate Bill 1, and that a conference committee be appointed.

Which motion prevailed.

The President appointed as such committee Senators Rusch, Magnuson and Brant.

### THIRD READING OF HOUSE BILLS

House Bill No. 13. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses of the School for the Deaf at Devils Lake, North Dakota.

Was read the third time.

Senator Stevens offered the following amendment: That lines 46 and 53 be restored, to appear as they are in the printed bill.

Which motion prevailed.

Senator Stevens moved that the totals be left as they appeared in line 56 of the printed bill.

Which motion prevailed.

The question being on the final passage of the bill, as amended, 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.
Atkins	Fredrickson	Patten
Baird	Hamilton	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Porter
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCrary	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam

Messrs.	Messrs.	Messrs.
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog

Absent and not voting:

Messrs.  
Ployhar

So the bill passed and the title was agreed to.

House Bill No. 17. A Bill For an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in 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 47, nays 0, absent and not voting 1, passing 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Peck
Bakken	Hjelmstad	Ployhar
Benson	Kretschmar	Porter
Bond	Lynch	Ritchie
Brant	McCrory	Rusch
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog
Fredrickson	Patten	

Absent and not voting:

Messrs.  
Sathre

Those Passing:

Messrs.  
Fine

So the bill passed and the title was agreed to, and the emergency clause declared carried.

House Bill No. 27. A Bill For an Act Making an Appropriation to Pay Salary, Stenographer and General Expenses of the Commissioner of Immigration.

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.
Atkins	Hamilton	Ployhar
Baird	Hart	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCrorry	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Martin	Seamands
Crocker	Murphy	Steel
Eastgate	Olson of Barnes	Tofsrud
Erickson	Olson of Burleigh	Van Arnam
Ettestad	Pathman	Van Camp
Forbes	Patterson	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Conrath	Hjelmstad	Patten
Fine	Magnuson	Peck
Fleckten	Marshall	Wog

Absent and not voting:

Messrs.  
Stevens

So the bill passed and the title was agreed to.

Senator Fine moved that final action on House Bill 51 be deferred one legislative day.

Which motion prevailed.

Senator Steel moved that final action on House Bills 204 and 209 be deferred one legislative day.

Which motion prevailed.

House Bill No. 52. A Bill For an Act Amending and Re-enacting Chapter 107, Laws of North Dakota for the year 1925, Relating to the Sale of Cigarettes, and Cigarette Papers and Wrappers and Papers Used and Prepared for the Making of Cigarettes; Providing for Issuing Licenses for the Purpose of Making sales Thereof and Furnishing of Bond; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof, and Penalty for Violation of this Act; and Defining the Duties of the Attorney General, State Auditor and State Treasurer Imposed Under the Provision of this Act; and Providing that Any Person Violating this Act shall be enjoined and that Any Building or Premises Made Use of for Purposes in Violation of this Act Shall be Deemed a Nuisance and Abated by Injunction; and to include Snuff within the provisions and requirements thereof.

Was read the third time.

Senator Ployhar offered the following amendment:

At the end of Section 5 and ahead of Section 6 insert the following:

Provided, further, that the possession by any consumer thereof, of cigarettes or snuff in the original package or box, upon which stamps are by this act required to be affixed, without such stamps being so affixed thereto; shall be prima facie evidence of an infraction and evasion of the provisions of this act, and shall be and constitute a misdemeanor.

Which amendment was adopted.

Senator Whitman offered further amendments to the bill:

In line 60, class E, of the printed bill, strike out words "one cent" and substitute "three cents" in lieu thereof.

Which amendment was lost.

Senator Whitman offered a further amendment: In line 60, class E, of the printed bill, strike out the words "one cent" and substitute "two cents".

Which amendment was lost.

The question being on the final passage of the bill, as amended, the roll was called, and there were ayes 37, nays 12, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Patten
Baird	Fredrickson	Patterson
Bakken	Hamilton	Peck
Benson	Hart	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Ritchie
Brunsdale	McCroy	Rusch
Carey	McLachlin	Steel
Conrath	Martin	Stevens
Erickson	Olson of Barnes	Whitman
Eastgate	Olson of Burleigh	Wog
Ettestad	Olson of Eddy	
Fleckten	Pathman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Crocker	Marshall	Seamands
Fine	Murphy	Tofsrud
Hjelmstad	Sathre	Van Arnam
Magnuson	Schlosser	Van Camp

So the bill passed and the title was agreed to. Emergency clause declared carried.



Senator Hamilton moved that the vote by which House Bill No. 52 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Van Camp explained his vote: In choosing between two evils—snuff and revenue from snuff, we choose both, but vote “no”.

House Bill No. 87. A Bill For an Act to Amend and Re-enact Section 8 of Chapter 17, Session Laws 1921, the Same Being Section 2790b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Preservation and Control of Artesian Waters 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 49, nays 0, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCroxy	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Patterson	

So the bill passed and the title was agreed to.

House Bill No. 104. A Bill For an Act to Legalize the Exe-Dakota for the Year 1913, and Acts and Parts of Acts in cution and Acknowledgment of Certain Deeds, Mortgages, and Other Instruments in Writing, and the Record Thereof, and Making the Same or Certified Copies Thereof, Admissible in Evidence.

Was read the third time.

The question being on the final passage of the bill, the roll was called, and there were ayes 27, nays 21, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Lynch	Seamands
Baird	McLachlin	Schlosser
Bond	Murphy	Steel
Brunsdale	Olson of Burleigh	Stevens
Carey	Pathman	Tofsrud
Crocker	Patterson	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman
Hart	Rusch	
Kretschmar	Sathre	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Olson of Barnes
Benson	Fredrickson	Olson of Eddy
Brant	Hjelmstad	Patten
Conrath	McCrorry	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Wog
Fine	Martin	

Absent and not voting:

Messrs.  
Hamilton

So the bill passed and the title was agreed to.

House Bill No. 127. A Bill For an Act Providing Maximum Punishments for Persons Convicted of a Felony Who Have Been Convicted of Two or More Felonies in Any State of the United States, and Prescribing the Procedure in Such Cases.

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 13, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Porter
Baird	Hart	Rusch
Bond	Hjelmstad	Sathre
Brant	Kretschmar	Schlosser
Brunsdale	Lynch	Seamands
Carey	McCrorry	Steel
Crocker	McLachlin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Burleigh	Van Arnam
Ettestad	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman
Fredrickson	Ployhar	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Magnuson	Patterson
Benson	Marshall	Peck
Conrath	Martin	Ritchie
Fine	Olson of Barnes	
Fleckten	Patten	

So the bill passed and the title was agreed to.

Senator Atkins moved that final action on House Bill 183 be deferred one legislative day.

Which motion prevailed.

House Bill No. 194. A Bill For an Act to Amend and Re-enact Section 3688, Compiled Laws of North Dakota, 1913, relating to Vacation of Streets, Alleys and Public Grounds 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 48, nays 1, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCrory	Sathre
Carey	McLachlin	Schlesser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog

Those voting in the negative were:

Messrs.  
Martin

So the bill passed and the title was agreed to.

House Bill No. 207. A Bill For an Act to Amend and Re-enact Section 3498, of the Compiled Laws of North Dakota, for the year 1913, relating to fees to be charged by the Clerk of the District Court.

Was read the third time.

Senator Baird offered the following amendments:

Add at the end of the printed bill:

20. For registering and filing certificates of partnership, \$2.00.
21. For all services in adoption proceedings, \$3.00.
22. For all services in proceedings for Deposit in Court, \$3.00.

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Which amendments were adopted.

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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCrary	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	

Those voting in the negative were:

Messrs.  
Martin

Absent and not voting:

Messrs.  
Stevens

So the bill passed and the title was agreed to.

House Bill No. 214. A Bill For an Act to Provide for the Granting of Decrees of Separation from Bed and Board, Specifying the Grounds upon which such Decree may be entered, and providing for the Maintenance of Spouse or Children, and for the Division by the Court, of Joint and Separate Property of Husband and Wife.

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 9, absent and not voting 0, passing 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Ployhar
Baird	Hart	Porter
Benson	Kretschmar	Rusch
Bond	Lynch	Sathre
Brant	McCroxy	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Burleigh	Van Arnam
Ettestad	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman
Fredrickson	Peck	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Hjelmstad	Patten
Fine	Marshall	Patterson
Fleckten	Olson of Barnes	Ritchie

Those Passing:

Messrs.  
Conrath

So the bill passed and the title was agreed to.

Senator Patterson moved that the Senate do now recess for ten minutes.

Which motion prevailed and the Senate recessed.

The Senate re-assembled, pursuant to recess taken, the President presiding.

House Bill No. 224. A Bill For an Act to Amend and Re-enact Sections 2189, 2191, 2192 and 2197 and to repeal Section 2197a of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to tax sales and Redemption therefrom.

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.
Atkins	Kretschmar	Sathre
Baird	Lynch	Schlosser
Bond	McLachlin	Seamands
Brunsdale	Martin	Steel
Carey	Murphy	Stevens
Conrath	Olson of Barnes	Tofsrud
Crocker	Olson of Burleigh	Van Arnam
Eastgate	Pathman	Van Camp

Messrs.	Messrs.	Messrs.
Ettestad	Patterson	Whitman
Forbes	Ployhar	Wog
Hamilton	Porter	
Hart	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Marshall
Benson	Fredrickson	Olson of Eddy
Brant	Hjelmstad	Patten
Erickson	McCrorry	Peck
Fine	Magnuson	

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to.

Senator Bond moved that final action on House Bill 238 be deferred one legislative day.

Which motion prevailed.

House Bill No. 240. A Bill For an Act to Appropriate \$2,000.00 for the Payment of the Expenses to be Incurred by Boys and Girls Club Work at State Fairs.

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 6, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Benson	Kretschmar	Porter
Bond	Lynch	Rusch
Brant	McCrorry	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamans
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Ettestad	Murphy	Tofsrud
Fine	Olson of Barnes	Van Arnam
Fleckten	Olson of Burleigh	Van Camp
Forbes	Pathman	Whitman
Fredrickson	Patterson	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Erickson	Olson of Eddy
Conrath	Hjelmstad	Patten

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to.

House Bill No. 253. A Bill For an Act to Amend and Re-enact Sub-section B of Section 2976t15 of Supplement to 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 42, nays 6, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Kretschmar	Porter
Benson	Lynch	Rusch
Bond	McLachlin	Sathre
Brant	Magnuson	Schlosser
Brunsdale	Marshall	Seamands
Carey	Martin	Steel
Conrath	Murphy	Stevens
Crocker	Olson of Barnes	Tofsrud
Eastgate	Olson of Burleigh	Van Arnam
Erickson	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman
Fredrickson	Patten	Wog

Those voting in the negative were:

Messrs.	Messrs.	
Ettestad	Fleckten	McCrorry
Fine	Hjelmstad	Peck

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to.

House Bill No. 261. A Bill For an Act Authorizing and providing for the submission of controversies between the State Highway Commission of the State of North Dakota and parties contracting therewith to arbitration, and providing for the entry of judgment as in cases of arbitration between other parties and providing for the enforcement of such judgments.

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 15, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Porter
Baird	Kretschmar	Rusch
Bond	Lynch	Sathre

Messrs.	Messrs.	Messrs.
Brunsdale	McLachlin	Schlosser
Carey	Murphy	Seamands
Crocker	Olson of Barnes	Steel
Eastgate	Olson of Burleigh	Stevens
Ettestad	Olson of Eddy	Tofsrud
Forbes	Pathman	Van Arnam
Fredrickson	Peck	Van Camp
Hamilton	Ployhar	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fine	Marshall
Benson	Fleckten	Martin
Brant	Hjelmstad	Patten
Conrath	McCrorry	Patterson
Erickson	Magnuson	Wog

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to. Emergency clause declared carried.

House Bill No. 264. A Bill For an Act Authorizing and Empowering the Board of Park Commissioners of the Park District of any City, to Contract for the Purchase of Lands for Park Purposes, upon Deferred and Installment payments; Limiting the Amount of such Purchases; and Requiring all payments so made therefor, to be made from Revenues derived from the Tax Levy of such District authorized by Law; Repeal.

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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McCrorry	Schlosser
Carey	McLachlin	Seamands
Conrath	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	



Those voting in the negative were:

Messrs.

Martin

Absent and not voting:

Messrs.

Ritchie

So the bill passed and the title was agreed to.

House Bill No. 270. A Bill For an Act to Validate Sales of Real Estate Made by an Executor or Administrator pursuant to contract, which has not been confirmed by the County Court.

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 17, absent and not voting 1.

Those voting in the affirmative were:

Messrs.

Atkins  
Baird  
Bakken  
Benson  
Bond  
Brunsdale  
Carey  
Crocker  
Eastgate  
Ettestad  
Forbes

Messrs.

Fredrickson  
Hart  
Kretschmar  
Lynch  
McLachlin  
Murphy  
Olson of Burleigh  
Pathman  
Ployhar  
Porter  
Rusch

Messrs.

Sathre  
Schlosser  
Seamands  
Steel  
Stevens  
Tofsrud  
Van Camp  
Van Arnam  
Whitman

Those voting in the negative were:

Messrs.

Brant  
Conrath  
Erickson  
Fine  
Fleckten  
Hamilton

Messrs.

Hjelmstad  
McCrary  
Magnuson  
Marshall  
Martin  
Olson of Barnes

Messrs.

Olson of Eddy  
Patten  
Patterson  
Peck  
Wog

Absent and not voting:

Messrs.

Ritchie

So the bill passed and the title was agreed to.

Senator Baird moved that House Bill No. 271 be placed at the foot of the calendar.

Which motion prevailed.

House Bill No. 277. A Bill For an Act empowering and Authorizing Cities and Villages to Refund and Reissue Special

Improvement Warrants upon the Surrender of the Outstanding Warrants by the Holders Thereof.

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 4, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Kretschmar	Porter
Benson	Lynch	Rusch
Bond	McCrorry	Schlosser
Brunsdale	McLachlin	Sathre
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Murphy	Stevens
Eastgate	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman
Fleckten	Patten	Wog
Fredrickson	Patterson	

Those voting in the negative were:

Messrs.	Messrs.
Brant	Hjelmstad
Erickson	Martin

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to. Emergency clause was declared carried.

House Bill No. 279. A Bill For an Act to Permit the District Court to Parole Persons Confined in the County Jail, Serving a Sentence, to the County Commissioners of the Various Counties of the State for the Purpose of Performing Work and Labor upon the Construction, Maintenance and Up Keep of State, County and Township Roads, and Providing that Such Persons in Such Confinement in any County May Be Transferred by any Presiding District Judge, from One County to any Other County in the State, Upon an Order Issued After a Proper Application and Hearing Before said Judge, and be Committed to the Sheriff of such County in Accordance with the Terms of his Sentence, and for the Paroles of such Persons Serving Sentence in any County Jail, and Providing for Maintenance and Support and Compensation, and Punishment of such Persons that may Violate their Paroles.

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 2, passing 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fleckten	Pathman
Baird	Forbes	Patten
Bakken	Fredrickson	Patterson
Bond	Hamilton	Peck
Brant	Hart	Ployhar
Brunsdale	Lynch	Rusch
Carey	McLachlin	Sathre
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Murphy	Van Arnam
Erickson	Olson of Barnes	Van Camp
Ettestad	Olson of Burleigh	Whitman
Fine	Olson of Eddy	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Martin	Tofsrud
Hjelmstad	Schlosser	
McCrorry	Stevens	

Absent and not voting:

Messrs.	Messrs.
Kretschmar	Ritchie

Those Passing:

Messrs.  
Porter

So the bill passed and the title was agreed to.

House Bill No. 285. A Bill For an Act to Amend and Re-enact Section 3551a1 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the salaries of County Auditor, County Treasurer, Sheriffs and county superintendents of schools.

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 2, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Porter
Benson	Hjelmstad	Ployhar
Brant	Lynch	Rusch
Brunsdale	McLachlin	Sathre
Carey	Magnuson	Schlosser
Conrath	Marshall	Seamands

Messrs.	Messrs.	Messrs.
Crocker	Martin	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman
Fleckten	Patten	Wog

Those voting in the negative were:

Messrs.	Messrs.
Kretschmar	McCrorry

Absent and not voting:

Messrs.	Messrs.
Bond	Ritchie

So the bill passed and the title was agreed to.

The President pro tem was called to the chair.

House Bill No. 292. A Bill For an Act Relating to the Recording of Sheriff's Deeds and Other Conveyances of Real Property Acquired by the Bank of North Dakota, as Agent for the State Treasurer as Trustee of the State of North Dakota under the Provisions of Chapter 154 of the Session Laws of North Dakota for 1919 and Chapter 292 of the Session Laws of North Dakota for 1923, and Acts Amendatory thereof; Prescribing the Duties of the County Auditor and Register of Deeds in respect thereto; and Providing that Section 2212 of the Supplement to the Compiled Laws of North Dakota for 1913 shall not be Applicable Thereto.

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 4, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Benson	Hart	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Rusch
Brunsdale	McCrorry	Sathre
Carey	McLachlin	Seamands
Conrath	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	

Those voting in the negative were:

Messrs.	Messrs.
Bakken	Martin
Hjelmstad	Schlosser

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to.

House Bill No. 314. A Bill For an Act to Amend and Re-enact Section 1370 of the Compiled Laws of North Dakota for the year 1913, Relating to Teachers' Examinations Conducted by County Superintendent 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 48, nays 0, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patten
Baird	Hamilton	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Rusch
Brunsdale	McCrary	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to.

House Bill No. 319. A Bill For an Act Providing for Special assessments for the construction of Sewer and Water Connections, and Providing for a Special Assessment fund for that purpose.

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:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Fredrickson	Patten
Baird	Hamilton	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Rusch
Brunsdale	McCrorry	Schlosser
Carey	McLachlin	Seamands
Conrath	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Martin	Tofsrud
Erickson	Murphy	Van Arnam
Ettestad	Olson of Barnes	Van Camp
Fine	Olson of Burleigh	Whitman
Forbes	Olson of Eddy	Wog
Fleckten	Pathman	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>
Ritchie	Sathre

So the bill passed and the title was agreed to.

House Bill No. 321. A Bill For an Act to Amend and Re-enact Section 3705 of the Compiled Laws of North Dakota for 1913, relating to the Advertising for Bids for Special Improvements.

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:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Fredrickson	Patterson
Baird	Hart	Peck
Bakken	Kretschmar	Ployhar
Benson	Lynch	Porter
Bond	McCrorry	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Conrath	Martin	Steele
Crocker	Murphy	Stevens
Eastgate	Olson of Barnes	Van Arnam
Erickson	Olson of Burleigh	Van Camp
Ettestad	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>
Fine	Hjelmstad

Absent and not voting:

Messrs.	Messrs.	Messrs.
Hamilton	Ritchie	Tofsrud

So the bill was passed and the title agreed to.

House Bill No. 327. A Bill For an Act to Provide for the Protection of River Bottom Lands and Defining the Powers and Duties of the Boards of County Commissioners in Connection Therewith.

Was read the third time.

The question being on the final passage of the bill, the roll was called, and there were ayes 46, nays 2, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Rusch
Bond	Lynch	Sathre
Brant	McLachlin	Schlosser
Brunsdale	Magnuson	Seamands
Carey	Marshall	Steel
Conrath	Martin	Stevens
Crocker	Murphy	Tofsrud
Eastgate	Olson of Barnes	Van Arnam
Erickson	Olson of Burleigh	Van Camp
Ettestad	Olson of Eddy	Whitman
Fine	Pathman	Wog
Forbes	Patten	
Fredrickson	Patterson	

Those voting in the negative were:

Messrs.	Messrs.
Fleckten	McCrorry

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to.

House Bill No. 328. A Bill For an Act to amend and re-enact Section 3711 of the Supplement to the Compiled Laws of 1913, relating to special assessments and the issuance of warrants for public improvements.

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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Lynch	Rusch
Brant	McCrorry	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	

Absent and not voting:

Messrs.	Messrs.
Kretschmar	Ritchie

So the bill passed and the title was agreed to.

House Bill No. 331. A Bill For an Act to Amend and Re-enact Section 1151 of the Compiled Laws of North Dakota, for 1913, relating to election of officers of Common School Districts, and prescribing qualifications therefor.

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 9, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Hjelmstad	Peck
Benson	Lynch	Ployhar
Brant	McCrorry	Rusch
Brunsdale	McLachlin	Sathre
Conrath	Magnuson	Schlosser
Erickson	Marshall	Stevens
Ettestad	Martin	Tofsrud
Fine	Olson of Barnes	Van Arnam
Fleckten	Olson of Burleigh	Van Camp
Forbes	Olson of Eddy	Whitman
Fredrickson	Pathman	Wog
Hamilton	Patten	
Hart	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Carey	Porter
Baird	Eastgate	Seamands
Bond	Murphy	Steel



Absent and not voting:

Messrs.	Messrs.	Messrs.
Crocker	Kretschmar	Ritchie

So the bill passed and the title was agreed to. Emergency clause declared carried.

Senator Fleckten moved that the vote by which House Bill 331 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 334. A Bill For an Act to amend and reenact Section 2642 of the Compiled Laws of North Dakota of 1913, relating to the liability of owners of dogs killing sheep and other domestic animals.

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.
Atkins	Hamilton	Pathman
Benson	Hart	Ployhar
Bond	Hjelmstad	Porter
Brunsdale	Lynch	Rusch
Carey	McCrorry	Sathre
Crocker	McLachlin	Schlosser
Eastgate	Magnuson	Seamands
Erickson	Marshall	Steel
Fine	Murphy	Van Arnam
Forbes	Olson of Burleigh	Van Camp
Fredrickson	Olson of Eddy	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Baird	Fleckten	Peck
Bakken	Martin	Stevens
Brant	Olson of Barnes	Tofsrud
Conrath	Patten	Wog
Ettestad	Patterson	

Absent and not voting:

Messrs.	Messrs.
Kretschmar	Ritchie

So the bill passed and the title was agreed to. Emergency clause declared carried.

House Bill No. 336. A Bill For an Act Requiring Counties to Pay the Tuition for Children Attending School in the State whose Parents Reside upon County Poor Farms Owned by such Counties.

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.
Atkins	Hart	Porter
Baird	Hjelmstad	Rusch
Benson	Lynch	Sathre
Bond	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Murphy	Stevens
Eastgate	Olson of Burleigh	Tofsrud
Ettestad	Pathman	Van Arnam
Forbes	Patterson	Van Camp
Fredrickson	Peck	Whitman
Hamilton	Ployhar	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fine	Olson of Barnes
Brant	Fleckten	Olson of Eddy
Erickson	McCrorry	Patten

Absent and not voting:

Messrs.	Messrs.
Brunsdale	Martin
Kretschmar	Ritchie

So the bill passed and the title was agreed to.

House Bill No. 341. A Bill For an Act to be known as the Estate Tax Act, to establish a tax on gifts, legacies, inheritances, bequests, successions and transfers, to provide for its collection and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this act, and by any act hereby repealed; and to repeal sections 2364b1, 2346b2, 2346b3, 2346b4, 2346b5, 2346b6, 2346b7, 2346b8, 2346b9, 2346b10, 2346b11, 2346b12, 2346b13, 2346b14, 2346b15, 2346b16, 2346b17, 2346b18, 2346b19, 2346b20, 2346b21, 2346b22, 2346b23, 2346b24, 2346b25, 2346b26, 2346b27, 2346b28, 2346b29, 2346b30, 2346b31, 2346b32, 2346b33, 2346b34, 2346b35, 2346b36, 2346b37, 2346b38, 2346b39, 2346b40, 2346b41, 2346b42, 2346b43, 2346b44, 2346b45, 2346b46, 2346b47, 2346b48, 2346b49, 2346b50, 2346b51, 2346b52, 2346b53, 2346b54, 2346b55, 2346b56, 2346b57, of the Supplement to the Compiled Laws of 1913, and all acts or parts of acts in conflict with this act are hereby repealed.

Was read the third time.

Senator Lynch moved to amend the bill by restoring the emergency clause.

Which motion prevailed.

Senator Fine moved to further amend the bill by restoring Section 12 as it appears in the printed bill.

Senator Ployhar moved that further consideration of House Bill 341 be made a Special Order of Business for 1:00 P. M., Tuesday, and that the Senate recess after the announcements until 1:00 P. M., Tuesday.

Which motion prevailed.

House Bills 109, 134, 165, 171, 187, 200, 250, 266, 269, 295, 303, 309, 315, 333, 355 and 361 were returned to the House indefinitely postponed.

House Bills 13, 17, 87, 216, 217, 225, 230, 275 and 296 were returned to the House passed unchanged.

House Bills 194, 224, 240, 264, 270, 277, 279, 292, 314 and 319 were returned to the House passed unchanged.

House Bills 285, 253 and 214 were returned to the House passed amended.

House Bills 327, 328, 331, 334 and 336 were returned to the House passed unchanged.

#### MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
February 28, 1927.

Mr. President: I have the honor to inform you that the House has appointed the following as a Conference Committee on Senate Bill No. 1: Representatives Kelly, Jardine and Johnson of Foster.

Also, Mr. President, the Speaker has appointed as a Conference Committee on Senate Bill No. 85, the following: Representatives Thompson of Ramsey, Plath and Swendseid.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 28, 1927.

Mr. President: I have the honor to inform you that the House has conceded to the request of the Senate and returns herewith Senate Bill No. 125.

Senate Bill No. 175, which the Senate requests, was indefinitely postponed by the House on February 26.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 27, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 148. A Bill For an Act to amend and re-enact Section 2193a of the Supplement to the 1913 Compiled Laws relating to abatements to purchasers of tax sale certificates on state land.

Which the House has amended as follows:

In line 9, of Section 2193a of the engrossed bill, strike out the word "seven" and insert in lieu thereof the word "six".

Also, in same line, strike out "7%" and insert in lieu thereof "6%".

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 28, 1927.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 313.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 28, 1927.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 146. A Bill For an Act Providing for the Leasing of State or School Lands supposed to Contain Oil and to Make and Establish Rules and Regulating relative to the Development thereof; Providing for Royalty to be Collected therefrom, and for the Sale of Improvements on such Lands; for the Assignment thereof and for Geological Reports thereon.

Senate Bill No. 137. A Bill For an Act Relating to, and Defining the Effect of, the Consolidation, Merger or other Transfer of the Business of Corporations, Including Banks and Trust Companies, organized under the Laws of this State, Heretofore or Hereafter Effected.

Senate Bill No. 33. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.

Senate Bill No. 256. A Bill For an Act to Amend and Re-enact Section 5031 of the Compiled Laws of North Dakota of 1913, relating to Limit of Property that may be Acquired by Fraternal Corporations.

Senate Bill No. 206. A Bill For an Act to Validate and Legalize Certain Acts of Certain City Officials in Respect to Special Assessment Water Works Districts, and to Prescribe

the Procedure to be Taken in Respect to Assessments therein and the Issuance of Warrants.

Senate Bill No. 234. A Bill For an Act to Authorize the Supreme Court to Direct the Calling of Special Terms in any of the Counties of the State and to Designate a District Judge to Preside at such Term.

Senate Bill No. 224. 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 Corporation Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

Senate Bill No. 153. A Bill For an Act to Amend and Re-enact Section 2854 of the Supplement to the Compiled Laws, 1913.

Senate Bill No. 115. A Bill For an Act to Provide for the Compilation, Publication and Distribution of the Record of the Citizens of North Dakota Who Rendered Military Service on Behalf of the State and Assisted in the Administration of the Selective Service Act During the World War.

Senate Bill No. 161. A Bill For an Act to amend and re-enact Section 4251 of the Compiled Laws of 1913 relating to fees of pound master and notice of taking up estrays and sale of estrays.

Senate Bill No. 222. A Bill For an Act to Encourage the Sale of Gasoline or Motor Fuel for Use in High Compression Motors with Resulting Fuel Economy, Permitting the Coloring of such Motor Fuel and Prohibiting the Sale of so-called "Gasoline Improvers" which are worthless or harmful; Making Violations hereof a Misdemeanor and Providing the Penalty therefor.

Senate Bill No. 182. A Bill For an Act to amend and re-enact Section 3812 of the Compiled Laws of the State of North Dakota for 1913, relating to additional duties of City Auditors under the Commission System of Government.

Senate Bill No. 183. A Bill For an Act to amend and re-enact Sections 3684a6, 3684a7 and 3684a8, of the Supplement to the Compiled Laws of North Dakota for 1913, relating to the finances of cities, towns and villages, (said sections constituting a part of what is known as the city budget law); repealing Sections 4038, 4039, 4040, 4041, and 4045, Compiled Laws of 1913.

Senate Bill No. 190. A Bill For an Act to Amend and Re-enact Section 4795 of the Compiled Laws of the State of North Dakota for 1913, Relating to Executive Officers and Financial Statements of Cities Organized Under the Commission System of Government.

Senate Bill No. 192. A Bill For an Act to Amend and Re-enact Sections 3625 and 3626, Compiled Laws of the State of

North Dakota for 1913, Relating to the Duties of City Auditors.

Senate Bill No. 258. A Bill For an Act to Validate and Legalize Certain Proceedings of Park Districts and their Commissioners Relating to Bond Issues.

Senate Bill No. 65. A Bill For an Act to Amend and Re-enact, Section 3, of Chapter 162, of the Session Laws of the State of North Dakota for the Year 1919, and Acts Amendatory thereof, relating to the Workmen's Compensation Act.

Which the House has passed unchanged.

Very respectfully,

C. R. VERRY,  
Chief Clerk.

House Chamber,  
Bismarck, North Dakota,  
February 28, 1927.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 106. A Bill For an Act to Amend and Re-enact Section 26 of Chapter 160 of the Session Laws of 1919 as Amended by Chapter 38 of the Special Session Laws of Dakota for the Year 1921, as Amended and Re-enacted by Chapter 232 of the Sessions Laws of North Dakota for the Year 1923, Relating to State Hail Insurance, as Amended and Re-enacted by Chapter 151 of the Session Laws of North Dakota for the Year 1925 Relating to State Hail Insurance and Actions Against the Department.

Senate Bill No. 75. A Bill For an Act to Amend and Re-enact Section 4059, Compiled Laws 1913, as amended by Chapter 71, Session Laws 1915, and as amended by Chapter 178, Session Laws 1917, and as amended by Chapter 96, Session Laws 1921, and now Section 4059 of the Supplement to the Compiled Laws 1913.

Senate Bill No. 175. A Bill For an Act Empowering and Authorizing Cities under the Commission Form of Government to Refund and Reissue special improvement warrants upon the Surrender of the Outstanding Warrants by the Holders Thereof.

Which the House has indefinitely postponed.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 28, 1927.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 76. A Bill For an Act to Amend Chapter 162 of the Session Laws of North Dakota for 1919 as Amended by Chapter 73 of the Special Session Laws of North Dakota for the year 1919 and Chapter 141, 142, 143, 144 and 145 of the Session Laws of North Dakota for the year 1921 and Chapters 347, 349 and 350 of the Session Laws of North Dakota for the year 1923 and by Chapters 84, 220, 221, 222, 223, 225 and 226 of the Session Laws of North Dakota for the year 1925 by adding Sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40 relating to and providing for the benefit of employees insured and the dependents of employees killed in hazardous employments, fixing the duties and liability of employers and employees and providing additional methods of securing the payment of obligations arising in favor of insured employees and their dependents and providing for partial support of the North Dakota Workmen's Compensation Bureau from insurance companies and by repealing all acts and parts of acts insofar as they are in conflict with the aforesaid added sections.

Which the House has passed unchanged.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: Mr. and Mrs. D. L. Davis and Mrs. F. M. Davis.

Pursuant to Senator Ployhar's motion the Senate recessed.

W. D. AUSTIN,  
Secretary.

**FIFTY-SIXTH DAY AFTER RECESS AND  
FIFTY-SEVENTH DAY**

Senate Chamber,  
Bismarck, North Dakota,  
March 1, 1927.

The Senate re-assembled at 1:00 P. M., pursuant to recess taken, the President presiding.

House Bills 52, 104, 127, 207, 261 and 27 were returned to the House passed amended.

Special order of business for 1:00 P. M., House Bill 341.

Senator Fine offered the following amendment:

To restore section 12 of the bill so it will appear as it did in the original bill.

Which amendment was lost.

Senator Fine offered a further amendment:

To restore the tax percentages to section 9 of the bill so they will appear as they did in the original bill.

Roll call demanded.

The question being on the motion by Senator Fine, the roll was called, and there were ayes 23, nays 25, absent and not voting 1.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrorry	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Sathre
Fine	Martin	Wog
Fleckten	Olson of Barnes	



Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Seamands
Baird	Lynch	Steel
Bond	McLachlin	Stevens
Brunsdale	Murphy	Tofsrud
Carey	Olson of Burleigh	Van Arnam
Crocker	Pathman	Van Camp
Eastgate	Ployhar	Whitman
Forbes	Porter	
Hart	Rusch	

Absent and not voting:

Messrs.  
Schlosser

So the motion was lost.

Senator Benson offered the following amendment:

In line 5, section 9 of the engrossed bill, strike out the first "50%" and substitute "37½%". Where "50%" occurs the second and third times substitute "62½%" in lieu thereof.

Roll call.

The question being on the motion by Senator Benson, 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.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrorry	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Sathre
Fine	Martin	Wog
Fleckten	Olson of Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Seamands
Baird	Lynch	Steel
Bond	McLachlin	Stevens
Brunsdale	Murphy	Tofsrud
Carey	Olson of Burleigh	Van Arnam
Crocker	Pathman	Van Camp
Eastgate	Ployhar	Whitman
Forbes	Porter	
Hart	Rusch	

Absent and not voting:

Messrs.  
Schlosser

So the motion was declared lost.

Senator Fine offered a further amendment:

To restore the "\$2,000.00" in line 31 of section 3, as it originally appeared in the bill.

Senator Stevens moved that House Bill 341 be made a Special Order of Business for 3:00 o'clock.

Which motion prevailed.

Senator Stevens requested a return to the Eleventh Order of Business, and the unanimous consent of the Senate to introduce Senate Bill 260.

Which request was granted.

#### SIGNING OF BILL

The Secretary announced that the President was about to sign:

Senate Bill No. 76. A Bill For an Act to Amend Chapter 162 of the Session Laws of North Dakota for 1919 as Amended by Chapter 73 of the Special Session Laws of North Dakota for the year 1919 and Chapter 141, 142, 143, 144 and 145 of the Session Laws of North Dakota for the year 1921 and Chapters 347, 349 and 350 of the Session Laws of North Dakota for the year 1923 and by Chapters 84, 220, 221, 222, 223, 225 and 226 of the Session Laws of North Dakota for the year 1925 by adding Sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40 relating to and providing for the benefit of employees insured and the dependents of employees killed in hazardous employments, fixing the duties and liability of employers and employees and providing additional methods of securing the payment of obligations arising in favor of insured employees and their dependents and providing for partial support of the North Dakota Workmen's Compensation Bureau from insurance companies and by repealing all acts and parts of acts insofar as they are in conflict with the aforesaid added sections.

And the President signed the same in the presence of the Senate.

Senator Stevens moved that the rules be suspended and that Senate Bill 260 be considered properly engrossed and placed upon third reading and final passage.

Which motion prevailed.

#### THIRD READING OF SENATE BILLS

Senate Bill No. 260. A Bill For an Act to appropriate the sum of \$19,400.00 to reimburse members of the Twentieth Legislative Assembly for legislative expenses.

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 15, absent and not voting 1.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Fine	Patten
Baird	Hamilton	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	McCroly	Porter
Brant	Marshall	Ritchie
Carey	Martin	Sathre
Conrath	Murphy	Seamands
Crocker	Olson of Barnes	Stevens
Eastgate	Olson of Burleigh	Whitman
Erickson	Olson of Eddy	Wog

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Brunsdale	Kretschmar	Rusch
Ettestad	Lynch	Steel
Fleckten	McLachlin	Tofsrud
Forbes	Magnuson	Van Arnam
Fredrickson	Pathman	Van Camp

Absent and not voting:

**Messrs.**  
Schlosser

So the bill passed and the title was agreed to.

Senator Stevens moved that the vote by which Senate Bill No. 260 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Fleckten explained his vote: Believing this is unconstitutional I vote "no".

Senate Bill 260 was messaged to the House.

**Mr. President:** Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 33. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.

Also,

Senate Bill No. 65. A Bill For an Act to Amend and Re-enact, Section 3, of Chapter 162, of the Session Laws of the State of North Dakota for the Year 1919, and Acts Amendatory thereof, relating to the Workmen's Compensation Act.

Also,

Senate Bill No. 115. A Bill For an Act to Provide for the Compilation, Publication and Distribution of the Record of the

Citizens of North Dakota Who Rendered Military Service on Behalf of the State and Assisted in the Administration of the Selective Service Act During the World War.

Also,

Senate Bill No. 137. A Bill For an Act Relating to, and Defining the Effect of, the Consolidation, Merger or other Transfer of the Business of Corporations, Including Banks and Trust Companies, organized under the Laws of this State, Heretofore or Hereafter Effected.

Also,

Senate Bill No. 146. A Bill For an Act Providing for the Leasing of State or School Lands supposed to Contain Oil and to Make and Establish Rules and Regulating relative to the Development thereof; Providing for Royalty to be Collected therefrom, and for the Sale of Improvements on such Lands; for the Assignment thereof and for Geological Reports thereon.

Also,

Senate Bill No. 153. A Bill For an Act to Amend and Re-enact Section 2854 of the Supplement to the Compiled Laws, 1913.

Also,

Senate Bill No. 161. A Bill For an Act to amend and re-enact Section 4251 of the Compiled Laws of 1913 relating to fees of pound master and notice of taking up estrays and sale of estrays.

Also,

Senate Bill No. 182. A Bill For an Act to amend and re-enact Section 3812 of the Compiled Laws of the State of North Dakota for 1913, relating to additional duties of City Auditors under the Commission System of Government.

Also,

Senate Bill No. 183. A Bill For an Act to amend and re-enact Sections 3684a6, 3684a7 and 3684a8, of the Supplement to the Compiled Laws of North Dakota for 1913, relating to the finances of cities, towns and villages, (said sections constituting a part of what is known as the city budget law); repealing Sections 4038, 4039, 4040, 4041, and 4045, Compiled Laws of 1913.

Also,

Senate Bill No. 190. A Bill For an Act to Amend and Re-enact Section 4795 of the Compiled Laws of the State of North Dakota for 1913, Relating to Executive Officers and Financial Statements of Cities Organized Under the Commission System of Government.

Also,

Senate Bill No. 192. A Bill For an Act to Amend and Re-enact Sections 3625 and 3626, Compiled Laws of the State of North Dakota for 1913, Relating to the Duties of City Auditors.

Also,

Senate Bill No. 206. A Bill For an Act to Validate and Legalize Certain Acts of Certain City Officials in Respect to Special Assessment Water Works Districts, and to Prescribe the Procedure to be Taken in Respect to Assessments therein and the Issuance of Warrants.

Also,

Senate Bill No. 222. A Bill For an Act to Encourage the Sale of Gasoline or Motor Fuel for Use in High Compression Motors with Resulting Fuel Economy, Permitting the Coloring of such Motor Fuel and Prohibiting the Sale of so-called "Gasoline Improvers" which are worthless or harmful; Making Violations hereof a Misdemeanor and Providing the Penalty therefor.

Also,

Senate Bill No. 224. 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 Corporation Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

Also,

Senate Bill No. 234. A Bill For an Act to Authorize the Supreme Court to Direct the Calling of Special Terms in any of the Counties of the State and to Designate a District Judge to Preside at such Term.

Also,

Senate Bill No. 256. A Bill For an Act to Amend and Re-enact Section 5031 of the Compiled Laws of North Dakota of 1913, relating to Limit of Property that may be Acquired by Fraternal Corporations.

Also,

Senate Bill No. 258. A Bill For an Act to Validate and Legalize Certain Proceedings of Park Districts and their Commissioners Relating to Bond Issues.

Also,

Senate Bill No. 76. A Bill For an Act to Amend Chapter 162 of the Session Laws of North Dakota for 1919 as Amended by Chapter 73 of the Special Session Laws of North Dakota for the year 1919 and Chapter 141, 142, 143, 144 and 145 of the Session Laws of North Dakota for the year 1921 and Chapters 347, 349 and 350 of the Session Laws of North Dakota for the year 1923 and by Chapters 84, 220,

221, 222, 223, 225 and 226 of the Session Laws of North Dakota for the year 1925 by adding Sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40 relating to and providing for the benefit of employees insured and the dependents of employees killed in hazardous employments, fixing the duties and liability of employers and employees and providing additional methods of securing the payment of obligations arising in favor of insured employees and their dependents and providing for partial support of the North Dakota Workmen's Compensation Bureau from insurance companies and by repealing all acts and parts of acts insofar as they are in conflict with the aforesaid added sections.

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Senate Bill 76 was delivered to the Governor March 1.

Senator Ployhar moved that the Senate do now adjourn.

Which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

#### FIFTY-SEVENTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
March 1, 1927.

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, Rev. C. F. Strutz.

Roll call.

All members present.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-Fourth day after recess and Fifty-Sixth day and recommend that the same be corrected as follows:

On page 1 in line 4 from bottom of page strike out figures "167" and insert figures "168" in lieu thereof.

On page 8 in line 20 strike out initial "W" and insert initial "N" in lieu thereof.

On page 16 in line 6 from bottom of page correct spelling of "Cambridge".

On page 19 in line 19 from bottom of page add the letter "S" to the word "Bill".

On page 38 after line 27 insert the following: "House Bill No. 341 (title). Was read the third time."

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

Senator Olson moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 132. A Bill For an Act to Require Certificates of Title for Registered Motor Vehicles; to Facilitate the Recovery of Stolen or Unlawfully Taken Motor Vehicles; to Provide for the Licensing of Dealers in Used Motor Vehicles, Trailers, or Semi-trailers; to Prescribe the Powers and Duties of the Motor Vehicle Registration Department; to Impose Certain Fees to Carry out the Purpose of this Act; to Impose Penalties for Violations of this Act and to Make Uniform the Law Relating to the Subject Matter of This Act.

Have had the same under consideration and recommend that the same be amended as follows:

In line 13, Section 8 of the engrossed bill change the word "invoke" to "revoke".

In line 18, Section 8, of the engrossed bill after the word "of" insert the word "the".

Renumber "Section 25" to be "Section 26" and insert "Section 25" as follows:

"Section 25. Provided, however, that the provisions of this act shall not be applicable to any trailer or semi-trailer, the value of which is less than Fifty (\$50.00) Dollars."

Strike out all unauthorized parenthesis as marked.

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. 167. A Bill for an Act Providing for Appeals from Final Decisions Rendered by the Depositors' Guaranty Fund Commission of the State of North Dakota to the District Court, and Appeals from the District Court to the Supreme Court, and Providing for the Procedure upon said Appeals.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of subdivision 2 of Section 2 of the engrossed bill after the word "Commission" insert the following:

"after hearing as provided in Section 5220b20 of the 1925 Supplement to the Compiled Laws of the State of North Dakota 1913".

And when so amended recommend that the bill be reported in without recommendation as to passage and placed on third reading.

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. 245. A Bill For an Act to Amend and Re-enact Section 8895 of the Compiled Laws of North Dakota for the year 1913, and to Repeal Section 8896 of said Compiled Laws.

Have had the same under consideration and recommend that the same be reported in without recommendation.

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. 305. A Bill For an Act to Amend and Re-enact Section 1 of Chapter 182 of the Session Laws of 1923, being Section 5235A1 of the 1925 Supplement to the Compiled Laws of North Dakota for 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.

Senator Sathre moved that the vote by which the Committee report on House Bill 305 was indefinitely postponed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred:



House Bill No. 29. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, and Miscellaneous General Expenses of the Department of Minimum Wage.

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. 40. A Bill For an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of The Agricultural College, 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. 255. A Bill For an Act making an appropriation for the Erection of a Building for girls and furnishing equipment therefor at the State Training School, Mandan, 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 State Affairs to whom was referred:

House Bill No. 162. A Bill For an Act Creating a State Highway Commission, Defining its Powers and Duties and Fixing the Compensation of the Commission.

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. 193. A Bill For an Act to Amend and Re-enact Section 4206 of the Compiled Laws of North Dakota for the year 1913; Relating to the Compensation of Township Treasurer.

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. 208. A Bill For an Act to Provide for the Leasing and Sale of Islands and Accumulations of Land Formed in Beds of Navigable Streams. Whereas, there is no law in this State which provides for the leasing and sale of islands and accumulations of land formed in the beds of navigable streams in this state, now therefore:

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. 211. A Bill For an Act Creating the Department of State Highways, Defining Its Powers and Duties, Providing for its Government and Imposing Penalties for Violations 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. 223. A Bill For an Act to Amend and Re-enact Sections 714a8 and 714a13 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Proposals for the Designation of Depositories and Rates of Interest on Public Funds.

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: A Majority of your Committee on State Affairs to whom was referred:

House Bill No. 252. A Bill For an Act to Provide for the Payment by the Bank of North Dakota of Taxes on Certain Lands that the State Treasurer as Trustee of the State of North Dakota holds as Security under Chapter 154, of the Session Laws of North Dakota for 1919 and Chapter 292 of the Session Laws of North Dakota for 1923 and Acts Amendatory thereof; Making an Appropriation therefor; Providing for the Reimbursement of the Bank of North Dakota therefrom and Establishing a Revolving Fund Therefor.

Have had the same under consideration and recommend that the same do pass.

C. W. CAREY,  
P. J. MURPHY,  
W. H. PORTER,  
S. J. ATKINS,  
O. T. TOFSRUD,  
WALTER SCHLOSSER,  
WALTER BOND,  
W. D. LYNCH,  
FRANK E. PLOYHAR.

Senator Ployhar moved that the report of the Majority be adopted.

Mr. President: A Minority of your Committee on State Affairs to whom was referred:

House Bill No. 252. A Bill For an Act to Provide for the Payment by the Bank of North Dakota of Taxes on Certain Lands that the State Treasurer as Trustee of the State of North Dakota holds as Security under Chapter 154, of the Session Laws of North Dakota for 1919 and Chapter 292 of the Session Laws of North Dakota for 1923 and Acts Amendatory thereof; Making an Appropriation therefor; Providing for the Reimbursement of the Bank of North Dakota therefrom and Establishing a Revolving Fund Therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. O. FREDRICKSON,  
C. J. OLSON,  
J. E. FLECKTEN,  
GUST WOG,  
G. PATTERSON,  
O. H. OLSON,  
O. E. ERICKSON.

Senator Fredrickson moved the substitution of the word "Minority" for the word "Majority".

Roll call.

The question being on the motion by Senator Fredrickson, 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.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCroy	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Wog
Fine	Olson of Barnes	
Fleckten	Olson of Burleigh	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Pathman	Tofsrud
Crocker	Ployhar	Van Arnam
Eastgate	Porter	Van Camp
Forbes	Rusch	Whitman

Absent and not voting:

Messrs.	Messrs.	Messrs.
Kretschmar	Sathre	Martin

So the motion was declared lost.

The question being upon the original motion the question was put and the motion prevailed, and the Majority report of the Committee was adopted.

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 268. A Bill for an Act to Provide for the Taxing and Licensing of Motor Vehicles and Trailers, the Creation of a Department of Motor Vehicle Registration, the Appointment of a Registrar of Motor Vehicles, His Powers and Duties, Establishing the Method of Distribution of the Fees Received therefrom, Fixing Penalties for Violation of this Act and Providing for an Appropriation for Administering the Same and for the Use of the State Highway Commission, and to make Uniform the Law Relating to the Subject Matter of this Act.

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. 274. A Bill For an Act Governing Specifications and Bids upon Paving, Requiring Bids upon Several Types to be asked for.

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. 335. A Bill For an Act to prevent fraud and deception in the manufacture and sale of concentrated commercial feeding stuffs and providing for registration and labeling thereof and repealing Chapter 37 of the Session Laws of 1921, Sections 1 to 13, inclusive, and all other acts or 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: Your Committee on State Affairs to whom was referred:

House Bill No. 351. A Joint Resolutoin to Amend and Re-enact Section 179 of Article 11 of the Constitution of the State of North Dakota as Amended by Article 20 of the Amendments thereto, Relating to Revenue and Taxation.

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. 356. A Bill For an Act to Amend and Re-enact Section 2 of Chapter 213, of the Sessions Laws of North Dakota for 1925 Regulating the Expenditure of money for Traveling Expenses of Members, Officers, and Employees of State Departments.

Have had the same under consideration and recommend that the same be amended as follows:

In the next to the last line of the Engrossed bill, after the word "State" insert the following, "except the members of the Board of Railroad Commissioners".

And when so amended recommend 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 Game and Fish to whom was referred:

House Bill No. 155. A Bill For an Act Relating to Fur Bearing Animals; Regulating the Taking Thereof, and Fixing Penalties.

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.

**Mr. President:** Your Committee on Game and Fish to whom was referred:

House Bill No. 198. A Bill For an Act to Amend and Re-enact Section 35, Chapter 161, Session Laws of 1915, as amended by Section 7, Chapter 224, Session Laws of 1923; and Section 36, Chapter 161, Session Laws of 1915, as amended by Section 5, Chapter 134, Session Laws of 1919, as amended by Section 8, Chapter 224, Session Laws of 1923; and Section 37, Chapter 161, Session Laws of 1915, Relating to Game and Fish.

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.

**Mr. President:** Your Committee on Elections to whom was referred:

House Bill No. 5. A Bill For an Act to Amend and Re-enact Section 915 of the Compiled Laws of North Dakota for the year 1913.

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. 25. A Bill For an Act to Provide for the Nomination and Election of Candidates for the Offices of Presidential Electors, National Committeeman, Delegates to National Party Conventions, United States Senator, Members of Congress, Judges of the Supreme and District Courts, all Elective State and County Officers, Members of the Legislative Assembly, County Commissioners, Party Precinct Committeemen and County Official Newspaper; to Provide for Forms of Ballots and Requirements of New Parties with Reference Thereto; to Repeal All Acts or Parts of Acts in Conflict Herewith, including Sections 910 to 916 inclusive, Compiled Laws 1913 and to Change the Date of Holding all General, City, Township and Village Elections.

Have had the same under consideration and a Minority 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. 85. A Bill For an Act to Amend Section 951 Compiled Laws of North Dakota 1913 Providing for Inspectors and Judges of Election, Their Qualifications and Duties.

Have had the same under consideration and recommend that the same be amended as follows:

In line 38, after the word "election" insert the following: "provided that in case such inspector is disqualified from acting, the other two members of the Board of Township Supervisors and the Clerk shall, at least ten days before the date of holding the election, hold a meeting for the purpose of filling such vacancy. Such vacancy shall be filled by an appointed inspector who shall belong to the same political party as the disqualified inspector and the name of the inspector so appointed shall at once be reported to the County Auditor by such Clerk."

In line 48, after the word "father", strike out the balance of the line and insert in lieu thereof the following: "mother, father-in-law, mother-in-law, son, daughter, son-in-law, daughter-in-law, brother, sister, brother-in-law, sister-in-law".

In line 57, after the word "county" strike out all the balance of Section.

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.

Mr. President: Your Committee on Elections to whom was referred:

House Bill No. 140. A Bill For an Act Providing for the Voting of an Absent Voter Ballot by Electors who by Reason of Physical Disability are Unable to Attend Their Polling Place to Vote at any General or Primary Elections.

Have had the same under consideration and recommend the same in without recommendation.

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. 185. A Bill For an Act to Permit the Use of Guide Cards in Elections, to Assist in Enabling Elector to Vote for the Candidate of His or Her Choice.

Have had the same under consideration and recommend the same in without recommendation.

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. 191. A Bill For an Act to Prescribe Who Shall be Qualified Electors in Certain Bond Elections in this State.

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 Insurance to whom was referred:

House Bill No. 168. A Bill For an Act to Amend Section 8719 of the Compiled Laws of North Dakota for 1913, Relating to the Exemption of the Avails of Life Insurance Payable to the Personal Representatives of a Deceased, his Heirs or Estate.

Have had the same under consideration and recommend that the same be amended as follows:

At the end of Section 1, strike out the period and insert in lieu thereof a comma, and add the following: "Provided, however, nothing herein contained shall be construed as permitting any insured to dispose by will of the avails of such policy or contract as heretofore mentioned if the same is payable to either a designated person, including the spouse of insured, or persons, or to the members of a family designated as class—for example as "all children" or "all brothers and sisters", even though such children or brothers and sisters are not designated by name. Nor as permitting the assured to dispose by will of the avails of a contract by a mutual or fraternal society to anyone who could not be a beneficiary in such contract under the charter or by-laws of such society."

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.

#### REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 1. A Bill For an Act to amend and re-enact Section 2202 of the Compiled Laws of the State of North Dakota for the year 1913 as amended and re-enacted by Section 5 of Chapter 199, Session Laws of 1925, relating to giving notice of expiration of period of redemption on property forfeited to the county at tax sale, issuance of tax deeds to the county and sale of property acquired by the county through tax deed.

Have had the same under consideration and recommend that the Senate do concur in the House amendments, and

recommend that the same be adopted, and the bill placed for third reading and final passage.

Senate Committee—  
H. J. RUSCH,  
NELS MAGNUSON,  
E. H. BRANT.

House Committee—  
M. W. KELLY,  
J. A. JARDINÉ,  
ERNEST F. JOHNSON.

Senator Rusch moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Rusch moved that the rules be suspended and that Senate Bill 1, as amended, be considered properly engrossed and placed upon third reading and final passage.

Which motion prevailed.

### THIRD READING OF SENATE BILL

Senate Bill No. 1. A Bill For an Act to amend and re-enact Section 2202 of the Compiled Laws of the State of North Dakota for the year 1913 as amended and re-enacted by Section 5 of Chapter 199, Session Laws of 1925, relating to giving notice of expiration of period of redemption on property forfeited to the county at tax sale, issuance of tax deeds to the county and sale of property acquired by the county through tax deed.

The question being on the final passage of the bill, as amended by the Conference Committee, 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.
Atkins	Hart	Peck
Baird	Hjelmstad	Ployhar
Bakken	Kretschmar	Porter
Bond	Lynch	Ritchie
Brant	McCrorry	Rusch
Brunsdale	McLachlin	Sathre
Carey	Magnuson	Schlosser
Crocker	Marshall	Seamands
Erickson	Murphy	Steel
Eastgate	Olson of Barnes	Stevens
Ettestad	Olson of Burleigh	Tofsrud
Fine	Olson of Eddy	Van Arnam
Forbes	Pathman	Van Camp
Fredrickson	Patten	Whitman
Hamilton	Patterson	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Conrath	Fleckten

Absent and not voting:

**Messrs.**

Martin

So the bill passed and the title was agreed to.

The Committee on Employment introduced the following Resolution:

Be It Resolved by the Senate of the State of North Dakota, that C. R. Verry, Secretary of the Senate in the legislature of 1925, be paid the sum of \$19.64 for the performance of his duty and reimbursement for his traveling expenses in attending the opening of the 1927 session and calling such session to order according to law, such sum of \$19.64 being one per diem and mileage at the rate allowed legislative members. That this payment be made out of the legislative funds appropriated for the legislative expenses of 1927.

Senator Carey moved the adoption of the Resolution.

The question being on the motion by Senator Carey, the roll was called, and there were ayes 44, nays 4, absent and not voting 1.

Those voting in the affirmative were:

**Messrs.**

Atkins  
Baird  
Bakken  
Benson  
Bond  
Brant  
Brunsdale  
Carey  
Conrath  
Crocker  
Eastgate  
Erickson  
Ettestad  
Fine  
Forbes

**Messrs.**

Fredrickson  
Hamilton  
Hart  
Kretschmar  
Lynch  
McCrorry  
Magnuson  
Marshall  
Murphy  
Olson of Barnes  
Olson of Burleigh  
Olson of Eddy  
Pathman  
Patterson  
Peck

**Messrs.**

Ployhar  
Porter  
Ritchie  
Rusch  
Sathre  
Schlosser  
Seamands  
Steel  
Stevens  
Tofsrud  
Van Arnam  
Van Camp  
Whitman  
Wog

Those voting in the negative were:

**Messrs.**

Fleckten  
Hjelmstad

**Messrs.**

McLachlin  
Patten

Absent and not voting:

**Messrs.**

Martin

So the motion prevailed.

Senator Fleckten explained his vote: In regard to the opinion handed down by the Attorney General this would be unconstitutional. Therefore I vote "no".

Senator Tofsrud moved that the Senate do concur in the House amendments to Senate Bill 148 and that the rules be suspended and the bill be considered properly engrossed and placed upon third reading and final passage.

Senator Fine moved that final action on Senate Bill 148 be deferred one legislative day.

Which motion was lost.

The question being upon the original motion, the question was put and the motion prevailed.

### THIRD READING OF SENATE BILL

Senate Bill No. 148. A Bill For an Act to amend and reenact Section 2193a of the Supplement to the 1913 Compiled Laws relating to abatements to purchasers of tax sale certificates on state land.

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 13, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Ritchie
Baird	Hamilton	Rusch
Bakken	Hart	Sathre
Bond	Kretschmar	Schlosser
Brant	Lynch	Seamands
Brunsdale	McLachlin	Steel
Carey	Murphy	Stevens
Crocker	Olson of Barnes	Tofsrud
Eastgate	Olson of Burleigh	Van Arnam
Ettestad	Pathman	Van Camp
Fleckten	Ployhar	Whitman
Forbes	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	McCrorry	Patterson
Conrath	Magnuson	Peck
Erickson	Marshall	Wog
Fine	Olson of Eddy	
Hjelmstad	Patten	
Absent and not voting:		

Messrs.  
Martin

So the bill passed and the title was agreed to.

Senator Tofsrud moved that the vote by which Senate Bill No. 148 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Sathre moved that further consideration of Senate Bill 125 be withdrawn.

Which motion prevailed.

Senator Fleckten moved that the vote by which the Committee report on House Bill 333 was indefinitely postponed be reconsidered.

Which motion was lost.

THIRD READING OF HOUSE BILLS

House Bill No. 349. Hotel and Restaurant Inspection Act. An Act Providing for the inspection of hotels, lodging houses, boarding houses 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, 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.
Atkins	Fleckten	Peck
Baird	Fredrickson	Porter
Bond	Hamilton	Ritchie
Brant	Hart	Sathre
Brunsdale	Kretschmar	Schlosser
Carey	Magnuson	Stevens
Eastgate	Murphy	Wog
Erickson	Olson of Eddy	
Ettestad	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Lynch	Patten
Benson	McCrory	Rusch
Conrath	McLachlin	Seamands
Crocker	Marshall	Steel
Fine	Olson of Barnes	Van Arnam
Forbes	Olson of Burleigh	Van Camp
Hjelmstad	Pathman	Whitman

Absent and not voting:

Messrs.	Messrs.	Messrs.
Martin	Ployhar	Tofsrud

So the bill passed and the title was agreed to. Emergency clause declared lost.

House Bill No. 341, Special Order of Business for 3:00 P. M.

The question being upon Senator Fine's amendment, the question was put and the amendment was lost.

The question being on the final passage of the bill, the roll was called, and there were ayes 40, nays 8, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Ritchie
Baird	Kretschmar	Rusch
Benson	Lynch	Sathre
Bond	McLachlin	Schlosser
Brunsdale	Murphy	Seamands
Carey	Olson of Barnes	Steel
Crocker	Olson of Burleigh	Stevens
Eastgate	Olson of Eddy	Tofsrud
Ettestad	Pathman	Van Arnam
Fine	Patten	Van Camp
Fleckten	Patterson	Whitman
Forbes	Peck	Wog
Fredrickson	Ployhar	
Hamilton	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Erickson	Magnuson
Brant	Hjelmstad	Marshall
Conrath	McCrorry	

Absent and not voting:

Messrs.  
Martin

So the bill passed and the title was agreed to. Emergency clause declared carried.

House Bill No. 352. A Bill For an Act to Amend and Re-enact Sections 10180, 10181, 10182 and 10183 of the Compiled Laws of North Dakota for 1913 Prohibiting the Sale, Bartering or Giving Away of Snuff to Minors, Providing Penalties Therefor and Repealing 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 43, nays 4, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Porter
Baird	Hart	Ritchie
Bakken	Hjelmstad	Sathre
Benson	Kretschmar	Rusch
Bond	Lynch	Schlosser
Brant	McCrorry	Seamands
Brunsdale	McLachlin	Steel
Carey	Murphy	Stevens
Conrath	Olson of Barnes	Tofsrud
Crocker	Olson of Burleigh	Van Arnam

Messrs.	Messrs.	Messrs.
Eastgate	Olson of Eddy	Van Camp
Ettestad	Pathman	Whitman
Fine	Patten	Wog
Fleckten	Peck	
Fredrickson	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.
Erickson	Magnuson
Forbes	Marshall

Absent and not voting:

Messrs.	Messrs.
Martin	Patterson

So the bill passed and the title was agreed to.

House Bill No. 353. A Bill For an Act Providing the percentage of contracts of public corporations which shall be held back until the completion of such contracts.

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 6, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Peck
Baird	Fredrickson	Ployhar
Bakken	Hamilton	Porter
Benson	Hart	Ritchie
Bond	Lynch	Rusch
Brunsdale	McLachlin	Sathre
Carey	Magnuson	Schlosser
Conrath	Marshall	Seamands
Crocker	Murphy	Steel
Eastgate	Olson of Barnes	Stevens
Erickson	Olson of Burleigh	Tofsrud
Ettestad	Olson of Eddy	Van Arnam
Fleckten	Pathman	Van Camp

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brant	Hjelmstad	Patten
Fine	McCrory	Wog

Absent and not voting:

Messrs.	Messrs.
Kretschmar	Whitman
Patterson	Martin

So the bill passed and the title was agreed to.

House Bill No. 170. A Bill For an Act Providing For the Placing of Placards Containing the Ten Commandments of

the Christian Religion, in School Rooms and Class Rooms of Public Institutions of Learning.

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.
Atkins	Hjelmstad	Ployhar
Bakken	Magnuson	Ritchie
Benson	Marshall	Sathre
Brant	Olson of Barnes	Stevens
Conrath	Olson of Burleigh	Tofsrud
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Baird	Hamilton	Rusch
Bond	Hart	Schlosser
Brunsdale	Lynch	Seamands
Carey	McCrory	Steel
Crocker	McLachlin	Van Arnam
Eastgate	Murphy	Whitman
Erickson	Peck	
Ettestad	Porter	

Absent and not voting:

Messrs.	Messrs.
Kretschmar	Martin

So the bill passed and the title was agreed to.

Senator Bakken moved that the vote by which House Bill No. 170 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator O. A. Olson explained his vote: I voted "no" on this bill at the time we had it up in the Senate but in view of the fact that I had an occasion to be chaperon at a High School party and while there someone stole the lights off my car, I vote "aye".

House Bill No. 51. A Bill For an Act to Amend and reenact Section 1342 of supplement to the Compiled Laws of 1913.

Was read the third time.

Senator Ettestad offered the following amendment:



In Section 4, page 2 of the Engrossed Bill leave line 1, of schedule at 5c and increase each succeeding item by 5c instead of 3c.

Which motion prevailed.

Senator Fine offered the following amendment:

In line 3, page three of Engrossed Bill after the word "residence" insert the following: "according to the nearest laid out road".

Senator Forbes offered as a substitute motion:

Change the words "nearest laid out road" to "the most convenient course of travel".

Which motion prevailed.

The question being on the final passage of the bill, as amended, 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.
Atkins	Forbes	Ployhar
Baird	Fredrickson	Porter
Bakken	Hamilton	Ritchie
Benson	Hart	Rusch
Bond	Hjelmstad	Sathre
Brant	Kretschmar	Schlosser
Brunsdale	Lynch	Seamands
Carey	McCrorry	Steel
Conrath	McLachlin	Stevens
Crocker	Magnuson	Tofsrud
Eastgate	Marshall	Van Arnam
Erickson	Murphy	Van Camp
Ettestad	Olson of Barnes	Whitman
Fine	Olson of Burleigh	
Fleckten	Olson of Eddy	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Pathman	Patterson	Wog
Patten	Peck	

Absent and not voting:

Messrs.  
Martin

So the bill passed and the title was agreed to.

House Bill No. 204. A Bill For an Act to Amend and Re-enact Section 1190 of the Supplement to the Compiled Laws of 1913, Relating to Consolidation of Schools and Transportation of Pupils.

Was read the third time.

Senator Fine offered the following amendment:

Page 1 after line 11 insert the following:

"3. To decide whether transportation shall be by public conveyance or otherwise; such transportation shall be by public conveyance unless two-thirds of the votes cast at such election are opposed to such mode of transportation."

Which motion prevailed.

Senator Van Camp moved that House Bill 204 be re-referred to the Committee on Education.

Which motion prevailed.

House Bill No. 209. A Bill For an Act to Amend and Re-enact Section 1240 of the Supplement to the Compiled Laws of 1913, Relating to Special School Districts.

Was read the third time.

The question being on the final passage of the bill, the roll was called, and there were ayes 29, nays 18, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hjelmstad	Sathre
Baird	Kretschmar	Schlosser
Bond	Lynch	Seamands
Brunsdale	McLachlin	Steel
Carey	Murphy	Stevens
Crocker	Olson of Barnes	Tofsrud
Eastgate	Olson of Burleigh	Van Arnam
Ettestad	Ployhar	Van Camp
Forbes	Porter	Whitman
Hart	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Pathman
Benson	Fredrickson	Patten
Brant	Hamilton	Patterson
Conrath	Magnuson	Peck
Erickson	Marshall	Ritchie
Fine	Olson of Eddy	Wog

Absent and not voting:

Messrs.	Messrs.
McCrorry	Martin

So the bill passed and the title was agreed to.

Senator Benson moved that the Senate do now recess for ten minutes.

Which motion prevailed and the Senate recessed.

The Senate re-assembled pursuant to recess taken, the President pro tem presiding.

House Bills 341, 352 and 349 were returned to the House passed amended.

House Bill No. 183. A Bill For an Act to appropriate the Sum of Twenty Thousand (\$20,000.00) Dollars for the purpose of Aiding in the Construction of a Bridge and Approaches Across Box Elder Creek of the State Line between North Dakota and South Dakota at a Point approximately five miles east of the Montana State Line, under the Provisions of Chapter 73 of the Laws of North Dakota for the Year 1919.

Was read the third time.

Senator Atkins demanded a call of the Senate.

The call was granted and all Senators reported present except Senators Hamilton, Martin and C. J. Olson.

Senator Van Camp moved that further business under the call be dispensed with.

Which motion prevailed.

Senator Patten moved that further consideration of House Bill 183 be indefinitely postponed.

Which motion was lost.

Senator Benson offered the following amendments: After third word in title insert:

"For an Act to appropriate the sum of \$20,000.00 for the purpose of aiding in the construction of a bridge and approaches across Ox creek in South Valley Township, Highway No. 10 in Rolette county, N. D., under Chapter 73 - 1919".

In line 9 strike out "Box Elder" and insert word "Ox". After the word "the" in same line insert "Highway 10, South Valley Township, Rolette County, N. Dak.," and strike out balance of bill.

Which amendments were lost.

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.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Van Arnam
Crocker	Pathman	Van Camp
Eastgate	Ployhar	Whitman
Forbes	Porter	
Hart	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Patten
Benson	Hamilton	Patterson
Brant	Hjelmstad	Peck
Conrath	McCroory	Ritchie
Erickson	Magnuson	Sathre
Ettestad	Marshall	Tofsrud
Fine	Olson of Barnes	Wog
Fleckten	Olson of Eddy	

Absent and not voting:

Messrs.  
Martin

So the bill passed and the title was agreed to.

Senator Atkins moved that the vote by which House Bill No. 183 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Bakken explained his vote: A few years ago the people in the western part of the state came down here and wanted bridges. They had an awful time to get them. These other people don't want this bridge and I don't believe in forcing it onto them. I vote "no".

Senator Steel asked the unanimous consent of the Senate to return to the Sixth Order of Business to submit a Committee report.

Which request was granted.

Mr. President: Your Committee on Education to whom was referred:

House Bill No. 204. A Bill For an Act to Amend and Re-enact Section 1190 of the Supplement to the Compiled Laws of 1913, Relating to Consolidation of Schools and Transportation of Pupils.

Have had the same under consideration and recommend that the same be amended as follows:

In subdivision two, on page 1 of the engrossed bill, after the word "election" insert the following: "except as hereinafter otherwise provided."

Change the schedule as shown on page 2 of the engrossed bill, so as to make the amounts paid to correspond with the schedule adopted in House Bill 51.

And in the paragraph following the said schedule shown on page 2 of the engrossed bill after the word "residence" insert the following:

"according to the most convenient route".

On the last page of the engrossed bill beginning with the word "provided" strike out all of the last four lines.

And when so amended recommend same do pass.

**ALFRED STEEL,**  
Chairman.

Senator Steel moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Steel moved that the rules be suspended and House Bill No. 204 be placed on final passage.

Which motion prevailed.

### ROLL CALL

House Bill No. 204. A Bill For an Act to Amend and Re-enact Section 1190 of the Supplement to the Compiled Laws of 1913, Relating to Consolidation of Schools and Transportation of Pupils.

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.
Atkins	Hart	Rusch
Baird	Hjelmstad	Sathre
Bakken	Kretschmar	Schlosser
Bond	Lynch	Seamands
Brunsdale	McLachlin	Steel
Carey	Murphy	Stevens
Crocker	Olson of Barnes	Tofsrud
Eastgate	Olson of Burleigh	Van Arnam
Ettestad	Ployhar	Van Camp
Forbes	Porter	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fredrickson	Pathman
Brant	Hamilton	Patten
Conrath	McCroory	Patterson
Erickson	Magnuson	Peck
Fine	Marshall	Ritchie
Flekten	Olson of Eddy	Wog

Absent and not voting:

Messrs.  
Martin

So the bill passed and the title was agreed to.

House Bill No. 238. A Bill For an Act Regulating the Use and Sale of Bottles and Glassware for Testing Milk and

Cream for Butter Fat, and to repeal Section 2853 of the Supplement to the Compiled 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 46, nays 0, absent and not voting 3.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Fredrickson	Ployhar
Baird	Hamilton	Porter
Bakken	Hart	Ritchie
Benson	Hjelmstad	Rusch
Bond	Kretschmar	Sathre
Brant	Lynch	Schlosser
Brunsdale	McCrory	Seamands
Carey	Magnuson	Steel
Conrath	Murphy	Stevens
Crocker	Marshall	Tofsrud
Eastgate	Olson of Barnes	Van Arnam
Erickson	Olson of Eddy	Van Camp
Ettestad	Pathman	Whitman
Fine	Patten	Wog
Fleckten	Patterson	
Forbes	Peck	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
McLachlin	Martin	Olson of Burleigh

So the bill passed and the title was agreed to.

House Bill No. 271. A Bill For an Act Empowering Foreign Executors, Administrators, Guardians, Heirs and Legatees of Deceased Non-residents whose Estates have been Probated Outside this State to Assign Mortgages; and Confirming and Legalizing Assignments heretofore made by such Executors, Administrators, Guardians, Heirs and Legatees.

Was read the third time.

Senator Baird offered the following amendment:

Re-number Section 5 to be Section 6, and insert Section 5 as follows:

"Section 5. The provisions of this act shall apply to all mortgages, judgments or other liens upon real or personal property, and to foreclosure of any such mortgage or lien on real or personal property."

Which amendment was adopted.

The question being on the final passage of the bill, as amended, 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.
Atkins	Hart	Rusch
Baird	Kretschmar	Sathre
Bond	Lynch	Schlcsser
Brunsdale	McLachlin	Seamands
Carey	Murphy	Steel
Crocker	Olson of Burleigh	Stevens
Eastgate	Pathman	Tofsrud
Ettestad	Peck	Van Arnam
Forbes	Ployhar	Van Camp
Hamilton	Porter	Whitman

## Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hjelmstad	Patten
Brant	McCrary	Patterson
Conrath	Magnuson	Ritchie
Fine	Marshall	Wog
Fleckten	Olson of Barnes	

## Absent and not voting:

Messrs.	Messrs.
Erickson	Martin

So the bill passed and the title was agreed to. Emergency clause declared lost.

House Bill No. 18. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Public Health.

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.
Atkins	Hart	Ployhar
Baird	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCrary	Sathre
Brunsdale	McLachlin	Schlcsser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Murphy	Stevens
Eastgate	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Patterson	
Hamilton	Peck	

Those voting in the negative were:

Messrs.

Bakken

Absent and not voting:

Messrs.

Erickson

Messrs.

Martin

So the bill passed and the title was agreed to.

House Bill No. 23. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses 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 47, nays 1, absent and not voting 1.

Those voting in the affirmative were:

Messrs.

Atkins

Baird

Bakken

Benson

Bond

Brant

Brunsdale

Carey

Conrath

Crocker

Eastgate

Erickson

Ettestad

Fine

Fleckten

Forbes

Messrs.

Fredrickson

Hamilton

Hart

Hjelmstad

Kretschmar

Lynch

McCrorry

McLachlin

Magnuson

Marshall

Murphy

Olson of Barnes

Olson of Burleigh

Olson of Eddy

Patten

Patterson

Messrs.

Pathman

Ployhar

Porter

Ritchie

Rusch

Sathre

Schlosser

Seamands

Steel

Stevens

Tofsrud

Van Arnam

Van Camp

Whitman

Wog

Those voting in the negative were:

Messrs.

Peck

Absent and not voting:

Messrs.

Martin

So the bill passed and the title was agreed to.

House Bill No. 35. A Bill For an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, New Building, Equipment, Public Health Laboratories, Lignite Testing, Clay Testing and Miscellaneous Expenses of the State University at Grand Forks, 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.
Atkins	Hamilton	Porter
Baird	Hart	Ritchie
Benson	Kretschmar	Rusch
Bond	Hjelmstad	Sathre
Brant	Lynch	Schlosser
Brunsdale	McCrary	Seamands
Carey	McLachlin	Steel
Crocker	Magnuson	Stevens
Eastgate	Marshall	Tofsrud
Erickson	Murphy	Van Arnam
Ettestad	Olson of Barnes	Van Camp
Fine	Olson of Burleigh	Whitman
Forbes	Pathman	Wog
Fredrickson	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Conrath	Olson of Eddy	Patterson
Fleckten	Patten	Peck

Absent and not voting:

Messrs.	Messrs.
Bakken	Martin

So the bill passed and the title was agreed to.

Senator Benson explained his vote: Believing it to be my duty to support the higher institutions of learning and realizing the inadequacy of state revenues to do all things deemed desirable, I trust that the Governor will in his good judgment veto that portion in excess of the estimated incomes of the state on appropriations of the higher institutions rather than the penal and charitable institutions. Therefore I vote "aye".

House Bill No. 38. A Bill For an Act Making an Appropriation to pay the General Maintenance, and as an Offset for Federal Aid, in Extension Work of The Agricultural College.

Was read the third time.

Senator Fleckten offered the following amendment: Strike out line 10 of the printed bill.

Which amendment was lost.

Senator Fleckten offered the following amendment:

Strike out line 10 of the printed bill.

Senator Fine offered the following amendment:

Strike out line 11 of the printed bill.

Senator Fleckten offered a further amendment:

Strike out line 15 of the printed bill.

Which amendment was lost.

The question being on the final passage of the bill, the roll was called, and there were ayes 31, nays 17, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Sathre
Baird	Kretschmar	Schlosser
Bond	Lynch	Seamands
Brant	McLachlin	Steel
Brunsdale	Marshall	Stevens
Carey	Murphy	Tofsrud
Crocker	Olson of Burleigh	Van Arnam
Eastgate	Pathman	Van Camp
Erickson	Ployhar	Whitman
Forbes	Porter	
Fredrickson	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Hamilton	Patten
Benson	Hjelmstad	Patterson
Conrath	McCrory	Peck
Ettestad	Magnuson	Ritchie
Fine	Olson of Barnes	Wog
Fleckten	Olson of Eddy	

Absent and not voting:

Messrs.  
Martin

So the bill passed and the title was agreed to.

Senator Hamilton explained his vote: This county agent and the field agent work in this appropriation doubles the taxation on the farmers. Therefore I vote "no".

House Bill No. 39. A Bill For an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, New Buildings, Pure Seed and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

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.
Atkins	Forbes	Ployhar
Baird	Fredrickson	Porter

Messrs.	Messrs.	Messrs.
Bakken	Hart	Rusch
Benson	Kretschmar	Sathre
Bond	Lynch	Schlosser
Brant	McCrary	Seamands
Brunsdale	McLachlin	Steel
Carey	Marshall	Stevens
Crocker	Murphy	Tofsrud
Eastgate	Olson of Barnes	Van Arnam
Erickson	Olson of Burleigh	Van Camp
Fine	Pathman	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Conrath	Hjelmstad	Patterson
Ettestad	Magnuson	Peck
Fleckten	Olson of Eddy	Ritchie
Hamilton	Patten	Wog

Absent and not voting:

Messrs.  
Martin

So the bill passed and the title was agreed to.

House Bills 170, 183, 209, 321 and 353 were returned to the House passed unchanged.

MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
March 1, 1927.

Mr. President: I have the honor to inform you that the House has refused to accept Senate Bill No. 260 and the House returns it herewith.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 27, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 249. A Bill For an Act Providing a Limitation for filing and bringing suit on claims against insolvent banks or their receivers.

Which the House has amended as follows:

In the engrossed bill section one, line nine, which is line eight in the printed bill, strike out the word "is" and insert in lieu the word "has".

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 27, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 176. A Bill For an Act to Amend and Re-enact Section 690 of the Supplement to the 1913 Compiled Laws, Relating to the Removal of Public Officers by the Governor and Appeals Therefrom.

Which the House has amended as follows:

In line 26 of page 2 of the printed bill after the word "Governor" insert a comma.

In line 27 after the word "court" strike out the words "in said county" and insert in lieu thereof the following: "in any other district of the state".

In line 28 of page 2 of the printed bill strike out the word "the" and in the same line place a comma after the word "court" and strike out the words "of said county".

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 27, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 13. A Bill For an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Rents, Repairs, Insurance and Upkeep of Grounds.

Which the House has amended as follows:

That in line 11 of Section 1 of the Printed Bill, the figures "4,000.00" be stricken out and the figures "2,000.00" be substituted in lieu thereof.

And the further amendments:

In the amendments of the Standing Committee strike out line 11½ and insert in lieu thereof the words:

"For repair of members seats in House Chamber, \$800"

Insert line 10½:

"Operation of State Trolley Line .....\$2,000.00"

Also change totals in-line 3 and 13 to read \$129,134.00.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 1, 1927.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 204. A Bill for an Act to Legalize and make Valid All Sales of Real Estate, Made Prior to the Passage and Approval of this Act, whether Under Execution or by Advertisement, in All Cases where the Certificate of Sale was not Recorded in the Office of the Register of Deeds within Sixty (60) Days after the Date of Sale.

Senate Bill No. 248. A Bill For an Act Legalizing and Validating all legal publications made prior to the 1st day of January, 1927, contrary to the provisions of Chapter 187 of Session Laws, 1919, and of Initiated Measure relating to Official Newspapers approved November 2, 1920.

Senate Bill No. 195. A Bill For an Act to Amend and Re-enact Section 2 of Chapter 155, Session Laws of 1925, the same being Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, Defining Usury.

Senate Bill No. 187. A Bill For an Act Limiting the Time within which any Action may be Brought to Void a Foreclosure of a Mortgage, a Mortgage Foreclosure set Aside, or any Defense Interposed in any Action, by Virtue of any defect in the Form, Substance or Service of Notice of Intention to Foreclose a Mortgage.

Senate Bill No. 39. A Bill For an Act to Amend and Re-enact Sections 8075 and 8076 of the Compiled Laws of North Dakota for the Year 1913.

Senate Bill No. 191. A Bill For an Act to Amend and Re-enact Sections 3676, 3677 and 3680 of the Compiled Laws of the State of North Dakota for 1913, Relating to Finances of Cities Organized Under the General Laws of the State.

Senate Bill No. 240. A Bill For an Act to Amend and Re-enact Section 10322a26 of the Supplement to the 1913 Compiled Laws of North Dakota.

Senate Bill No. 140. A Bill For an Act to Amend and Re-enact Section 1008 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Return and Disposition of Election Ballots and Compensation of Election Officers.

Senate Bill No. 180. A Bill For an Act to Amend and Re-enact Sections 909a2 and 909a5 of the Supplement to the Compiled Laws of 1913.

Which the House has passed unchanged.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 28, 1927.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 105. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 160 of the Session Laws of 1919 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, as Amended and Re-enacted by Chapter 232 of the Session Laws of North Dakota for the Year 1923, Relating to State Hail Insurance.

Senate Bill No. 196. A Bill For an Act Authorizing the Board of Administration to Contract with William Laist to Serve the State of North Dakota as Custodian of the Capitol Building.

Senate Bill No. 200. A Bill For an Act to Amend and Re-enact Section 2163a5 of the Supplement to the Compiled Laws of 1913 relating to the rate of mills which may be levied by counties; and to amend and re-enact Section 1945 of the Compiled Laws of 1913 relating to county road funds and Section 1946 relating to the expenditure of county road funds and repealing Section 2150 of the Supplement to the Compiled Laws of 1913.

Senate Bill No. 243. A Bill For an Act to Amend and Re-enact Sections 2346a20, 2346a21 and 2346a22 of the Supplement to the Compiled Laws 1913.

Concurrent Resolution F

Senate Bill No. 221. A Bill For an Act to Amend and Re-enact Section 10322a85 of the Supplement to the Compiled Laws of North Dakota 1913, Relating to Fish and the manner of taking.

Which the House has indefinitely postponed.

Very respectfully,  
C. R. VERRY,  
Chief Clerk

Courtesies of the floor were extended to: August Kratz, Lon Theuer, Madge Marshall, and E. F. Riley.

Senator Ployhar moved that the Senate do now recess until 10:00 A. M.

Which motion prevailed and the Senate recessed.

W. D. AUSTIN,  
Secretary.

FIFTY-SEVENTH DAY AFTER RECESS AND  
FIFTY-EIGHTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
March 2, 1927.

The Senate re-assembled at 10:00 A. M., pursuant to recess taken, the President presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 65. A Bill For an Act to Amend and Re-enact, Section 3, of Chapter 162, of the Session Laws of the State of North Dakota for the Year 1919, and Acts Amendatory thereof, relating to the Workmen's Compensation Act.

Senate Bill No. 35. A Bill For an Act Making an Appropriation For the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal School, Mayville, North Dakota.

And the President signed the same in the presence of the Senate.

Senator Whitman moved that House Bill 41 be placed at the foot of the calendar.

Which motion prevailed.

THIRD READING OF HOUSE BILLS

House Bill No. 91. A Bill For an Act to Amend and Re-enact Section 17 of Chapter 162 of the Session Laws of North Dakota for the Year 1919, Known as the Workmen's Compensation Law, as Amended by the Session Laws of North Dakota for the Years 1921 and 1923.

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 22, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Schlosser
Baird	Kretschmar	Seamands
Bond	Lynch	Steel
Brunsdale	McLachlin	Stevens
Carey	Murphy	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrorry	Peck
Erickson	Magnuson	Sathre
Ettestad	Marshall	Wog
Fine	Olson of Barnes	
Fleckten	Olson of Burleigh	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Martin	Ritchie	Rusch

So the bill was declared lost.

Senator Fleckten moved that the vote by which House Bill No. 91 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

Senator Schlosser moved that House Bill 317 be placed on the calendar at this time.

Which motion prevailed.

Senator Murphy moved that the vote by which House Bill 91 was lost be reconsidered.

Which motion prevailed.

Senator Benson moved that House Bill 91 be made a Special Order of Business for 12:00 o'clock.

Senator Ployhar moved to amend the motion by changing the time to 11:30 o'clock.

Which motion prevailed.

House Bill No. 317. A Bill For an Act Authorizing the State Board of Armory Supervisors to Convey the Armory Located in the City of Hillsboro, State of North Dakota, to the City of Hillsboro.



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.
Atkins	Hart	Peck
Baird	Hjelmstad	Ployhar
Bakken	Kretschmar	Porter
Bond	Lynch	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Crocker	Martin	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Forbes	Olson of Eddy	Van Camp
Fredrickson	Pathman	Whitman
Hamilton	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fleckten	Wog
Conrath	McCrorry	
Fine	Patten	

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to and the emergency clause was declared carried.

House Bill No. 93. A Bill For an Act to Amend and Re-enact Section 4 of Chapter 162 of the Session Laws for the Year 1919, as amended by Chapter 145 of the Session Laws of 1921, as Amended by Chapter 220 of the Session Laws of 1925.

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 15, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hjelmstad	Porter
Baird	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Crocker	Murphy	Steel
Eastgate	Olson of Barnes	Stevens

Messrs.	Messrs.	Messrs.
Erickson	Olson of Burleigh	Tofsrud
Forbes	Olson of Eddy	Van Arnam
Fredrickson	Pathman	Van Camp
Hart	Ployhar	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fine	Martin
Benson	Fleckten	Patten
Bond	Hamilton	Patterson
Conrath	McCrary	Peck
Ettestad	Marshall	Wog

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to.

House Bill No. 121. A Bill For an Act to Amend and Re-enact Section 489 of the Compiled Laws of 1913, Making Females Eligible to Register as Apprentices in Pharmacy.

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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Lynch	Rusch
Brant	McCrary	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	

Absent and not voting:

Messrs.  
Kretschmar

Messrs.  
Ritchie

So the bill passed and the title was agreed to.

House Bill No. 157. A Bill For an Act to Amend and Re-enact Chapter 145 of the Session Laws of 1919, as em-

bodied in Section 1755 Supplement to the 1913 Compiled 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 45, nays 3, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Kretschmar	Porter
Brant	Lynch	Rusch
Brunsdale	McCrary	Schlosser
Carey	McLachlin	Sathre
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Forbes	Olson of Eddy	Whitman
Fleckten	Pathman	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bond	Hjelmstad	Patten

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to.

The President pro tem was called to the chair.

House Bill No. 188. A Bill For an Act to Amend Section 2664, Supplement to the Compiled Laws of 1913; Relating to Estrays and the Sale Thereof.

Was read the third time.

The question being on the final passage of the bill, the roll was called, and there were ayes 44, nays 2, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Porter
Benson	Hjelmstad	Rusch
Bond	Lynch	Sathre
Brant	McCrary	Schlosser
Brunsdale	McLachlin	Seamands

Messrs.	Messrs.	Messrs.
Carey	Magnuson	Steel
Conrath	Marshall	Stevens
Crocker	Martin	Tofsrud
Eastgate	Murphy	Van Arnam
Erickson	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	

Those voting in the negative were:

Messrs.	Messrs.
Ettestad	Olson of Barres

Absent and not voting:

Messrs.	Messrs.	Messrs.
Kretschmar	Ployhar	Ritchie

So the bill passed and the title was agreed to.

House Bill No. 215. A Bill For an Act relating to banking, regulating the administration of the affairs of insolvent banks, providing for their liquidation, vesting the proceedings and requesting it to assume original jurisdiction in Supreme Court with jurisdiction of such liquidation pro-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 continuing receiverships, and making an appropriation to meet the expenses incident to carrying out the purpose 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, and providing for the re-opening and reorganization of closed or suspended banks, and providing for liquidation of closed banks by the depositors therein, and designating a custodian of records and property after winding up receiverships, and providing for the covering into the general fund of the state of unclaimed dividends.

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.
Atkins	Fredrickson	Patten
Baird	Hamilton	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Rusch
Brunsdale	McCrorry	Sathre
Carey	McLachlin	Schlosser
Conrath	Seamands	Magnuson

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Camp
Fine	Olson of Burleigh	Van Arnam
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog

Absent and not voting:

**Messrs.**  
Ritchie

So the bill passed and the title was agreed to. Emergency clause declared carried.

House Bill No. 226. A Bill For an Act to Amend and Re-enact Section 714a15 of the Supplement to the Compiled Laws of 1913 relating to the report of the treasurer under the public depository law (714a1 to 714a20 of the Supplement to 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 44, nays 0, absent and not voting 5.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Fredrickson	Patterson
Baird	Hart	Peck
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Rusch
Bond	Lynch	Sathre
Brant	McCroxy	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steel
Conrath	Marshall	Stevens
Crocker	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Eastgate	Martin	Ritchie
Hamilton	Ployhar	

So the bill passed and the title was agreed to.

House Bill No. 243. A Bill For an Act to Amend and Re-enact Section 189b3 of the Supplement to 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 24, nays 22, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Pathman	Tofsrud
Crocker	Ployhar	Van Arnam
Forbes	Porter	Van Camp
Hart	Rusch	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCroy	Peck
Erickson	Magnuson	Sathre
Ettestad	Marshall	Wog
Fine	Olson of Barnes	
Fleckten	Olson of Burleigh	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Eastgate	Martin	Ritchie

So the bill was declared lost for lack of a constitutional majority.

House Bill No. 246. A Bill For an Act to Amend and Re-enact Section 234, Compiled Laws 1913, and Section 5146 (10) of the Supplement to the Compiled Laws 1913, being Sub-division 3 of Chapter 219, Session Laws 1917.

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.
Atkins	Hart	Porter
Baird	Hjelmstad	Rusch
Benson	Kretschmar	Sathre
Brant	Lynch	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Marshall	Steel
Conrath	Murphy	Stevens
Crocker	Olson of Barnes	Tofsrud
Eastgate	Olson of Burleigh	Van Arnam
Ettestad	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fine	Magnuson
Bond	Fleckten	Patten
Erickson	McCrorry	Peck

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

So the bill passed and the title was agreed to.

Messrs.	Messrs.	Messrs.
Fredrickson	Patterson	Wog
Hamilton	Ployhar	

Senator Eastgate moved for a reconsideration of the vote by which House Bill 243 was lost.

Which motion prevailed.

Senator Eastgate moved that House Bill 243 be placed on final passage.

Which motion prevailed.

House Bill No. 243. A Bill For an Act to Amend and Re-enact Section 189b3 of the Supplement to 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 25, nays 22, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Seamands
Baird	Lynch	Steel
Bond	McLachlin	Stevens
Brunsdale	Murphy	Tofsrud
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Hart	Schlosser	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrorry	Peck
Erickson	Magnuson	Sathre
Ettestad	Marshall	Wog
Fine	Olson of Barnes	
Fleckten	Olson of Burleigh	

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

So the bill passed and the title was agreed to. .

Senator Kretschmar moved that the vote by which House Bill No. 243 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

### SPECIAL ORDER OF BUSINESS

House Bill No. 91. A Bill For an Act to Amend and Re-enact Section 17 of Chapter 162 of the Session Laws of North Dakota for the Year 1919, Known as the Workmen's Compensation Law, as Amended by the Session Laws of North Dakota for the Years 1921 and 1923.

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.
Atkins	Kretschmar	Seamands
Baird	Lynch	Steel
Bond	McLachlin	Stevens
Brunsdale	Murphy	Tofsrud
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Hart	Schlosser	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCroxy	Peck
Erickson	Magnuson	Sathre
Ettestad	Marshall	Wog
Fine	Olson of Barnes,	
Fleckten	Olson of Burleigh	

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

So the bill passed and the title was agreed to.

Senator Murphy moved that the vote by which House Bill No. 91 was passed be reconsidered and the motion to reconsider be laid on the table.



Which motion prevailed.

House Bill No. 249. A Bill For an Act to Amend and Re-enact Section 6954a1 Supplement to the 1913 Compiled Laws, relating to the collection of items through banking channels and establishing the liability of collecting agencies.

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 17, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Rusch
Baird	Lynch	Sathre
Bond	McLachlin	Schlosser
Brunsdale	Murphy	Seamands
Carey	Olson of Barnes	Steel
Crocker	Olson of Burleigh	Stevens
Eastgate	Pathman	Tofsrud
Ettestad	Peck	Van Arnam
Forbes	Ployhar	Van Camp
Hart	Porter	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Flechten	Marshall
Benson	Fredrickson	Olson of Eddy
Brant	Hamilton	Patten
Conrath	Hjelmstad	Patterson
Erickson	McCroly	Wog
Fine	Magnuson	

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

So the bill passed and the title was agreed to. Emergency clause declared lost.

Senator Baird moved that the vote by which House Bill No. 249 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Patterson requested a return to the Eighth Order of Business.

Which request was granted.

Senator Patterson then moved that the President appoint a committee of three to escort Ex.-Lieut. Governor Hyland to the rostrum.

Which motion prevailed and the President appointed as such committee, Senators Patterson, Stevens, and Steel.

Senator Ployhar moved that a committee of three be appointed to escort U. S. Marshal Mudgett to the rostrum.

Which motion prevailed and the President appointed as such committee, Senators Ployhar, Hamilton, and Carey.

House Bill No. 251. A Bill For an Act Providing that the Right of Any County Holding a Tax Certificate, or Other Tax Lien on Lands Acquired by the State Treasurer as Trustee of the State of North Dakota under the Provisions of Chapter 154 of the Session Laws of North Dakota for 1919 and Chapter 292 of the Session Laws of North Dakota for 1923 and Acts Amendatory Thereof, to enforce the Collection of the Same shall be Suspended until July 1st, 1929; Providing the rate of Interest such Tax Certificates and Tax Liens Shall Bear; and Prohibiting the Assignment or Transfer of All Tax Certificates or Tax Liens Held by the County on any Lands that have been Foreclosed Under Said Acts.

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.
Atkins	Hart	Porter
Baird	Kretschmar	Rusch
Bakken	Lynch	Sathre
Bond	McLachlin	Schlosser
Brant	Magnuson	Seamands
Brunsdale	Marshall	Steel
Carey	Murphy	Stevens
Crocker	Olson of Barnes	Tofsrud
Eastgate	Olson of Burleigh	Van Arnam
Erickson	Olson of Eddy	Van Camp
Ettestad	Pathman	Whitman
Forbes	Patterson	Wog
Fredrickson	Peck	
Hamilton	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fleckten	Patten
Conrath	Hjelmstad	
Fine	McCrorry	

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

So the bill passed and the title was agreed to and the emergency clause declared carried.

House Bill No. 263. A Bill For an Act to Amend and Re-enact Section 2546a6 of the Supplement to the Compiled Laws of North Dakota, year 1913, for Application for Mothers Pension, and Hearing.

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.

So the bill passed and the title was agreed to.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McCrorry	Schlosser
Carey	McLachlin	Seamands
Conrath	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

So the bill passed and the title was agreed to.

House Bill No. 267. A Bill For an Act to Amend and Re-enact Section 4550 of the Compiled Laws of North Dakota for the year 1913, Providing the Place of Holding of Stockholders and Directors meetings, and Repealing Section 4550 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 9, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Ployhar
Baird	Fredrickson	Porter
Bakken	Hamilton	Rusch
Bond	Hart	Schlosser
Brant	Lynch	Seamands
Brunsdale	McLachlin	Steel
Carey	Murphy	Stevens
Crocker	Olson of Barnes	Tofsrud
Eastgate	Olson of Burleigh	Van Camp
Erickson	Olson of Eddy	Van Arnam

Messrs.	Messrs.	Messrs.
Ettestad	Pathman	Whitman
Fleckten	Patterson	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Hjelmstad	Marshall
Conrath	McCrorry	Patten
Fine	Magnuson	Peck

Absent and not voting:

Messrs.	Messrs.
Kretschmar	Ritchie
Martin	Sathre

So the bill passed and the title was agreed to.

The President appointed the following Conference Committees on House Bill 52: Senators Whitman, Hjelmstad, and Porter.

On House Bill 253: Senators Kretschmar, Fredrickson, and Van Camp.

On House Bill 341: Senators Fine, O. H. Olson, and Tofsrud.

House Bills 51, 204, 238, 23, 271, 121, and 157 were returned to the House passed amended.

House Bills 18, 35, 38, 39, 317, 93, 188, 215 and 226 were returned to the House passed unchanged.

Senate Bills 35 and 65 were delivered to Governor.

#### MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to inform you that the House refuses to concur in the Senate amendments to House Bill No. 253 and the Speaker has appointed the following as a Conference Committee: Rep. Watt, Butt, and Muus.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to inform you that the House refuses to concur in the Senate amendments to House Bill No. 52 and the Speaker has appointed as a Conference Committee: Rep. Twichell, Lee, and Hauge.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota.  
March 2, 1927.

Mr. President: I have the honor to inform you that the House refuses to concur in the Senate amendments to House Bill No. 341 and the Speaker has appointed as a Conference Committee: Rep. Cox, Signalness, and Plath.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota.  
March 2, 1927.

Mr. President: I have the honor to transmit herewith the following bill:

House Concurrent Resolution by Mr. Johnson of Ward.

CONCURRENT RESOLUTION

Introduced by Mr. Johnson of Ward.

A Concurrent Resolution Authorizing, Advising and Requiring the Industrial Commission to Dispose of the Drake Mill and Elevator by Sale or Lease.

Be It Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring:

WHEREAS, the State owned Drake Mill and Elevator was operated at such a tremendous loss that it became necessary several years ago to discontinue such operation, and

WHEREAS, for many years last past the said Mill and Elevator has been unused and idle because it could not be operated except at a great financial loss to the State, and

WHEREAS, it is necessary to maintain at all times a caretaker for and at said Mill and Elevator at a large annual expense, for which no financial return can be had, and

WHEREAS, said Mill and Elevator is fast deteriorating, going into disrepair and decay, and quickly approaching the time when it will be entirely worthless and become a total loss.

NOW, THEREFORE, BE IT RESOLVED by the House of

Representatives of the State of North Dakota, the Senate concurring, that the Industrial Commission be authorized, advised and required to, at once, advertise for bids for the sale or lease of said Mill and Elevator and to accept the best bid or offer therefor, provided that an offer is received which in the judgment of a majority of the Commission is reasonable, in view of the circumstances and conditions of the property, and the continued expense of caring for and maintaining same; all to be done in the manner and with the powers provided in Section 9 of Chapter 295, Session Laws 1923, as amended by Section 4 of Chapter 163, Session Laws 1925.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 285.

Also, House Bill 214.

Also, House Bill 261.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 1, 1927.

Mr. President: I have the honor to inform you that the House has approved the report of the Conference Committee on Senate Bill No. 85, and also the report of the Conference Committee on Senate Bill No. 1.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Mr. President: Your Committee on Enrollment and Engraving respectfully report that they have examined the following bills:

Senate Bill No. 32. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School of Forestry at Bottineau.

Also,

Senate Bill No. 35. A Bill For an Act Making an Appropriation For the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal School, Mayville, North Dakota.

Also,

Senate Bill No. 80. A Bill For an Act to Amend and Re-enact Section 3029 of the Compiled Laws of North Dakota for the year 1913, relating to the method of obtaining a Peddler's License.

Also,

Senate Bill No. 136. A Bill For An Act to Prevent the Procreation of Feeble-minded, Insane, Epileptic, Habitual Criminals, Moral Degenerates and Sexual Perverts, Who May be Inmates of State Institutions, Authorizing and Provi-

ding for the Sterilization of Such Persons and Providing for Appeals to the District Court in Certain Cases; and Repealing Sections 11429 to 11438 inclusive of the Compiled Laws of North Dakota for 1913.

Also,

Senate Bill No. 169. A Bill For an Act Limiting the Time in Which to File Claims Against the Returned Soldiers Fund Under the Provisions of Chapter 206, Laws of 1919, and Laws Amendatory Thereto.

Also,

Senate Bill No. 181. A Bill For an Act to Amend and Re-enact Sections 3874 and 3875 of the Compiled Laws of North Dakota for 1913, Relating to Tax Levy of Villages and Duties of County Auditors with Reference Thereto.

Also,

Senate Bill No. 22. A Bill For an act to authorize a tax levy in cities and towns for the purpose of providing a fund for the maintenance or employment of a band for municipal purposes, and providing for submission of the question of levying a tax for such purpose to the voters of such cities and towns.

Also,

Senate Bill No. 11. A Bill For an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Chapter 145 of the Session Laws of 1923, and Magpie Bounty as Provided For by Chapter 144 of Session Laws of 1923.

Also,

Senate Bill No. 14. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate.

Also,

Senate Bill No. 166. A Bill For an Act to Amend and Re-enact Section 10322a28 of the Supplement to the Compiled Laws 1913, and Repealing Section 10322a29 of the Supplement to the Compiled Laws 1913.

Also,

Senate Bill No. 103. A Bill For an Act to Amend and Re-enact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to Holidays.

Also,

Senate Bill No. 52. A Bill For an Act Authorizing Actions to be Commenced and Prosecuted by and against Partnerships and Associations, in Their Firm or Common Name, and making the Judgments in all such Actions Binding upon

the Joint Property of all the Members or Associates of such Partnerships or Associations.

Also,

Senate Bill No. 238. A Bill For an Act Appropriating the Sum of Five Thousand Dollars (\$5,000.00) From the General Funds of the State to Compensate Honorable Chas. M. Cooley, Judge of the First Judicial District of North Dakota, for Services Rendered as Special Judge Under Chapter 137 of the Session Laws of North Dakota for 1923.

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

#### COMMUNICATION FROM THE GOVERNOR

To the Senate of the State of North Dakota:

I have to inform you that I have this day received and approved and have filed the following bills with the Secretary of State:

Senate Bill No. 12. A Bill For an Act Making an Appropriation for Salaries, Clerkhire and Miscellaneous Expenses of the Game and Fish Board.

Senate Bill No. 78. A Bill For an Act Making an Appropriation to provide for the Payment of a Deficit in the State Wolf Bounty Fund.

Senate Bill No. 108. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 159 of the Session Laws for the Year 1919, Relating to Readjustment of Rates.

Senate Bill No. 150. A Bill For an Act to Amend and Re-enact Section 1531 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the State Library.

Very truly yours,  
A. G. SORLIE,  
Governor.

Senator Ployhar moved that after the signing of bills the Senate do recess until 1:30 P. M.

Which motion prevailed.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 13. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses of the School for the Deaf at Devils Lake, North Dakota.



House Bill No. 17. A Bill For an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Department of Motor Vehicle Registration.

House Bill No. 87. A Bill For an Act to Amend and Re-enact Section 8 of Chapter 17, Session Laws 1921, the Same Being Section 2790b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Preservation and Control of Artesian Waters of this State.

House Bill No. 194. A Bill For an Act to Amend and Re-enact Section 3688, Compiled Laws of North Dakota, 1913, relating to Vacation of Streets, Alleys and Public Grounds in Cities.

House Bill No. 216. A Bill for an Act Creating a Judicial Council for the State of North Dakota, and Providing for the Continuous Study of the Administration of Justice.

House Bill No. 217. 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 and South Dakota, Respecting the Use, Control, Utilization and Regulation of the Waters of the James River and the Rights of said States Thereto.

House Bill No. 224. A Bill For an Act to Amend and Re-enact Sections 2189, 2191, 2192 and 2197 and to repeal Section 2197a of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to tax sales and Redemption therefrom.

House Bill No. 225. A Bill For an Act Requiring the Board of Railroad Commissioners to Investigate and Fix Rates, Charges, Practices, Rules and Regulations of Carriers and Railroad Corporations for the Transportation of Fuel, Specifying the Proceedings therefor, Making an Appropriation for such Purpose and for the Defense of such Rates, and Repealing Sections 4798a1 to 4798a5, inclusive, of the Supplement to the Compiled Laws 1913, and Repealing Sections 4795a1 to 4795a11, inclusive, of the Supplement to the Compiled Laws 1913, so far as the same is Applicable to Rates for the Transportation of Fuel.

House Bill No. 230. A Bill For an Act to Amend and Re-enact Section 10 of Chapter 181 of the Session Laws of 1925, Relating to the Establishment of Railroad Crossings.

House Bill No. 240. A Bill For an Act to Appropriate \$2,000.00 for the Payment of the Expenses to be Incurred by Boys and Girls Club Work at State Fairs.

House Bill No. 264. A Bill For an Act Authorizing and Empowering the Board of Park Commissioners of the Park District of any City, to Contract for the Purchase of Lands for Park Purposes, upon Deferred and Installment payments; Limiting the Amount of such Purchases; and Requiring all payments so made therefor, to be made from Revenues derived from the Tax Levy of such District authorized by Law; Repeal.

House Bill No. 270. A Bill For an Act to Validate Sales of Real Estate Made by an Executor or Administrator pursuant to contract, which has not been confirmed by the County Court.

House Bill No. 277. A Bill For an Act empowering and Authorizing Cities and Villages to Refund and Reissue Special Improvement Warrants upon the Surrender of the Outstanding Warrants by the Holders Thereof.

House Bill No. 279. A Bill For an Act to Permit the District Court to Parole Persons Confined in the County Jail, Serving a Sentence, to the County Commissioners of the Various Counties of the State for the Purpose of Performing Work and Labor upon the Construction, Maintenance and Up Keep of State, County and Township Roads, and Providing that Such Persons in Such Confinement in any County May Be Transferred by any Presiding District Judge, from One County to any Other County in the State, Upon an Order Issued After a Proper Application and Hearing Before said Judge, and be Committed to the Sheriff of such County in Accordance with the Terms of his Sentence, and for the Paroles of such Persons Serving Sentence in any County Jail, and Providing for Maintenance and Support and Compensation, and Punishment of such Persons that may Violate their Paroles.

House Bill No. 292. A Bill For an Act Relating to the Recording of Sheriff's Deeds and Other Conveyances of Real Property Acquired by the Bank of North Dakota, as Agent for the State Treasurer as Trustee of the State of North Dakota under the Provisions of Chapter 154 of the Session Laws of North Dakota for 1919 and Chapter 292 of the Session Laws of North Dakota for 1923, and Acts Amendatory thereof; Prescribing the Duties of the County Auditor and Register of Deeds in respect thereto; and Providing that Section 2212 of the Supplement to the Compiled Laws of North Dakota for 1913 shall not be Applicable Thereto.

House Bill No. 296. A Bill For an Act to Amend and Re-enact Subdivision 6, of Section 381 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Duties of the State Historical Society.

House Bill No. 313. A Bill For an Act Providing Additional Requirement for the office of County Coroner.

House Bill No. 314. A Bill For an Act to Amend and Re-enact Section 1370 of the Compiled Laws of North Dakota for the year 1913, Relating to Teachers' Examinations Conducted by County Superintendent and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 319. A Bill For an Act Providing for Special assessments for the construction of Sewer and Water Connections, and Providing for a Special Assessment fund for that purpose.

House Bill No. 327. A Bill For an Act to Provide for the Protection of River Bottom Lands and Defining the Powers

and Duties of the Boards of County Commissioners in Connection Therewith.

House Bill No. 328. A Bill For an Act to amend and re-enact Section 3711 of the Supplement to the Compiled Laws of 1913, relating to special assessments and the issuance of warrants for public improvements.

House Bill No. 331. A Bill For an Act to Amend and Re-enact Section 1151 of the Compiled Laws of North Dakota, for 1913, relating to election of officers of Common School Districts, and prescribing qualifications therefore.

House Bill No. 334. A Bill For an Act to amend and re-enact Section 2642 of the Compiled Laws of North Dakota of 1913, relating to the liability of owners of dogs killing sheep and other domestic animals.

House Bill No. 336. A Bill For an Act Requiring Counties to Pay the Tuition for Children Attending School in the State whose Parents Reside upon County Poor Farms Owned by such Counties.

Concurrent Resolution regarding the Roosevelt National Park.

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. 33. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.

Senate Bill No. 115. A Bill For an Act to Provide for the Compilation, Publication and Distribution of the Record of the Citizens of North Dakota Who Rendered Military Service on Behalf of the State and Assisted in the Administration of the Selective Service Act During the World War.

Senate Bill No. 137. A Bill For an Act Relating to, and Defining the Effect of, the Consolidation, Merger or other Transfer of the Business of Corporations, Including Banks and Trust Companies, organized under the Laws of this State, Heretofore or Hereafter Effected.

Senate Bill No. 146. A Bill For an Act Providing for the Leasing of State or School Lands supposed to Contain Oil and to Make and Establish Rules and Regulating relative to the Development thereof; Providing for Royalty to be Collected therefrom, and for the Sale of Improvements on such Lands; for the Assignment thereof and for Geological Reports thereon.

Senate Bill No. 153. A Bill For an Act to Amend and Re-enact Section 2854 of the Supplement to the Compiled Laws, 1913.

Senate Bill No. 161. A Bill For an Act to amend and re-enact Section 4251 of the Compiled Laws of 1913 relating to fees of pound master and notice of taking up estrays and sale of estrays.

Senate Bill No. 182. A Bill For an Act to amend and re-enact Section 3812 of the Compiled Laws of the State of North Dakota for 1913, relating to additional duties of City Auditors under the Commission System of Government.

Senate Bill No. 183. A Bill For an Act to amend and re-enact Sections 3684a6, 3684a7 and 3684a8, of the Supplement to the Compiled Laws of North Dakota for 1913, relating to the finances of cities, towns and villages, (said sections constituting a part of what is known as the city budget law); repealing Sections 4033, 4039, 4040, 4041, and 4045, Compiled Laws of 1913.

Senate Bill No. 190. A Bill For an Act to Amend and Re-enact Section 4795 of the Compiled Laws of the State of North Dakota for 1913, Relating to Executive Officers and Financial Statements of Cities Organized Under the Commission Sys-

Senate Bill No. 192. A Bill For an Act to Amend and Re-enact Sections 3625 and 3626, Compiled Laws of the State of North Dakota for 1913, Relating to the Duties of City Auditors.

Senate Bill No. 206. A Bill For an Act to Validate and Legalize Certain Acts of Certain City Officials in Respect to Special Assessment Water Works Districts, and to Prescribe the Procedure to be Taken in Respect to Assessments therein and the Issuance of Warrants.

Senate Bill No. 222. A Bill For an Act to Encourage the Sale of Gasoline or Motor Fuel for Use in High Compression Motors with Resulting Fuel Economy, Permitting the Coloring of such Motor Fuel and Prohibiting the Sale of so-called "Gasoline Improvers" which are worthless or harmful; Making Violations hereof a Misdemeanor and Providing the Penalty therefor.

Senate Bill No. 224. 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 Corporation Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

Senate Bill No. 234. A Bill For an Act to Authorize the Supreme Court to Direct the Calling of Special Terms in any of the Counties of the State and to Designate a District Judge to Preside at such Term.

Senate Bill No. 256. A Bill For an Act to Amend and Re-enact Section 5031 of the Compiled Laws of North Dakota

of 1913, relating to Limit of Property that may be Acquired by Fraternal Corporations.

Senate Bill No. 258. A Bill For an Act to Validate and Legalize Certain Proceedings of Park Districts and their Commissioners Relating to Bond Issues.

Senate Bill No. 11. A Bill for An Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Chapter 145 of the Session Laws of 1923, and Magpie Bounty as Provided For by Chapter 144 of Session Laws of 1923.

Senate Bill No. 14. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate.

Senate Bill No. 22. A Bill For an act to authorize a tax levy in cities and villages for the purpose of providing a fund for the maintenance or employment of a band for municipal purposes, and providing for submission of the question of levying a tax for such purpose to the voters of such cities and towns.

Senate Bill No. 32. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School of Forestry at Bottineau.

Senate Bill No. 52. A Bill For an Act Authorizing Actions to be Commenced and Prosecuted by and against Partnerships and Associations, in Their Firm or Common Name, and making the Judgments in all such Actions Binding upon the Joint Property of all the Members or Associates of such Partnerships or Associations.

Senate Bill No. 80. A Bill For an Act to Amend and Re-enact Section 3029 of the Compiled Laws of North Dakota for the year 1913, relating to the method of obtaining a Peddler's License.

Senate Bill No. 103. A Bill For an Act to Amend and Re-enact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to Holidays.

Senate Bill No. 136. A Bill For An Act to Prevent the Procreation of Feeble-minded, Insane, Epileptic, Habitual Criminals, Moral Degenerates and Sexual Perverts, Who May be Inmates of State Institutions, Authorizing and Providing for the Sterilization of Such Persons and Providing for Appeals to the District Court in Certain Cases; and Repealing Sections 11429 to 11438 inclusive of the Compiled Laws of North Dakota for 1913.

Senate Bill No. 166. A Bill For an Act to Amend and Re-enact Section 10322a28 of the Supplement to the Compiled Laws 1913, and Repealing Section 10322a29 of the Supplement to the Compiled Laws 1913.

Senate Bill No. 169. A Bill For an Act Limiting the Time in Which to File Claims Against the Returned Soldiers Fund Under the Provisions of Chapter 206, Laws of 1919, and Laws Amendatory Thereto.

Senate Bill No. 181. A Bill For an Act to Amend and Re-enact Sections 3874 and 3875 of the Compiled Laws of North Dakota for 1913, Relating to Tax Levy of Villages and Duties of County Auditors with Reference Thereto.

Senate Bill No. 238. A Bill For an Act Appropriating the Sum of Five Thousand Dollars (\$5,000.00) From the General Funds of the State to Compensate Honorable Chas. M. Cooley, Judge of the First Judicial District of North Dakota, for Services Rendered as Special Judge Under Chapter 137 of the Session Laws of North Dakota for 1923.

And the President signed the same in the presence of the Senate.

Pursuant to Senator Ployhar's motion the Senate recessed.

The Senate re-assembled at 1:30 P. M., pursuant to recess, the President presiding.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Insurance to whom was referred:

House Bill No. 33. A Bill For an Act to amend and re-enact Section 189B5 of the Supplement to the 1913 Compiled Laws of North Dakota; Relating to Crops Insured against Hail 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.

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 254. A Bill For an Act Making an Appropriation for the Purpose of Erecting a Ward Building at the State Hospital for the Insane at Jamestown.

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 Judiciary to whom was referred:

House Bill No. 202. A Bill For an Act to Amend Sections 7, 8 and 13, Chapter 292, Session Laws of 1923, Relating to the Bonds of North Dakota Real Estate Series; and to Amend Sections 9 and 12, Chapter 292, of the Session Laws of 1923, as Amended by Sections 2 and 3 of Chapter 100 of the Session Laws of 1925, Relating to the Bonds of North Dakota Real Estate Series.

Have had the same under consideration and recommend that the same be amended as follows:

In line 31 of section 7 of the engrossed bill strike out the word "shall" and insert in lieu thereof the words "is authorized".

In line 34 of section 7 of the engrossed bill after the word "Government" insert the word "Bonds".

In line 35 of the engrossed bill insert the word "to" after the word "Dakota".

And when so amended recommend the same do pass.

L. R. BAIRD,  
Chairman.

Senator Baird moved that the report be adopted.

Senator C. J. Olson moved that further consideration of House Bill 202 be indefinitely postponed.

Which motion was lost.

The question being upon the original motion the question was put and the motion prevailed and the report of the Committee was adopted.

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 227. A Bill For an Act Making an Appropriation for Agricultural Fair purposes and providing for the division, expenditure and disbursement thereof.

Have had the same under consideration and recommend that the same be returned without recommendation and placed on the calendar for third reading.

FRANK E. PLOYHAR,  
Chairman.

Sen. Ployhar moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 85 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

Senate Bill No. 85. A Bill For an Act to Amend and Re-enact Section 8099a of the Supplement to the Compiled Laws of 1913 pertaining to the giving of Notice of Intention to foreclose real estate mortgages and legalizing and validating foreclosure sales heretofore made where no such notice of intention to foreclose has been given on mortgages executed prior to July 1, 1919.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the House amendment to line 9 of the printed bill and insert in place thereof the following: "the mailing or service of such notice".

Strike out the House amendment to line 30 of the printed bill and insert in place thereof ";provided further that the certificate of the County Judge in the County in which the real estate is situated, stating that no executor or administrator has been appointed in said County, recorded in the office of the Register of Deeds of said County, shall be sufficient evidence of such fact".

Strike out of the fifth line of Section 2, added by the House, the word "and" and insert in place thereof the word "or".

Strike out of the 6th line of said Section 2, the word "said".

Strike out the word "said" before the word and figures "Chapter 131" in said Section 2.

Strike out the last three words and the figures "1925" of Section 2, added by the House, and insert in place thereof the words "Chapter 142 of the Session Laws of 1925".

And when so amended recommend the same do pass.

JOSEPH G. FORBES,  
P. O. SATHRE,  
E. H. BRANT,  
S. W. THOMPSON,  
JOHN G. PLATH,  
R. E. SWENDSEID.

Senator Forbes moved the adoption of the report.

Which motion prevailed.

Senator Forbes then moved that the Committee be discharged and that Senate Bill 85 as amended by the Conference Committee be considered properly engrossed, that the rules be suspended and the bill placed on final passage.

Which motion prevailed.



THIRD READING OF SENATE BILLS

Senate Bill No. 85. A Bill For an Act to Amend and Re-enact Section 8099a of the Supplement to the Compiled Laws of 1913 pertaining to the giving of Notice of Intention to foreclose real estate mortgages and legalizing and validating foreclosure sales heretofore made where no such notice of intention to foreclose has been given on mortgages executed prior to July 1, 1919.

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called, and there were ayes 46, nays 0, absent and not voting 3.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCrary	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steel
Conrath	Marshall	Stevens
Crocker	Martin	Tofsrud
Eastgate	Murphy	Van Arnam
Ettestad	Olson of Barnes	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Patterson	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Erickson	Olson of Burleigh	Sathre

So the bill passed and the title was agreed to.

Senator Forbes moved that the Senate concur in the House amendments to Senate Bill 176.

Which motion prevailed.

Senator Forbes then moved that the rules be suspended and the bill placed on final passage.

Which motion prevailed.

Senate Bill No. 176. A Bill For an Act to Amend and Re-enact Section 690 of the Supplement to the 1913 Compiled Laws, Relating to the Removal of Public Officers by the Governor and Appeals Therefrom.

The question being on the final passage of the bill, as amended by the House, the roll was called, and there were ayes 32, nays 14, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Porter
Baird	Lynch	Rusch
Bakken	McLachlin	Schlosser
Bond	Magnuson	Seamands
Brant	Marshall	Steel
Brunsdale	Martin	Stevens
Carey	Murphy	Tofsrud
Crocker	Olson of Burleigh	Van Arnam
Eastgate	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman
Fredrickson	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Hamilton	Patterson
Conrath	Hjelmstad	Peck
Ettestad	McCrary	Ritchie
Fine	Olson of Barnes	Wog
Fleckten	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Hart	Sathre

So the bill passed and the title was agreed to.

Senator Ployhar moved that the Senate do concur in the House amendments to Senate Bill 249 and that the rules be suspended and the bill be considered properly engrossed and placed on final passage.

Which motion prevailed.

Senate Bill No. 249. A Bill For an Act Providing a Limitation for filing and bringing suit on claims against insolvent banks or their receivers.

The question being on the final passage of the bill, as amended by the House, 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.
Atkins	Hamilton	Pathman
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Lynch	Rusch
Bond	McLachlin	Schlosser
Brunsdale	Magnuson	Seamands
Carey	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Forbes	Olson of Burleigh	Van Camp
Fredrickson	Olson of Eddy	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brant	McCrorry	Ritchie
Conrath	Patten	Wog
Fine	Patterson	
Fleckten	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Kretschmar	Sathre

So the bill passed and the title was agreed to.

Senator Ployhar moved that the Senate do now adjourn.

Which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

FIFTY-EIGHTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
March 2, 1927.

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, Rev. C. F. Strutz.

Roll call, all members present.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-sixth day after recess and Fifty-seventh day and recommend that the same be corrected as follows:

On page 18 in line 18 strike out "a" between words "as" and "class".

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

Senator Olson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 140. A Bill For an Act to Amend and Re-enact Section 1008 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Return and Disposition of Election Ballots and Compensation of Election Officers.

Also,

Senate Bill No. 180. A Bill For an Act to Amend and Re-enact Sections 909a2 and 909a5 of the Supplement to the Compiled Laws of 1913.

Also,

Senate Bill No. 187. A Bill For an Act Limiting the Time within which any Action may be Brought to Void a Foreclosure of a Mortgage, a Mortgage Foreclosure set Aside, or any Defense Interposed in any Action, by Virtue of any defect in the Form, Substance or Service of Notice of Intention to Foreclose a Mortgage.

Also,

Senate Bill No. 191. A Bill For an Act to Amend and Re-enact Sections 3676, 3677 and 3680 of the Compiled Laws of the State of North Dakota for 1913, Relating to Finances of Cities Organized Under the General Laws of the State.

Also,

Senate Bill No. 195. A Bill For an Act to Amend and Re-enact Section 2 of Chapter 155, Session Laws of 1925, the same being Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, Defining Usury.

Also,

Senate Bill No. 204. A Bill for an Act to Legalize and make Valid All Sales of Real Estate, Made Prior to the Passage and Approval of this Act, whether Under Execution or by Advertisement, in All Cases where the Certificate of Sale was not Recorded in the Office of the Register of Deeds within Sixty (60) Days after the Date of Sale.

Also,

Senate Bill No. 240. A Bill For an Act to Amend and Re-enact Section 10322a26 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 248. A Bill For an Act Legalizing and Validating all legal publications made prior to the 1st day of January, 1927, contrary to the provisions of Chapter 187 of Session Laws, 1919, and of Initiated Measure relating to Official Newspapers approved November 2, 1920.

Also,

Senate Bill No. 1. A Bill For an Act to amend and re-enact Section 2202 of the Compiled Laws of the State of North Dakota for the year 1913 as amended and re-enacted by Section 5 of Chapter 199, Session Laws of 1925, relating to giving notice of expiration of period of redemption on property forfeited to the county at tax sale, issuance of tax deeds to the county and sale of property acquired by the county through tax deed.

Also,

Senate Bill No. 148. A Bill For an Act to amend and reenact Section 2193a of the Supplement to the 1913 Compiled Laws relating to abatements to purchasers of tax sale certificates on state land.

Also,

Senate Bill No. 39. A Bill For an Act to Amend and Reenact Sections 8075 and 8076 of the Compiled Laws of North Dakota for the Year 1913.

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 104;

Also House Bill 127.

Also House Bill 207.

Also House Bill 352.

Also House Bill 91.

Also House Bill 271.

Also House Bill 121.

Also House Bill 157.

Also House Bill 238.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to inform you that the House refuses to concur in the Senate amendments to House Bill No. 349 and the Speaker has appointed as a Conference Committee: Rep. Sperry, Hildebrand, and Twichell.

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to inform you that the House refuses to concur in the Senate amendments to House

Bill No. 27 and has appointed the following as a Conference Committee: Rep. Watt, Swett, and Trubshaw.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to inform you that the House refuses to concur in the Senate amendments to House Bill No. 23 and the Speaker has appointed the following as a Conference Committee: Rep. Thompson of Burleigh, Mrs. Craig, and Watt.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to inform you that the House refuses to concur in the Senate amendments to House Bill No. 204 and the Speaker has appointed as a Conference Committee: Rep. Traynor, Owings, and Miss McGinnis.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to inform you that the House refuses to concur in the Senate amendments to House Bill No. 51 and the Speaker has appointed as a Conference Committee: Rep. Traynor, Owings, Miss McGinnis.

The same committee as on House Bill No. 204 and suggests that the Senate do likewise.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

House Bill 91 was returned to the House passed amended.

House Bills 33, 55, 78, 100, 193, 223, 228, 305 and 306 were returned to the House indefinitely postponed.

House Bills 246, 243, 249, 251, 263, 267, 293, 298, 310, 348, 362, 5 and 311 and Concurrent Resolution regarding site at Mandan Training School, were returned to the House passed unchanged.

Senate Bills Nos. 33, 115, 137, 146, 153, 161, 182, 183, 190, 192, 206, 222, 258, 11, 14, 22, 234, 32, 256, 52, 80, 103, 181, 136, 166, 169, 238 and 224 were delivered to the Governor March 2.

MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 135. A Bill For an Act Forbidding any Person to Act or be Appointed as Game Warden, Deputy Game Warden, or Special Deputy Game Warden who is in the Employ or Acting Agent of any Person or Persons who Own, Operate, Hold or Possess any Land, or Lease upon Land, for Hunting Purposes within the State of North Dakota and Making the Violation thereof a Misdemeanor.

Which the House has amended as follows:

After the words and figures "Section 1" of the Senate Bill strike out the balance of that Section and insert in lieu thereof: "No person, or agent, or employee of such person, shall act or be appointed as a game warden, deputy game warden or special deputy game warden, who is the owner of or in possession of any land which is under lease or contract for hunting purposes within the state of North Dakota".

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 184. A Bill For an Act to Amend and Re-enact Sections 3, 8 and 9, Chapter 159, Session Laws of 1919, and Section 3 of Chapter 154, Session Laws of 1925, Relating to Insurance on Public Buildings, Providing for the Classification of All Public Property, and Limiting the Amount of Insurance to be Carried by the State Fire and Tornado Fund.

Which the House has amended as follows:

At the end of Section 1, after the word "bureau" add the following: "Provided that in placing such insurance in the private companies hereinbefore mentioned, the Commissioner of Insurance shall, so far as possible, place such insurance business through North Dakota agents of such companies residing in the county in which the property is located".

In line 20, page 2 of the printed bill, after the word "same" insert a comma and the following: "except as provided in the policy".

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

• **Bismarck, North Dakota**  
March 2, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 179. A Bill For an Act Amending and Re-enacting Sections 5012a2 and 5012a3 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Extinct Denominational and Religious Societies.

Which the House has amended as follows:

In Section 2 of the engrossed bill in line 15 after the word "judge" strike out the word "shall" and insert in lieu thereof the word "may" and in line 16 strike out the word "shall".

In the last line of the original bill strike out the word "devoted" and insert in lieu thereof the word "diverted".

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 114. A Bill For an Act to Regulate, Concerning, Relating to the Production, Inspection, Testing, Analysis and Certification of Seeds, Offered or Exposed for Sale, or Sold as North Dakota Registered Certified Seed, Providing for Rules and Regulations with Reference Thereto, Prescribing Penalties for Violations of the Act, Providing for a Schedule of Equitable Fees, and Making an Appropriation.

Which the House has amended as follows:

At the end of Section 5 insert the following: "Provided, however, that all fields of seeds now Registered by the State Seed Commissioner and seeds now Certified by such State Seed Commissioner shall be considered Registered or Certified, respectively, under this Act".

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 246. A Bill For an Act to Amend and Re-enact Article 55b of Chapter 38 of the Political Code of the State of North Dakota, being sections 2976v1 to 2976v16, both inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over Any Public Highway by Motor Propelled Vehicles; Defining Auto Transportation Companies; Providing for Supervision and Regulation Thereof by the Board of Rail-



road Commissioners of the State of North Dakota; Providing for the Enforcement of the Provisions of This Act and for Punishment for Violation Thereof.

Which the House has amended as follows:

(The following amendments refer to the engrossed bill.)

In line 18, page 4, after the word "rehearing" insert a comma and after the word "appeal" in the same line insert the words "as to".

In line 28, page 4, insert a comma after the word "defined".

In line 29, page 8, insert a comma after the word "possible".

In line 11, page 9, insert a comma after the words "or loss".

In line 15, page 9, insert a comma ahead of the words "shall be".

In line 24, page 9, after the word "decision" insert the words "may be".

In line 25, page 10, after the word "Treasurer" insert a comma.

In line 26, page 10, after the word "and" insert the word "be".

In line 27, page 10, after the word "Commission" insert a comma.

In line 28, page 10, after the word "Board" insert a comma.

In line 8, page 11, change the period after the word "year" to a comma.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

House Chamber,  
Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 163. A Bill For an Act to amend and re-enact Sections 714a8 and 714a13 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the designating of Depositories of Public Funds and fixing maximum and minimum rates of interest that may be paid thereon.

Which the House has amended as follows:

Amend the title by inserting after the figures 714a8 the word and figures "Section 714a13". Insert in line 11 of Section 714a8 of the engrossed bill after the word "provided" the following matter:—

"The Clerk of such Board shall, at least ten days before such meeting, notify every bank in the county, both state and national, that at the next regular meeting, or if no meeting be required by law to be held in January of each even numbered year, then at a meeting to be called for that purpose, the Board will designate a depository or depositories of public funds. Such notice shall be given by registered mail. The notice shall further recite the probable amount of public funds to be deposited, indicating separately sinking funds to be deposited on time and call funds to be deposited subject to check or draft; such notice shall advise the bank that proposals will be received for such deposits, and that the interest rate on such deposits shall be not less than one and a half per cent (1½%) or over three per cent (3%) on call deposits and not less than three and a half per cent (3½%) or over 5 per cent (5%) on time deposits. It shall further recite that the Board expects the depositories to pay interest on public funds at substantially the same rate it pays interest on funds deposited by private persons.

"Provided that Township Clerks and Clerks of Common School Districts shall not be required to give the notice herein provided for, but the Board of Supervisors of any Township or the School Board of any Common School District, may at its discretion designate depositories at any time."

In Section 714a13 in line 3 change the words and character 1% to 1½%, and in the same line change the words and character 2% to 3%, and in line 5 of said section change the words and characters 3% to 3½%.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

House Chamber,  
Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 109. A Bill For an Act Creating the Office of Veterans' Service Commissioner; Providing the Qualifications, the Manner of Appointment, Duties, Salary, Tenure of Office of Such Officer, Providing an Appropriation Therefor, and Declaring an Emergency.

Which the House has amended as follows:

After the comma following the word "attorney" in line 7 of Section 2 of the engrossed bill insert the following:

"or someone experienced in the prosecution of claims against the Veterans Bureau".

In Section 3 line 2 of the engrossed bill after the word "commissioner" insert the following:

"to investigate pending claims and to make a survey of the state to ascertain the number of veterans entitled to com-

compensation who have not filed claims and to assist them in filing such claims if they are eligible for compensation; and".

Very respectfully,  
 C. R. VERRY,  
 Chief Clerk.

Senator Kretschmar moved that the Senate do concur in the House amendments to Senate Bill 13 and that the bill be considered properly engrossed and placed upon final passage.

Which motion prevailed.

THIRD READING OF BILLS

Senate Bill No. 13. A Bill For an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Rents, Repairs, Insurance and Upkeep of Grounds.

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 0, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Peck
Baird	Hjelmstad	Ployhar
Bakken	Kretschmar	Porter
Benson	Lynch	Ritchie
Bond	McCroy	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Seamands
Carey	Marshall	Steel
Conrath	Martin	Stevens
Crocker	Murphy	Tofsrud
Eastgate	Olson of Barnes	Van Arnam
Erickson	Olson of Burleigh	Van Camp
Ettestad	Olson of Eddy	Whitman
Fine	Pathman	Wog
Fleckten	Patten	
Forbes	Patterson	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fredrickson	Hamilton	Schlosser

So the bill passed and the title was agreed to.

House Bill No. 293. A Bill For an Act relating to the consolidation or merger of banks.

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.
Atkins	Lynch	Ployhar
Baird	McCrorry	Porter
Benson	McLachlin	Ritchie
Bond	Magnuson	Rusch
Brant	Marshall	Sathre
Brunsdale	Martin	Seamands
Carey	Murphy	Steel
Conrath	Olson of Barnes	Stevens
Crocker	Olson of Burleigh	Tofsrud
Eastgate	Olson of Eddy	Van Arnam
Forbes	Pathman	Van Camp
Hart	Patten	Whitman
Hjelmstad	Patterson	Wog
Kretschmar	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Ettestad	Fleckten
Erickson	Fine	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fredrickson	Hamilton	Schlosser

So the bill passed and the title was agreed to and the emergency clause declared carried.

House Bill No. 298. A Bill For an Act to Provide for the Renewal of Corporate Existence and Repealing Section No. 4562 of the Compiled Laws of North Dakota, 1913.

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.

Messrs.	Messrs.	Messrs.
Atkins	Hart	Ployhar
Baird	Kretschmar	Porter
Bakken	Lynch	Ritchie
Benson	Magnuson	Rusch
Bond	McLachlin	Sathre
Brant	Marshall	Seamands
Brunsdale	Murphy	Steel
Carey	Olson of Barnes	Stevens
Conrath	Olson of Burleigh	Tofsrud
Crocker	Olson of Eddy	Van Arnam
Eastgate	Pathman	Whitman
Erickson	Patten	Wog
Ettestad	Patterson	
Forbes	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fine	Hjelmstad	Martin
Fleckten	McCrorry	

Absent and not voting:

Messrs.	Messrs.
Fredrickson	Schlosser
Hamilton	Van Camp

So the bill passed and the title was agreed to.

House Bill No. 306. A Bill For an Act Relating to the Deposits of Money by Executors, Administrators and Guardians in Solvent Banks or Trust Companies.

Was read the third time.

Senator Lynch offered the following amendment:

In line 3 of the printed bill strike out the word "solvent".

In line 4, after the word "company" insert "of good repute".

Which amendment was adopted.

The question being on the final passage of the bill, as amended, 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.
Baird	McLachlin	Stevens
Bond	Murphy	Tofsrud
Eastgate	Ployhar	Van Arnam
Forbes	Porter	Van Camp
Hart	Rusch	Whitman
Kretschmar	Sathre	
Lynch	Steel	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Ettestad	Olson of Burleigh
Bakken	Fine	Olson of Eddy
Benson	Fleckten	Pathman
Brant	Hjelmstad	Patten
Brunsdale	McCroxy	Patterson
Carey	Magnuson	Peck
Conrath	Marshall	Ritchie
Crocker	Martin	Seamands
Erickson	Olson of Barnes	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fredrickson	Hamilton	Schlosser

So the bill was declared lost.

Senator Patten moved that the vote by which House Bill No. 306 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 310. A Bill For an Act to Amend and Re-enact Section 630a4 of the Supplement to the Compiled Laws of North Dakota, for 1913, relating to notice given by Weed Commissioner, relative to the Sow Thistle and duties of Commissioner.

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.
Atkins	Forbes	Patterson
Baird	Hart	Peck
Bakken	Kretschmar	Ployhar
Benson	Lynch	Porter
Bond	McCrorry	Ritchie
Brant	McLachlin	Rusch
Brunsdale	Magnuson	Sathre
Carey	Marshall	Seamands
Conrath	Martin	Steel
Crocker	Murphy	Tofsrud
Eastgate	Olson of Barnes	Van Arnam
Erickson	Olson of Burleigh	Van Camp
Ettestad	Olson of Eddy	Whitman
Fine	Pathman	Wog
Fleckten	Patten	

Those voting in the negative were:

Messrs.	Messrs.
Hjelmstad	Stevens

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fredrickson	Hamilton	Schlosser

So the bill passed and the title was agreed to.

House Bill No. 311. A Bill For an Act to Provide for the Payment of Outstanding Warrants issued by any Board of Drain Commissioners for expenses incurred and for services of surveyors, engineers and other persons or corporations, contracted for and rendered prior to the establishment of drains for the purpose of draining agricultural lands, in cases where any such Board has established such drain or drains, and same has thereafter been abandoned, or the construction thereof postponed for a period of more than two years, and providing for the reconveyance of land no longer required for Drainage purposes.

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.
Atkins	Hart	Peck
Baird	Hjelmstad	Ployhar
Bakken	Kretschmar	Porter
Benson	McCrorry	Ritchie
Brant	McLachlin	Rusch
Brunsdale	Magnuson	Sathre
Carey	Marshall	Seamands
Conrath	Martin	Steel
Crocker	Murphy	Stevens
Eastgate	Olson of Barnes	Tofsrud
Erickson	Olson of Burleigh	Van Arnam
Ettestad	Olson of Eddy	Whitman
Fine	Pathman	Wog
Fleckten	Patten	
Forbes	Patterson	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bond	Hamilton	Schlosser
Fredrickson	Lynch	Van Camp

So the bill passed and the title was agreed to.

Senator Ployhar moved that final action on House Bill 318 be deferred one legislative day.

Which motion prevailed.

House Bill No. 348. A Bill For an Act Amending Section 375b3 of the Supplement to the Compiled Laws of North Dakota for the year 1913 relating to the duties of the State Printer.

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.
Atkins	Forbes	Patten
Baird	Fredrickson	Patterson
Bakken	Hamilton	Ployhar
Benson	Hart	Porter
Bond	Hjelmstad	Ritchie
Brant	Kretschmar	Rusch
Brunsdale	McLachlin	Sathre
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Van Arnam
Erickson	Olson of Barnes	Van Camp
Ettestad	Olson of Burleigh	Whitman
Fine	Olson of Eddy	Wog
Fleckten	Pathman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
McCrorry	Peck	Tofsrud

Absent and not voting:

Messrs.	Messrs.
Lynch	Schlosser

So the bill passed and the title was agreed to.

House Bill No. 362. A Bill For an Act authorizing the Commissioner of Agriculture and Labor to Declare Quarantine Measures, should it be necessary, to prevent the introduction of the European Corn Borer into North Dakota, and prescribing penalty for violations.

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 6, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patten
Baird	Hamilton	Ployhar
Benson	Hart	Porter
Bond	Kretschmar	Ritchie
Brant	McCrorry	Rusch
Brunsdale	McLachlir	Sathre
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Fastgate	Murphy	Van Arnam
Ettestad	Olson of Barnes	Van Camp
Fine	Olson of Burleigh	Whitman
Fleckten	Olson of Eddy	
Forbes	Pathman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Patterson	Tofsrud
Hjelmstad	Peck	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Lynch	Schlosser

So the bill passed and the title was agreed to. Emergency clause was declared carried.

Senator Ployhar moved the adoption of the Concurrent Resolution relating to the Mandan Training School.

Which motion prevailed.

Senator Martin requested a return to the Eighth Order of Business in order to introduce a Resolution endorsing Frank O. Lowden for the presidency in 1928.

Which request was granted.



Senator Stevens moved that further consideration of the Resolution be indefinitely postponed.

Which motion prevailed.

House Bill No. 5. A Bill For an Act to Amend and Re-enact Section 915 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 34, nays 15, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hjelmstad	Rusch
Baird	Kretschmar	Sathre
Bakken	Lynch	Schlosser
Bond	McLachlin	Seamands
Brant	Magnuson	Steel
Brunsdale	Marshall	Stevens
Carey	Murphy	Tofsrud
Crocker	Olson of Burleigh	Van Arnam
Eastgate	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman
Fredrickson	Ployhar	
Hart	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fleckten	Patten
Conrath	Hamilton	Patterson
Erickson	McCroroy	Peck
Ettestad	Martin	Ritchie
Fine	Olson of Barnes	Wog

So the bill passed and the title was agreed to.

Senator Porter moved that the vote by which House Bill No. 5 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 25. A Bill For an Act to Provide for the Nomination and Election of Candidates for the Offices of Presidential Electors, National Committeeman, Delegates to National Party Conventions, United States Senator, Members of Congress, Judges of the Supreme and District Courts, all Elective State and County Officers, Members of the Legislative Assembly, County Commissioners, Party Precinct Committeemen and County Official Newspaper; to Provide for Forms of Ballots and Requirements of New Parties with Reference Thereto; to Repeal All Acts or Parts of Acts in Conflict Herewith, including Sections 910 to 916 inclusive, Compiled Laws 1913 and to Change the Date of Holding all General, City, Township and Village Elections.

Was read the third time.

Senator Patterson moved that further consideration of House Bill 25 be indefinitely postponed.

Roll call.

The question being on the motion by Senator Patterson, the roll was called, and there were ayes 24, nays 25, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Burleigh
Benson	Hamilton	Olson of Eddy
Brant	Hjelmstad	Patten
Conrath	McCroy	Patterson
Erickson	Magnuson	Peck
Ettestad	Marshall	Ritchie
Fine	Martin	Sathre
Fleckten	Olson of Barnes	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Seamands
Baird	Lynch	Steel
Bond	McLachlin	Stevens
Brunsdale	Murphy	Tofsrud
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Hart	Schlosser	

So the motion was declared lost.

Senator Fine offered the following amendment:

Strike out Section 15 of the printed bill.

Which amendment was lost.

The question being on the final passage of the bill, as amended, the roll was called, and there were ayes 25, nays 24, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Seamands
Baird	Lynch	Steel
Bond	McLachlin	Stevens
Brunsdale	Murphy	Tofsrud
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Hart	Schlosser	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bakken	Fredrickson	Olson of Burleigh
Benson	Hamilton	Olson of Eddy
Brant	Hjelmstad	Patten
Conrath	McCrary	Patterson
Erickson	Magnuson	Peck
Ettestad	Marshall	Ritchie
Fine	Martin	Sathre
Fleckten	Olson of Barnes	Wog

So the bill passed and the title was agreed to.

Senator Porter moved that the vote by which House Bill No. 25 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Fleckten explained his vote:

Believing this is as fair a proposition as the majority of the Senators have extended to us during the entire session, I wish to vote "no".

Senator Van Arnam explained his vote:

In order to show my appreciation of the courtesey extended by the Senator who sits in front of me I vote "aye".

House Bill No. 29. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, and Miscellaneous General Expenses of the Department of Minimum Wage.

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:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Fredrickson	Ployhar
Baird	Hamilton	Porter
Bakken	Hart	Ritchie
Benson	Hjelmstad	Rusch
Bond	Lynch	Sathre
Brant	McCrary	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steel
Conrath	Marshall	Tofsrud
Crocker	Murphy	Van Arnam
Eastgate	Olson of Barnes	Van Camp
Ettestad	Olson of Burleigh	Whitman
Fine	Olson of Eddy	Wog
Fleckten	Pathman	
Forbes	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Erickson	Peck	Stevens

Absent and not voting:

Messrs.	Messrs.	Messrs.
Kretschmar	Martin	Patterson

So the bill passed and the title was agreed to.

House Bill No. 40. A Bill For an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of The Agricultural College, Fargo, North Dakota.

Was read the third time.

Senator Fleckten offered the following amendment:

Strike out line 23 of the printed bill.

Which amendment was lost.

Senator Fine offered the following amendment:

Strike out line 32 of the printed bill.

Which amendment was lost.

Senator Fleckten offered a further amendment:

Strike out line 29 of the printed bill.

Which amendment was lost.

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 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Rusch
Baird	Kretschmar	Sathre
Benson	Lynch	Schlosser
Bond	McCrorry	Seamands
Brant	McLachlin	Steel
Brunsdale	Marshall	Stevens
Carey	Murphy	Tofsrud
Crocker	Olson of Barnes	Van Arnam
Eastgate	Olson of Burleigh	Van Camp
Erickson	Pathman	Whitman
Forbes	Ployhar	
Fredrickson	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Hamilton	Patten
Conrath	Hjelmstad	Patterson
Ettestad	Magnuson	Peck

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Fine	Martin	Ritchie
Fleckten	Olson of Eddy	Wog

So the bill passed and the title was agreed to.

Senator Rusch moved that the vote by which House Bill No. 40 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 85. A Bill For an Act to Amend Section 951 Compiled Laws of North Dakota 1913, Providing for Inspectors and Judges of Election, their Qualifications and Duties.

Was read the third time.

Senator Benson moved that further consideration of House Bill 85 be indefinitely postponed.

Which motion was lost.

The question being on the final passage of the bill, the roll was called, and there were ayes 28, nays 20, absent and not voting 1.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Fredrickson	Porter
Baird	Kretschmar	Schlosser
Bond	Lynch	Seamands
Brant	McLachlin	Steel
Brunsdale	Magnuson	Stevens
Carey	Murphy	Tofsrud
Crocker	Olson of Eddy	Van Arnam
Eastgate	Pathman	Van Camp
Forbes	Ployhar	Whitman

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bakken	Hamilton	Olson of Burleigh
Benson	Hart	Patten
Conrath	Hjelmstad	Patterson
Erickson	McCrary	Peck
Ettestad	Marshall	Ritchie
Fine	Martin	Sathre
Fleckten	Olson of Barnes	Wog

Absent and not voting:

**Messrs.**  
Rusch

So the bill passed and the title was agreed to.

Senator Carey moved that the vote by which House Bill No. 85 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Benson moved that the Senate recess for ten minutes.

Which motion prevailed and the Senate recessed.

The Senate re-assembled pursuant to recess taken, the President presiding.

House Bill No. 132. A Bill For an Act to Require Certificates of Title for Registered Motor Vehicles; to Facilitate the Recovery of Stolen or Unlawfully Taken Motor Vehicles; to Provide for the Licensing of Dealers in Used Motor Vehicles, Trailers, or Semi-trailers; to Prescribe the Powers and Duties of the Motor Vehicle Registration Department; to Impose Certain Fees to Carry out the Purpose of this Act; to Impose Penalties for Violations of this Act and to Make Uniform the Law Relating to the Subject Matter 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 12, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Ployhar
Baird	Hart	Porter
Bakken	Kretschmar	Rusch
Bond	Lynch	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Flechten	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Hamilton	Patterson
Brant	Hjelmstad	Peck
Conrath	McCrorry	Ritchie
Fine	Patten	Wog

Absent and not voting:

Messrs.  
Martin

So the bill passed and the title was agreed to. Emergency clause declared carried.

House Bill No. 140. A Bill For an Act Providing for the Voting of an Absent Voter Ballot by Electors who by Reason of Physical Disability are Unable to Attend Their Polling Place to Vote at any General or Primary Elections.

Was read the third time.

Senator Benson offered the following amendment:

Strike out last three words of line 2 of printed bill, including the comma, and the first eight words of line 3, including the comma.

Which amendment prevailed.

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:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Baird	Hamilton	Rusch
Bond	Kretschmar	Sathre
Brunsdale	Lynch	Schlosser
Carey	McLachlin	Steel
Conrath	Murphy	Stevens
Crocker	Olson of Burleigh	Tofsrud
Eastgate	Pathman	Van Arnam
Ettestad	Ployhar	Van Camp
Forbes	Porter	Whitman

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Fredrickson	Olson of Eddy
Bakken	Hart	Patten
Benson	Hjelmstad	Patterson
Brant	McCroxy	Peck
Erickson	Magnuson	Ritchie
Fine	Marshall	Seamands
Flechten	Olson of Barnes	Wog

Absent and not voting:

**Messrs.**  
Martin

So the bill passed and the title was agreed to.

Senator Benson moved that the vote by which House Bill No. 140 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 155. A Bill For an Act Relating to Fur Bearing Animals; Regulating the Taking Thereof, and Fixing Penalties.

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.
Atkins	Hamilton	Ployhar
Baird	Hart	Porter
Bakken	Hjelmstad	Ritchie
Benson	Lynch	Rusch
Bond	McCroory	Sathre
Brant	McLachlin	Schlosser
Brunsdale	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Eastgate	Olson of Burleigh	Van Arnam
Ettestad	Olson of Eddy	Van Camp
Fine	Pathman	Whitman
Fleckten	Patten	Wog
Forbes	Patterson	
Fredrickson	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Carey	Kretschmar	Martin

So the bill passed and the title was agreed to.

Senator Atkins moved that final action on House Bill 162 be deferred one legislative day.

Which motion prevailed.

Senator Baird moved that final action on House Bill 167 be deferred one legislative day.

Which motion prevailed.

House Bill No. 168. A Bill For an Act to Amend Section 8719 of the Compiled Laws of North Dakota for 1913, Relating to the Exemption of the Avails of Life Insurance Payable to the Personal Representatives of a Deceased, his Heirs or Estate.

Was read the third time.

Senator Benson moved that House Bill 168 be indefinitely postponed.

Which motion was lost.

Senator Benson moved to amend the bill by striking out the emergency clause.

Which motion prevailed.

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:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Kretschmar	Sathre
Baird	Lynch	Schlosser
Bond	McLachlin	Seamands
Brunsdale	Murphy	Steel
Carey	Olson of Burleigh	Stevens
Crocker	Pathman	Tofsrud
Eastgate	Ployhar	Van Arnam
Forbes	Porter	Van Camp
Hart	Rusch	Whitman

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bakken	Fleckten	Olson of Barnes
Benson	Fredrickson	Olson of Eddy
Brant	Hamilton	Patten
Conrath	Hjelmstad	Patterson
Erickson	McCroory	Peck
Ettestad	Magnuson	Ritchie
Fine	Marshall	Wog

Absent and not voting:

**Messrs.**  
Martin

So the bill passed and the title was agreed to.

Senator Forbes moved that the vote by which House Bill No. 168 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Hjelmstad moved that House Bill 185 be indefinitely postponed.

Which motion was lost.

House Bill No. 185. A Bill For an Act to Permit the Use of Guide Cards in Elections, to Assist in Enabling Elector to Vote for the Candidate of His or Her Choice.

Was read the third time.

The question being on the final passage of the bill, the roll was called, and there were ayes 19, nays 29, absent and not voting 1.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Bond	McLachlin	Stevens
Brunsdale	Murphy	Tofsrud
Carey	Ployhar	Van Arnam
Eastgate	Porter	Van Camp
Forbes	Rusch	Whitman
Kretschmar	Schlosser	
Lynch	Steel	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Fleckten	Olson of Eddy
Baird	Fredrickson	Pathman
Bakken	Hamilton	Patten
Benson	Hart	Patterson
Brant	Hjelmstad	Peck
Conrath	McCrory	Ritchie
Crocker	Magnuson	Sathre
Erickson	Marshall	Seamands
Ettestad	Olson of Barnes	Wog
Fine	Olson of Burleigh	

Absent and not voting:

**Messrs.**  
Martin

So the bill was lost.

Senator Carey moved that the vote by which House Bill No. 185 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Hamilton requested a return to the Seventh Order of Business.

Which request was granted.

Senator Hamilton presented the report of the Fact-finding Committee and moved the same be printed in the Journal.

Which motion prevailed.

#### REPORT OF SELECT COMMITTEE

Mr. President: Your committee, the so-called Fact Finding Committee, was formed with the purpose of conducting an inquiry into the affairs of the State Mill and Elevator, and to determine if any legislative action from the legislature could in any manner assist the State Mill and Elevator.

It is the conclusion of this committee that the State Mill and Elevator cannot be assisted by any further action from this body, and we are not prepared to offer any suggestions on that line. However, our inquiry into the State Mill and Elevator has given us considerable information in regard to this enterprise which we feel may be of value to this body. Let it be borne in mind, however, that the inquiry has been made during a busy session at no expense to the state, and for this reason the activities of the committee have naturally been limited. Furthermore, it is quite obvious to the members of your committee that to thoroughly investigate a state industry with so many ramifications as a state-owned enterprise of this kind must have, would involve more extensive labor than it has been possible for your committee to give

to this task. A thorough investigation would involve a complete analysis of milling, grain buying, traffic regulations and mill management. All these things are large items in themselves, and an investigator should possess a knowledge of each phase of this subject to conduct an intelligent inquiry. It has not been the purpose of this committee to look for certain items that could be criticized in a destructive manner, nor has it been our purpose to search for certain things that might be used to the political advantage of any individual or group of individuals.

Our committee is composed of those who have been and still are strong advocates of a state-owned enterprise of this kind, and also of those who do not believe in state industry of any kind. However, in the case of the State Mill and Elevator the people of the state are confronted with a fact and not a theory, and the fact in this case is the State Mill and Elevator at Grand Forks, representing an investment of more than three million dollars and an operating capital of approximately two million dollars more, and with a loss up to the first of the year amounting to \$1,250,000. This includes, of course, the interest on the construction bonds and the operating capital and depreciation.

It can be said, however, in fairness to the Mill and Elevator, that should we disregard our capital investment and depreciation, the mill has shown an operating gain for 1923, 1924 and 1925. Nineteen twenty-six for the first year since the mill was started, with the exception of the three months in 1922, has shown an operating loss of slightly more than \$88,000.

You would perhaps be interested in a comparative statement of the operation of the mill for 1925 and 1926. In 1925 the mill had, comparatively speaking, a successful year in that they showed an operating profit exclusive of interest and depreciation of \$172,000 as against an operating loss in 1926 of more than \$88,000, or a difference in the two years of \$260,000. This greater loss in 1926 was not due to any careless expenditure of money in the actual management of the mill as the reports of the auditor show that the overhead cost per barrel was reduced in 1926. The fact that 1925 was a favorable year may be due to the fact that in 1925 the wheat prices in the winter wheat states were on an average nine cents per bushel higher during the year than were the prices that prevailed for the spring wheat area. The fact that our wheat was cheaper than the Kansas wheat enabled us to grind flour at a lower cost and enabled our mill to ship flour into the eastern market and dispose of it at a reasonable price. In 1926 conditions were reversed. The winter wheat states had an enormous crop of very high quality wheat which sold at an average price that was considerably lower than that which prevailed in the spring wheat area. This naturally caused the Minneapolis and eastern mills to buy a much higher percentage of winter wheat, and with this wheat they were able to manufacture a high grade flour at a much lower cost than would be possible for any mill using spring wheat exclusively.

This disadvantage was not felt as much in the territory that is adjacent to the state mill, but made sales in the eastern market extremely difficult. It is obvious that if our State Mill intends to sell in the eastern market they must meet the price of the southern and eastern mills if they wish to obtain any business.

The first conclusion one would draw from this would be to suggest that the State Mill stay out of the eastern market entirely, and sell more flour in this territory. Flour sales could be increased in North Dakota for a reduction in price, but this would be the wrong policy for a state industry to pursue in that it would have a disastrous effect on privately owned mills. Both the present management and the former management take the position that it is not the function of the State Mill to destroy legitimate private business. However, there are good arguments in the average year to warrant sales in the eastern territory. Since the organization of the mill more than fifty per cent of the flour that it has produced has gone to the eastern markets. And were it not for the increased volume that results from these sales the overhead cost per barrel on flour sold in this territory would be considerably increased. However, in the past year, it is the conclusion of your committee, after a careful analysis of flour contracts and flour sales in the eastern markets and comparing them with flour sales and flour contracts in our home market, or the western market, that the losses sustained in gaining this eastern business was far out of proportion to the benefits obtained from the increased production of flour. The auditor's reports show that the flour which was sold in the western market, which includes the territory west of Chicago, was sold in almost every instance at a net profit to the mill, even when the overhead resulting from interest on bonds and depreciation is figured into the cost of a barrel of flour. The sales in the eastern market which included about 3,000,000 barrels were sold at an average loss of more than \$1.25 per barrel, interest and depreciation included.

In justification of the policy of building up sales in the eastern market we are informed by the mill management that could the mill be operated on full time production with all the units in operation, the overhead cost would be 41 cents per barrel. With one unit on a thirty-day per month basis the overhead cost would be \$1.70 per barrel. With one unit operating on a fifteen day basis the overhead cost would be \$2.26 per barrel.

We believe that this statement will give you an idea as to the losses which the mill sustained in 1926, and it must be borne in mind that over a period of years the southern wheat is lower in price than the spring wheat, but as a rule it is not of as high a quality as was the 1926 crop, and because of this quality it was not necessary for the southern and eastern miller to purchase the higher priced spring wheat to mix with his grain for the manufacture of flour.

It is apparent from the figures before us that there has been no direct profit to the people of the state in the opera-

tion of the State Mill and Elevator, and we therefore set about to discover what indirect profits if any might have accrued through the State Mill and Elevator. The two factors in which the people of the state may have effected an indirect saving were, first, in a lower cost of flour to the people of the state; and, second, a higher price for grain. In order to obtain some information on the first item questionnaires were sent out to six hundred merchants of the state, of which two hundred and forty-nine returned replies. Many of these replies contained suggestions that were of value to the mill management and have been turned over to them for consideration. However, quite a high percentage of the replies indicated that the quality of Dakota Maid flour was higher than other standard makes, a few placed it on an equality with other brands of flour and there were a few replies that complained as to the condition of the flour when it was received by them, but this was due rather to shipping conditions than to quality.

The contention has been made and figures submitted to show that the margin in the cost of wheat used in the manufacture of flour and the wholesale flour price in the state has shown a very marked decrease since the State Mill went into operation. This is no doubt true, but it is the opinion of your committee that this cannot be attributed to the credit of the State Mill. Greater competition in the milling business, greater concentration of the output into the hands of a few mills, and general business conditions we believe to be the determining factors in this decrease. Furthermore, this decrease is evident not only in North Dakota but in other milling territories such as the south and east. Furthermore, on a basis of flour sales by the State Mill made in North Dakota, it is possible for the local millers because of their much smaller overhead cost to manufacture flour at their own mills, sell it in competition with the State Mill flour and show a very fair profit per barrel.

Regarding the second point, questionnaires were sent out to nine hundred elevators in the state to give us some information as to the value of the State Mill and Elevator to the grain trade and farmers of the state. The two factors that we touched on in our questionnaire were:

First, the value as an additional market for grain.

Second, the value of the storage facilities.

Quite a large number of our replies came from the southern half of the state which indicated that the State Mill was not of any value to them because of unfavorable railroad rates. Of the replies that came from the northern portion of the state about thirty per cent of the replies from the independent and farmers elevators indicated that it was of value to them as an additional market and that they marketed all the way from two to one hundred per cent of their grain at the State Mill. It is the opinion of your committee that the management of the State Mill, particularly of the wheat

buying department, should make a greater effort to purchase more of their grain direct from the individual farmer, and particularly from the independent farmers' elevators of the state. It is the opinion of your committee after examining wheat contracts for the purchase of grain that the State Mill has paid comparatively high prices for grain but by reason of the fact that 80 per cent of the grain was purchased from the commission houses and the larger elevator companies of Minneapolis that the benefit of these higher prices has gone to people outside of the state. We appreciate that it is necessary in order to keep the mill going to purchase a greater portion of the grain from the commission houses. It is the only way at the present time that the mill could obtain enough grain for milling. We appreciate also that it is difficult to get the business from a large number of these elevators due to the fact that they are financed by Minneapolis commission houses and must of necessity give them their business. It can be said that the management has made an effort during the past year to purchase grain direct and that these purchases have materially increased during the past year. It is our opinion that this should be followed up by the wheat buyer of the mill getting in direct personal contact and through his agents keeping in contact with the elevators of the state, and make an effort to further increase this direct buying. We also believe that this business can be increased by a little more equitable adjustment of price between the independent elevators and some of the larger commission houses.

The other factor which the State Mill and Elevator provides which is of value to the grain trade of North Dakota is the facility provided by the State Elevator for storage. After examining the replies to our questionnaires and going over the warehouse receipts for storage it is our conclusion that the large percentage of the elevators are not as yet taking advantage of these facilities. The amount stored in 1926 is a great increase over the previous years and the present management must be given credit for building this up. It is noted that it will take the farmers and independent elevators some time to appreciate the value of these facilities due to the fact that they have been doing business with other houses and in other ways for many years. However, this is of real value and will be more fully utilized as time goes on.

It must be remembered that elevators of the state or individual farmers can store grain in the State Elevator where it will be graded and tested for protein and a warehouse receipt issued showing the grade and protein content, and when the wheat is sold the farmer or elevator man will obtain a price for that grain based upon its grade and also upon its protein content. At the present time as nearly as we can determine, only one of the storage houses in the Twin Cities will store our grain on a basis of grade and protein unless a special bin is bargained for. The fact that the State Elevator stores and sells on a protein test is naturally of great value to those who store their grain at that point, and we believe in time that all elevators at the terminal

points outside of the state will do the same thing. At any rate, we believe that this is one point where the State Mill and Elevator is a direct advantage to the elevators of the state, and that this will become a greater advantage in proportion to the amount of business that the State Mill can do directly with the independent and farmers elevators.

Before concluding our report we will touch briefly on some of the fundamental difficulties under which the State Mill has to operate. We will touch briefly on the matter of traffic problems. The State Mill is unfavorably located as to freight rates when compared with Minneapolis and Duluth, and many important rate changes will have to be made before we can be on a par with mills located in Minneapolis or at points further east and further south. Some concessions have been obtained by the Mill management working in conjunction with the State Board of Railroad Commissioners and the various traffic departments of cities in the state.

In dealing with sales in North Dakota the mill, located in the eastern part of the state, must purchase practically all of its grain from the territory lying to the west. When it is remembered that there is no such thing as transit privileges on flour moving westward, it must be apparent that the mill is up against a severe handicap in marketing its flour in North Dakota.

The problem of the State Mill becomes more involved and they are at a greater disadvantage when competing with the Minneapolis mills in territory to the east of Minneapolis. Minneapolis is favorably located to receive both the winter wheat and the spring wheat, and to use that which is the least expensive, and are enabled by this naturally favorable location and by traffic concessions of years' standing to be in a commanding position as compared with our own State Mill.

The second difficulty comes in the sale of flour. We have all the difficulties of competition with mills who may elect to use either winter wheat or spring wheat and can manufacture flour at a considerable less cost because of this advantage. Flour, as we have said, must be sold in competition with this flour made from cheaper wheat if we are to make any sales at all, and this renders it extremely difficult to sell flour in the eastern market to an advantage. Yet if we did not make eastern sales our overhead cost per barrel because of the construction of the mill, which necessitates using all units for economical production, would become prohibitive. There are other minor factors involved and these two factors might be dwelt on at much greater length, but we do not believe that they could be covered in this report.

#### Recommendations on Hedging

It is the recommendation of your committee that the handling of hedges be taken care of through a company that

operates on a strictly brokerage basis. At the present time hedges are handled by a grain commission firm and it is quite evident that their interests might conflict with that of their customer in handling sales or purchases. It is only natural that such a company would favor themselves in case of such a conflict. Therefore we feel that it would be well to handle the hedging where there would be no such possibility.

#### Management

While it is the opinion of the committee that there is no need of any legislation at this time for the purpose of aiding the mill, yet we feel that this body must at the next session of the legislature give consideration to some form of mill management. Without any intention of criticizing the present Governor in his handling of the mill it is our opinion that a state executive has too many other tasks to be charged with the entire responsibility of making this enterprise a success. As a result of this condition we feel that there has been some lack of coordination in the management of the enterprise. This might perhaps be remedied by placing more undivided power and responsibility in the hands of the resident manager who gives his entire time to the conduct of the business. While the present Governor has indicated a desire to be the manager of this mill and to be charged with this responsibility, yet the next incumbent might not be as well qualified from a business standpoint. And, furthermore, he might refuse this responsibility. Furthermore, the matter of having the Governor of the state the head of this industry is not satisfactory in that the proper continuity cannot be built up. It would naturally follow if such a plan were to continue that each change of administration might mean a complete change in the personnel of the mill which change of management would undoubtedly involve a new policy as to operation and this continual prospect of change does not tend to establish confidence of either the prospective purchaser of its product or of the sellers of grain.

In conclusion it may be said that while the Mill and Elevator show a deficit from depreciation and interest charges amounting to \$1,277,000.00 there is no basis for the belief which seems to have become prevalent that the operating capital has been impaired. At the time of the last audit the condensed statement of assets and liabilities of the Mill and Elevator indicates that the accounts receivable, cash on hand or in banks, inventory of wheat and products, and other assets of the Mill and Elevator more than equal the liabilities exclusive of construction cost.

#### FACT-FINDING COMMITTEE.

D. H. HAMILTON,

Chairman.

WALTER H. SCHLOSSER,

L. O. FREDRICKSON.



Senator Hamilton moved that the Committee be discharged.

Which motion prevailed.

THIRD READING HOUSE BILLS

House Bill No. 191. A Bill For an Act to Prescribe Who Shall be Qualified Electors in Certain Bond Elections in this State.

Was read the third time.

Senator Patterson moved that House Bill 191 be indefinitely postponed.

Which motion was lost.

The question being on the final passage of the bill, the roll was called, and there were ayes 31, nays 17, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Schlosser
Baird	Kretschmar	Seamands
Bakken	McLachlin	Steele
Benson	Magnuson	Stevens
Bond	Murphy	Tofsrud
Brant	Olson of Burleigh	Van Arnam
Brunsdale	Pathman	Van Camp
Carey	Ployhar	Whitman
Crocker	Porter	Wog
Eastgate	Rusch	
Ettestad	Sathre	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Conrath	Hamilton	Olson of Eddy
Erickson	Hjelmstad	Patten
Fine	Lynch	Patterson
Fleckten	McCrorry	Peck
Forbes	Marshall	Ritchie
Fredrickson	Olson of Barnes	

Absent and not voting:

Messrs.  
Martin

So the bill passed and the title was agreed to.

Senator Carey moved that the vote by which House Bill

No. 191 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Kretschmar moved that the Senate do concur in the House amendments to Senate Bill 109.

Which motion prevailed.

Senator Kretschmar then moved that the rules be suspended and Senate Bill 109, as amended, be considered properly engrossed and placed upon final passage.

Which motion prevailed.

Senate Bill No. 109. A Bill For an Act Creating the Office of Veterans' Service Commissioner; Providing the Qualifications, the Manner of Appointment, Duties, Salary, Tenure of Office of Such Officer, Providing an Appropriation Therefor, and Declaring an Emergency.

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 7, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hjelmstad	Peck
Baird	Kretschmar	Ployhar
Bakken	Lynch	Porter
Bond	McCrorry	Ritchie
Brunsdale	McLachlin	Rusch
Carey	Magnuson	Schlosser
Crocker	Marshall	Seamands
Eastgate	Murphy	Steele
Ettestad	Olson of Barnes	Stevens
Fine	Olson of Burleigh	Tofsrud
Forbes	Olson of Eddy	Van Arnam
Fredrickson	Pathman	Van Camp
Hart	Patterson	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Erickson	Wog
Brant	Fleckten	
Conrath	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Hamilton	Martin	Sathre

So the bill passed and the title was agreed to.

Senator Patterson moved that the vote by which Senate Bill No. 109 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Kretschmar moved that the Senate do concur in the House amendment to Senate Bill 135 and that the bill, as amended, be considered properly engrossed and placed upon final passage.

Which motion prevailed.

Senate Bill No. 135. A Bill For an Act Forbidding any Person to Act or be Appointed as Game Warden, Deputy Game Warden, or Special Deputy Game Warden who is in the Employ or Acting Agent of any Person or Persons who Own, Operate, Hold or Possess any Land, or Lease upon Land, for Hunting Purposes within the State of North Dakota and Making the Violation thereof a Misdemeanor.

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 1, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCrary	Sathre
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steele
Conrath	Marshall	Stevens
Crocker	Murphy	Tofsrud
Eastgate	Olson of Barnes	Van Arnam
Erickson	Olson of Burleigh	Van Camp
Ettestad	Olson of Eddy	Whitman
Fine	Pathman	Wog
Forbes	Patten	
Fredrickson	Patterson	

Those voting in the negative were:

Messrs.  
Fleckten

Absent and not voting:

Messrs.	Messrs.
Martin	Schlosser

So the bill passed and the title was agreed to.

### THIRD READING OF HOUSE BILLS

House Bill No. 198. A Bill For an Act to Amend and Re-enact Section 35, Chapter 161, Session Laws of 1915, as amended by Section 7, Chapter 224, Session Laws of 1923; and Section 36, Chapter 161, Session Laws of 1915, as amended by Section 5, Chapter 134, Session Laws of 1919, as amended by Section 8, Chapter 224, Session Laws of 1923; and Section 37, Chapter 161, Session Laws of 1915, 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 48, nays 0, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCrorry	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steele
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog

Absent and not voting:

Messrs.
Martin

So the bill passed and the title was agreed to.

The President appointed the following Conference Committees:

On House Bill 349—Senators Patterson, Ployhar and Baird.

On House Bills 51 and 204—Senators Steel, Etestad and Murphy.

On House Bill 23—Senators Schlosser, Marshall and Ritchie.

On House Bill 27—Senators Fredrickson, Brunsdale and Hart.

### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 170. A Bill For an Act Providing For the Placing of Placards Containing the Ten Commandments of the Christian Religion, in School Rooms and Class Rooms of Public Institutions of Learning.

House Bill No. 183. A Bill For an Act to appropriate the Sum of Twenty Thousand (\$20,000.00) Dollars for the purpose of Aiding in the Construction of a Bridge and Approaches Across Box Elder Creek of the State Line between North Dakota and South Dakota at a Point approximately five miles east of the Montana State Line, under the Provisions of Chapter 73 of the Laws of North Dakota for the Year 1919.

House Bill No. 209. A Bill For an Act to Amend and Re-enact Section 1240 of the Supplement to the Compiled Laws of 1913, Relating to Special School Districts.

House Bill No. 214. A Bill For an Act to Provide for the Granting of Decrees of Separation from Bed and Board, Specifying the Grounds upon which such Decree may be entered, and providing for the Maintenance of Spouse or Children, and for the Division by the Court, of Joint and Separate Property of Husband and Wife.

House Bill No. 261. A Bill For an Act Authorizing and providing for the submission of controversies between the State Highway Commission of the State of North Dakota and parties contracting therewith to arbitration, and providing for the entry of judgment as in cases of arbitration between other parties and providing for the enforcement of such judgments.

House Bill No. 285. A Bill For an Act to Amend and Re-enact Section 3551a1 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the salaries of County Auditor, County Treasurer, Sheriffs and county superintendents of schools.

House Bill No. 321. A Bill For an Act to Amend and Re-enact Section 3705 of the Compiled Laws of North Dakota for 1913, relating to the Advertising for Bids for Special Improvements.

House Bill No. 353. A Bill For an Act Providing the percentage of contracts of public corporations which shall be held back until the completion of such contracts.

And the President signed the same in the presence of the Senate.

House Bill 185 was returned to the House indefinitely postponed.

House Bills 85 and 132 were returned to the House passed amended.

House Bills 25, 29, 40, 155, 191 and 198 were returned to the House passed unchanged.

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: Alpha Lusk, Ione Snellenberger, C. J. Kachelhoffer and J. A. Heder.

Senator Ployhar moved that the Senate do now recess until 10:30 A. M.

Which motion prevailed and the Senate recessed.

W. D. AUSTIN,  
Secretary.

FIFTY-EIGHTH DAY AFTER RECESS AND  
FIFTY-NINTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
March 3, 1927.

The Senate re-assembled at 10:30 A. M., pursuant to recess taken, the President presiding.

House Bills 140 and 168 were returned to the House passed amended.

MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
March 3, 1927.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 143. A Bill For an Act to Provide a Standard Time for the State of North Dakota and the Institution and Continuance Thereof.

Senate Bill No. 174. A Bill For an Act Requiring School Districts Maintaining a High School to Pay the High School Tuition of Pupils Residing in such Districts More Than Six Miles From Such High School When No Transportation by Vehicle is Furnished to Such Children.

Senate Bill No. 93. A Bill For an Act Relating to Dogs and the Protection of Live stock and Poultry from Damage by Dogs; Providing for the Licensing of Dogs; Regulating the Keeping of Dogs, and Authorizing their Destruction in Certain Cases; Providing for the Determination and Payment of Damages Done by Dogs to Live Stock and Poultry; Imposing Powers and Duties on Certain State, County, City, Village and Township Officers and Employees, and Providing Penalties for the Violation of this Act; and Repealing all Acts and Parts of Acts in Conflict With this Act.

Senate Bill No. 3. A Bill for an Act providing that depositories of public funds may, with the consent of proper authorities, deposit and pledge as security in order to obtain the deposit of public funds, bonds, warrants, or bills receivable in an amount equal to the maximum deposit with such depository.

Senate Bill No. 254. A Bill For an Act to Amend and Re-enact Section 1438a2 of the Supplement to the 1913 Compiled Laws of North Dakota.

Which the House has indefinitely postponed.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 3, 1927.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 199. A Bill For an Act to Amend and Re-enact Section 4206 of the Compiled Laws of North Dakota 1913, Relating to the Compensation of Township Treasurers.

Senate Bill No. 198. A Bill For an Act to Amend and Re-enact Section 1172 of the Compiled Laws of North Dakota, 1913, Relating to the Compensation of School Treasurers in Common and Consolidated School Districts.

Senate Bill No. 236. A Bill For an Act to amend and re-enact Section 2151 of the Supplement to the Compiled Laws of 1913, relating to Township Tax Levies and elector's right to vote amounts for township purposes.

Senate Bill No. 162. A Bill For an Act defining Insolvent Grain Warehousemen; Authorizing the Board of Railroad Commissioners to apply to the District Court for its appointment as Trustee for the Benefit of Storage Receipt holders of such Warehousemen, and to Marshall the Trust Assets of such Insolvent and distribute the same among such Receipt holders.

Senate Bill No. 134. A Bill For an Act to Repeal Sections 917, 918 and 919 of the Compiled Laws of North Dakota of the year 1913; Relating to Registration of Voters.

Senate Bill No. 172. A Bill For an Act to Amend and Re-enact Section 224 of the Compiled Laws of North Dakota for the year 1913.

Senate Bill No. 130. A Bill For an Act Making an Appropriation for the Purchase and Erection of an Iron Fence Around the Roosevelt Cabin, Which is Located Upon the Capitol Grounds, and For the Purchase and Erection of a Flag Pole at the Memorial Building.

Senate Bill No. 17. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and



**Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.**

Senate Bill No. 188. A Bill For an Act to Provide for the Closing of Schools in Certain Towns and Villages Upon the Consolidation of the Schools in Such School Districts and Providing the Procedure Therefor.

Which the House has passed unchanged.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 46. A Bill For an Act to Amend and Re-enact Sections 2, 4 and 7 of Chapter 123 of the Sessions Laws of 1919, An Act to Create a State Board of Electricians and Prescribing the Duties Thereof, Providing for the Classification, Examination and Licensing of Electricians and Electrical Workers. Prescribing Fees for Such Examination and License, and Providing for Inspection of Electrical Work Through the State Fire Marshal Under the Direction of the State Board.

Which the House has amended as follows:

In line 13, Section 4 of the Engrossed Bill change the words and figures "three dollars (\$3.00)" to "five dollars (\$5.00)."

In line 13 and 14, Section 4 of the Engrossed Bill, change the word and figures "five dollars (\$5.00)" to "three dollars (\$3.00)."

In addition to the amendments made by the Standing Committee as originally reported, amend the engrossed bill further by striking out the figures "1913" in line 2 of the title of Section 1 and insert in lieu thereof the figures "1919".

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 213. A Bill For an Act to Amend and Re-enact Section 1438a1 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to High School Tuition Fee.

Which the House has amended as follows:

In line 1 of the title of the engrossed bill strike out "Article 2a of"; and in line 2 of the title strike out "Chap-

ter 12" and after the word "of" in the same line and before the figures "1913" insert "North Dakota for"; in line 3 of the title strike out the figures "1925".

In line 1 of the body of the engrossed bill strike out "Article 2a of"; in line 2 strike out "Chapter 12" and after the word "of" and preceding the figures "1913" insert "North Dakota for"; also strike out the dash and the figures "1925" which follow the figures "1913" in the same line. Strike out everything in the bill after the semi-colon in line 20 of the engrossed bill and insert the following:

Provided further that any school district located on the boundary line of this state, and not having a full four year high school course of at least fifteen (15) units, and being adjacent to a school district in an adjoining state having a full four year high school course, shall arrange for the attendance of any pupil in such adjacent school district located in such adjoining state, to complete such part of a full four year high school course of at least fifteen (15) units as is not offered in his own district, and for the payment of such tuition fee as shall first be approved by the county superintendent of schools of the county in which such pupil resides.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 27, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 225. A Bill For an Act to amend and re-enact Section 89 of the Compiled Laws of the State of North Dakota of 1913 relating to the exchange of laws with other states.

Which the House has amended as follows:

In line 2 of the body of the Engrossed Bill, after the word "general" insert a comma.

In line 3 of the body of the Engrossed Bill, after the word "distribution" insert a comma. In same line, after the word "statute" insert a comma.

In line 5 of the body of the Engrossed bill, after the word "same" insert a comma.

After the word "desirable" in line 6 of the body of the Engrossed Bill, insert a comma.

At the end of line 7 of the body of the Engrossed Bill, insert a colon.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 27, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 154. A Bill For an Act relating to and fixing the salaries of the County Auditor, the County Treasurer, the Register of Deeds, the County Sheriff, the Clerk of the District Court, the County Judge, the State's Attorney, and the County Superintendent of Schools, also fixing the number of and the salaries to be paid to the Deputies, and providing for Clerks and Assistants to be employed in the offices of the County Auditor, County Treasurer, Register of Deeds, Clerk of the District Court, County Sheriff, State's Attorney, County Judge and the County Superintendent of Schools, (in Counties having a County Court of increased jurisdiction and have a population exceeding forty thousand,) and repealing all acts or parts of acts in conflict therewith.

Which the House has amended as follows:

In line 14, page 2, of the Engrossed Bill, change the words and figures "Eighteen Hundred Dollars (\$1800.00)" to "Two Thousand Four Hundred Dollars (\$2400.00)".

In line 15, page 2, of the Engrossed Bill, change the words and figures "Fifteen Hundred Dollars (\$1500.00)" to "One Thousand Eight Hundred Dollars (\$1800.00)".

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 3, 1927.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 132 and House Bill No. 85.

Also, Mr. President, the Speaker has appointed to act with a like committee of the Senate to visit the State Training School at Mandan as per Concurrent Resolution adopted: Rep. Watt, Mrs. Craig, Miss McGinnis.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

### THIRD READING OF HOUSE BILLS

House Bill No. 208. A Bill For an Act to Provide for the Leasing and Sale of Islands and Accumulations of Land Formed in Beds of Navigable Streams.

Was read the third time.

Senator Ployhar offered the following amendment: In title of the printed bill and in Section 1 strike out the words "and accumulations of land".

Which amendment was adopted.

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 2, passing 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patten
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McCrory	Schlosser
Carey	McLachlin	Seamands
Conrath	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog

Those voting in the negative were:

Messrs.  
Martin

Absent and not voting:

Messrs.                      Messrs.  
Patterson                      Ritchie

Those Passing:

Messrs.  
Erickson

So the bill was passed and the title agreed to.

The President pro tem was called to the chair.

House Bill No. 211. A Bill For an Act Creating the Department of State Highways, Defining Its Powers and Duties, Providing for its Government and Imposing Penalties for Violations Thereof.

Was read the third time.

Senator Atkins offered the following amendment: In line 29, Section 11 of the printed bill, strike out the word "afore-said" and insert "of Burleigh County" in lieu thereof.

Which amendment was adopted.

The question being on the final passage of the bill, as amended, 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.
Atkins	Forbes	Pathman
Baird	Fredrickson	Patterson
Bakken	Hamilton	Peck
Benson	Hart	Ployhar
Bond	Hjelmstad	Porter
Brant	Kretschmar	Rusch
Brunsdale	McCrary	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Martin	Tofsrud
Erickson	Murphy	Van Arnam
Ettestad	Olson of Barnes	Van Camp
Fine	Olson of Burleigh	Whitman
Fleckten	Olson of Eddy	Wog

Those voting in the negative were:

Messrs.	Messrs.
Lynch	Stevens

Absent and not voting:

Messrs.	Messrs.
Patten	Ritchie

So the bill passed and the title was agreed to. Emergency clause declared carried.

House Bill No. 245. A Bill For an Act to Amend and Re-enact Section 8895 of the Compiled Laws of North Dakota for the year 1913, and to Repeal Section 8896 of said Compiled Laws.

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 16, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Forbes	Pathman
Bakken	Fredrickson	Ployhar
Benson	Hamilton	Porter
Bond	Hart	Rusch
Brant	Kretschmar	Sathre
Brunsdale	McCrary	Schlosser
Carey	McLachlin	Seamands
Crocker	Magnuson	Steel
Eastgate	Marshall	Van Camp
Erickson	Martin	Whitman
Fine	Murphy	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Olson of Barnes	Stevens
Conrath	Olson of Burleigh	Tofsrud
Ettestad	Olson of Eddy	Van Arnam
Fleckten	Patten	Wog
Hjelmstad	Patterson	
Lynch	Peck	

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to.

House Bill No. 252. A Bill For an Act to Provide for the Payment by the Bank of North Dakota of Taxes on Certain Lands that the State Treasurer as Trustee of the State of North Dakota holds as Security under Chapter 154, of the Session Laws of North Dakota for 1919 and Chapter 292 of the Session Laws of North Dakota for 1923 and Acts Amendatory thereof; Making an Appropriation therefor; Providing for the Reimbursement of the Bank of North Dakota therefrom and Establishing a Revolving Fund 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 22, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steel
Brunsdale	Martin	Stevens
Carey	Murphy	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman
Hart	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrorry	Peck
Ericksor	Magnuson	Sathre
Ettestad	Marshall	Wog
Fine	Olson of Barnes	
Fleckten	Olson of Burleigh	

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to.

Senator Kretschmar moved that the vote by which House Bill No. 252 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 255. A Bill For an Act making an appropriation for the Erection of a Building for girls and furnishing equipment therefor at the State Training School, Mandan, North Dakota.

Was read the third time.

The question being on the final passage of the bill, the roll was called, and there were ayes 40, nays 8, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Ployhar
Baird	Hjelmstad	Porter
Bakken	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Van Arnam
Ettestad	Olson of Barnes	Van Camp
Fleckten	Olson of Burleigh	Whitman
Forbes	Olson of Eddy	Wog
Hamilton	Pathman	
Fredrickson	Patterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fine	Peck
Bond	McCrory	Tofsrud
Conrath	Patten	

Absent and not voting:

Messrs.  
Ritchie

So the bill passed and the title was agreed to.

House Bill No. 268. A Bill for an Act to Provide for the Taxing and Licensing of Motor Vehicles and Trailers, the Creation of a Department of Motor Vehicle Registration, the Appointment of a Registrar of Motor Vehicles, His Powers and Duties, Establishing the Method of Distribution of the Fees Received therefrom, Fixing Penalties for Violation of this Act and Providing for an Appropriation for Administering the Same and for the Use of the State Highway Commission, and to make Uniform the Law Relating to the Subject Matter of this Act.

Was read the third time.

Senator Ployhar moved that House Bill 268 be placed at the bottom of the calendar.

Which motion prevailed.

House Bill No. 274. A Bill For an Act Governing Specifications and Bids upon Paving, Requiring Bids upon Several Types to be asked for.

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:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hjelmstad	Patten
Bakken	Kretschmar	Patterson
Benson	Lynch	Ployhar
Bond	McLachlin	Porter
Brant	Magnuson	Rusch
Erickson	Marshall	Sathre
Ettestad	Martin	Seamands
Fleckten	Murphy	Tofsrud
Fredrickson	Olson of Barnes	Van Camp
Hamilton	Olson of Eddy	Wog

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Baird	Fine	Peck
Brunsdale	Forbes	Schlosser
Carey	Hart	Steel
Conrath	McCrorry	Stevens
Crocker	Olson of Burleigh	Van Arnam
Eastgate	Pathman	Whitman

Absent and not voting:

**Messrs.**  
Ritchie

So the bill passed and the title was agreed to. Emergency clause declared lost.

Senator Ployhar moved that the vote by which House Bill No. 274 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 335. A Bill For an Act to prevent fraud and deception in the manufacture and sale of concentrated commercial feeding stuffs and providing for registration and labeling thereof and repealing Chapter 37 of the Session Laws of 1921, Sections 1 to 13, inclusive, and all other acts or parts of acts inconsistent herewith.

Was read the third time.



Senator Fine offered the following amendment: In Section 6 of the printed bill, strike out last five words of line 17, and everything down to line 24.

Which amendment was lost.

Senator Patten moved that further consideration of House Bill 335 be indefinitely postponed.

Senator Sathre moved the previous question.

The question being on the main question, the motion was put and the main question was lost.

The question being on the final passage of the bill, the roll was called, and there were ayes 37, nays 9, absent and not voting 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Sathre
Brant	Lynch	Schlosser
Brunsdale	McCroxy	Steel
Conrath	McLachlin	Stevens
Crocker	Martin	Van Arnam
Eastgate	Murphy	Van Camp
Ettestad	Olson of Barnes	Whitman
Fine	Olson of Burleigh	Wog
Fleckten	Olson of Eddy	
Forbes	Pathman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Carey	Magnuson	Porter
Erickson	Marshall	Seamands
Hart	Patten	Tofsrud

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bakken	Ritchie	Rusch

So the bill passed and the title was agreed to. Emergency clause declared carried.

Senator Ployhar moved that the vote by which House Bill No. 335 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
March 3, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 19. 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:

That in Line 6 of Sub-division 1 of Section 3 of the Printed Bill, the figures "3,600.00" be stricken out and the figures "3,000.00" be substituted in lieu thereof.

That the total in line 16 of Sub-division 1 of Section 3 of the Printed Bill be corrected to read "24,500.00".

That in Line 63 of Sub-division 6 of Section 3 of the Printed Bill, the words "Party Registration" and the figures "2,000.000" be stricken out leaving said line blank.

That in Line 68 of Sub-division 6 of Section 3 of the Printed Bill, the figures "31,700.00" be stricken out and the figures "29,700.00" be inserted in lieu thereof.

That between Lines 122 and 123 of Sub-division 9 of Section 3 of the Printed Bill, a new Line numbered 122½ be inserted reading as follows:

122½ Gasoline Tax Auditor .....\$4,800.00

That in Line 123 of Sub-division 9 of Section 3 of the Printed Bill, the figures "37,600.00" be stricken out and the figures "42,400.00" be inserted in lieu thereof.

That in Line 129 of Sub-division 9 of Section 3 of the Printed Bill, the figures "5,400.00" be stricken out and the figures "6,500.00" be substituted in lieu thereof.

That in Line 131 of Sub-division 9 of Section 3 of the Printed Bill, the figures "1,500.00" be stricken out and the figures "4,300.00" be substituted in lieu thereof.

That in Line 135 of Sub-division 9 of Section 3 of the Printed Bill, the figures "59,300.00" be stricken out and the figures "68,000.00" be substituted in lieu thereof.

That in Line 163 of Sub-division 11 of Section 3 of the Printed Bill, the figures "5,000.00" be stricken out and the figures "6,000.00" be substituted in lieu thereof.

That in Line 167 of Sub-division 11 of Section 3 of the Printed Bill, the figures be corrected to read "22,800.00" as the amount of the total.

That in Line 246 of Sub-division 16 of Section 3 of the Printed Bill, the figures "14,400.00" be stricken out and the figures "14,000.00" be substituted in lieu thereof.

That in Line 249 of Sub-division 16 of Section 3 of the Printed Bill, the figures "2,640.00" be stricken out and the figures "3,640.00" be substituted in lieu thereof.

That in Line 253 of Sub-division 16 of Section 3 of the Printed Bill, the figures "1,400.00" be stricken out and the figures "1,200.00" be substituted in lieu thereof.

That in Line 254 of Sub-division 16 of Section 3 of the Printed Bill, the figures "400.00" be stricken out and the figures "600.00" be substituted in lieu thereof.

That in Line 255 of Sub-division 16 of Section 3 of the Printed Bill, the figures "10,000.00" be stricken out and the figures "13,000.00" be substituted in lieu thereof.

That the total in Line 257 of Sub-division 16 of Section 3 of the Printed Bill, be corrected to read "45,780.00".

That in Line 335 of Sub-division 19-B of Section 3 of the Printed Bill, the figures "5,280.00" be stricken out and the figures "6,600.00" be substituted in lieu thereof.

That in Line 343 of Sub-division 19-B of Section 3 of the Printed Bill the figures "22,800.00" be stricken out and the figures "23,600.00" be substituted in lieu thereof.

That Line 363 of Sub-division 21 of Section 3 of the Printed Bill be stricken out.

That the figures in Line 371 of Sub-division 21 of Section 3 of the Printed Bill, "8,450.00" be stricken out and the figures "3,250.00" be substituted in lieu thereof.

That Line 378 of Sub-division 22 of Section 3 of the Printed Bill be stricken out.

That in Line 394 of Sub-division 22 of Section 3 of the Printed Bill, the total be corrected to read "60,580.00".

That in Line 392 of Sub-division 23 of Section 3 of the Printed Bill, the figures "4,800.00" be stricken out and the figures "5,400.00" be substituted in lieu thereof.

That in Line 404 of Sub-division 23 of Section 3 of the Printed Bill, the total be corrected to read "65,080.00".

That Line 466 of Sub-division 27 of Section 3 of the Printed Bill be reinstated, said Line to read as follows:

Geological Survey .....\$25,000.00

That the total in Line 468 remain at "45,840.00" as appearing in the Printed Bill.

And the further amendments:

In line 364 of Sub-division 21 of Section 3 strike out the parenthesis and words "(part time)"; strike out the figures "1,200.00" and insert in lieu thereof the figures "2,800.00".

Change totals in line 371 to read "4,850.00".

In line 466 of Sub-division 27 of Section 3, after the word "survey" insert a dash and the words: "Missouri River Diversion Project".

In line 453 of Sub-division 27, strike out the figures "5,000.00" and insert in lieu thereof the figures "6,000.00".

Strike out line 455 of Sub-division 27.

Correct totals in line 468 to read "41,240.00".

In line 471 of Sub-division 28, strike out the figures "5,000.00" and insert in lieu thereof the figures "5,400.00".

Correct totals in line 471 to read "9,200.00".

In line 285 of Sub-division 18, strike out the figures "6,000.00" and insert in lieu thereof the figures "10,000.00"

In line 287 strike out the figures "5,600.00" and insert in lieu thereof the figures "7,000.00".

Correct the totals in line 303 to read "136,580.00".

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 3, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 87. A Bill For an Act to Regulate Grain and Seed Warehouses; Defining Public Warehouses and Providing for the Bonding, Licensing and Supervision thereof and the Weighing, Storing, Buying, and Handling of Grain and Seeds; Prescribing the duties and powers of the Board of Railroad Commissioners in relation thereto; Providing for the Appointment of a Federal Licensed Inspector, and such other employees as may be deemed necessary to carry out the provisions of this Act Providing Penalties and Repealing Sections: 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3117, 3123, 3135, 3136, 3137.

Which the House has amended as follows:

In line 7 of the second paragraph of Section 18 of the engrossed bill, strike out the word "four" and insert the word "three", and in line 8 strike out the word "three" and insert in lieu thereof the word "two".

In line 21 of Section 18, strike out the word "gross" and insert in lieu thereof the word "net". At the end of Section 9, after the word "grain" strike out the period and insert a comma and insert the following: "provided that nothing herein shall be construed to classify as a track buyer any producer of grain who may purchase grain from other producers in order to complete a carload in which a portion of said carload is grain grown by said producer".

In line 8 of the title of the bill strike out the words "and Making an Appropriation Therefor".

In line 17, page 8 of the printed bill, strike out the word "gross" and insert in lieu thereof the word "net".

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 3, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 160. A Bill For an Act regulating the operation of vehicles on highways and providing for traffic signs and signals and defining the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act and to provide for the enforcement of this act and the disposition of fines and forfeitures collected hereunder and to make uniform the law relating to the subject matter of this act.

Which the House has amended as follows:

In Title 1, on Page 3, in sub-division (u) insert the word "Motor" between the words "The" and "Vehicle".

In Line 2, Page 14, insert a comma after the word "accident" and strike out the words "to the department except that".

In lines 3 and 4, Page 14, strike out the words "such report shall be made within twenty-four hours," and beginning at the end of Line 4, strike out the word "Every" and all of the balance of Section 30.

Strike out sub-division (a) of Section 43, and renumber sub-division (b) of such sub-division as sub-division (a).

In the 4th line from the bottom of Page 20, insert a period after the word, "Vehicle" and strike out all the balance of matter to the bottom of Page 20, together with the first line on Page 21.

Strike out sub-division (a) in Section 54 and renumber sub-division (b) as sub-division (a). Beginning in the 7th line from the bottom on Page 25, strike out the following matter in such line and in the succeeding line "from an official adjusting station".

In Line 3 of the body of Section 57, after the words "state and", insert the following: "under the jurisdiction of the State Highway Department".

In Line 4 of Section 66, insert a period after the word "Act", and strike out all of the balance of Section 66.

In Section 67, strike out all of lines 4 to 6 inclusive after the words "shall be" in Line 4; and add following the said words "shall be" the following: "disposed of as by law provided".

In Section 71, strike out the words and figures "Sec. 2976M".

Strike out Section 72.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 170. A Bill For an Act Providing For the Inspection of Scales, Weights and Measures under the Jurisdiction of the State Food Commissioner, Prescribing the Powers and Duties of said Board, Defining the Standard of Weights and Measures, Providing Penalties for the Violation Thereof, Regulating the Use and Sale of Weights and Measures, Providing for the Fixation of Fees, and Repealing Chapter 344 of the Session Laws of North Dakota for 1923.

Which the House has amended as follows:

(Amendments are to the engrossed bill.)

In lines 2 and 3 of the title strike out the words "Board of Railroad Commissioners" and insert in lieu thereof "State Food Commissioner"; and in the title also strike out the words "Making an Appropriation to Carry Out the Provisions of this Act,".

In Section 1, lines 3 and 4, strike out the words "Board of Railroad Commissioners", and insert in lieu thereof "State Food Commissioner" and in said line 4 also strike out the words "Board which" and insert the words "Commissioner who".

In line 1, Section 2, substitute the word "Commissioner" for the word "Board". In line 5, Section 2, substitute the word "Commissioner" for the word "Board" as same occurs twice in said line.

In line 1, Section 2, substitute the word "Commissioner" for the word "Board" and in lines 3 and 4 of Section 3 change the word "it" to "be".

Ahead of the word "Department" in line 1, Section 4, insert the word "Regulatory".

In line 20, page 3, Section 5, change the word "Board" to "Commissioner".

In line 8 of Section 10 change the word "Board" to "Commissioner".

In lines 2 and 8 of Section 11 change the word "Board" to "Commissioner".

In line 4 of Section 12 strike out the words "General Fund" and insert in lieu thereof the words "State Regulatory Fund".

In Section 13 strike out all of the matter down to and including the word "that" in line 6 thereof; and begin the word "the" following such word "that" with a capital letter.

In said line 6 strike out the words "Board of Railroad Commissioners" and insert in lieu thereof "State Food Commissioner". In line 9 of Section 13 strike out the words "afore-said appropriation" and insert in lieu thereof "the expense of such supervision and control". In line 11 of Section 13 strike out the words "Board of Railroad Commissioners" and insert in lieu thereof "State Food Commissioner", and at the end of the section strike out the period and insert a comma and the words "and all other expenses and expenditures in connection with all law enforcement and regulations by his department".

In line 1 of Section 16 strike out the words "Board" and insert in lieu thereof the word "Commissioner".

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Senator Van Camp requested a return to the Eighth Order of Business.

Which request was granted.

Senator Van Camp then moved that the Senate do concur in the House amendments to Senate Bill 87 and that the rules be suspended and the bill as amended be considered properly engrossed and placed upon final passage.

Which motion prevailed.

Senator Benson moved that the Senate do recess until 1:30 P. M., after the reading of Senate Bill 87.

Which motion prevailed.

Senator Forbes moved that the Conference Committee on Senate Bill 85 be discharged.

Which motion prevailed.

Senator Lynch moved that the Senate do not concur in the House amendments to Senate Bill 163 and that a Conference Committee be appointed.

Which motion prevailed.

The President returned to the chair.

Senate Bill No. 87. A Bill For an Act to Regulate Grain and Seed Warehouses; Defining Public Warehouses and Providing for the Bonding, Licensing and Supervision thereof and the Weighing, Storing, Buying, and Handling of Grain and Seeds; Prescribing the duties and powers of the Board of Railroad Commissioners in relation thereto; Providing for the Appointment of a Federal Licensed Inspector, and such other employees as may be deemed necessary to carry out the provisions of this Act Providing Penalties and Repealing Sections: 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3113, 3114, 3115, 3116, 3117, 3123, 3135, 3136, 3137.

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 3, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patten
Baird	Hart	Patterson
Benson	Hjelmstad	Peck
Bond	Kretschmar	Ployhar
Brant	Lynch	Rusch
Brunsdale	McCroly	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Murphy	Stevens
Erickson	O'son of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Fredrickson	Pathman	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Ettestad	Forbes	Tofsrud

Absent and not voting:

Messrs.	Messrs.
Bakken	Porter
Martin	Ritchie

So the bill passed and the title was agreed to.

House Bills 245, 252, 255, 274 and 335 were returned to the House passed unchanged.

The President appointed as a Conference Committee on Senate Bill 163 Senators Ettestad, Lynch and Sathre.

Pursuant to Senator Benson's motion the Senate recessed.

W. D. AUSTIN,  
Secretary.

The Senate re-assembled at 1:30 P. M., pursuant to recess taken.

### THIRD READING OF HOUSE BILLS

House Bill No. 351. A Joint Resolutoin to Amend and Re-enact Section 179 of Article 11 of the Constitution of the State of North Dakota as Amended by Article 20 of the Amendments thereto, Relating to Revenue and Taxation.

Was read the third time.

The question being on the final passage of the bill, the roll was called, and there were ayes 23, nays 18, absent and not voting 8.



Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Lynch	Seamands
Baird	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Olson of Barnes	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Rusch	Whitman
Kretschmar	Sathre	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrorry	Peck
Erickson	Magnuson	Porter
Fine	Olson of Burleigh	Wog

Absent and not voting:

Messrs.	Messrs.	
Bond	Hart	Ritchie
Ettestad	Marshall	Schlosser
Fredrickson	Martin	

So the bill was declared lost.

Senator Patten moved that the vote by which House Bill No. 351 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Atkins moved that the Senate do concur in the House amendments to Senate Bill 246 and that the rules be suspended and the bill, as amended, be considered properly engrossed and placed upon final passage.

Which motion prevailed.

Senate Bill No. 246. A Bill For an Act to Amend and Re-enact Article 55b of Chapter 38 of the Political Code of the State of North Dakota, being sections 2976v1 to 2976v16, both inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over Any Public Highway by Motor Propelled Vehicles; Defining Auto 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 Punishment for Violation Thereof.

The question being on the final passage of the bill, as amended by the House, the roll was called, and there were ayes 32, nays 9, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Ployhar
Baird	Hamilton	Porter
Bakken	Hjelmstad	Rusch
Bond	Lynch	Sathre
Brant	McLachlin	Seamands
Brunsdale	Magnuson	Stevens
Carey	Murphy	Tofsrud
Crocker	Olson of Barnes	Van Arnam
Eastgate	Olson of Burleigh	Van Camp
Erickson	Olson of Eddy	Whitman
Forbes	Pathman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fleckten	Patterson
Conrath	McCrorry	Peck
Fine	Patten	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ettestad	Marshall	Schlosser
Hart	Martin	Steel
Kretschmar	Ritchie	

So the bill passed and the title was agreed to, and the emergency clause declared lost.

• Senator Sathre moved that the Senate do concur in the House amendments to Senate Bill 160, and that the rules be suspended and the bill, as amended, be considered properly engrossed and placed upon final passage.

Which motion prevailed.

Senate Bill No. 160. A Bill For an Act regulating the operation of vehicles on highways and providing for traffic signs and signals and defining the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act and to provide for the enforcement of this act and the disposition of fines and forfeitures collected hereunder and to make uniform the law relating to the subject matter of this act.

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.
Atkins	Forbes	Pathman
Baird	Fredrickson	Ployhar
Bakken	Hamilton	Porter
Benson	Hart	Rusch
Bond	Hjelmstad	Sathre

Messrs.	Messrs.	Messrs.
Brunsdale	Kretschmar	Seamands
Conrath	Lynch	Stevens
Carey	McCrorry	Tofsrud
Crocker	McLachlin	Van Camp
Eastgate	Magnuson	Van Arnam
Erickson	Martin	Whitman
Fine	Olson of Barnes	Wog
Fleckten	Olson of Burleigh	

Those voting in the negative were:

Messrs.	Messrs.
Olson of Eddy	Patterson
Patten	Peck

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brant	Murphy	Steel
Ettestad	Ritchie	
Marshall	Schlosser	

So the bill passed and the title was agreed to.

Senator Brunsdale moved that the Senate do concur in the House amendments to Senate Bill 114 and that the rules be suspended and the bill, as amended, be considered properly engrossed and placed upon final passage.

Senate Bill No. 114. A Bill For an Act to Regulate, Concerning, Relating to the Production, Inspection, Testing, Analysis and Certification of Seeds, Offered or Exposed for Sale, or Sold as North Dakota Registered Certified Seed, Providing for Rules and Regulations with Reference Thereto, Prescribing Penalties for Violations of the Act, Providing for a Schedule of Equitable Fees, and Making an Appropriation.

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 0, absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patten
Baird	Hamilton	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Rusch
Brunsdale	McCrorry	Sathre
Carey	McLachlin	Seamands
Conrath	Magnuson	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog

Absent and not voting:

Messrs.	Messrs.
Ettestad	Ritchie
Marshall	Schlosser

So the bill passed and the title was agreed to.

Senator Ployhar moved that the Senate confine itself to the calendar until the House Bills are cleared therefrom.

Which motion prevailed.

House Bill No. 356. A Bill For an Act to Amend and Re-enact Section 2 of Chapter 213, of the Sessions Laws of North Dakota for 1925 Regulating the Expenditure of money for Traveling Expenses of Members, Officers, and Employees of State Departments.

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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Lynch	Ritchie
Brant	McCrary	Rusch
Brunsdale	McLachlin	Sathre
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	

Absent and not voting:

Messrs.	Messrs.
Kretschmar	Schlosser

So the bill passed and the title was agreed to.

Senator Whitman moved that the Senate do now adjourn. Which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

FIFTY-NINTH DAY

Senate Chamber,  
Bismarck, North Dakota,  
March 3, 1927.

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, Rev. C. F. Strutz.

Roll call:

All members present.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-seventh day after recess and Fifty-eighth day and recommend that the same be corrected as follows:

On page 25 after line 16 insert the following: In line 35 of the engrossed bill insert the word "To" after the word "Dakota".

On page 26 in line 4 from the bottom of page strike out figures "176" and insert figures "85" in lieu thereof.

On page 27 in line 12 from bottom of page strike out figures "196" and insert figures "176" in lieu thereof.

On page 42 after line 4 from bottom of page insert the following: "Which motion prevailed".

On page 42 at bottom of page add the following: "Which request was granted".

On page 46 strike out last word in line 22 and first word in line 21 from bottom of page.

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

Senator Olson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engraving respectfully report that they have examined the following:

Senate Bill No. 176. A Bill For an Act to Amend and Re-enact Section 690 of the Supplement to the 1913 Compiled Laws, Relating to the Removal of Public Officers by the Governor and Appeals Therefrom.

Also,

Senate Bill No. 135. A Bill For an Act Forbidding any Person to Act or be Appointed as Game Warden, Deputy Game Warden, or Special Deputy Game Warden who is in the Employ or Acting Agent of any Person or Persons who Own, Operate, Hold or Possess any Land, or Lease upon Land, for Hunting Purposes within the State of North Dakota and Making the Violation thereof a Misdemeanor.

Also,

Senate Bill No. 109. A Bill For an Act Creating the Office of Veterans' Service Commission; Providing the Qualifications, the Manner of Appointment, Duties, Salary, Tenure of Office of Such Officer, Providing an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 85. A Bill For an Act to Amend and Re-enact Section 8099a of the Supplement to the Compiled Laws of 1913 pertaining to the giving of Notice of Intention to foreclose real estate mortgages and legalizing and validating foreclosure sales heretofore made where no such notice of intention to foreclose has been given on mortgages executed prior to July 1, 1919.

Also,

Senate Bill No. 13. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Rents, Repairs, Insurance and Upkeep of Grounds.

Also,

Senate Bill No. 249. A Bill For an Act Providing a Limitation for filing and bringing suit on claims against insolvent banks or their receivers.

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

#### COMMUNICATION FROM THE GOVERNOR

March 3, 1927.

#### V E T O.

To the Senate of the State of North Dakota:

I have before me Senate Bill No. 76 amending Chapter 162 of the Session Laws for 1919. Certain sections of this proposed amendment, as set forth in this bill, may be all right, but taken collectively the effect is the same as when the cornerstone is taken from beneath a building—the building soon settles and becomes useless.

The Workmen's Compensation Insurance Laws of North Dakota are recognized as being among the very best in the United States by competent authorities, such as Miles M. Dawson & Son of New York City, consulting actuaries for some of the largest insurance companies in the country.

When the controversy over the Workmen's Compensation Insurance came up early in the session, there were differences of opinion as to the solvency of the fund even among the members of the Workmen's Compensation Bureau, but

since the examination and actuarial investigation by Miles M. Dawson & Son, and the filing of the report, which is in a form to be clearly understood by laymen, there is no foundation for questioning the soundness and solvency of the North Dakota Workmen's Compensation Insurance Fund.

This bill, no doubt, is the finale or master-stroke of the insurance lobby that has been so much in evidence in Bismarck during the session, in the attempt to demolish our state insurance laws.

I am of the opinion that our Workmen's Compensation Insurance Fund is solvent and our industrial classification sufficient to insure the continued solvency of the fund; therefore, I have vetoed Senate Bill No. 76 and return the same herewith.

Very truly yours,  
A. G. SORLIE,  
Governor.

House Bill No. 41. A Bill for an Act to Amend and Re-enact Sections 560, 566, 567 and 571 of Article 22 of the Compiled Laws of North Dakota for the year 1913, Relating to the Barbers' Examining Board of the State of North Dakota; and to Provide for Said Board Adopting Rules and Regulations Relating to Sanitary Conditions in Barber Shops, Prohibiting the Occupation of Barbering upon Certain People, and Regulating the Power of Said Board in the Supervision of Barber Schools.

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 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Rusch
Baird	Lynch	Sathre
Benson	McLachlin	Schlosser
Bond	Martin	Seamands
Brunsdale	Murphy	Steel
Conrath	Olson of Barnes	Stevens
Crocker	Olson of Burleigh	Tofsrud
Ettestad	Olson of Eddy	Van Arnam
Fine	Pathman	Van Camp
Forbes	Patterson	Whitman
Fredrickson	Ployhar	Wog
Hamilton	Porter	
Hart	Ritchie	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Erickson	Magnuson
Brant	Fleckten	Marshall
Carey	Hjelmstad	Patten
Eastgate	McCrorry	Peck

So the bill passed and the title was agreed to.

Senator Rusch moved that the vote by which House Bill No. 41 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 318. A Bill For an Act to Amend and Re-enact Section 3704 of the Compiled Laws of North Dakota for 1913, as amended by Chapter 212 of the Laws of 1925, providing for a resolution declaring improvement work to be done by special assessments necessary, and permitting protests against said improvements to be filed by property owners.

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.
Atkins	Fredrickson	Patten
Baird	Hamilton	Patterson
Bakken	Hart	Peck
Benson	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brant	Lynch	Ritchie
Brunsdale	McCrary	Rusch
Carey	McLachlin	Sathre
Conrath	Magnuson	Schlosser
Crocker	Marshall	Seamands
Eastgate	Martin	Steel
Erickson	Murphy	Stevens
Ettestad	Olson of Barnes	Tofsrud
Fine	Olson of Burleigh	Van Arnam
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog

Absent and not voting:

Messrs.  
Van Camp

So the bill passed and the title was agreed to.

House Bill No. 162. A Bill For an Act Creating a State Highway Commission, Defining its Powers and Duties and Fixing the Compensation of the Commission.

Was read the third time.

Senator Baird offered the following amendment:

In section 6 of the printed bill, line 4, after the word "fix" insert the following: "not exceeding the sum of \$3,000.00 per annum.

Which amendment was adopted.



Senator McLachlin offered a further amendment:

In Section 1 of the printed bill, in line 3 after the word "members" insert "one of whom shall be a duly qualified engineer".

Which amendment was lost.

The question being on the final passage of the bill, as amended, the roll was called, and there were ayes 41, nays 8, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Olson of Eddy
Baird	Fredrickson	Pathman
Benson	Hamilton	Patten
Bond	Hart	Patterson
Brant	Hjelmstad	Peck
Brunsdale	Kretschmar	Ployhar
Carey	Lynch	Ritchie
Conrath	McCrorry	Rusch
Crocker	Magnuson	Schlosser
Eastgate	Marshall	Steel
Erickson	Martin	Van Camp
Ettestad	Murphy	Whitman
Fine	Olson of Barnes	Wog
Fleckten	Olson of Burleigh	

Those voting in the negative were:

Messrs.	Messrs.	
Bakken	Sathre	Tofsrud
McLachlin	Seamands	Van Arnam
Porter	Stevens	

So the bill passed and the title was agreed to. Emergency clause declared carried.

Senator Porter moved that the vote by which House Bill No. 162 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 167. A Bill For an Act providing a hearing upon claims rejected by the Depositors' Guaranty Fund Commission of the State of North Dakota, for appeals from Final Decisions Rendered by said Commission to the District Court of Burleigh County and for Appeals from said District Court to the Supreme Court, and providing for the procedure upon such hearing and appeals.

Was read the third time.

The question being on the final passage of the bill, the roll was called, and there were ayes 9, nays 39, absent and not voting 0, passed 1.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Eastgate	Murphy
Bond	Forbes	Olson of Burleigh
Crocker	Lynch	Ployhar

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Baird	Hart	Porter
Bakken	Hjelmstad	Ritchie
Benson	McCrory	Rusch
Brant	McLachlin	Schlosser
Brunsdale	Magnuson	Sathre
Carey	Marshall	Seamands
Conrath	Martin	Steel
Erickson	Olson of Barnes	Stevens
Ettestad	Olson of Eddy	Tofsrud
Fine	Pathman	Van Arnam
Fleckten	Patten	Van Camp
Fredrickson	Patterson	Whitman
Hamilton	Peck	Wog

Those Passing:

**Messrs.**  
Kretschmar

So the bill was declared lost.

Senator Sathre moved that the vote by which House Bill No. 167 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bills 41 and 356 were returned to the House passed amended.

House Bill 167 was returned to the House indefinitely postponed.

House Bill No. 202. A Bill For an Act to Amend Sections 7, 8 and 13, Chapter 292, Session Laws of 1923, Relating to the Bonds of North Dakota Real Estate Series; and to Amend Sections 9 and 12, Chapter 292, of the Session Laws of 1923, as Amended by Sections 2 and 3 of Chapter 100 of the Session Laws of 1925, Relating to the Bonds of North Dakota Real Estate Series.

Was read the third time.

Senator Ployhar offered the following amendmnet:

Wherever the sum of \$30,000,000.00 in the engrossed bill refers to the total amount of bonds, change the figures to \$25,000,000.00.

Which amendment was lost.

The question being on the final passage of the bill, the roll was called, and there were ayes 25, nays 24, absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Seamands
Baird	Lynch	Steel
Bond	McLachlin	Stevens
Brunsdale	Murphy	Tofsrud
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Hart	Schlosser	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Burleigh
Benson	Hamilton	Olson of Eddy
Brant	Hjelmstad	Patten
Conrath	McCroy	Patterson
Erickson	Magnuson	Peck
Ettestad	Marshall	Ritchie
Fine	Martin	Sathre
Fleckten	Olson of Barnes	Wog

So the bill passed and the title was agreed to.

Senator Baird moved that the vote by which House Bill No. 202 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Ployhar explained his vote:

In order to obtain the provisions provided for in portions of this bill relating to the segregation of the interest and sinking funds, I vote "aye".

House Bill No. 227. A Bill For an Act Making an Appropriation for Agricultural Fair purposes and providing for the division, expenditure and disbursement thereof.

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 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Baird	Hamilton	Pathman
Bakken	Hart	Patterson
Bond	Hjelmstad	Ployhar
Brunsdale	Kretschmar	Rusch
Carey	Lynch	Sathre
Crocker	McLachlin	Schlosser
Eastgate	Magnuson	Steel
Ettestad	Martin	Van Arnam
Fleckten	Murphy	Whitman
Fredrickson	Olson of Burleigh	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	McCrorry	Ritchie
Benson	Marshall	Seamands
Brant	Olson of Barnes	Stevens
Conrath	Olson of Eddy	Tofsrud
Erickson	Patten	Van Camp
Fine	Peck	Wog
Forbes	Porter	

So the bill passed and the title was agreed to.

Senator Bond moved that the vote by which House Bill No. 227 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Forbes explained his vote:

I am going to vote "no" on this because this is a waste of money to have four state fairs. Also if we are going to donate money it should be donated to the various counties for county fairs. I am not going to vote money for a thing I do not approve.

Senator Hamilton explained his vote:

Knowing as I do that it is impossible at this time to have one state fair I think this is a good proposition because this money is used to pay premiums upon stock scattered in four different parts of the state and is paid out to hundreds and hundreds of people who attend the fairs. Therefore I vote "aye".

Senator Van Arnam explained his vote:

I vote "aye" on this because I live in Cass county and Cass is one of the suburbs of Fargo.

House Bill No. 254. A Bill For an Act Making an Appropriation for the Purpose of Erecting a Ward Building at the State Hospital for the Insane at Jamestown.

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.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCrorry	Sathre
Carey	McLachlin	Schlosser

Messrs.	Messrs.	Messrs.
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	

Those voting in the negative were:

Messrs.  
Tofsrud

Absent and not voting:

Messrs.  
Martin

So the bill passed and the title was agreed to.

House Bill No. 268. A Bill for an Act to Provide for the Taxing and Licensing of Motor Vehicles, and Trailers, the Creation of a Department of Motor Vehicle Registration, the Appointment of a Registrar of Motor Vehicles, His Powers and Duties, Establishing the Method of Distribution of the Fees Received therefrom, Fixing Penalties for Violation of this Act and Providing for an Appropriation for Administering the Same and for the Use of the State Highway Commission, and to make Uniform the Law Relating to the Subject Matter of this Act.

Was read the third time.

Senator Hjelmstad offered the follownig amendment:

In section 30 of the printed bill in lines 7 and 8 change the month "March" to "April".

Which amendment was lost.

Senator Hjelmstad offered a further amendment:

In section 30 of the printed bill in lines 7 and 8 change the date "March 15" to "April 1".

Roll call.

The question being on the amendment by Senator Hjelmstad, 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.
Bakken	Hamilton	Patten
Benson	Hart	Patterson
Brant	Hjelmstad	Peck
Conrath	Lynch	Ritchie
Erickson	Magnuson	Schlosser

Messrs.	Messrs.	Messrs.
Ettestad	Marshall	Stevens
Fine	Martin	
Fleckten	Olson of Burleigh	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Rusch
Baird	McCrory	Sathre
Bond	McLachlin	Seamands
Brunsdale	Murphy	Steel
Carey	Olson of Barnes	Tofsrud
Crocker	Olson of Eddy	Van Arnam
Eastgate	Pathman	Van Camp
Forbes	Ployhar	Wog
Fredrickson	Porter	

Absent and not voting:

Messrs.  
Whitman

So the amendment was declared lost.

The question being on the final passage of the bill, the roll was called, and there were ayes 38, nays 10, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Porter
Baird	Kretschmar	Rusch
Benson	Lynch	Sathre
Bond	McCrory	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fleckten	Olson of Burleigh	Van Camp
Forbes	Olson of Eddy	Whitman
Fredrickson	Pathman	Wog
Hamilton	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brant	Hjelmstad	Peck
Conrath	Magnuson	Ritchie
Erickson	Patten	
Fine	Patterson	

Absent and not voting:

Messrs.  
Bakken

So the bill passed and the title was agreed to.

Senator Hjelmstad moved that the vote by which House

Bill No. 268 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Porter requested a return to the Eighth Order of Business.

Which request was granted.

Senator Porter moved that the vote by which House Bill 351 was lost be reconsidered.

Which motion prevailed.

Senator Porter then moved that House Bill 351 be placed on final passage.

Which motion prevailed.

House Bill No. 351. A Joint Resolutoin to Amend and Re-enact Section 179 of Article 11 of the Constitution of the State of North Dakota as Amended by Article 20 of the Amendments thereto, Relating to Revenue and Taxation.

The question being on the final passage of the bill, the roll was called, and there were ayes 37, nays 9, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Ployhar
Baird	Hart	Porter
Benson	Hjelmstad	Rusch
Bond	Kretschmar	Sathre
Brant	Lynch	Seamands
Brunsdale	McLachlin	Steel
Carey	Murphy	Stevens
Crocker	Olson of Barnes	Tofsrud
Eastgate	Olson of Burleigh	Van Arnam
Erickson	Olson of Eddy	Van Camp
Ettestad	Pathman	Whitman
Forbes	Patterson	Wog
Fredrickson	Peck	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Conrath	McCrory	Patten
Fine	Magnuson	Ritchie
Fleckten	Marshall	Schlcsser

Absent and not voting:

Messrs.	Messrs.
Bakken	Martin

So the bill passed and the title was agreed to.

Senator Ployhar moved that the vote by which House Bill

No. 351 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Murphy requested a return to the Eighth Order of Business.

Which request was granted.

Senator Murphy moved that the Senate do concur in the House amendments to Senate Bill 49 and that the rules be suspended and the bill, as amended, be considered properly engrossed and placed upon final passage.

Which motion prevailed.

### THIRD READING OF SENATE BILLS

Senate Bill No. 49. A Bill For an Act to amend and reenact Sections 476, 486, 487, 488, 490, 493, 495, 504, and 505 of the Compiled Laws of the State of North Dakota, for the year 1913, the same being Sections 2, 12, 13, 14, 16, 19, 21, 25, 30, and 31 of Chapter 182 of the Session Laws of 1907, entitled "An act to Regulate the Practice of Pharmacy, and Providing Penalties for Violating the Provisions Thereof."

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 4, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Porter
Baird	Hjelmstad	Ritchie
Bakken	Lynch	Rus
Benson	McCrorry	Sathre
Bond	McLachlin	Schlosser
Brant	Magnuson	Seamands
Brunsdale	Marshall	Steel
Carey	Murphy	Stevens
Crocker	Olson of Barnes	Tofsrud
Eastgate	Olson of Burleigh	Van Arn
Erickson	Olson of Eddy	Van Camp
Ettestad	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Patterson	
Hamilton	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.
Conrath	Fleckten
Fine	Peck

Absent and not voting:

Messrs.	Messrs.
Kretschmar	Martin

So the bill passed and the title was agreed to.



Senator Murphy moved that the vote by which Senate Bill No. 49 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Whitman moved that the Senate do concur in the House amendments to Senate Bill 20 and that the rules be suspended and the bill, as amended, be considered properly engrossed and placed upon final passage.

Which motion prevailed.

Senate Bill No. 20. A Bill For an Act to regulate the occupation of hairdressers and cosmetologists to create a State Board of Hairdressers and Cosmetologists for the licensing of persons to carry on and to teach such practices, to insure the better education of such practitioners, to provide rules regulating the proper conduct and sanitation of hairdressing and cosmetologist establishments and school for the protection of the public health, and to provide penalties for 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 9, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Porter
Baird	Hamilton	Rusch
Benson	Hart	Sathre
Bond	Hjelmstad	Schlosser
Brant	Kretschmar	Seamands
Brunsdale	Lynch	Steel
Carey	McLachlin	Stevens
Conrath	Murphy	Tofsrud
Crocker	Olson of Barnes	Van Camp
Eastgate	Olson of Burleigh	Van Arnam
Ettestad	Pathman	Whitman
Fine	Patterson	Wog
Forbes	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Magnuson	Patten
Fleckten	Marshall	Peck
McCrorry	Olson of Eddy	Ritchie

Absent and not voting:

Messrs.	Messrs.
Erickson	Martin

So the bill passed and the title was agreed to.

Senator Whitman moved that the vote by which Senate Bill No. 20 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Sathre moved that the Senate do not concur in the House amendments to Senate Bill 126 and that a Conference Committee be appointed.

Which motion prevailed.

Senator Murphy moved that the Senate do concur in the House amendments to Senate Bill 184 and that the rules be suspended and the bill, as amended, be considered properly engrossed and placed on final passage.

Which motion prevailed.

Senate Bill No. 184. A Bill For an Act to Amend and Re-enact Sections 3, 8 and 9, Chapter 159, Session Laws of 1919, and Section 3 of Chapter 154, Session Laws of 1925, Relating to Insurance on Public Buildings, Providing for the Classification of All Public Property, and Limiting the Amount of Insurance to be Carried by the State Fire and Tornado Fund.

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 20, absent and not voting 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Benson	McLachlin	Steel
Bond	Murphy	Stevens
Brunsdale	Olson of Burleigh	Tofsrud
Carey	Pathman	Van Arnam
Crocker	Ployhar	Van Camp
Eastgate	Porter	Whitman
Forbes	Rusch	
Hart	Sathre	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Brant	Hamilton	Patten
Conrath	Hjelmstad	Patterson
Erickson	McCrary	Peck
Ettestad	Magnuson	Ritchie
Fine	Marshall	Wog
Fleckten	Olson of Barnes	

Absent and not voting:

Messrs.  
Martin

So the bill passed and the title was agreed to.

Senator Murphy moved that the vote by which Senate Bill No. 184 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Benson moved that the Senate do not concur in the House amendments to Senate Bill 179 and that a Conference Committee be appointed.

Which motion prevailed.

Senator Seamands moved that the Senate do concur in the House amendments to Senate Bill 213 and that the rules be suspended and the bill, as amended, be considered properly engrossed and placed on final passage.

Which motion prevailed.

Senate Bill No. 213. A Bill For an Act to Amend and Re-enact Section 1438a1 Article 2a of Chapter 12 of the Supplement to the Compiled Laws of 1913-1925, Relating to High School Tuition Fee.

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 12, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Ployhar
Baird	Hart	Porter
Bakken	Hjelmstad	Rusch
Bond	Kretschmar	Sathre
Brant	Lynch	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Burleigh	Van Arnam
Forbes	Olson of Eddy	Van Camp
Fredrickson	Pathman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Fleckten	Patterson
Conrath	McCrory	Peck
Ettestad	Olson of Barnes	Ritchie
Fine	Patten	Wog

Absent and not voting:

Messrs.	Messrs.
Martin	Whitman

So the bill passed and the title was agreed to.

Senator Atkins moved that the vote by which the emergency clause on Senate Bill 246 was lost be reconsidered.

Which motion prevailed.

Senator Atkins moved that the roll be called on the emergency clause to Senate Bill 246.

Which motion prevailed.

The question being on the Emergency Clause, ayes 45, nays 2, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Ployhar
Bakken	Hart	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brant	McCrary	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog

Those voting in the negative were:

Messrs.	Messrs.
Conrath	Peck

Absent and not voting:

Messrs.	Messrs.
Hjelmstad	Martin

So the emergency clause was declared carried.

House Bill 202 was returned to the House passed amended.

House Bills 318, 227, 268 and 254 were returned to the House passed unchanged.

#### MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 20. A Bill For an Act to regulate the occupation of hairdressers and cosmetologists to create a State Board of Hairdressers and Cosmetologists for the licensing of persons to carry on and to teach such practices, to insure the better education of such practitioners, to provide rules

regulating the proper conduct and sanitation of hairdressing and cosmetologist establishments and school for the protection thereof.

Which the House has amended as follows:

(Amendments are to the Engrossed Bill.)

In Line 10 from the bottom of page 1, strike out the word "female". At the end of the seventh line from the bottom of page 1, insert a comma. In the 5th line on the bottom of page 1, strike out the word "female". In line 3, page 2, strike out the punctuation and words "warts, moles". In line 15, page 3, after the word "himself" insert the words "or herself". In line 21, page 3, after the word "members" and ahead of the word "each" insert "who shall be women". In line 2, page 4, strike out the word "his" and insert the word "her". In line 14, page 4, strike out the words "his or" as the same occurs both times. In line 17, page 4, strike out the words "his or". In line 21, page 4, insert a comma after the word "Board". In line 25, page 4, strike out the word "his" and insert the word "her". In line 12, page 5, insert after the word "his" the words "or her". In line 4, page 6, insert a comma after the word "Board". In line 9, page 6, insert a comma after the word "practices". In line 17, page 6, strike out the words and punctuation "warts or moles,". In line 22, page 7, insert a comma after the word "required". In line 23, page 7, change the word "complied" to "complies". In line 8, page 10, change the comma after the word "establishment" to a period, and following such period, insert the words "an operator". In line 2, page 11, insert a comma after the word "emergency". In line 3, page 11, change the comma after the word "compensation" to a semicolon. Insert as Section 24 the following: "all fees and moneys received by the Board shall be, by the Secretary thereof, forwarded monthly to the State Treasurer, who shall upon receipt thereof, enter such funds and carry the same in a special fund to be known as State Hairdressers' Fund, and all salaries and other expenses incurred under the provisions of this act, shall be paid out of such fund. Vouchers for all salaries and expenses incurred in carrying out the provisions of this act, shall be by the secretary of the Board certified monthly to the State Auditor, who shall draw warrants therefor upon the state treasurer, who shall pay the same out of the said State Hairdressers' Fund; and out of such fund only." Renumber Section 24 as 25, and 25 as 26.

Page 12, line 6, of the printed bill, strike out the last word "or" and in line 7 strike out the words "use for residential purposes".

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 1, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 49. A Bill For an Act to amend and re-enact Sections 476, 486, 487, 488, 490, 493, 495, 504, and 505 of the Compiled Laws of the State of North Dakota, for the year 1913, the same being Sections 2, 12, 13, 14, 16, 19, 21, 25, 30, and 31 of Chapter 182 of the Session Laws of 1907, entitled "An act to Regulate the Practice of Pharmacy, and Providing Penalties for Violating the Provisions Thereof."

Which the House has amended as follows:

Strike out all reference to Section 499 in the title of the bill, strike out all of the proposed Section 499 in the body of the bill. The purpose and effect of this amendment is to leave the law with respect to the subject matter proposed to be covered by the new Section 499, just as it is now on our statutes.

Renumber Section 9 as Section 8; and Section 10 as Section 9.

In line 23 of Page 5 of the engrossed bill, change the word "The" to the word "In";

Between lines 8 and 9 on Page 3 of the engrossed bill, insert the following paragraph:

"Provided, that any person who was registered as an assistant pharmacist in North Dakota prior to January 1st, 1913 and who still continues to practice such profession within the State of North Dakota, but has been debarred from application for a certificate as a Registered Pharmacist by reason of the requirement as to college work, shall upon application duly made to the board prior to July 1st, 1928, be given an examination for registration as a pharmacist, such examination for registration to be so given with due regard for such circumstance; and upon passing of an examination so to be given, in manner satisfactory to the majority of such board shall be given a certificate as a Registered Pharmacist.

And the further amendment:

Strike out the word "sulphur" in line 13 of Section 499 of the engrossed bill.

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 55. A Bill For an Act to amend and re-enact Sections 189b1, 189b5, 189b9, 189b11, 189b12, 189b25, 189b29 and 189b30 of the Supplement to the Compiled Laws 1913.

Which the House has amended as follows:

Strike out everything after the words "A Bill" and insert in lieu thereof the following:

For an Act to Amend and Re-enact Sections 189b1, 189b5, 189b9, 189b11, 189b12, 189b25, 189b29 and 189b30 of the Supplement to the Compiled Laws 1913.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF  
THE STATE OF NORTH DAKOTA:**

Section 1. That Section 189b1 of the Supplement to the Compiled Laws 1913 be, and the same hereby is, amended and re-enacted to read as follows:

Section 189b1. The term "tillable land" when used in this Act shall mean all lands suitable or capable of agricultural cultivation, whether used as such or not, and shall not mean rough, mountainous, timbered, stony, sandy, alkali, swampy or lands flooded to such an extent as to be unprofitable for the purpose of agricultural cultivation. The term "cropped land" when used in this Act shall mean all lands actually in such crop or intended to be planted or sown into such crops as wheat, rye, barley, oats, speltz, flax and corn. The term "year" whenever used in this Act shall mean the calendar year.

Section 2. That Section 189b5 of the Supplement to the Compiled Laws 1913 be, and the same hereby is, amended and re-enacted to read as follows:

Section 189b5. The crops insured under this Act shall consist of wheat, rye, barley, oats, speltz, flax and corn grown on cultivated lands, listed as actually cropped, subject to and paying the taxes herein specified, or which is insured according to Section 24 of this Act. Provided that no indemnity shall be allowed or paid for damage to any crop after it is cut, nor shall any indemnity be allowed for loss that occurs after the 15th day of September of any year except that flax shall be considered insured up to and including September 25th if not cut before such time, nor shall indemnity be allowed for loss occurring before the first day of June on winter rye and winter wheat, nor before the 10th day of June on spring wheat, spring rye, barley, oats, speltz, flax and corn. Provided that in counties which are "excepted counties" as defined in Section 3 of this Act, no insurance upon any crop shall take effect until application has been made therefor. Provided that it shall be the duty of the assessor to show on the crop listing affidavit, in a space provided therefor, the number of acres and kind of crop effected in the manner and form as above provided no diagramming of such crops shall be considered necessary. Provided further that where fields have been abandoned for one reason or another there shall be no claim allowed for any loss or damage to crops described in this Act. It is further provided that such lands owned by the Bank of North Da-

kota or held by such institution as agent for the State Treasurer as Trustee of the State of North Dakota, and lands held by the Board of University and School Lands on fore-closed mortgages, and not resold, also such lands as such Board of University and School Lands has cancelled contracts for non-payment of taxes or other defaults shall not be considered insured with the Hail Department except as provided in Section 24 of the Hail Insurance Law, and it shall be the duty of the State Land Commissioner and the Manager of the Bank of North Dakota to furnish the State Hail Insurance Department with a list of all such lands not later than June 10th of each year. Where counties and other subdivisions hold non-taxable lands it shall be the duty of the County Auditor to furnish the Hail Department with lists of such lands by the 10th of June of each year that proper cancellation of any erroneous listings may be effected.

Section 3. That Section 189b9 of the Supplement to the Compiled Laws 1913 be, and the same hereby is, amended and re-enacted to read as follows:

Section 189b9. It shall be the duty of every county and township assessor in his respective district at the time of listing property for assessment to return the number of tillable acres in every tract, parcel or subdivision of land, subject to taxation, together with the name of the person in whose name the land is taxed, and also the number of acres of such land, if any, in crop or to be sown or planted ot crop during such year. He shall note upon a diagram on the crop listing blank the location of such land in crop or to be planted or sown to crop during such year and shall return and file the same with the County Auditor on or before the 1st day of June in each year. In case the number of acres in crop, as shown on the crop-listing affidavit in the column providing for showing such crop lands does not correspond with the crop acreage shown on the diagram on the crop-listing affidavit, the number of acres as given in the cropped land column shall govern. Such Assessor, in addition to the compensation allowed by law, shall receive the sum of \$15.00 for every full township of thirty-six sections, or at the rate of seven cents per hundred acres or fraction thereof listed, whether tillable or not.

Provided that in "excepted counties" as defined herein, Assessors shall be paid a fee of twenty-five cents for each application for hail insurance returned by him, but such compensation shall not exceed 50% of the compensation allowable to Assessors in other than "excepted counties". Such compensation shall be paid out of the hail insurance fund on vouchers issued by the Commissioner of Insurance and approved by the State Auditing Board, provided that warrants in payment of such listing of land and making such applications shall not be issued before the County Auditor shall have filed with the Hail Insurance Department a certified statement that such Assessor has listed every tract in his township or district. The assessor, county auditor and all officers, employees and servants of the State Hail De-



partment, in the performance of all of their duties provided for in the State Hail Insurance Law, shall be conclusively deemed to be the agents of the State Hail Department and the law of waiver and estoppel shall operate against the State Hail Department as against a private individual or a private corporation. This act shall apply to all past and pending claims for crop losses by hail which have arisen subsequent to January 1st, 1925.

Provided however: In counties where 75% or more of the land returned by the Assessor as in crop, or to be sown to crop, is withdrawn for the year 1927, the Assessor shall not make return of land in crop or to be sown to crop, except that upon request of land owners or tenants he shall take applications for indemnity hail insurance of crops growing or to be grown upon any land otherwise eligible, for which such land owner or tenant, either individually or jointly, may make application, and which application shall be signed in triplicate by the party requesting such insurance and attested by the Assessor, whereupon such lands shall be listed and diagrammed on the crop-listing affidavit and returned as herein provided, together with the original and one duplicate copy of such application, the remaining duplicate copy to be redelivered to the applicant. Provided, that anyone listing and insuring crops with the assessor or the county auditor in "excepted counties" shall have all the privilege of withdrawal and reinstatement accorded to those whose lands are listed and assured in other counties. Such counties shall be known as "excepted counties" until such time as the land so listed for insurance upon application as aforesaid, shall equal twenty-five per cent of the land returned as in crop or to be sown or planted to crop in the year 1927, when they shall cease to be "excepted counties" and shall be no longer subject to this proviso. Provided further, that in any such reinstated counties should lands withdrawn in any subsequent year again exceed 75% of the lands in crop or to be sown to crops, as returned by the Assessor for the year 1927, then and in that case such counties shall again be classified as "excepted counties".

It shall be the duty of the Insurance Commissioner each year, before the 15th day of February, to notify the Auditors of the several counties, whether their respective counties are "excepted counties" or otherwise, and the Auditor shall thereupon cause notice of that fact to be published in the official paper once a week for four consecutive weeks and shall notify the Assessors in his county thereof.

Section 4. That Section 189b11 of the Supplement to the Compiled Laws 1913 be, and the same hereby is, amended and re-enacted to read as follows:

Section 189b11. Every owner or his agent, or tenant or his agent, of any land subject to the provisions of this Act shall make affidavit that the land so insured is actually cultivated and in crop or intended to be cultivated and put into crop. Such affidavit shall contain a legal description of the land, together with the number of acres claimed as

crop land and in case of any loss by hail such owner and tenant shall be bound by said affidavit as to the number of acres cropped. Such affidavit shall be made in triplicate and shall be sworn to before the Assessor. The Assessor shall file the original and one duplicate of such affidavit with the County Auditor on or before the 1st day of June of each year, and a copy of such affidavit shall be left with the maker and shall constitute his policy of insurance. If the owner or tenant, or their agents, be absent or refuses or neglects to furnish such affidavit, the Assessor shall certify the number of acres cropped, the description of said land, and the name of the owner and tenant, if any, and file the same with the County Auditor, and such owner and tenant shall be bound by such certificate as to the facts so certified. Provided, that if any Assessor shall neglect to list such land or shall list it improperly any such owner or tenant or their respective agents, may list such land with the County Auditor prior to June 10th of any year by making affidavits as above provided, the originals of such affidavits to be filed by the County Auditor with the Hail Insurance Department immediately. Any Assessor who shall neglect or fail to list any land in the township or district in which he is Assessor, as provided in this section, shall be guilty of a misdemeanor. Provided, that the Hail Insurance Department shall be liable for loss only on lands listed as provided in this Act.

Provided, however: In counties defined as "excepted counties" by section 189b9 of the Supplement to the Compiled Laws 1913, of this Act, the requirements of this section shall be limited to cases in which application is made for indemnity hail insurance as in said section provided for.

Provided, further, any land owner or tenant who fails to make application for insurance to the Assessor prior to June 1st of each year, or whose application therefor has for any reason been improperly made or returned, may make application for such insurance to the County Auditor at any time up to and including July 5th, in which event he shall make and file with such Auditor his affidavit that such crops have not been damaged or destroyed by hail prior to that time, and such application shall have the same effect as an application made to the Assessor as hereinbefore provided, but no insurance so applied for shall take effect until twenty-four hours after the receipt and filing of such application with the County Auditor.

Section 5. That Section 189b12 of the Supplement to the Compiled Laws of 1913 be, and the same hereby is, amended and re-enacted to read as follows:

Section 189b12. Any owner of land liable for the indemnity tax herein provided may at any time prior to June 10th of each year withdraw any portion or all lands owned by such person from the levy of said hail indemnity tax upon making an affidavit in duplicate giving the legal description of the land, the number of acres withdrawn and if possible, the kind of crop so withdrawn and stating that he desires to withdraw therefrom, and filing such affidavit in duplicate

with the County Auditor and the County Auditor shall immediately file a copy of the same with the Commissioner of Insurance. Such affidavit shall be sworn to before someone authorized to administer oaths. Provided that no assessor shall acknowledge affidavits of withdrawal. Should such owner wish to withdraw all of his lands subject to indemnity tax, then he should, if possible, surrender his copy of the crop-listing affidavit and file same together with the application for withdrawal with the County Auditor. Provided that if such land or any portion thereof is rented such owner shall procure the written consent to withdrawal of such tenant, such consent to appear on the same blank as the affidavit of withdrawal. Provided if land is leased for a money consideration, then the lessee, if he has full interest in the crops grown on the lands, may make affidavit as above provided and file with same copy of his lease or affidavit to the effect that he is cash tenant. Provided further, that withdrawal from hail indemnity tax may be cancelled and insurance reinstated at any time prior to July 10th by filing an affidavit of application for such reinstatement in duplicate with the County Auditor on blanks furnished by the Hail Insurance Department and the County Auditor shall immediately file a copy of such application with the Hail Insurance Department. Provided, that if land is rented, both the owner's and tenant's signatures must appear on such application for reinstatement, one or both of such signatures to be acknowledged by someone authorized to administer oaths. It is further provided that any portion of the crops originally withdrawn may be reinstated and that such reinstated insurance as above provided shall not take effect prior to 24 hours after such application for reinstatement is filed in the office of the Hail Insurance Department, Bismarck, North Dakota. 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. Every owner of land shall have a self-executing first lien upon all crops and grains belonging to the tenant as security for the payment of said tax or the part of such tax, properly chargeable to such tenant, which shall be in the same proportion as he has interest in the crop. It is further provided that in such cases where payment of hail indemnity taxes have been evaded, as where mortgagees and others pay general taxes without paying the hail indemnity tax where the County is shown to hold such taxes the Hail Insurance Department shall cancel the protection on any and all such lands until such time that such hail indemnity taxes with accumulated interest shall have been paid, or until the time that title shall have passed to another owner except the original mortgagor. And it shall be the duty of the County Auditors to notify the Hail Insurance Department when such evasions occur as well as when such payments are made, that reinstatements may be effected in accordance with such rules and regulations as the Commissioner of Insurance may determine. It is further provided that lands covered by mortgage where such mortgage has been foreclosed, such land shall not be insured with the State Hail Insurance De-

partment during the period of redemption, except that such lands may be protected according to Section 24 of the Hail Laws Act, and it shall be the duty of the sheriff of each and every County in the State, not later than the 10th day of June of each year, to furnish the Hail Insurance Department with a complete list of lands in his County on which the period of redemption expires during the then current year and after June 10th of such year, giving the date when sheriff's certificate was issued as well as the name and address of mortgagor and holder of such sheriff's certificate. Provided, further, that it shall be the duty of the county auditors to distribute to the assessors such hail insurance blanks as are furnished him by the Hail Insurance Department.

Section 6. That Section 189b25 of the Supplement to the Compiled Laws 1913, be, and the same hereby is, amended and re-enacted to read as follows:

Section 189b25. The Hail Insurance Department may insure crops upon Homestead land on which patent has not been issued and also on land within the boundaries of Indian Reservations upon the application of Homestead entryman or lessee of Indian lands as the case may be. The Department may also furnish protection on lands owned by the Board of University and School Lands on which contracts for sale have been cancelled or which may have been acquired by sheriff's deed on foreclosures of mortgage, and on such lands owned by the Farm Loan Department of the Bank of North Dakota as agent for the State Treasurer as Trustee for the State of North Dakota, and on such lands as may be owned by counties and not taxable, and on such lands that failed to be listed prior to the 10th day of June, also on other lands and crops not otherwise insured with the Department, such applications to be made upon blanks furnished by the Commissioner of Insurance under such rules and regulations as he may direct, and may not be filed later than August 1st of each year; such applications to be verified and contain a statement to the effect that the crops upon such lands have not theretofore been damaged by hail, and shall be accompanied by a certified check or draft for the premium figured at the rate of 60 cents an acres for \$7.00 per acre protection. Provided further, that the Commissioner of Insurance shall, after the actual per acre levy has been determined, make refunds to such applicants in such amounts as will make the cost per acre not more for crops insured under this section than the cost per acre as ascertained under the provisions of Section 189b7 of the Supplement to the Compiled Laws 1913 of this Act. Provided further, that such insurance shall become effective from the hour of the receipt of such application in the office of the Hail Insurance Department.

Section 7. That Section 189b29 of the Supplement to the Compiled Laws 1913 be, and the same hereby is, amended and re-enacted to read as follows:

Section 189b29. The county commissioners with the approval of the Commissioner of Insurance, may, in case of

error, reduce the number of acres shown as listed for such season as cropped land when proof is furnished that a smaller acreage was actually cropped, or that part of such acreage was summer fallowed. Provided that such applications asking reduction from listed acreage must be submitted to the Hail Insurance Department for approval not later than the first of October of the year listing was made, in order that the levy for hail indemnity tax may be based on the proper acreage. Provided, further, that in similar manner the Insurance Commissioner may, in case of error, abate any hail insurance tax wrongfully levied and refund any such tax wrongfully collected under the provisions of this Act upon presentation to him of a written application in the manner and form as the Commissioner of Insurance may provide.

Section 8. That Section 189b30 of the Supplement to the Compiled Laws 1913 be, and the same hereby is, amended and re-enacted to read as follows:

Section 189b30. The Commissioner of Insurance shall have no discretion to allow any claim for loss made or filed after sixty days from the time such loss occurred, nor later than October 1st of that year. Civil actions may be brought against the State of North Dakota on all causes of action arising out of transactions connected with the operation of the Hail Insurance Department of the State of North Dakota. In such actions the State shall be designated as the State of North Dakota, doing business as the Hail Insurance Department of the State of North Dakota, and the service of process therein shall be made upon the Commissioner of Insurance. Such actions may be brought in the same manner and shall be subject to the same provisions of law as other civil actions brought pursuant to the provisions of the Code of Civil Procedure. Such actions may be brought in the County where the crop is or was grown. The provisions of Sections 375 and 657, the Compiled Laws of 1913, shall not apply to claims against the State affected by the provisions of this section. A judgment rendered in such an action shall constitute an allowed claim against the Hail Department of the State of North Dakota, and shall be paid in the same mode and manner as other allowed claims against the Hail Department of the State of North Dakota. No action upon any claim for loss by hail shall be brought after three years from the time the loss occurred and not action for a refund of indemnity or flat tax, or both, paid, shall be brought after three years from the first of December of the year for which such indemnity or flat tax was levied. Provided, that this act shall not apply to arbitration of adjustment of claims provided in Section 189b17, Supplement of the Compiled Laws of North Dakota for 1913. Provided further, that any acts or parts of acts in conflict with any of the provisions of this act are hereby expressly repealed. This act shall apply to all past and pending claims for crop losses by hail, which have arisen subsequent to January 1st, 1925.

And the further amendment:

In the amendments as printed in the Journal on page 18, the seventh line from the bottom of the page, after the word "levied" insert the following: "Provided that the limitation contained herein shall not apply to purchasers or assignees of tax sale certificates". In Section 3, page 13, fifth line from the bottom of the page, strike out the figures "50%" and insert in lieu thereof "90%". In the last line of page 18 of the Journal, strike out the word "Act" and insert in lieu thereof the word "Section".

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 126. A Bill For an Act to Amend and Re-enact Sections 1, 2, 3, 5, 6, 10, 12, 14 and 21 of Chapter 182, Session Laws 1923, the same being Sections 5235a2, 5235a3, 5235a5, 5235a6, 5236a10, 5235a12, 5235a14 & 5235a21 of the Supplement to the 1913 Compiled Laws of North Dakota 1913-1925, Relating to the Definition of Securities, Indemnity Bond and Fees Collected by the State Securities Commission.

Which the House has amended as follows:

In line 1 of the title, after the word "sections" insert the figure "1"; and after the word "sections" in line one of the body of the bill, insert the figure "one,".

Insert ahead of Section 5235a2 the following as Section 1.

"Section 5235a1. State Securities Commission Created. There is hereby created a commission to be known as the State Securities Commission, hereafter referred to as the "Commission", whose duty it shall be to administer and provide for the enforcement of all provisions of this act, which shall consist of the Governor, Attorney General and Secretary of State. The Commission shall appoint the Secretary of the Industrial Commission to be Executive Officer of the Commission, who shall also act as Secretary of the Commission and whose terms of office shall expire with his appointment as secretary of the industrial Commissioner. The office of such secretary of the Securities Commission shall be in the office of the Industrial Commission. In the absence or disability of any of the members of the Commission, the duly appointed deputy or designated assistant of such officer shall act in his stead upon such commission. Each member shall be authorized to swear witnesses and administer oaths in any matter coming before him or said Commission. The Commission shall have the power to employ such assistant as examiners, accountants or investigators as may be necessary to carry out the provisions of this Act."

That in Section 5235a12 of the engrossed bill, in line 47, (being line 214, page 9 of printed bill) strike out words "and for each renewal", and after word "dollars" in same line, insert the following, "and for each renewal thereof, the sum

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of fifteen dollars", after word "dollars" in line 48 of same section, insert the word "annually".

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 171. A Bill For an Act Amending Section 2071c1 of the Supplement to the 1913 Compiled Laws of North Dakota.

Which the House has amended as follows:

The amendments departed are in place of the amendments formerly reported by a House Standing Committee; and are to the engrossed bill.

Strike out line 9 of the body of Section 1, the following words "or may at the time fixed for levying;" and strike out all of line 10 and the words "excess of three mills" in line 11 thereof, and insert in lieu of such matter the following: "or use funds heretofore raised by tax levy for such memorial, and may after the taking effect of this Act and prior to September 1, A. D. 1928, levy a tax not in excess of one mill".

At the end of Section 1, insert the following: "Provided, further, that where funds have been heretofore raised by tax levy for such memorial, and the funds so raised are unexpended, the Board of County Commissioners may, at any time after September 1, 1928, by resolution transfer any such unexpended funds to the General Fund of the County".

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 185. A Bill For an Act Providing for a Refund to Hail Tax Purchasers and Persons Paying Hail Taxes for Which Their Lands Were Not Liable, Designating the Funds From Which Payment Shall Be Made, and Declaring the Duty of the Insurance Commissioner in Relation Thereto.

Which the House has amended as follows:

In the engrossed bill strike out all of Section 3 and 4, and renumber the subsequent sections accordingly.

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 202. A Bill For an Act providing for the investment of the funds of County Mutual Insurance Companies, and prescribing the character of such investment.

Which the House has amended as follows:

In line 4 of the body of the engrossed bill, strike out the word "eighty" and insert in lieu thereof the word "sixty".

In line 9, strike out the word "twenty" and insert the word "fifteen".

In line 11, strike out the word "forty" and insert in lieu thereof the word "thirty".

In line 12, strike out the word "sixty" and insert in lieu thereof the words "forty-five".

In line 13, strike out the word "eighty" and insert in lieu thereof the word "sixty".

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Senator Tofsrud moved that the Senate do concur in the House amendments to Senate Bill 185 and that the rules be suspended and the bill, as amended, be considered properly engrossed and placed upon final passage.

Which motion prevailed.

Senate Bill No. 185. A Bill For an Act Providing for a Refund to Hail Tax Purchasers and Persons Paying Hail Taxes for Which Their Lands Were Not Liable, Designating the Funds From Which Payment Shall Be Made, and Declaring the Duty of the Insurance Commissioner in Relation Thereto.

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 20, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Sathre
Baird	Lynch	Schlosser



Messrs.	Messrs.	Messrs.
Bond	McLachlin	Seamands
Brunsdale	Murphy	Steel
Carey	Olson of Burleigh	Stevens
Crocker	Pathman	Tofsrud
Eastgate	Ployhar	Van Arnam
Fredrickson	Porter	Van Camp
Hart	Rusch	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fleckten	Olson of Eddy
Benson	Forbes	Patten
Brant	Hamilton	Patterson
Conrath	Hjelmstad	Peck
Erickson	Magnuson	Ritchie
Ettestad	Marshall	Wog
Fine	Olson of Barnes	

Absent and not voting:

Messrs.	Messrs.
McCrorry	Martin

So the bill passed and the title was agreed to.

Senator Tofsrud moved that the vote by which Senate Bill No. 185 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The President appointed the following Conference Committee on Senate Bill 126: Senators Baird, O. A. Olson and Lynch.

On Senate Bill 179 Senators Forbes, Benson and Van Camp.

Senator Kretschmar moved that the Senate do not concur in the House amendments to Senate Bill 19 and that a conference Committee be appointed.

Which motion prevailed.

Senator Rusch moved that the Senate do not concur in the House amendments to Senate Bill 154 and that a Conference Committee be appointed.

Which motion prevailed.

Senator Eastgate moved that the Senate do concur in the House amendments to Senate Bill 55.

Which motion prevailed.

The President appointed as a Conference Committee on Senate Bill 19: Senators Benson, Tofsrud and Brant.

Senator Kretschmar requested a return to the Eighth Order of Business.

Which request was granted.

Senator Kretschmar introduced the following resolution and moved that it be adopted and printed in the Journal.

Which motion prevailed.

### RESOLUTION

#### Introduced by Committee on Appropriations

Whereas, the Committee on Appropriations has been forcibly impressed with the fact that the cost of administration of the several educational institutions of the State has very materially increased during the last few years, so that the problem of securing funds necessary for the proper maintenance of these institutions is one which consumes most of the time of the Committee, and

Whereas, the Registration fees charged entrants have not increased and are not at this time commensurate with the services rendered, and

Whereas, registration fees charged non-residents are in many cases no greater than fees charged residents of North Dakota, and

Whereas, the charges made for room and board at the dormitories of the several institutions vary from one institution to another and that such charges are out of keeping with prices in the community, they being unwarrantedly small, and also that they vary as between institutions, and

Whereas, there is a wide variance in the cost per capita between the several institutions, and

Whereas, the heads of institutions have been allowed to do about as they pleased in the matter of confining their expenditures to the appropriations set apart for specific purposes, transfers from one fund to another having been indiscriminately allowed.

Now Therefore Be It Resolved by the Senate, that the Board of Administration is hereby directed to promulgate such orders and regulations necessary and proper to fix an adequate schedule of registration fees to be charged entrants having particular regard to fees charged non-residents, in which cases due regard shall be taken of fees charged North Dakota students in states from which such non-resident students come; that the amounts charged for rooms and board at the several institutions be equalized as between institutions and be made somewhere, near equal to the amount charged in the local communities.

And Be It Further Resolved, that the Board of Administration take such steps as may be necessary to impress upon

the heads of institutions that they must keep their expenditures within the appropriations set apart by the Legislature of this State, deficits being allowed only in extraordinary cases which could not have been foreseen at the time the appropriation was made.

And Be It Further Resolved, that the Board of Administration make a study of the per capita cost in each institution and include such information in its report to the next convening Legislative Assembly.

And Be It Further Resolved that this Resolution be printed in the Journal and a copy thereof delivered to the Board of Administration.

Senator Fleckten moved that the Senate do now recess for ten minutes.

Which motion prevailed and the Senate recessed.

The Senate re-assembled pursuant to recess taken.

#### SIGNING OF BILL

The Secretary announced that the President was about to sign:

Senate Bill No. 109. A Bill For an Act Creating the Office of Veterans' Service Commissioner; Providing the Qualifications, the Manner of Appointment, Duties, Salary, Tenure of Office of Such Officer, Providing an Appropriation Therefor, and Declaring an Emergency.

Senate Bill No. 13. A Bill For an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Rents, Repairs, Insurance and Unkeep of Grounds.

Senate Bill No. 85. A Bill For an Act to Amend and Re-enact Section 8099a of the Supplement to the Compiled Laws of 1913 pertaining to the giving of Notice of Intention to foreclose real estate mortgages and legalizing and validating foreclosure sales heretofore made where no such notice of intention to foreclose has been given on mortgages executed prior to July 1, 1919.

Senate Bill No. 135. A Bill For an Act Forbidding any Person to Act or be Appointed as Game Warden, Deputy Game Warden, or Special Deputy Game Warden who is in the Employ or Acting Agent of any Person or Persons who Own, Operate, Hold or Possess any Land, or Lease upon Land, for Hunting Purposes within the State of North Dakota and Making the Violation thereof a Misdemeanor.

Senate Bill No. 176. A Bill For an Act to Amend and Re-enact Section 690 of the Supplement to the 1913 Compiled Laws, Relating to the Removal of Public Officers by the Governor and Appeals Therefrom.

Senate Bill No. 249. A Bill For an Act Providing a Limitation for filing and bringing suit on claims against insolvent banks or their receivers.

Senate Bill No. 1. A Bill For an Act to amend and re-enact Section 2202 of the Compiled Laws of the State of North Dakota for the year 1913 as amended and re-enacted by Section 5 of Chapter 199, Session Laws of 1925, relating to giving notice of expiration of period of redemption on property forfeited to the county at tax sale, issuance of tax deeds to the county and sale of property acquired by the county through tax deed.

Senate Bill No. 39. A Bill For an Act to Amend and Re-enact Sections 8075 and 8076 of the Compiled Laws of North Dakota for the Year 1913.

Senate Bill No. 140. A Bill For an Act to Amend and Re-enact Section 1008 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Return and Disposition of Election Ballots and Compensation of Election Officers.

Senate Bill No. 148. A Bill For an Act to amend and re-enact Section 2193a of the Supplement to the 1913 Compiled Laws relating to abatements to purchasers of tax sale certificates on state land.

Senate Bill No. 180. A Bill For an Act to Amend and Re-enact Sections 909a2 and 909a5 of the Supplement to the Compiled Laws of 1913.

Senate Bill No. 187. A Bill For an Act Limiting the Time within which any Action may be Brought to Void a Foreclosure of a Mortgage, a Mortgage Foreclosure set Aside, or any Defense Interposed in any Action, by Virtue of any defect in the Form, Substance or Service of Notice of Intention to Foreclose a Mortgage.

Senate Bill No. 191. A Bill For an Act to Amend and Re-enact Sections 3676, 3677 and 3680 of the Compiled Laws of the State of North Dakota for 1913, Relating to Finances of Cities Organized Under the General Laws of the State.

Senate Bill No. 195. A Bill For an Act to Amend and Re-enact Section 2 of Chapter 155, Session Laws of 1925, the same being Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, Defining Usury.

Senate Bill No. 204. A Bill for an Act to Legalize and make Valid All Sales of Real Estate, Made Prior to the Passage and Approval of this Act, whether Under Execution or by Advertisement, in All Cases where the Certificate of Sale was not Recorded in the Office of the Register of Deeds within Sixty (60) Days after the Date of Sale.

Senate Bill No. 240. A Bill For an Act to Amend and Re-enact Section 10322a26 of the Supplement to the 1913 Compiled Laws of North Dakota.

Senate Bill No. 248. A Bill For an Act Legalizing and Validating all legal publications made prior to the 1st day of January, 1927, contrary to the provisions of Chapter 187 of Session Laws, 1919, and of Initiated Measure relating to Official Newspapers approved November 2, 1920.

House Bill No. 18. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, Clerk-hire and General Expenses of the Department of Public Health.

House Bill No. 35. A Bill For an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, New Building, Equipment, Public Health Laboratories, Lignite Testing, Clay Testing and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

House Bill No. 38. A Bill For an Act Making an Appropriation to pay the General Maintenance, and as an Offset for Federal Aid, in Extension Work of The Agricultural College.

House Bill No. 39. A Bill For an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, New Buildings, Pure Seed and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

House Bill No. 93. A Bill For an Act to Amend and Re-enact Section 4 of Chapter 162 of the Session Laws for the Year 1919, as amended by Chapter 145 of the Session Laws of 1921, as Amended by Chapter 220 of the Session Laws of 1925.

House Bill No. 188. A Bill For an Act to Amend Section 2664, Supplement to the Compiled Laws of 1913, Relating to Estrays and the Sale Thereof.

House Bill No. 215. A Bill For an Act relating to banking, regulating the administration of the affairs of insolvent banks, providing for their liquidation, vesting the ceedings and requesting it to assume original jurisdiction in Supreme Court with jurisdiction of such liquidation pro-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 continuing receiverships, and making an appropriation to meet the expenses incident to carrying out the purpose 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, and providing for the re-opening and reorganization of closed or suspended banks, and providing for liquidation of closed banks by the depositors therein, and designating a custodian of records and property after winding up receiverships, and providing for the covering into the general fund of the state of unclaimed dividends.

House Bill No. 226. A Bill For an Act to Amend and Re-enact Section 714a15 of the Supplement to the Compiled Laws of 1913 relating to the report of the treasurer under the public depository law (714a1 to 714a20 of the Supplement to the Compiled Laws of 1913).

House Bill No. 243. A Bill For an Act to Amend and Re-enact Section 189b3 of the Supplement to the Compiled Laws of 1913.

House Bill No. 246. A Bill For an Act to Amend and Re-enact Section 234, Compiled Laws 1913, and Section 5146 (10) of the Supplement to the Compiled Laws 1913, being Sub-division 3 of Chapter 219, Session Laws 1917.

House Bill No. 249. A Bill For an Act to Amend and Re-enact Section 6954a1 Supplement to the 1913 Compiled Laws, relating to the collection of items through banking channels and establishing the liability of collecting agencies.

House Bill No. 251. A Bill For an Act Providing that the Right of Any County Holding a Tax Certificate, or Other Tax Lien on Lands Acquired by the State Treasurer as Trustee of the State of North Dakota under the Provisions of Chapter 154 of the Session Laws of North Dakota for 1919 and Chapter 292 of the Session Laws of North Dakota for 1923 and Acts Amendatory Thereof, to enforce the Collection of the Same shall be Suspended until July 1st, 1929; Providing the rate of Interest such Tax Certificates and Tax Liens Shall Bear; and Prohibiting the Assignment or Transfer of All Tax Certificates or Tax Liens Held by the County on any Lands that have been Foreclosed Under Said Acts.

House Bill No. 263. A Bill For an Act to Amend and Re-enact Section 2546a6 of the Supplement to the Compiled Laws of North Dakota, year 1913, for Application for Mothers Pension, and Hearing.

House Bill No. 267. A Bill For an Act to Amend and Re-enact Section 4550 of the Compiled Laws of North Dakota for the year 1913, Providing the Place of Holding of Stockholders and Directors meetings, and Repealing Section 4550 of the Compiled Laws of North Dakota for the year 1913.

House Bill No. 317. A Bill For an Act Authorizing the State Board of Armory Supervisors to Convey the Armory Located in the City of Hillsboro, State of North Dakota, to the City of Hillsboro.

And the President signed the same in the presence of the Senate.

Senator Eastgate moved that the rules be suspended and that Senate Bill 55, as amended, be considered properly engrossed and placed upon final passage.

Which motion prevailed.

Senate Bill No. 55. A Bill For an Act to amend and re-enact Sections 189b1, 189b5, 189b9, 189b11, 189b12, 189b25, 189b29 and 189b30 of the Supplement to the Compiled Laws 1913.

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 18, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Kretschmar	Schlosser
Baird	Lynch	Seamands
Bond	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Olson of Burleigh	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	Whitman
Hart	Rusch	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Barnes
Brant	Hamilton	Olson of Eddy
Erickson	Hjelmstad	Patten
Ettestad	McCrory	Patterson
Fine	Magnuson	Peck
Fleckten	Marshall	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benson	Martin	Sathre
Conrath	Ritchie	

So the bill passed and the title was agreed to.

Senator Eastgate moved that the vote by which Senate Bill No. 55 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Atkins moved that the Senate do concur in the House amendments to Senate Bill 171 and that the rules be suspended and the bill, as amended, be considered properly engrossed and placed upon final passage.

Which motion prevailed.

Senate Bill No. 171. A Bill For an Act Amending and Re-enacting Section 2071c1 of the Supplement to the 1913 Compiled Laws of North Dakota.

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 3, absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Peck
Baird	Hjelmstad	Ployhar
Bakken	Kretschmar	Rusch
Bond	Lynch	Sathre
Brant	McCroxy	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Forbes	Olson of Eddy	Whitman
Fredrickson	Pathman	Wog
Hamilton	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Conrath	Fine	Fleckten

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benson	Patterson	Ritchie
Martin	Porter	

So the bill passed and the title was agreed to.

Senator Ployhar moved that the Senate do not concur in the House amendments to Senate Bill 170 and that a Conference Committee be appointed.

Which motion prevailed.

The President appointed as such Committee Senators Sathre, Whitman and Erickson.

Senator Sathre moved that the Senate do concur in the House amendments to Senate Bill 225 and that the rules be suspended and that the bill, as amended, be considered properly engrossed and placed upon final passage.

Which motion prevailed.

Senate Bill No. 225. A Bill For an Act to amend and re-enact Section 89 of the Compiled Laws of the State of North Dakota of 1913 relating to the exchange of laws with other states.

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 0, absent and not voting 7.

Those voting in the affirmative were:



Messrs.	Messrs.	Messrs.
Atkins	Forbes	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Benson	Hjelmstad	Porter
Bond	McCrory	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Conrath	Murphy	Steel
Crocker	Olson of Barnes	Stevens
Eastgate	Olson of Burleigh	Tofsrud
Ettestad	Olson of Eddy	Van Arnam
Fine	Pathman	Whitman
Fleckten	Patten	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Lynch	Van Camp
Fredrickson	Martin	
Kretschmar	Ritchie	

So the bill passed and the title was agreed to.

Senator Schlosser moved that the Senate do concur in the House amendments to Senate Bill 46 and that the rules be suspended and the bill, as amended, be considered properly engrossed and placed upon final passage.

Which motion prevailed.

Senate Bill No. 46. A Bill For an Act to Amend and Re-enact Sections 2, 4 and 7 of Chapter 123 of the Sessions Laws of 1919, An Act to Create a State Board of Electricians and Prescribing the Duties Thereof, Providing for the Classification, Examination and Licensing of Electricians and Electrical Workers. Prescribing Fees for Such Examination and License, and Providing for Inspection of Electrical Work Through the State Fire Marshal Under the Direction of the State Board.

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 6, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Porter
Baird	Lynch	Rusch
Bakken	McCrory	Sathre
Benson	McLachlin	Schlosser
Bond	Magnuson	Seamands
Brant	Marshall	Steel
Brunsdale	Murphy	Stevens
Carey	Olson of Barnes	Tofsrud
Crocker	Olson of Burleigh	Van Arnam
Eastgate	Olson of Eddy	Whitman
Ettestad	Pathman	Wog
Forbes	Patterson	
Hamilton	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Conrath	Fleckten	Patten
Fine	Hjelmstad	Peck

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Kretschmar	Ritchie
Fredrickson	Martin	Van Camp

So the bill passed and the title was agreed to.

Senator Atkins moved that the Senate do concur in the House amendments to Senate Bill 202 and that the rules be suspended and the bill, as amended, be considered properly engrossed and placed upon final passage.

Which motion prevailed.

Senate Bill No. 202. A Bill For an Act providing for the investment of the funds of County Mutual Insurance Companies, and prescribing the character of such investment.

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 5, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Patterson
Baird	Hamilton	Porter
Bakken	Hart	Rusch
Bond	Hjelmstad	Sathre
Brant	Lynch	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Wog
Fine	Olson of Eddy	
Fleckten	Pathman	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	McCrorry	Peck
Conrath	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fredrickson	Ployhar	Whitman
Kretschmar	Ritchie	
Martin	Van Camp	

So the bill passed and the title was agreed to.

## REPORTS OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee appointed to consider Senate amendments to House Bill No. 51, beg leave to report:

The Senate has agreed to recede from its amendments on Section 4, Page 2, of the Engrossed Bill; the House has agreed to accept all the other Senate amendments to the bill.

For the Senate—

ALFRED STEEL,  
P. J. MURPHY,  
OLE ETTESTAD.

For the House—

EDWIN TRAYNOR,  
MARY McGINNIS,  
R. A. OWINGS.

Senator Steel moved the adoption of the report.

Which motion prevailed.

Mr. President: Your Conference Committee, appointed to consider the Senate amendments to House Bill No. 204, beg leave to report:

That the House has accepted the Senate amendments to the Bill.

For the Senate—

ALFRED STEEL,  
P. J. MURPHY,  
OLE ETTESTAD.

For the House—

EDWIN TRAYNOR,  
MARY McGINNIS,  
R. A. OWINGS.

Senator Steel moved the adoption of the report.

Which motion prevailed.

Senator Steel moved that the House be requested to return House Bill 51.

Which motion prevailed.

Senator Steel then moved that the Senate do concur in the House amendments to Senate Bill 155.

Which motion prevailed.

Senator Steel moved that the rules be suspended and the bill, as amended, be considered properly engrossed, and placed upon final passage.

Which motion prevailed.

Senate Bill No. 155. A Bill For an Act to Amend and Re-enact Section 1194 of the Compiled Laws of 1913, relating to High Schools Established and Maintained by two or more School Districts, Providing a Board of Education therefor and Prescribing its Powers and Duties; Providing that Certain De Facto School Districts shall be Validated and Re-established under the Provisions of this Act.

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 15, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Rusch
Baird	Hart	Sathre
Bakken	Lynch	Schlosser
Bond	McLachlin	Seamands
Brunsdale	Murphy	Stevens
Carey	Olson of Barnes	Tofsrud
Crocker	Olson of Burleigh	Van Arnam
Eastgate	Pathman	Whitman
Ettestad	Ployhar	
Fleckten	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Benson	Hjelmstad	Patten
Brant	McCroory	Patterson
Conrath	Magnuson	Peck
Erickson	Marshall	Steel
Hamilton	Olson of Eddy	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fine	Kretschmar	Ritchie
Fredrickson	Martin	Van Camp

So the bill passed and the title was agreed to.

Senator Steel moved that the vote by which Senate Bill No. 155 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
March 3, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 18. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Which the House has amended as follows:

(The following recommended amendments refer to the Senate Engrossed Bill.)

That between Sub-divisions 10 and 11, under Operating Expense, Page 1, a new Sub-division numbered 10½ be inserted, reading as follows:

10½—Repairing Steam and Water Pipes .....2,000.00

That Sub-division 11, under Operating Expense, Page 1, be changed to read as follows:

11—Janitor's and Laundry Supplies .....3,000.00

That under Sub-division 15, under Operating Expense, Page 2, the figures 12,000.00 be stricken out and the figures 14,000.00 be substituted in lieu thereof.

That the line "Total Maintenance \$270,300.00" on Page 2, be changed to read "Total Maintenance \$275,300.00".

That the line "Net Maintenance \$233,000.00" on Page 2, be changed to read "Net Maintenance \$235,300.00". That Sub-division 1, under Improvements and Repairs, Page 2, be changed to read as follows:

1. Hog House, \$1,500.00; Chicken House, \$1,500.00; Root Cellar, \$3,000.00; Total, \$6,000.00.

That under Sub-division 5, under Improvements and Repairs, Page 2, the figures 1,000.00 be stricken out and the figures 500.00 be substituted in lieu thereof.

That Sub-division 2, under Equipment, Page 2, be changed to read as follows:

2. Washing Machine, \$1,000.00; Churn and Butter Mixer, \$200.00; Total, \$1,200.00.

That in Sub-division 5 under Equipment, Page 2, the figures 3,000.00 be stricken out and the figures 1,500.00 be substituted in lieu thereof.

That in the last line of Page 2 and in line 3 of Section 1, the figures 274,100.00 be stricken out and the figures 270,500.00 be substituted in lieu thereof.

And the further amendments:

In line 42, after the figures "200.00" insert the words and figures "dryer, 1,000.00", and strike out the figures "1200.00" and insert in lieu thereof the figures "2200.00". Correct the totals in line 51 to read "271,500.00".

In line 3 of Section 1 strike out the figures "270,500.00" and insert in lieu thereof the figures "271,500.00".

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 3, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 34. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School at Valley City, North Dakota.

Which the House has amended as follows:

That on page 2 of the Senate Engrossed Bill under Improvements and Repairs, Sub-division 5, reading as follows:  
5. Library Building and Class Rooms .....100,000.00  
be stricken out.

And the further amendment:

Correct the figures in line 3 of the Engrossed Bill to read "350,563.00" and correct the totals in line 46 to read "350,563.00".

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 3, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 113. A Bill For an Act Making an Appropriation to Provide for the Payment of a Deficit in the General Fund of the State Training School at Mandan, North Dakota.

Which the House has amended as follows:

That in line 3 of Section 1 of the Senate engrossed bill, same being in line 3 of Section 1 of the printed bill, the

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figures 48,000.00 be stricken out and the figures 40,000.00 be substituted in lieu thereof.

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 27, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 127. A Bill For an Act to Amend and Re-enact Section 7567 of the Supplement to Compiled Laws of North Dakota for 1913.

Which the House has amended as follows:

In line 13 of the engrossed Senate Bill strike out the numerals "\$20.00" and insert in lieu thereof the numerals "\$15.00" and in line 15 of the engrossed Senate Bill strike out the numerals "\$20.00" and insert in lieu thereof the numerals "\$15.00".

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 2, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 155. A Bill For an Act to Amend and Re-enact Section 1194 of the Compiled Laws of 1913, relating to High Schools Established and Maintained by two or more School Districts, Providing a Board of Education therefor and Prescribing its Powers and Duties; Providing that Certain De Facto School Districts shall be Validated and Re-established under the Provisions of this Act.

Which the House has amended as follows:

In line 12 of Section 1 of the engrossed bill strike out the words "at large" and the comma. Strike out all of subsection 2 in the same section and insert in lieu thereof the following: "(2) Within 20 days after the holding of such election, resulting in a vote in favor of establishing and maintaining such high school, the county superintendent of schools of the county in which such districts are located shall call a special election, to be called and held as other school elections are held in common school districts, at which election the electors of each district shall elect, in said districts, a high school board of education of one member from each district. If the number of districts is even, one additional member shall be chosen at large, as herein provided, who shall hold office until the second Tuesday in July next following. At such election the electors shall also vote upon

a name for said high school district. On the day following said election in the several districts the total of the votes cast for a name for the said high school district and for the director at large, if such director is to be elected, shall be canvassed by a canvassing board composed of the judges of election in the elections held in the said several districts, said canvassing board shall meet at the place where said election was held in the district where the high school site is located, and the name receiving the highest number of votes cast in all the districts shall be adopted as the name of the district, likewise the person receiving the highest number of votes cast for the office of director at large shall be declared elected. On the date of the annual school election next ensuing, after such first election of such board of education, the electors of such high school district, in the manner hereinbefore provided, shall elect the members of said board of education; one-half of the total members less one, to represent the district or districts nearest the high school site, to be elected for one year; one-half of the total members less one, to represent the district or districts most distant from the high school site, for two years; and one at large, or if there is no member at large necessary to make an odd membership, then the remaining member of the board to represent the remaining district, for three years; all to serve from the second Tuesday in July next following their election; and thereafter the term of office of each shall be three years. And at the expiration of the term of each of the said directors so elected, each district so represented, shall elect a member from such district for a term of three years at the annual school election. Provided, that in the year in which the term of office of a director at large expires, if there be such director at large, that such director shall be elected at the annual school election held in the several districts, and the votes of such election shall be canvassed as hereinbefore provided for at the election for choosing the name for the district.

And the further amendment.

In the amendments as printed in the Journal on page 36, strike out the last three words in line 5, all of line 6, and the first two words in line 7, and insert in lieu thereof the following: "one member to represent such district on a high school board of education. The members so elected shall constitute said board".

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 27, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 231. A Bill For an Act To amend and



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re-enact Subdivision (1) of Section 4059, of Chapter 96, of the Laws of 1921, relating to the Powers of Park Boards.

Which the House has amended as follows:

On line ten of the printed bill after the word "Board" strike out the period and insert a comma and the following: "upon a resolution approved by not less than two-thirds (2-3) of the members of such Park Board."

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
February 27, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 226. A Bill For an Act to Amend and Re-enact Section 506a6 and 506a9 of the Supplement to the Compiled Laws of 1913.

Which the House has amended as follows:

In line 8, page 2 of the engrossed bill, strike out "twenty-one" and insert in lieu thereof "nineteen".

Very respectfully,

C. R. VERRY,  
Chief Clerk.

Senator Ployhar moved that the Senate do concur in the House amendments to Senate Bill 34 and that the rules be suspended and the bill, as amended, be considered properly engrossed and placed upon final passage.

Which motion prevailed.

Senate Bill 34. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School at Valley City, North Dakota.

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 2, absent and not voting 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Patterson
Baird	Hamilton	Ployhar
Bakken	Hart	Porter
Benson	Hjelmstad	Rusch
Bond	Lynch	Sathre
Brant	McLachlin	Schlosser
Brunsdale	Magnuson	Seamands

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Carey	Marshall	Steel
Conrath	Murphy	Stevens
Crocker	Olson of Barnes	Tofsrud
Eastgate	Olson of Burleigh	Van Arnam
Ettestad	Olson of Eddy	Whitman
Fine	Pathman	Wog
Fleckten	Patten	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>
McCrorry	Peck

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Erickson	Kretschmar	Ritchie
Fredrickson	Martin	Van Camp

So the bill passed and the title was agreed to.

Senator Ployhar moved that the vote by which Senate Bill No. 34 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Whitman moved that the Senate do concur in the House amendments to Senate Bill 231 and that the rules be suspended, and the bill, as amended, be considered properly engrossed and placed upon final passage.

Which motion prevailed.

Senate Bill No. 231. A Bill For an Act To amend and re-enact Subdivision (1) of Section 4059, of Chapter 96, of the Laws of 1921, relating to the Powers of Park Boards.

The question being on the final passage of the bill, as amended, by the House, the roll was called, and there were ayes 32, nays 10, absent and not voting 7.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hart	Rusch
Baird	Hjelmstad	Sathre
Bakken	Lynch	Schlosser
Bond	McLachlin	Seamands
Brant	Marshall	Steel
Brunsdale	Murphy	Stevens
Crocker	Olson of Burleigh	Tofsrud
Eastgate	Olson of Eddy	Van Arnam
Ettestad	Pathman	Whitman
Forbes	Ployhar	Wog
Hamilton	Porter	

Those voting in the negative were:

Messrs.  
Benson  
Conrath  
Fine  
Fleckten

Messrs.  
McCrorry  
Magnuson  
Olson of Barnes  
Patten

Messrs.  
Patterson  
Peck

Absent and not voting:

Messrs.  
Carey  
Erickson  
Fredrickson

Messrs.  
Kretschmar  
Martin  
Ritchie

Messrs.  
Van Camp

So the bill passed and the title was agreed to.

Senator Whitman moved that the vote by which Senate Bill No. 231 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

### COMMUNICATION FROM THE GOVERNOR

March 3, 1927.

To the Members of the Senate:

I have received the following Senate bills and have this day approved and filed the same with the Secretary of State:

Senate Bill No. 103. A Bill For an Act to Amend and Re-enact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to Holidays.

Senate Bill No. 33. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.

Senate Bill No. 166. A Bill For an Act to Amend and Re-enact Section 10322a28 of the Supplement to the Compiled Laws 1913, and Repealing Section 10322a29 of the Supplement to the Compiled Laws 1913.

Senate Bill No. 115. A Bill For an Act to Provide for the Compilation, Publication and Distribution of the Record of the Citizens of North Dakota Who Rendered Military Service on Behalf of the State and Assisted in the Administration of the Selective Service Act During the World War.

Senate Bill No. 137. A Bill For an Act Relating to, and Defining the Effect of, the Consolidation, Merger or other Transfer of the Business of Corporations, Including Banks and Trust Companies, organized under the Laws of this State, Heretofore or Hereafter Effected.

Senate Bill No. 146. A Bill For an Act Providing for the Leasing of State or School Lands supposed to Contain Oil and to Make and Establish Rules and Regulating relative to the Development thereof; Providing for Royalty to be Col-

lected therefrom, and for the Sale of Improvements on such Lands; for the Assignment thereof and for Geological Reports thereon.

Senate Bill No. 153. A Bill For an Act to Amend and Re-enact Section 2854 of the Supplement to the Compiled Laws, 1913.

Senate Bill No. 161. A Bill For an Act to amend and re-enact Section 4251 of the Compiled Laws of 1913 relating to fees of pound master and notice of taking up estrays and sale of estrays.

Senate Bill No. 182. A Bill For an Act to amend and re-enact Section 3812 of the Compiled Laws of the State of North Dakota for 1913, relating to additional duties of City Auditors under the Commission System of Government.

Senate Bill No. 183. A Bill For an Act to amend and re-enact Sections 3684a6, 3684a7 and 3684a8, of the Supplement to the Compiled Laws of North Dakota for 1913, relating to the finances of cities, towns and villages, (said sections constituting a part of what is known as the city budget law); repealing Sections 4038, 4039, 4040, 4041, and 4045, Compiled Laws of 1913.

Senate Bill No. 190. A Bill For an Act to Amend and Re-enact Section 4795 of the Compiled Laws of the State of North Dakota for 1913, Relating to Executive Officers and Financial Statements of Cities Organized Under the Commission System of Government.

Senate Bill No. 192. A Bill For an Act to Amend and Re-enact Sections 3625 and 3626, Compiled Laws of the State of North Dakota for 1913, Relating to the Duties of City Auditors.

Senate Bill No. 206. A Bill For an Act to Validate and Legalize Certain Acts of Certain City Officials in Respect to Special Assessment Water Works Districts, and to Prescribe the Procedure to be Taken in Respect to Assessments therein and the Issuance of Warrants.

Senate Bill No. 222. A Bill For an Act to Encourage the Sale of Gasoline or Motor Fuel for Use in High Compression Motors with Resulting Fuel Economy, Permitting the Coloring of such Motor Fuel and Prohibiting the Sale of so-called "Gasoline Improvers" which are worthless or harmful; Making Violations hereof a Misdemeanor and Providing the Penalty therefor.

Senate Bill No. 258. A Bill For an Act to Validate and Legalize Certain Proceedings of Park Districts and their Commissioners Relating to Bond Issues.

Senate Bill No. 11. A Bill For an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Chapter 145 of the Session Laws of 1923, and Magpie Bounty as Provided For by Chapter 144 of Session Laws of 1923.

Senate Bill No. 14. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate.

Senate Bill No. 22. A Bill For an act to authorize a tax levy in cities and villages for the purpose of providing a fund for the maintenance or employment of a band for municipal purposes, and providing for submission of the question of levying a tax for such purpose to the voters of such cities and towns.

Senate Bill No. 234. A Bill For an Act to Authorize the Supreme Court to Direct the Calling of Special Terms in any of the Counties of the State and to Designate a District Judge to Preside at such Term.

Senate Bill No. 256. A Bill For an Act to Amend and Re-enact Section 5031 of the Compiled Laws of North Dakota of 1913, relating to Limit of Property that may be Acquired by Fraternal Corporations.

Senate Bill No. 52. A Bill For an Act Authorizing Actions to be Commenced and Prosecuted by and against Partnerships and Associations, in Their Firm or Common Name, and making the Judgments in all such Actions Binding upon the Joint Property of all the Members or Associates of such Partnerships or Associations.

Senate Bill No. 80. A Bill For an Act to Amend and Re-enact Section 3029 of the Compiled Laws of North Dakota for the year 1913, relating to the method of obtaining a Peddler's License.

Senate Bill No. 181. A Bill For an Act to Amend and Re-enact Sections 3874 and 3875 of the Compiled Laws of North Dakota for 1913, Relating to Tax Levy of Villages and Duties of County Auditors with Reference Thereto.

Senate Bill No. 136. A Bill For An Act to Prevent the Procreation of Feeble-minded, Insane, Epileptic, Habitual Criminals, Moral Degenerates and Sexual Perverts, Who May be Inmates of State Institutions, Authorizing and Providing for the Sterilization of Such Persons and Providing for Appeals to the District Court in Certain Cases; and Repealing Sections 11429 to 11438 inclusive of the Compiled Laws of North Dakota for 1913.

Senate Bill No. 169. A Bill For an Act Limiting the Time in Which to File Claims Against the Returned Soldiers Fund Under the Provisions of Chapter 206, Laws of 1919, and Laws Amendatory Thereto.

Senate Bill No. 238. A Bill For an Act Appropriating the Sum of Five Thousand Dollars (\$5,000.00) From the General Funds of the State to Compensate Honorable Chas.

M. Cooley, Judge of the First Judicial District of North Dakota, for Services Rendered as Special Judge Under Chapter 137 of the Session Laws of North Dakota for 1923.

Senate Bill No. 224. 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 Corporation Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

Senate Bill No. 32. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School of Forestry at Bottineau.

Very truly yours,

A. G. SORLIE,  
Governor.

Senator Ployhar moved that the Senate do concur in the House amendment to Senate Bill 127 and that the rules be suspended and the bill, as amended, be considered properly engrossed and placed upon final passage.

Which motion prevailed.

Senate Bill No. 127. A Bill For an Act to Amend and Re-enact Section 7567 of the Supplement to Compiled Laws of North Dakota for 1913.

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 5, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken,	Kretschmar.	Porter
Bond	Lynch	Rusch
Brant	McCrary	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Murphy	Stevens
Eastgate	Olson of Barnes	Tofsrud
Erickson	Olson of Burleigh	Van Arnam
Fleckten	Pathman	Van Camp
Forbes	Patten	Whitman
Fredrickson	Patterson	Wog

Those voting in the negative were:

Messrs. Benson Ettestad	Messrs. Fine Hjelmstad	Messrs. Olson of Eddy
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Absent and not voting:

Messrs. Martin	Messrs. Ritchie
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So the bill passed and the title was agreed to.

Senator Ployhar moved that the vote by which Senate Bill No. 127 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Porter moved that the Senate do concur in the House amendments to Senate Bill 226 and that the rules be suspended and the bill, as amended, be considered properly engrossed and placed on final passage.

Which motion prevailed.

Senate Bill No. 226. A Bill For an Act to Amend and Re-enact Section 506a6 and 506a9 of the Supplement to the Compiled Laws of 1913.

The question being on the final passage of the bill, as amended by the House, the roll was called, and there were ayes 32, nays 15, absent and not voting 2.

Those voting in the affirmative were:

Messrs. Atkins Baird Bond Brunsdale Carey Crocker Eastgate Ettestad Forbes Hamilton Hart	Messrs. Kretschmar Lynch McLachlin Murphy Olson of Barnes Olson of Burleigh Pathman Patterson Ployhar Porter Rusch	Messrs. Sathre Schlosser Seamands Steel Stevens Tofsrud Van Arnam Van Camp Whitman Wog
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Those voting in the negative were:

Messrs. Bakken Benson Brant Conrath Erickson	Messrs. Fine Fleckten Fredrickson Hjelmstad McCrary	Messrs. Magnuson Marshall Olson of Eddy Patten Peck
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Absent and not voting:

Messrs. Martin	Messrs. Ritchie
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So the bill passed and the title was agreed to.

Senator Porter moved that the vote by which Senate Bill No. 226 was passed be reconsidered and the motion to reconsider be laid on the table.

Senator Kretschmar moved that the Senate do concur in the House amendments to Senate Bill 18 and that the rules be suspended and the bill, as amended, be considered properly engrossed and placed upon final passage.

Which motion prevailed.

Senate Bill No. 18. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

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 1, absent and not-voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Rusch
Bond	Lynch	Sathre
Brant	McCroxy	Schlosser
Brunsdale	McLachlin	Seamands
Carey	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Murphy	Tofsrud
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patten	
Fredrickson	Patterson	

Those voting in the negative were:

Messrs.  
Conrath

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

Senator Kretschmar moved that the Senate do concur in the House amendments to Senate Bill 113 and that the rules be suspended and the bill, as amended, be considered properly engrossed and placed upon final passage.

Senate Bill No. 113. A Bill For an Act Making an Appropriation to Provide for the Payment of a Deficit in the General Fund of the State Training School at Mandan, North Dakota.



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 3, absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McCroxy	Schlosser
Carey	McLachlin	Seamands
Crocker	Magnuson	Steel
Eastgate	Marshall	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog
Fredrickson	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bond	Conrath	Peck

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

So the bill passed and the title was agreed to. Emergency clause declared carried.

Senator Lynch requested a return to the Eighth Order of Business.

Senator Lynch then moved that the Conference Committee report on House Bill 163 be withdrawn.

Which motion prevailed.

Senator Fredrickson moved that the Conference Committee report on House Bill 27 be read from the desk.

Which motion prevailed.

#### REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee on:

House Bill No. 27. A Bill For an Act Making an Appropriation to Pay Salary, Stenographer and General Expenses of the Commissioner of Immigration.

Have had the same under consideration and recommend that the same be amended as follows:

On line 7 strike out the figures \$6,000.00 and insert \$5,400.00.

In line 14½ strike out the figures \$10,000.00 and insert the figures \$5,000.00. In lines 3 and 15 strike out the figures \$24,500.00 and insert the figures \$18,900.00.

And when so amended recommend the same do pass.

For the House—

Wm. WATT,  
HERBERT SWETT,  
P. R. TRUBSHAW.

For the Senate—

L. O. FREDRICKSON,  
C. N. BRUNSDALE,  
J. L. HART.

Senator Fredrickson moved that the report be adopted and the Conference Committee be discharged.

#### REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 23. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the State Historical Society.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the figures \$5,000.00 in line 7 of Section 1 and insert in lieu thereof the figures \$5,500.00.

Change totals in line 3 and 25 to read \$23,650.00.

And when so amended, recommend that the same do pass.

For the House—

J. M. THOMPSON,  
MINNIE D. CRAIG,  
Wm. WATT.

For the Senate—

WALTER H. SCHLOSSER,  
A. S. MARSHALL,  
C. G. RITCHIE.

Senator Schlosser moved that the Conference Committee report on House Bill 23 be adopted and the Committee be discharged.

Which motion prevailed.

Senator Kretschmar moved that House Bill 27 as amended by the Conference Committee be placed on final passage. Which motion prevailed.

House Bill No. 27. A Bill For an Act Making an Appropriation to Pay Salary, Stenographer and General Expenses of the Commissioner of Immigration.

The question being on the final passage of the bill, as amended by the Conference Committee, 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.
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McCrorry	Schlosser
Carey	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Tofsrud
Ettestad	Olson of Burleigh	Van Arnam
Fine	Olson of Eddy	Van Camp
Flechten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Patterson	

Those voting in the negative were:

Messrs.	Messrs.
Benson	Conrath

Absent and not voting:

Messrs.	Messrs.	Messrs.
McLachlin	Martin	Ritchie

So the bill passed and the title was agreed to.

Senator Steel moved that House Bill 51 as amended by the Conference Committee be placed on final passage.

Which motion prevailed.

Senator Ployhar moved that after the passage of House Bill 51 the Senate do recess until 10:30 A. M. Friday.

Which motion prevailed.

House Bill No. 51. A Bill For an Act to Amend and re-enact Section 1342 of supplement to the Compiled Laws of 1913.

The question being on the final passage of the bill, as amended, by the Conference Committee, 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.
Atkins	Hamilton	Porter
Baird	Hart	Rusch
Bakken	Hjelmstad	Sathre
Benson	Kretschmar	Schlosser
Bond	Lynch	Seamands
Brant	McLachlin	Steel
Brunsdale	Murphy	Stevens
Carey	Olson of Barnes	Tofsrud
Crocker	Olson of Burleigh	Van Arnam
Eastgate	Pathman	Van Camp
Erickson	Patterson	Whitman
Ettestad	Peck	Wog
Forbes	Ployhar	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Conrath	Magnuson	Patten
Fleckten	Marshall	
McCrary	Olson of Eddy	

Absent and not voting:

Messrs.	Messrs.
Fine	Martin
Fredrickson	Ritchie

So the bill passed and the title was agreed to.

#### COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: D. J. Rutten, George Rasmussen, and O. A. Braseth.

Pursuant to Senator Ployhar's motion the Senate recessed.

W. D. AUSTIN,  
Secretary.

FIFTY-NINTH DAY AFTER RECESS AND  
SIXTIETH DAY

Senate Chamber,  
Bismarck, North Dakota  
March 4, 1927.

The Senate re-assembled at 10:30 A. M., pursuant to recess taken, the President presiding.

House Bills 162, 208 and 211 were returned to the House passed amended.

MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to inform you that the House has appointed as a Conference Committee on Senate Bill No. 170 Representatives Miller, McManus and Olafson.

Also, as a Conference Committee on Senate Bill No. 179 the Speaker has appointed Representatives Thompson of Ramsey, McCay and Bollinger.

Also, as a Conference Committee on Senate Bill No. 126 the Speaker has appointed Representatives Fowler, Opdahl and McDowall.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to inform you that the House has appointed as a Conference Committee on Senate Bill No. 19 Representatives Kelly, Watt and Peters.

The Speaker has also appointed as a Conference Committee on Senate Bill 163 Representatives Freeman, Yeater and Rulon.

The Speaker has also appointed as a Conference Commit-

tee on Senate Bill No. 154 Representatives Bell, Plath and Jardine.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 3, 1927.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 202.

Also, House Bill No. 140.

Also, House Bill No. 168.

Also, House Bill No. 41.

Also, House Bill No. 356.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 1, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 237. A Bill For an Act relating to banks, providing for Secured Savings Deposits, fixing the reserve, limiting the investment of such deposits, exempting the same from the Depositors' Guaranty Fund Law, establishing a first lien on general assets, providing notice of withdrawal, the keeping of separate books and records, and providing a penalty for the violation of the provisions hereof.

In the title of the bill, line 1 after the word "for" insert the word "Secured" and in line 3 after the comma following the word "law" insert the following: "establishing a first lien on general assets, providing notice of withdrawal, the keeping of separate books and records."

Strike out Sections 1, 2, 3, 4, 5 and 6 and insert in lieu thereof the attached Sections 1 to 10 inclusive.

Section 1. Secured Savings Deposits; Established; Limit of Amount; Interest. Any bank or trust company may establish a class of deposits to be known as "Secured Savings Deposits", which shall not exceed in amount for any one depositor the sum of Five Hundred Dollars. Interest thereon shall not be promised or paid, either directly or indirectly, to such depositor in excess of two and one-half per cent per annum, but the same may be compounded quarterly or semi-annually.

Such banks shall maintain and keep as cash reserve an amount which shall equal ten per cent of its total Secured Savings Deposits, four-fifths of which amount shall, as near-

ly as practicable, consist of balances due from reserve agents to be approved by the State Banking Board, and carried in the name of such bank in an account entitled "Secured Savings Account of \_\_\_\_\_ Bank of \_\_\_\_\_, N. Dak.," and as nearly as practicable, not exceeding one-fifth of such reserve provided for herein may be kept in another department of such bank.

Section 2. Investments Restricted. Any bank having Secured Savings Deposits shall invest the deposits received in such department only in bonds or certificate of indebtedness of the United States, the State of North Dakota, any County or School District within the State, or such other political subdivisions of the state, the bonds and certificates of indebtedness of which may, from time to time, be approved for investment of such deposits by the State Banking Board.

Section 3. Reserve and Investments to be Kept Separate; Pledging or Loaning of Assets Prohibited. The reserve, bonds and investments belonging to the Secured Savings Department of any such bank shall be kept separate and apart from other reserves, bonds, investments, loans and discounts of the bank, and shall be applicable only to the repayment of such Secured Savings Deposits, and shall not be pledged, loaned or hypothecated as security for loans of such bank or otherwise, excepting as permitted by section one of this act.

Section 4. Protection Removed Where Higher Interest Rate Paid; Secured Deposits Not Subject to Depositors' Guaranty Fund Law. The protection provided for in this act to depositors hereunder shall not apply to a depositor who accepts, either directly or indirectly or by whatever device, interest or compensation upon such deposit of a higher rate than provided for in section one herein, but he shall in such event be treated and considered as a common creditor of such bank. The deposits received by any bank under this act shall not be subject to the provisions of the Depositors' Guaranty Fund Law, and the amount thereof shall not be included in making return for assessment for account of such Fund.

Section 5. First Lien on Bank's General Assets; Exception. The amount of the cash reserve standing to the credit of the Secured Savings Department in any such bank shall be, and is hereby declared to be, secured by a first and paramount lien upon the assets of such bank in favor of such Secured Savings Depositors; save and except funds deposited in such institution belonging to the estate of any insolvent bank, deposited therein by the Receiver or other person officially in charge, which shall have preference over all other claims. In the event of the closing of any bank having Secured Savings Deposits, if it shall appear that such deposits or investments have been wrongfully mingled with the other assets of such bank, or, except as otherwise hereinbefore provided, that such reserve and investments have not been maintained separately, but have been unlawfully co-mingled, such Secured Savings Deposits shall be deemed to be espe-

cially secured by a first and paramount lien upon all the other assets of such bank as in this section provided.

Section 6. Deposits; Notice of Withdrawal; Rule and Regulations to Receive Approval of State Banking Board. Deposits received under the provisions of this act shall be paid to the order of the depositor or his representative and shall be kept, maintained and paid out, with interest as herein provided for, under such rules and regulations as the Boards of Directors from time to time prescribe, not inconsistent with the provisions of this act and of the banking laws of the state, and shall be effective upon approval of the State Banking Board, and which shall be printed in a pass book furnished the depositor, and also conspicuously posted in the lobby of the bank in some place accessible and visible to all, and no changes which may at any time be made in such rules and regulations affecting the rights of depositors acquired previously thereto in respect to the deposits or interest thereon shall be operative until approved by the State Banking Board nor until sixty days after the posting of such change; provided, however, that in order to prevent loss to the depositor, by enforced sale of securities below their real value, it shall be lawful for the directors in their discretion to require notice of one week before the withdrawal of any part of any secured savings deposit of more than twenty dollars and not exceeding one hundred dollars; of two weeks before the withdrawal of any part of any deposit of more than one hundred dollars and not exceeding two hundred fifty dollars; of three weeks before the withdrawal of any part of any deposit of more than two hundred fifty dollars and not exceeding five hundred dollars, and in case where the deposit has been made on a certificate for a definite time and the depositor fails to withdraw the same within ten days after such definite time, then notice for withdrawal may be required as prescribed above, and provided, further, that the directors of any such bank may, and by the written consent of the State Banking Board shall, make any changes deemed necessary in regard to the notices heretofore required to be given by the depositor for the withdrawal of their deposits, by extending the time that notice shall be given by any depositor for the withdrawal of all such deposits, to a period of time not exceeding three months, and provided, further, that the directors may limit the aggregate amount that any depositor may deposit to such sum as they deem expedient to receive, not exceeding the amount limited under section one of this act, and may in their discretion refuse to receive any deposit, and may also, at any time return all or any part of any deposit and the accrued interest thereon to any depositor without notice.

Section 7. Separate Books to be Kept; Reports to State Examiner. Every bank which shall establish and maintain a Secured Savings Department, shall be required to keep separate books and records of the deposits made therein, and of the investments made and belonging to such department, and shall be required to make reports of the condition of such department to the State Examiner on the last business day of each month, and also at the time of making report



of the condition of the general business of the bank, and which last mentioned report shall show separately therein the amount of such Secured Savings Deposits, investments and reserves, and upon forms prescribed and approved by the State Banking Board, and such Board may require in the published statement of condition of such bank that the same shall be set forth as separate items in such published report.

Section 8. Not Applicable Until Secured Savings Department Established. This act shall not apply to any deposit originating prior to the taking effect hereof, but shall apply only to new deposits thereafter made, nor shall this act be construed to limit or interfere with the establishing or conducting of a general savings department in State banks and Trust companies.

Section 9. Penalty. Every officer, agent, or clerk of any banking association who wilfully and knowingly subscribes or makes any false statements or entries in books of such association, or knowingly subscribes or exhibits any false paper with intent to deceive any person authorized to examine as to the condition of such association, or wilfully subscribes or makes false reports, shall be punished by imprisonment in the state penitentiary not less than one nor exceeding ten years, or in the county jail not exceeding one year, or by a fine not exceeding ten thousand dollars, or by both such fine and imprisonment.

Section 10. Emergency. This act is hereby declared to be an emergency measure and shall take effect and be in force upon its passage and approval.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 1, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 16. A Bill For an Act to Make an Appropriation from the State Prison Revolving Fund for the Construction of Buildings and Improvements and for the Purchase of Land for the State Penitentiary.

Which the House has amended as follows:

That between lines 9 and 10 of Section 1 of the Printed Bill, a new line numbered 9½ be inserted reading as follows:

9½ License Tag Machinery and Installation of Same and Alterations to Building .....10,000.00

That in line 2 of Section 1 of the Printed Bill, the amount be corrected to read "One Hundred Twenty-five Thousand Five Hundred Fifty Dollars".

That in line 12 of Section 1 of the Printed Bill, the total be corrected to read \$125,550.00.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 1, 1927.

Mr. President: I have the honor to return:  
Senate Bill No. 253. A Bill For an Act to Amend and Re-enact Section 10246a1 of the Supplement to the Compiled Laws of North Dakota for 1913, Regulating and Fixing the Hours of Labor of Females and Providing Penalties for Violation Thereof.

Which the House has amended as follows:

(The following amendments refer to the Engrossed Bill.)

In line 4, of Section 10246a1 following the word "establishment" strike out the comma, also strike out the word "an" where it precedes the word "office" in the same line; In line 11, Section 10246a1 after the word "exchanges" insert the words "and in telegraph offices".

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 1, 1927.

Mr. President: I have the honor to return:

Senate Bill No. 217. A Bill For an Act Defining the Powers and Duties of the Board of Administration Relating to the Construction of Residence Halls or Dormitories on Lands of the Educational Institutions Under Its Control.

Which the House has amended as follows:

(The following amendments refer to the Engrossed Bill.) \*

In the last line, page 1, strike out the words "and from other" and further strike out the word "dormitory buildings on the same campus" on first line, page 2.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 3, 1927.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 36. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School, Minot, North Dakota.

Senate Bill No. 112. A Bill For an Act to Provide for the Payment of an Existing Deficit in the Department of Public Instruction.

Senate Bill No. 31. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Institution for the Feeble Minded at Grafton, North Dakota.

Senate Bill No. 218. A Bill For an Act Authorizing the Organization of Non-Profit Sharing Institutional Holding Associations and Defining Their Powers.

Which the House has passed unchanged.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

#### REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 52. A Bill For an Act Amending and Re-enacting Chapter 107, Laws of North Dakota for the year 1925, Relating to the Sale of Cigarettes, and Cigarette Papers and Wrappers and Papers Used and Prepared for the Making of Cigarettes; Providing for Issuing Licenses for the Purpose of Making sales Thereof and Furnishing of Bond; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof, and Penalty for Violation of this Act; and Defining the Duties of the Attorney General, State Auditor and State Treasurer Imposed Under the Provision of this Act; and Providing that Any Person Violating this Act shall be enjoined and that Any Building or Premises Made Use of for Purposes in Violation of this Act Shall be Deemed a Nuisance and Abated by Injunction; and to include Snuff within the provisions and requirements thereof.

Have had the same under consideration and make the following report:

Your committee recommends that the Senate recede from its amendment in Class E of page 5, and accede to the provision of the House for a three cent tax on each one-quarter ounce of snuff, or major fraction thereof;

And that the House accept the Senate amendment, to at the end of Section 5 and head of Section 6, insert the following:

"Provided, further, that the possession by any consumer thereof, of cigarettes or snuff in the original package or box, upon which stamps are by this act required to be affixed, without such stamps being so affixed thereto; shall be prima

facie evidence of an infraction and evasion of the provisions of this act, and shall be and constitute a misdemeanor."

For the House:

L. L. TWICHELL,  
C. N. LEE,  
ALBERT HAUGE.

For the Senate:

W. S. WHITMAN,  
W. H. PORTER,  
PEDER L. HJELMSTAD.

Senator Whitman moved that the Senate do concur in the Conference Committee report on House Bill 52.

Roll call demanded.

The question being on the adoption of the Conference Committee report on House Bill No. 52, the roll was called, and there were ayes 5, nays 40, absent and not voting 3, passing 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Fredrickson	Magnuson	Whitman
Hjelmstad	Stevens	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Atkins	Fleckten	Patten
Baird	Forbes	Patterson
Bakken	Hamilton	Peck
Benson	Hart	Ployhar
Bond	Kretschmar	Rusch
Brant	Lynch	Sathre
Brunsdale	McCrorry	Schlosser
Carey	McLachlin	Seamands
Conrath	Marshall	Steel
Crocker	Murphy	Van Arnam
Eastgate	Olson of Barnes	Van Camp
Erickson	Olson of Burleigh	Wog
Ettestad	Olson of Eddy	
Fine	Pathman	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Martin	Ritchie	Tofsrud

Those Passing:

Messrs.  
Porter

So the Conference Committee report was rejected.

Senator Porter moved that the Conference Committee on House Bill 52 be discharged and a new committee appointed.

Which motion prevailed.

The President appointed as a new Conference Committee on House Bill 52, Senators Hamilton, Ployhar, and Erickson.

Senator Rusch moved that the Senate do not accept the Conference Committee report on Senate Bill 154 and that the committee be discharged and a new committee be appointed.

Which motion prevailed.

The President appointed as a new Conference Committee on Senate Bill 154: Senators Rusch, Sathre and Forbes.

Senator Atkins moved that the vote by which Senate Bill 171 was passed be reconsidered.

Which motion prevailed.

Senator Atkins then moved that the vote by which the House amendments were adopted be reconsidered.

Which motion prevailed.

Senator Atkins further moved that the Conference Committee on Senate Bill 171 be discharged.

Which motion prevailed.

Senator Atkins finally moved that the Senate do not concur in the House amendments to Senate Bill 171 and that a new Conference Committee be appointed.

Which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House amendments to:

Senate Bill No. 163. A Bill For an Act to amend and reenact Sections 714a8 and 714a13 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the designating of Depositories of Public Funds and fixing maximum and minimum rates of interest that may be paid thereon.

Have had the same under consideration and recommend that the Senate do concur in the House amendments to Senate Bill No. 163 and that your Conference Committee be discharged.

For the House:

C. VERNON FREEMAN,  
ROY A. YEATER,  
A. J. RULON.

For the Senate:

OLE ETTESTAD,  
W. D. LYNCH,  
P. O. SATHRE.

Senator Etestad moved that the report be adopted, which motion prevailed and the report was adopted.

## MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 163.

Also, Mr. President, the House has adopted the report of the Conference Committee on Senate Bill No. 154 and the Speaker has appointed as a new Conference Committee Representatives Bell, Plath and Jardine.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Senator Ettestad moved that Senate Bill 163, as amended, be considered properly engrossed and that the rules be suspended and the bill placed on final passage.

Which motion prevailed.

Senate Bill No. 163. A Bill For an Act to amend and reenact Sections 714a8 and 714a13 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the designating of Depositories of Public Funds and fixing maximum and minimum rates of interest that may be paid thereon.

The question being on the final passage of the bill, as amended by the House, the roll was called, and there were ayes 41, nays 0, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hart	Patterson
Baird	Hjelmstad	Peck
Bakken	Kretschmar	Ployhar
Bond	Lynch	Porter
Brunsdale	McCroroy	Rusch
Carey	McLachlin	Sathre
Crocker	Magnuson	Schlosser
Eastgate	Marshall	Seamands
Erickson	Murphy	Stevens
Ettestad	Olson of Barnes	Van Arnam
Fleckten	Olson of Burleigh	Van Camp
Forbes	Olson of Eddy	Whitman
Fredrickson	Pathman	Wog
Hamilton	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benson	Fine	Steel
Brant	Martin	Tofsrud
Conrath	Ritchie	

So the bill passed and the title was agreed to.

Senator Schlosser moved that House Bill 23, as amended by the Conference Committee, be placed on final passage.

Which motion prevailed.

House Bill No. 23. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the State Historical Society.

The question being on the final passage of the bill, as amended by the Conference Committee, 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.
Atkins	Hamilton	Patterson
Baird	Hart	Peck
Bakken	Hjelmstad	Ployhar
Benson	Kretschmar	Porter
Bond	Lynch	Rusch
Brant	McCrorry	Sathre
Brunsdale	McLachlin	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Crocker	Martin	Stevens
Eastgate	Murphy	Van Arnam
Erickson	Olson of Barnes	Van Camp
Ettestad	Olson of Burleigh	Whitman
Fleckten	Olson of Eddy	Wog
Forbes	Pathman	
Fredrickson	Patten	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fine	Ritchie	Tofsrud

So the bill passed and the title was agreed to.

The President appointed as a Conference Committee on Senate Bill 171 Senators Atkins, Patterson and Wog.

Senator Kretschmar moved that the Senate do not concur in the House amendments to Senate Bill 16 and that a new Conference Committee be appointed.

Which motion prevailed.

Senator Ployhar moved that the Senate do not concur in the House amendments to Senate Bill 217 and that a new Conference Committee be appointed.

Which motion prevailed.

The President appointed as such Conference Committee Senators Whitman, Ployhar and Fleckten.

Senator Whitman moved that the Senate do concur in the House amendments to Senate Bill 253.

Which motion prevailed.

Senator Witman then moved that the rules be suspended

and that Senate Bill 253, as amended, be considered properly engrossed and placed upon final passage.

Which motion prevailed.

Senate Bill No. 253. A Bill For an Act to Amend and Re-enact Section 10246a1 of the Supplement to the Compiled Laws of North Dakota for 1913, Regulating and Fixing the Hours of Labor of Females and Providing Penalties for Violation Thereof.

The question being on the final passage of the bill, as amended by the House, 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.
Atkins	Hamilton	Patterson
Baird	Hart	Ployhar
Bakken	Kretschmar	Porter
Bond	Lynch	Rusch
Brunsdale	McCrorry	Sathre
Carey	McLachlin	Schlosser
Crocker	Martin	Seamands
Eastgate	Murphy	Steel
Erickson	Olson of Barnes	Stevens
Ettestad	Olson of Eddy	Van Arnam
Forbes	Pathman	Van Camp
Fredrickson	Patten	Whitman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Hjelmstad	Marshall	Wog
Magnuson	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benson	Fine	Ritchie
Brant	Fleckten	Tofsrud
Conrath	Olson of Burleigh	

So the bill passed and the title was agreed to.

Senator Whitman moved that the vote by which Senate Bill No. 253 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The President appointed as a Conference Committee on Senate Bill 16 Senators Kretschmar, O. H. Olson and Ployhar.

Senator Kretschmar moved that the Senate do now go into executive session to receive the message from the Governor.

Which motion prevailed and the Senate went into executive session.



## OPEN SESSION

In Open Session announcement was made of the following appointments:

Albert Waddington, of Wilton, N. D., as Coal Mine Inspector.

Gilbert Semingson, of Bismarck, N. D., as State Bank Examiner.

## MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 219.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bills Nos. 211, 162 and 208.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 51; also on House Bill No. 204.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Senator Ployhar moved that the Senate comply with the House request for the return of Senate Bill 219.

Which motion prevailed.

Senator Ployhar moved that the Senate do now recess until 1:00 P. M.

Which motion prevailed and the Senate recessed.

The Senate re-assembled at 1:00 P. M., pursuant to recess taken, the President presiding.

## REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on State Affairs to whom was referred:

Concurrent Resolution introduced in the House of Representatives, relating to Mill reports.

Have had the same under consideration and recommend that the same be referred back to the Senate without recommendation and placed on the calendar for third reading.

**FRANK E. PLOYHAR,**  
Chairman.

Senator Ployhar moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee, appointed to consider House amendments to Senate Bill No. 170 do report they cannot agree and respectfully request that such Committee be discharged and another Committee appointed.

For the House:  
C. A. MILLER,  
JAMES McMANUS,  
J. K. OLAFSON.

For the Senate:  
P. O. SATHRE,  
O. E. ERICKSON,  
W. S. WHITMAN,

Senator Sathre moved the adoption of the report.

Which motion prevailed.

The President appointed as a new Conference Committee on Senate Bill 170 Senators Brant, Forbes and Fleckten.

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 126. A Bill For an Act to Amend and Re-enact Sections 1, 2, 3, 5, 6, 10, 12, 14 and 21 of Chapter 182, Session Laws 1923, the same being Sections 5235a2, 5235a3, 5235a5, 5235a6, 5235a10, 5235a12, 5235a14 & 5235a21 of the Supplement to the 1913 Compiled Laws of North Dakota 1913-1925, Relating to the Definition of Securities, Indemnity Bond and Fees Collected by the State Securities Commission.

Have had the same under consideration and report that they cannot agree and recommend that the Committee be discharged and a new Conference Committee be appointed.

For the House:  
A. W. FOWLER,  
HUGH McDOWALL,  
C. H. OPDAHL.

For the Senate:  
L. R. BAIRD,  
W. D. LYNCH,  
OBERT A. OLSON.

Senator Baird moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Ettestad moved that the Senate do concur in the House amendments to Senate Bill 237 and that the rules be suspended and the bill, as amended, be considered properly engrossed, and placed on final passage.

Which motion prevailed.

Senate Bill No. 237. A Bill For an Act relating to banks, providing for Savings Deposits, fixing the reserve, limiting the investment of such deposits, exempting the same from the Depositors' Guaranty Fund law, and providing a penalty for the violation of the provisions hereof.

The question being on the final passage of the bill, as amended by the House, the roll was called, and there were ayes 41, nays 0, absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Ployhar
Baird	Hamilton	Porter
Bakken	Hjelmstad	Ritchie
Bond	Lynch	Rusch
Brant	McCrory	Sathre
Brunsdale	Magnuson	Seamands
Carey	Marshall	Steel
Conrath	Martin	Stevens
Crocker	Murphy	Tofsrud
Eastgate	Olson of Burleigh	Van Arnam
Ettestad	Pathman	Van Camp
Fine	Patten	Whitman
Fleckten	Patterson	Wog
Forbes	Peck	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benson	Kretschmar	Olson of Eddy
Erickson	McLachlin	Schlosser
Hart	Olson of Barnes	

So the bill passed and the title was agreed to. Emergency clause declared carried.

#### MESSAGES FROM-THE HOUSE

Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to inform you that the the House has appointed as a new Conference Committee on House Bill No. 52 Representatives Hauge, Lee and Twichell.

Also, Mr. President, the Speaker has appointed as a Conference Committee on Senate Bill No. 171 Representatives Brown of Adams, Johnson of Foster and Lynch.

And on Senate Bill No. 217 Representatives Traynor, Swett and Fowler.

And on Senate Bill No. 16 Representatives Peters, Craig and Thompson of Burleigh.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 126 and the Speaker has appointed as a new Conference Committee Representatives Cox, Thatcher and Burns.

Also, Mr. President, the House has adopted the reports of the Conference Committees on House Bills 23 and 27.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 154.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 154. A Bill For an Act relating to and fixing the salaries of the County Auditor, the County Treasurer, the Register of Deeds, the County Sheriff, the Clerk of the District Court, the County Judge, the State's Attorney, and the County Superintendent of Schools, also fixing the number of and the salaries to be paid to the Deputies, and providing for Clerks and Assistants to be employed in the offices of the County Auditor, County Treasurer, Register of Deeds, Clerk of the District Court, County Sheriff, State's Attorney, County Judge and the County Superintendent of Schools, (in Counties having a County Court of increased jurisdiction and having a population exceeding forty thousand,) and repealing all acts or parts of acts in conflict therewith.

Recommend that the same do concur with the House amendments.

For the House:  
JOHN G. PLATH,  
W. J. BELL,  
J. A. JARDINE.

For the Senate:  
H. J. RUSCH,  
JOSEPH G. FORBES,  
P. O. SATHRE.

Senator Rusch moved that the Senate do concur in the Conference Committee report on Senate Bill 154 and that the rules be suspended and the bill, as amended, be considered properly engrossed and placed on final passage.

Which motion prevailed.

Senate Bill No. 154. A Bill For an Act relating to and fixing the salaries of the County Auditor, the County Treasurer, the Register of Deeds, the County Sheriff, the Clerk of the District Court, the County Judge, the State's Attorney, and the County Superintendent of Schools, also fixing the number of and the salaries to be paid to the Deputies, and providing for Clerks and Assistants to be employed in the offices of the County Auditor, County Treasurer, Register of Deeds, Clerk of the District Court, County Sheriff, State's Attorney, County Judge and the County Superintendent of Schools, (in Counties having a County Court of increased jurisdiction and having a population exceeding forty thousand,) and repealing all acts or parts of acts in conflict therewith.

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:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hamilton	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Bond	Kretschmar	Ritchie
Brant	Lynch	Rusch
Brunsdale	McCroy	Sathre
Carey	McLachlin	Seamands
Conrath	Magnuson	Steel
Crocker	Marshall	Stevens
Eastgate	Martin	Tofsrud
Erickson	Murphy	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fleckten	Pathman	Whitman
Forbes	Patten	Wog
Fredrickson	Patterson	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Benson	Olson of Barnes	Schlosser
Fine	Olson of Eddy	

So the bill passed and the title was agreed to.

The President appointed as a new Conference Committee on Senate Bill 126, Senators Schlosser, O. H. Olson, and Lynch.

Senator Schlosser moved that the Senate do now adjourn. Which motion prevailed and the Senate adjourned.

W. D. AUSTIN,  
Secretary.

## SIXTIETH DAY

Senate Chamber,  
Bismarck, North Dakota,  
March 4, 1927.

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, Rev. C. F. Strutz.  
Roll call.

All members present except: Senator Martin.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-eighth day after recess and Fifty-ninth day and recommend that the same be corrected as follows:

On page 4 in line 20 insert the word "first" between words "shall" and "be".

On page 16 between lines 16 and 17 from bottom insert the following:

In line 1, Section 2, substitute the word "Commissioner" for the word "Board". In line 5, Section 2, substitute the word "Commissioner" for the word "Board" as same occurs twice in said line.

On page 22 after line 13 insert "Was read the third time".

On page 61 in line 5 from bottom strike out "Senate" and insert "House".

On page 76 in line 4 add letter "s" to word "Line" and add the following: "3 and".

And when so corrected recommend that the same be approved.

C. J. OLSON,  
Chairman.

Senator Olson moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Bond in nominating Senator Stevens, spoke as follows:

There is a member of this Senate, whom I have known for 46 years, and whose life has been associated with my own. He came to North Dakota in 1881, settled on a homestead in Grand Forks County, where my father also took a homestead, and where we lived for 20 years.

He married the estimable lady, who is now his wife, and who was my school teacher, and I feel that it was her influence which directed this member and myself to the legislative halls.

He was elected to the Senate of this State, and served in

the first session, and it may be of interest to you to know that this session began Nov. 19, 1889 and lasted four months, adjourning March 18, 1890. Alfred Dickey of Stutsman County was the Lieutenant Governor.

The Presidents Pro Tem from that time have been as follows:

David Dodds, Nelson; W. B. Pinkham, Cass; J. H. Worst, Emmons; John Haggart, Cass; C. B. Little, Burleigh; A. C. McGillivery, Stark; Judson LaMoure, Pembina; J. B. Sharpe, Kulm; J. Austin, Wells; L. A. Simpson, Starke; C. W. Plain, Cavalier; E. E. Gilbert, Cass; Alfred Steele, Stutsman; Henry McLean, Cavalier; Richard McCarten, Sargent; E. A. Bowman, LaMoure; Frank E. Ployhar, Barnes; P. J. Murphy, Walsh; C. A. Carey, Richland; Walter Bond, Ward; Jerry Stevens, Ramsey.

This member was again elected from the Fifth Legislative District in 1908, and served for four years. Subsequently he was elected in 1921 from the 21st District, Ramsey County, and has served consecutively since that time, during each and every session, giving the best to his district, county and state, and so at this time, Mr. President, I desire to place in nomination for the President Pro Tem Ad Interim, the Honorable Jerry E. Stevens of Ramsey.

Senator Hamilton seconded the nomination with a few well chosen words.

The question being on the election of Senator Stevens as President Pro Tem during the legislative interum, the roll was called, and there were ayes 44, nays 0, absent and not voting 4, passing 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Forbes	Patterson
Baird	Fredrickson	Peck
Bakken	Hamilton	Ployhar
Benson	Hart	Porter
Bond	Hjelmstad	Ritchie
Brant	Kretschmar	Rusch
Brunsdale	McCrory	Sathre
Carey	McLachlin	Seamands
Conrath	Magnuson	Steel
Crocker	Marshall	Tofsrud
Eastgate	Murphy	Van Arnam
Erickson	Olson of Barnes	Van Camp
Ettestad	Olson of Burleigh	Whitman
Fine	Pathman	Wog
Fleckten	Patten	

Those voting in the negative were:

Messrs.	Messrs.
Lynch	Olson of Eddy
Martin	Schlosser

Those Passing:

Messrs.  
Stevens

So Senator Stevens was declared elected.

Senator Stevens was escorted to the rostrum and he addressed the Senate.

#### MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill 170 and the Speaker has appointed as a new Conference Committee: Rep. Miller, Streight, and Twichell.

The House has adopted the Conference Committee report on Senate Bill No. 179 and the bill passed by a vote of 107 ayes.

The House has adopted the Conference Committee report on Senate Bill No. 217 and the bill passed by a vote of 109 ayes.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Mr. President: Your Committee on Enrollment and Engraving respectfully report that they have examined the following bills:

Senate Bill No. 17. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Also,

Senate Bill No. 130. A Bill For an Act Making an Appropriation for the Purchase and Erection of an Iron Fence Around the Roosevelt Cabin, Which is Located Upon the Capitol Grounds, and For the Purchase and Erection of a Flag Pole at the Memorial Building.

Also,

Senate Bill No. 134. A Bill For an Act to Repeal Sections 917, 918 and 919 of the Compiled Laws of North Dakota of the year 1913; Relating to Registration of Voters.

Also,

Senate Bill No. 114. A Bill For an Act to Regulate, Concerning, Relating to the Production, Inspection, Testing, Analysis and Certification of Seeds, Offered or Exposed for Sale, or Sold as North Dakota Registered Certified Seed, Providing for Rules and Regulations with Reference Thereto, Prescribing Penalties for Violations of the Act, Providing for a Schedule of Equitable Fees, and Making an Appropriation.

Also,

Senate Bill No. 160. A Bill For an Act regulating the



operation of vehicles on highways and providing for traffic signs and signals and defining the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act and to provide for the enforcement of this act and the disposition of fines and forfeitures collected hereunder and to make uniform the law relating to the subject matter of this act.

Also,

Senate Bill No. 87. A Bill For an Act to Regulate Grain and Seed Warehouses; Defining Public Warehouses and Providing for the Bonding, Licensing and Supervision thereof and the Weighing, Storing, Buying, and Handling of Grain and Seeds; Prescribing the duties and powers of the Board of Railroad Commissioners in relation thereto; Providing for the Appointment of a Federal Licensed Inspector, and such other employees as may be deemed necessary to carry out the provisions of this Act, Providing Penalties and Repealing Sections: 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3117, 3123, 3135, 3136, 3137.

Also,

Senate Bill No. 236. A Bill For an Act to amend and re-enact Section 2151 of the Supplement to the Compiled Laws of 1913, relating to Township Tax Levies and elector's right to vote amounts for township purposes.

Also,

Senate Bill No. 162. A Bill For an Act defining Insolvent Grain Warehousemen; Authorizing the Board of Railroad Commissioners to apply to the District Court for its appointment as Trustee for the Benefit of Storage Receipt holders of such Warehousemen, and to Marshall the Trust Assets of such Insolvent and distribute the same among such Receipt holders.

Also,

Senate Bill No. 172. A Bill For an Act to Amend and Re-enact Section 224 of the Compiled Laws of North Dakota for the year 1913.

Also,

Senate Bill No. 188. A Bill For an Act to Provide for the Closing of Schools in Certain Towns and Villages Upon the Consolidation of the Schools in Such School Districts and Providing the Procedure Therefor.

Also,

Senate Bill No. 198. A Bill For an Act to Amend and Re-enact Section 1172 of the Compiled Laws of North Dakota, 1913, Relating to the Compensation of School Treasurers in Common and Consolidated School Districts.

Also,

Senate Bill No. 199. A Bill For an Act to Amend and Re-enact Section 4206 of the Compiled Laws of North Dakota 1913, Relating to the Compensation of Township Treasurers.

And find the same correctly Enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 17. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Senate Bill No. 160. A Bill For an Act regulating the operation of vehicles on highways and providing for traffic signs and signals and defining the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act and to provide for the enforcement of this act and the disposition of fines and forfeitures collected hereunder and to make uniform the law relating to the subject matter of this act.

Senate Bill No. 130. A Bill For an Act Making an Appropriation for the Purchase and Erection of an Iron Fence Around the Roosevelt Cabin, Which is Located Upon the Capitol Grounds, and For the Purchase and Erection of a Flag Pole at the Memorial Building.

Senate Bill No. 134. A Bill For an Act to Repeal Sections 917, 918 and 919 of the Compiled Laws of North Dakota of the year 1913; Relating to Registration of Voters.

Senate Bill No. 87. A Bill For an Act to Regulate Grain and Seed Warehouses; Defining Public Warehouses and Providing for the Bonding, Licensing and Supervision thereof and the Weighing, Storing, Buying, and Handling of Grain and Seeds; Prescribing the duties and powers of the Board of Railroad Commissioners in relation thereto; Providing for the Appointment of a Federal Licensed Inspector, and such other employees as may be deemed necessary to carry out the provisions of this Act, Providing Penalties and Repealing Sections: 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3113, 3114, 3115, 3116, 3117, 3123, 3135, 3136, 3137.

Senate Bill No. 114. A Bill For an Act to Regulate, Concerning, Relating to the Production, Inspection, Testing, Analysis and Certification of Seeds, Offered or Exposed for Sale, or Sold as North Dakota Registered Certified Seed,

Providing for Rules and Regulations with Reference Thereto, Prescribing Penalties for Violations of the Act, Providing for a Schedule of Equitable Fees, and Making an Appropriation.

Senate Bill No. 172. A Bill For an Act to Amend and Re-enact Section 224 of the Compiled Laws of North Dakota for the year 1913.

Senate Bill No. 188. A Bill For an Act to Provide for the Closing of Schools in Certain Towns and Villages Upon the Consolidation of the Schools in Such School Districts and Providing the Procedure Therefor.

Senate Bill No. 198. A Bill For an Act to Amend and Re-enact Section 1172 of the Compiled Laws of North Dakota, 1913, Relating to the Compensation of School Treasurers in Common and Consolidated School Districts.

Senate Bill No. 199. A Bill For an Act to Amend and Re-enact Section 4206 of the Compiled Laws of North Dakota 1913, Relating to the Compensation of Township Treasurers.

Senate Bill No. 236. A Bill For an Act to amend and re-enact Section 2151 of the Supplement to the Compiled Laws of 1913, relating to Township Tax Levies and elector's right to vote amounts for township purposes.

And the President signed the same in the presence of the Senate.

Senator Fine moved the following:

That the Secretary be authorized to sign a warrant turning it over to the Board of Administration, said voucher to cover the cost of expressing bill books to the homes of the Senators.

Which motion prevailed.

#### CONCURRENT RESOLUTION

Introduced by Joint Committee on Employment

BE IT RESOLVED BY THE SENATE of the State of North Dakota, the House of Representatives concurring, that W. D. Austin, Secretary of the Senate, and Barbara Seavey, desk stenographer of the Senate, and C. R. Verry, Chief Clerk of the House, are hereby authorized, empowered and employed to compare and index the Journals of the Twentieth Legislative Assembly, and to complete the Senate and House Journals and mail out to the members the temporary Journals of the last days of the session which have not been delivered to members before the close thereof; and the said C. R. Verry is hereby directed and required at his own cost and expense to arrange for and procure sufficient assistance to insure that the said work shall be completed within thirty days after the adjournment of the session.

BE IT FURTHER RESOLVED, that for the services of aforesaid the said W. D. Austin, as Secretary of the Senate and Barbara Seavey, as desk stenographer of the Senate, be each paid the sum of One Hundred Seventy-five Dollars

(\$175.00), and the said C. R. Verry, as Chief Clerk of the House, the sum of Four Hundred Dollars (\$400.00), which shall include compensation for an assistant to be selected by him, all to be paid as other legislative expenses, and paid when the respective claims are verified by the affidavits of said W. D. Austin, Barbara Seavey, and C. R. Verry showing the completion of such work.

BE IT FURTHER RESOLVED, that the necessary postage for mailing out the copies of temporary Journals as aforesaid be furnished to the said W. D. Austin, Barbara Seavey, and C. R. Verry as a part of the Legislative expense of this session.

Senator Carey moved the adoption of the resolution.

The question being on the resolution introduced by Employment Committee, the roll was called, and there were, ayes 44, nays 0, absent and not voting 5.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Fredrickson	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Benson	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brunsdale	McCrorry	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Murphy	Stevens
Erickson	Olson of Barnes	Van Arnam
Ettestad	Olson of Burleigh	Van Camp
Fine	Olson of Eddy	Whitman
Fleckten	Pathman	Wog
Forbes	Patterson	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Brant	Martin	Tofsrud
Hamilton	Patten	

So the resolution was adopted.

### CONCURRENT RESOLUTION

Introduced by Employment Committee

Concurrent Resolution to Retain Mailing Force of the Legislative Assembly in Office for a Period of Five days beyond the Close of the Session.

Be It Resolved by the Senate of the State of North Dakota,

The House of Representatives Concurring, that  
WHEREAS, it will be impossible for the mailing force of the present Legislative Assembly to complete its work in

mailing the Journals of the Senate and the House before the close of the Session, and

WHEREAS, those on the mailing list who are interested in the work of the Assembly and are now receiving copies of the Journals, are desirous of obtaining such copies showing the work done in the closing days of the Session.

NOW, THEREFORE, BE IT HEREBY RESOLVED that those employees who are members of the mailing force in the Senate and the House during the present session be retained for a period of five days after the close of the present Legislative Session, during which time they shall continue to perform their duties and complete the work of mailing out copies of the Journal for those days that have not been mailed prior to adjournment and that for such additional time they shall be entitled to be paid and receive the same compensation as during the regular session.

Senator Carey moved the adoption of the resolution. Which resolution was adopted.

#### MESSAGES FROM THE HOUSE

Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 219. A Bill For an Act Appropriating the Sum of \$1,500.00 out of the State Highway Operating Fund of the Highway Commission, for the purpose of re-imbursing certain Mechanics for losses sustained in the destruction of the Highway Commission Shops by fire.

Which the House has amended.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to inform you that the House has rejected the report of the Conference Committee on House Bill No. 341 and the Speaker has appointed Rep. Fowler, Swendseid and Sleight as a new Conference Committee.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Introduced by Committee on Employment.

#### RESOLUTION

Be it Resolved by the Senate of the State of North Dakota: Whereas, Martha Berkey, one of the Senate stenographers,

was called upon to do and did do a large amount of extra work outside of the regular working hours in connection with the deliberation and making of the report of the "Fact Findings" Committee, dealing with the State Mill and

Whereas it is the opinion of the Senate that she is entitled to additional compensation

Now Therefore, be it resolved that the said Martha Berkey shall be paid as other legislative expenses are paid, the sum of \$25.00 for such additional work, the same to be a charge against the legislative expenses of the Senate.

Senator Carey moved the adoption of the resolution.

The question being on adoption of the resolution, the roll was called, and there were ayes 44, nays 0, absent and not voting 5.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hart	Peck
Baird	Hjelmstad	Ployhar
Bakken	Kretschmar	Porter
Bond	Lynch	Ritchie
Brant	McCrorry	Rusch
Brunsdale	McLachlin	Sathre
Carey	Magnuson	Schlosser
Crocker	Marshall	Seamands
Eastgate	Murphy	Steel
Ettestad	Olson of Barnes	Stevens
Fine	Olson of Burleigh	Van Arnam
Fleckten	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman
Fredrickson	Patten	Wog
Hamilton	Patterson	

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Benson	Erickson	Tofsrud
Conrath	Martin	

So the resolution was adopted.

RESOLUTION

Introduced by Employment Committee.

That the following named Senate Employes heretofore elected, be assigned to the following positions, designated by the following titles, and that their compensation be fixed at the following amounts per day, from the date they were sworn in:

Lester Hulett, Clerk .....	\$5.00
Wallace Maddock, Telephone Messenger and Clerk .....	5.00
C. T. Evans, Bill Messenger and Clerk .....	5.00
Vincent La France, Cloak Room Attendant and Messenger .....	5.00

Senator Carey moved the adoption of the resolution.

The question being on the adoption of the resolution, the roll was called, and there were ayes 41, nays 1, absent and not voting 7.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hjelmstad	Ployhar
Baird	Kretschmar	Porter
Bakken	Lynch	Ritchie
Bond	McCrary	Rusch
Brant	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Carey	Marshall	Seamands
Conrath	Murphy	Steel
Crocker	Olson of Barnes	Stevens
Eastgate	Olson of Burleigh	Van Arnam
Ettestad	Olson of Eddy	Van Camp
Forbes	Pathman	Whitman
Fredrickson	Patterson	Wog
Hart	Peck	

Those voting in the negative were:

**Messrs.**  
Fine

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Benson	Hamilton	Tofsrud
Erickson	Martin	
Fleckten	Patten	

So the resolution was adopted.

## SENATE RESOLUTION

Introduced by Committee on Employment.

Whereas, the Senate has been particularly fortunate during the Twentieth Legislative Assembly in having an Assistant Secretary of 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 service performed by C. E. Thomas as Assistant Secretary has been especially valuable to the State and far in excess of that which could be reasonably required of him 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 said Assistant Secretary has contributed in large meas-

ure to the public good and has aided the Legislative work as a whole.

Be It Further Resolved that said C. E. Thomas shall be paid in addition to his regular compensation the sum of Two Dollars for each and every day of Session, said payment to be a part of the legislative expense.

Senator Carey moved the adoption of the resolution.

The question being on the adoption of the resolution, the roll was called, and there were ayes 39, nays 0, absent and not voting 10.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Fredrickson	Peck
Baird	Hart	Porter
Bakken	Kretschmar	Ritchie
Bond	Lynch	Rusch
Brunsdale	McCrorry	Sathre
Carey	McLachlin	Seamands
Conrath	Magnuson	Schlosser
Crocker	Marshall	Steel
Eastgate	Murphy	Stevens
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Van Camp
Fleckten	Olson of Eddy	Whitman
Forbes	Pathman	Wog

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Benson	Hjelmstad	Ployhar
Brant	Martin	Tofsrud
Erickson	Patten	
Hamilton	Patterson	

So the resolution was adopted.

#### REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 179, have had the same under consideration, and recommend the following amendments:

1. In Section 2 of the engrossed bill, in line 15, strike out the word "shall" and insert in lieu thereof, the word "may".
2. In line 16, strike out the word "shall".
3. In line 17, after the word "any" insert the words "or other proper person or persons".
4. In line 19, after the word "officers" insert the words "or other proper person or persons".
5. In line 27, before the word "property" insert the word "such".



6. In the last line, strike out the word "devoted" and insert in lieu thereof the word "diverted".

And when so amended recommend the same do pass, and that the Conference Committee be discharged and the bill be placed on its final passage.

For the House:

S. W. THOMPSON,  
J. H. McCAY,  
JACOB BOLLINGER.

For the Senate:

JOSEPH G. FORBES,  
FRED VAN CAMP,  
JOHN W. BENSON.

The President pro tem was called to the chair.

Senator Forbes requested a return to the 8th Order of Business. Which request was granted.

Senator Forbes then moved that the Conference Committee report on Senate Bill No. 179 be adopted.

Which motion prevailed.

Senator Forbes further moved that the rules be suspended and Senate Bill No. 179 be considered, properly engrossed and placed on final passage.

Which motion prevailed.

Senate Bill No. 179. A Bill For an Act Amending and Re-enacting Sections 5012a2 and 5012a3 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Extinct Denominational and Religious Societies.

The question being on the final passage of the bill as amended, the roll was called, and there were ayes 35, nays 0, absent and not voting 14.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Peck
Baird	Hart	Ployhar
Bakken	Hjelmstad	Porter
Bond	Kretschmar	Ritchie
Brunsdale	Lynch	Rusch
Carey	Magnuson	Schlosser
Conrath	Marshall	Seamands
Crocker	Murphy	Stevens
Eastgate	Olson of Burleigh	Van Arnam
Erickson	Olson of Eddy	Whitman
Ettestad	Pathman	Wog
Forbes	Patterson	

Absent and not voting:

Messrs.		
Benson	McCrory	Sathre
Brant	McLachlin	Steele

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Fine	Martin	Tofsrud
Fleckten	Olson of Barnes	Van Camp
Hamilton	Patten	

So the bill passed and the title was agreed to.

Senator O. A. Olson moved that the Senate do concur in the House Amendments to Senate Bill 219, and that the rules be suspended and the bill, as amended, be considered properly engrossed and placed on final passage.

Which motion prevailed.

Senate Bill No. 219. A Bill For an Act Appropriating the Sum of \$1,500.00 out of the State Highway Operating Fund of the Highway Commission, for the purpose of re-imbursing certain Mechanics for losses sustained in the destruction of the Highway Commission Shops by fire.

The question being on the final passage of the bill, as amended by the House, the roll was called, and there were ayes 36, nays 3, absent and not voting 10.

Those voting in the affirmative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Atkins	Hjelmstad	Ployhar
Baird	Kretschmar	Porter
Bakken	Lynch	Ritchie
Bond	McLachlin	Sathre
Brunsdale	Magnuson	Schlosser
Conrath	Marshall	Seamands
Crocker	Murphy	Steele
Eastgate	Olson of Burleigh	Stevens
Ettestad	Olson of Eddy	Van Arnam
Fine	Pathman	Van Camp
Fredrickson	Patterson	Whitman
Hart	Peck	Wog

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Carey	Erickson	Forbes

Absent and not voting:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Benson	McCrory	Patten
Brant	Martin	Rusch
Fleckten	Olson of Barnes	Tofsrud
Hamilton		

So the bill passed and the title was agreed to.

#### REPORT OF THE CONFERENCE COMMITTEE

Mr. President: Your Conference Committee, appointed to consider the House Amendments to Senate Bill No. 217, beg leave to report:

The House has agreed to recede from its amendments to the Bill.

For the House:  
EDWARD TRAYNOR,  
H. F. SWETT,  
A. W. FOWLER,

For the Senate:  
W. S. WHITMAN,  
FRANK E. PLOYHAR,  
JOHN E. FLECKTEN.

Senator Whitman moved that the Conference Committee report be accepted and the Committee be discharged.

Which motion prevailed.

**MESSAGE FROM THE HOUSE**

Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 126 and the bill passed by a vote of 86 ayes, 13 nays.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, 5, 6, 10, 12, 14 and 21 of Chapter 182, Session Laws 1923, the same being Sections 5235a2, 5235a3, 5235a5, 5235a6, 5236a10, 5235a12, 5235a14 & 5235a21 of the Supplement to the 1913 Compiled Laws of North Dakota 1913-1925, Relating to the Definition of Securities, Indemnity Bond and Fees Collected by the State Securities Commission.

Have had the same under consideration and report that the House recede from its amendment which inserts Section 5235a1—and agree that such amendment be stricken out.

And that the Senate Concur to the House Amendment to Section 5235a12 of the engrossed bill.

For the House:  
GORDON COX,  
J. H. BURNS,  
WM. A. THATCHER.

For the Senate:  
WALTER H. SCHLOSSER,  
W. D. LYNCH,  
O. H. OLSON,

Senator Schlosser moved that the Conference Committee report on Senate Bill No. 126 be adopted.

Which motion prevailed.

Senator Schlosser then moved that the rules be suspended and that Senate Bill No. 126 be considered, properly engrossed and placed on final passage.

Which motion prevailed.

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, 5, 6, 10, 12, 14 and 21 of Chapter 182, Session Laws 1923, the same being Sections 5235a2, 5235a3, 5235a5, 5235a6, 5235a10, 5235a12, 5235a14 & 5235a21 of the Supplement to the 1913 Compiled Laws of North Dakota 1913-1925, Relating to the Definition of Securities, Indemnity Bond and Fees Collected by the State Securities Commission.

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.
Baird	Hart	Peck
Bakken	Hjelmstad	Ployhar
Bond	Kretschmar	Porter
Brunsdale	Lynch	Ritchie
Carey	Magnuson	Sathre
Conrath	Marshall	Schlosser
Crocker	Murphy	Seamands
Eastgate	Olson of Barnes	Steele
Erickson	Olson of Burleigh	Stevens
Ettestad	Olson of Eddy	Van Arnam
Fine	Pathman	Van Camp
Forbes	Patten	Whitman
Fredrickson	Patterson	Wog
Hamilton		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Atkins	Fleckten	Martin
Benson	McCrory	Rusch
Brant	McLachlin	Tofsrud

So the bill passed and the title was agreed to.

Senator Hamilton requested a return to the 8th Order of Business. Which request was granted.

Senator Hamilton then moved that the Secretary read the Conference Committee report on House Bill 52.

Which motion prevailed.

#### REPORT OF THE CONFERENCE COMMITTEE

Mr. President: Your Committee on Conference to whom was referred.

House Bill No. 52. A Bill For an Act Amending and Re-enacting Chapter 107, Laws of North Dakota for the year

1925, Relating to the Sale of Cigarettes, and Cigarette Papers and Wrappers and Papers Used and Prepared for the Making of Cigarettes; Providing for Issuing Licenses for the Purpose of Making sales Thereof and Furnishing of Bond; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof, and Penalty for Violation of this Act; and Defining the Duties of the Attorney General, State Auditor and State Treasurer Imposed Under the Provision of this Act; and Providing that Any Person Violating this Act shall be enjoined and that Any Building or Premises Made Use of for Purposes in Violation of this Act Shall be Deemed a Nuisance and Abated by Injunction; and to include Snuff within the provisions and requirements thereof.

Have had the same under consideration and have failed to agree, and recommend that the Committee be discharged and a new conference committee named.

Senator Hamilton moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE CHAMBER

House Chamber,  
Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 52 and the speaker has appointed a new committee.

Representatives Ehr, Hauge and Gudmestad.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Senator Bond moved that a new conference committee be appointed on House Bill No. 52.

Which motion prevailed.

The president appointed as new conference committees: On House Bill 341 Senators O. H. Olson, Schlosser and Magnuson.

On House Bill No. 52, Senators Kretschmar, Hamilton and Erickson.

Mr. Speaker: Your Conference Committee on Senate Bill 171 to whom was referred:

Senate Bill No. 171. A Bill For an Act Amending and Re-enacting Section 2071c1 of the Supplement to the 1913 Compiled Laws of North Dakota.

Have had the same under consideration and the House recedes from amendments and concurs in Senate Amendment, which is as follows:

In line one of Page 2 of the engrossed bill, strike out everything after the word "Board" down to and including the word "for" in line four and insert in lieu thereof the following:

expend tax moneys in excess of the maximum levy permitted under this act together with such amount as has been levied under the provisions of Chapter 181 of the Session Laws for the year 1919. Provided, however, that nothing herein contained shall be construed to prohibit said board from extending any additional moneys derived from sources other than taxation.

For the House:

ALFRED O. BROWN,  
M. H. LYNCH,  
ERNEST F. JOHNSON,

For the Senate:

S. J. ATKINS,  
G. PATTERSON,  
GUST WOG.

Senator Atkins moved that the report of the conference committee be adopted and the committee be discharged.

Which motion prevailed.

Senator Atkins then moved that the rules be suspended and that Senate Bill 171 be considered properly engrossed and placed on final passage.

Which motion prevailed.

Senate Bill No. 171. A Bill For an Act Amending and Re-enacting Section 2071c1 of the Supplement to the 1913 Compiled Laws of North Dakota.

The question being on the final passage of the bill, the roll was called, and there were ayes 33, nays 0, absent and not voting 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Hjelmstad	Peck
Bakken	Lynch	Ployhar
Bond	McLachlin	Ritchie
Brunsdale	Magnuson	Rusch
Conrath	Marshall	Schlosser
Crocker	Murphy	Seamands
Eastgate	Olson of Barnes	Steele
Erickson	Olson of Burleigh	Stevens
Fine	Olson of Eddy	Van Arnam
Forbes	Pathman	Whitman
Fredrickson	Patten	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Baird	Hamilton	Patterson
Benson	Hart	Porter
Brant	Kretschmar	Sathre
Carey	McCrory	Tofsrud
Ettestad	Martin	Van Camp
Fleckten		

So the bill passed and the title was agreed to.

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 they have examined the following bills:

Senate Bill No. 49. A Bill For an Act to amend and re-enact Sections 476, 486, 487, 488, 490, 493, 495, 504, and 505 of the Compiled Laws of the State of North Dakota, for the year 1913, the same being Sections 2, 12, 13, 14, 16, 19, 21, 25, 30, and 31 of Chapter 182 of the Session Laws of 1907, entitled "An act to Regulate the Practice of Pharmacy and Providing Penalties for Violating the Provisions Thereof."

Also:

Senate Bill No. 20. A Bill For an Act to Regulate the occupation of hairdressers and cosmetologists to create a State Board of Hairdressers and Cosmetologists for the licensing of persons to carry on and to teach such practices, to insure the better education of such practitioners, to provide rules regulating the proper conduct and sanitation of hairdressing and cosmetologist establishments and school for the protection of the public health, and to provide penalties for violation thereof.

Also:

Senate Bill 34. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School at Valley City, North Dakota.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 127. A Bill For an Act to Amend and Re-enact Section 7567 of the Supplement to Compiled Laws of North Dakota for 1913.

Also,

Senate Bill No. 213. A Bill For an Act to Amend and Re-enact Section 1438a1 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to High School Tuition

Fee.

Also,

Senate Bill No. 18. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Also,

Senate Bill No. 202. A Bill For an Act providing for the

investment of the funds of County Mutual Insurance Companies, and prescribing the character of such investment.

Also,

Senate Bill No. 225. A Bill For an Act to amend and re-enact Section 89 of the Compiled Laws of the State of North Dakota of 1913 relating to the exchange of laws with other states.

Also,

Senate Bill No. 46. A Bill For an Act to Amend and Re-enact Sections 2, 4 and 7 of Chapter 123 of the Sessions Laws of 1919, An Act to Create a State Board of Electricians and Prescribing the Duties Thereof, Providing for the Classification, Examination and Licensing of Electricians and Electrical Workers. Prescribing Fees for Such Examination and License, and Providing for Inspection of Electrical Work Through the State Fire Marshal Under the Direction of the State Board.

Senate Bill No. 231. A Bill For an Act to Amend and re-enact Subdivision (1) of Section 4059, of Chapter 96, of the Laws of 1921, relating to the Powers of Park Boards.

Also,

Senate Bill No. 226. A Bill For an Act to Amend and Re-enact Section 506a6 and 506a9 of the Supplement to the Compiled Laws of 1913.

Also,

Senate Bill No. 246. A Bill For an Act to Amend and Re-enact Article 55b of Chapter 38 of the Political Code of the State of North Dakota, being sections 2976v1 to 2976v16, both inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over Any Public Highway by Motor Propelled Vehicles; Defining Auto 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 Punishment for Violation Thereof.

Also,

Senate Bill No. 113. A Bill For an Act Making an Appropriation to Provide for the Payment of a Deficit in the General Maintenance Fund of the State Training School at Mandan, North Dakota.

And find the same correctly enrolled.

Senator Schlosser moved that the report be adopted.

Which motion prevailed and the report of the committee was adopted.

WALTER SCHLOSSER,  
Chairman.



## SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 127. A Bill For an Act to amend and Re-enact Section 7567 of the Supplement to Compiled Laws of North Dakota for 1913.

Senate Bill No. 213. A Bill For an Act to Amend and Re-enact Section 1438a1 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to High School Tuition Fee.

Senate Bill No. 18. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Senate Bill No. 225. A Bill For an Act to amend and re-enact Section 89 of the Compiled Laws of the State of North Dakota of 1913 relating to the exchange of laws with other States.

Senate Bill No. 202. A Bill For an Act providing for the investment of the funds of County Mutual Insurance Companies, and prescribing the character of such investment.

Senate Bill No. 46. A Bill For an Act to Amend and Re-enact Sections 2, 4 and 7 of Chapter 123 of the Sessions Laws of 1919, An Act to Create a State Board of Electricians and Prescribing the Duties Thereof, Providing for the Classification, Examination and Licensing of Electricians and Electrical Workers. Prescribing Fees for Such Examination and License, and Providing for Inspection of Electrical Work Through the State Fire Marshal Under the Direction of the State Board.

Senate Bill No. 113. A Bill For an Act Making an Appropriation to Provide for the Payment of a Deficit in the General Maintenance Fund of the State Training School at Mandan, North Dakota.

And the President signed the same in the presence of the Senate.

Bismarck, North Dakota,  
March 3d, 1927.

To The Honorable Members of the Senate,  
Bismarck, North Dakota.

Gentlemen:

We wish to extend our thanks to you for the patronage and courtesies extended us during the Session just closing.

With best wishes to you all, we remain,

Sincerely yours,  
MRS. K. A. GRIFFIN,  
EMMETT W. GRIFFIN.

Senate Bills 17, 130, 134, 87, 114, 160, 162, 172, 188, 198, 199 and 236, were delivered to the Governor on March 4th.

Senate Bills 109, 13, 85, 135, 176, 249, 1, 39, 140, 148, 180, 187, 191, 195, 204, 240 and 248 were delivered to the Governor on March 4th.

#### MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 52 and the speaker has appointed as a new Conference Committee, Representatives, Ehr, Hauge and Gudmestad.

Mr. President the House has adopted the Conference Committee report on House Bill No. 341.

Mr. President: The House has adopted the report on Senate Bill No. 171 and the bill passed by a vote of ayes 87, nays 8, absent 17. Emergency clause carried.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Senator Carey moved that the Senate do now recess, subject to the call of the chair.

Which motion prevailed and the Senate recessed.

The Senate re-assembled pursuant to recess taken, the President pro-tem Stevens presiding.

Senator Hamilton requested a return to the 7th Order of Business.

Which request was granted.

Senator Hamilton then requested that the Secretary read the conference committee report on House Bill 52.

#### REPORT OF THE CONFERENCE COMMITTEE

Mr. President: Your Conference Committee on House Bill 52 to whom was referred:

House Bill No. 52. A Bill For an Act Amending and Re-enacting Chapter 107, Laws of North Dakota for the year 1925, to Provide for the Issuance of Licenses for the Sale of Snuff, Furnishing of Bonds Therefor, and for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sale Thereof, and Penalties for the Violation of This Act; Defining the Duties of the Attorney General, State Auditor and State Treasurer imposed Under the Provisions of This Act; and Providing that any Person Violating the Provisions of this Act shall be Enjoined, and that any Building or Premises made Use of for Purposes

in Violation of the Provisions of This Act shall be deemed a Nuisance and may be Abated by Injunction and Providing for the Repeal of Chapter 91 of the Compiled Laws of North Dakota for the Year 1913, and Acts and Parts of Acts in

Have had the same under consideration and recommend that the tax be changed from three cents to 2 cents.

For the House:  
JOHN EHR,  
ALBERT HAUGE,  
THOS. GUDMESTAD.

For the Senate:  
D. H. HAMILTON,  
C. E. ERICKSON,  
P. T. KRETSCHMAR.

Senator Hamilton moved that the conference committee report on House Bill 52 be adopted and the Committee discharged.

Which motion prevailed.

Senator Hamilton further moved that the bill be placed on final passage.

Which motion prevailed.

House Bill No. 52. A Bill For an Act Amending and Re-enacting Chapter 107, Laws of North Dakota for the year 1925, to Provide for the Issuance of Licenses for the Sale of Snuff, Furnishing of Bonds Therefor, and for the Levy, Assessment, Collection and Payment of a Tax thereon; Providing for the Regulation of the Sale Thereof, and Penalties for the Violation of This Act; Defining the Duties of the Attorney General, State Auditor and State Treasurer imposed Under the Provisions of This Act; and Providing that any Person Violating the Provisions of this Act shall be Enjoined, and that any Building or Premises made Use of for Purposes in Violation of the Provisions of This Act shall be deemed a Nuisance and may be Abated by Injunction; and Providing for the Repeal of Chapter 91 of the Compiled Laws of North Dakota for the Year 1913, and Acts and Parts of Acts in conflict with the Provisions of this Act.

The question being on the final passage of the bill, the roll was called, and there were ayes 34, nays 4, absent and not voting 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Atkins	Fredrickson	Patterson
Baird	Hamilton	Peck
Bakken	Hart	Ployhar
Bond	Kretschmar	Rusch
Brunsdale	Lynch	Seamands
Carey	McCrory	Steel

Messrs.	Messrs.	Messrs.
Conrath	McLachlin	Stevens
Crocker	Murphy	Van Arnam
Eastgate	Olson of Barnes	Van Camp
Ettestad	Olson of Burleigh	Wog
Fine	Pathman	
Forbes	Patten	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Hjelmstad	Marshall	Sathre
Magnuson		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Benson	Martin	Schlosser
Brant	Olson of Eddy	Tofsrud
Erickson	Porter	Whitman
Fleckten	Ritchie	

So the bill passed and the title was agreed to.

Senator Hamilton moved that the vote by which House Bill No. 52 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Committee on Conference to whom was referred:

House Bill No. 341. A Bill For an Act to be known as the Estate Tax Act, to establish, a tax on gifts, legacies, inheritances, bequests, successions and transfers, to provide for its collection and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this act, and by any act hereby repealed; and to repeal sections 2346b1, 2346b2, 2346b3, 2346b4, 2346b5, 2346b6, 2346b7, 2346b8, 2346b9, 2346b10, 2346b11, 2346b12, 2346b13, 2346b14, 2346b15, 2346b16, 2346b17, 2346b18, 2346b19, 2346b20, 2346b21, 2346b22, 2346b23, 2246b24, 2346b25, 2346b26, 2346b27, 2346b28, 2346b29, 2346b30, 2346b31, 2346b32, 2346b33, 2346b34, 2346b35, 2346b36, 2346b37, 2346b38, 2346b39, 2346b40, 2346b41, 2346b42, 2346b43, 2346b44, 2346b45, 2346b46, 2346b47, 2346b48, 2346b49, 2346b50, 2346b51, 2346b52, 2346b53, 2346b54, 2346b55, 2346b56, 2346b57, of the Supplement to the Compiled Laws of 1913, and all acts or parts of acts in conflict with this act are hereby repealed.

Have had the same under consideration and recommend that the House adopt the Senate Amendments in No. 3 of Sub-division A of paragraph 2 of Section 3 of the engrossed bill.

In line 5 of Section 9 of the engrossed bill, strike out "50%"

where it occurs the first time and insert in lieu thereof "35%". And where it occurs the second and third times, strike out "50%" and insert in lieu thereof 65%".

In Section 12, Line 3 of the engrossed bill, the Senate recedes from its amendment, and leaves the balance of the Section as amended by the Senate.

Also that the House accept the Senate Amendment in Line 11 of Section 9.

For the House:

A. W. FOWLER,  
T. E. SLAGLE,  
R. E. SWENDSEID.

For the Senate:

C. W. FINE,  
O. H. OLSON,  
O. T. TOFSRUD.

Senator Fine moved that the Conference Committee report be adopted and the Committee be discharged.

Which motion prevailed.

Senator Fine then moved that House Bill 341 be placed on final passage.

Which motion prevailed.

House Bill No. 341. A Bill For an Act to be known as the Estate Tax Act, to establish, a tax on gifts, legacies, inheritances, bequests, successions and transfers, to provide for its collection and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this act, and by any act hereby repealed; and to repeal sections 2346b1, 2346b2, 2346b3, 2346b4, 2346b5, 2346b6, 2346b7, 2346b8, 2346b9, 2346b10, 2346b11, 2346b12, 2346b13, 2346b14, 2346b15, 2346b16, 2346b17, 2346b18, 2346b19, 2346b20, 2346b21, 2346b22, 2346b23, 2246b24, 2346b25, 2346b26, 2346b27, 2346b28, 2346b29, 2346b30, 2346b31, 2346b32, 2346b33, 2346b34, 2346b35, 2346b36, 2346b37, 2346b38, 2346b39, 2346b40, 2346b41, 2346b42, 2346b43, 2346b44, 2346b45, 2346b46, 2346b47, 2346b48, 2346b49, 2346b50, 2346b51, 2346b52, 2346b53, 2346b54, 2346b55, 2346b56, 2346b57, of the Supplement to the Compiled Laws of 1913, and all acts or parts of acts in conflict with this act are hereby repealed.

The question being on the final passage of the bill, the roll was called, and there were ayes 40, nays 8, absent and not voting 1.

Those voting in the affirmative were:

Messrs.  
Atkins  
Baird  
Bakken  
Bond

Messrs.  
Hart  
Hjelmstad  
Kretschmar  
Lynch

Messrs.  
Peck  
Ployhar  
Porter  
Rusch

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Brunsdale	McCrory	Sathre
Carey	McLachlin	Schlosser
Conrath	Magnuson	Seamands
Crocker	Marshall	Steel
Eastgate	Murphy	Stevens
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Whitman
Forbes	Olson of Eddy	Wog
Fredrickson	Pathman	
Hamilton	Patten	

Those voting in the negative were:

<b>Messrs.</b>	<b>Messrs.</b>	<b>Messrs.</b>
Benson	Martin	Tofsrud
Brant	Patterson	Van Camp
Fleckten	Ritchie	

Absent and not voting:

**Messrs.**  
Erickson

So the bill passed and the title was agreed to.

Senate Bills Nos. 127, 213, 18, 225, 202, 46, and 113 were delivered to the Governor March 4th.

#### MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
March 3, 1927.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 59. A Bill For an Act relating to and concerning the labeling and branding of flour offered or exposed for sale, or sold, within this state, prescribing regulations and providing penalties for violation thereof.

Which the House has indefinitely postponed.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Senator Atkins introduced the following Concurrent Resolution:

Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:

Whereas, the special Fact-finding Committee appointed by the Senate on January 5th, 1927, for the purpose of conducting an investigation into the affairs of the State Mill and Elevator located at Grand Forks, North Dakota, has made an investigation of said industry and, has, on March 2nd, 1927 filed with the Senate its report containing a general summary of its findings and conclusions as a result of such investigation; and, it appearing that such special committee consisted of Senators Hamilton and Fredrickson, represent-

ing the Nonpartisan League and Senator Schlosser representing the Independents, and that its investigation was conducted upon a non-political basis and in a spirit of fairness; and it further appearing that, although such investigation has been necessarily limited in scope and inadequate in character, considering the size, extent and ramifications of this industry, and, therefore, many important phases of such enterprise were either omitted from the investigation, or not thoroughly examined into, nevertheless, many important facts affecting the operation and management of such industry, particularly as regards the past two years period of its operation are disclosed in the report, which report is, for the purpose of this resolution, herewith incorporated into and made a part hereof; and,

Whereas, there are on file in the offices of the Industrial Commission and the State Board of Auditors, detailed and extensive financial reports for the period ending December 31st, 1926, prepared and submitted by Mr. K. C. Nelson, Auditor for the Industrial Commission, and Mr. O. B. Lund, Auditor and Accountant for the State Board of Auditors; and that such reports contain important, valuable and detailed information touching the financial condition of the State Mill and Elevator and the results of its operation to December 31st, 1926, and that such reports agree with each other in all substantial particulars; and,

Whereas, it appears from such special committee's report and from reports of said auditors that after more than four years of continuous operation under State management, the State Mill and Elevator has been a complete and disastrous failure in every important respect, and particularly in this:

First: This industry has cost the State of North Dakota in direct operating losses, including interest on its construction and operating bonds and depreciation, but not including any allowance for taxes, a sum exceeding \$1,250,000.00 to December 31st, 1926, of which loss, \$617,550.00 accrued during the past biennium, being \$188,403.05 for the year 1925, and \$429,147.51 for the year 1926; and,

Second: This industry has resulted in no substantial direct or indirect benefit to the wheat producers of the State of North Dakota; that while the State Mill and Elevator has paid higher prices for grain purchased by it in some instances, yet, since more than eighty percent of the total quantity so purchased, has been bought from Minneapolis Commission Firms and Line Elevator Companies, the result is that the benefit of such higher prices has gone to such Commission Firms and Elevator Companies in the form of commissions and profits, and not to the producers in North Dakota; that in the year 1925, the State Mill and Elevator purchased 382,000 bushels of wheat out of a total of 2,219,681 bushels, outside of the State of North Dakota, and in the year of 1926, it purchased 972,117 bushels out of a total of 2,602,466 bushels, outside of the State of North Dakota, and mostly from the State of Montana; that in the year 1925, the durum unit of the State Mill was discontinued and remodeled into a spring wheat unit, with the result that the State Mill and

Elevator has offered no market to the producer of durum wheat in North Dakota since 1924; and,

Third: That the operation of the State Mill and Elevator has not, in any respect, reduced the market price of flour sold in North Dakota, either through its own prices, or through the effect of its competition; that as regards flour manufactured and sold by it to consumers in North Dakota, a uniformly higher price has been charged therefor than the regular market price of other flour of standard grades, while at the same time its flour has been sold in large quantities in the eastern markets at substantially lower prices than that charged in North Dakota; and,

Fourth: That the State Mill and Elevator has sold large quantities of flour, equal at times to fifty per cent of its total output, in eastern markets, at very severe losses, particularly in the year 1926; that such losses average about \$1.25 per barrel, while the average losses for its entire territory for the year 1926 is about 75c per barrel; that the State Mill and Elevator has been unable to compete successfully with private mills located in eastern cities for business in eastern markets; and,

Fifth: That successful conduct of the State Mill and Elevator as a business enterprise is seriously handicapped by certain economic and physical conditions, particularly the following:

1. The plant is all together too large in size, and its overhead expenses of operation is too great for the territory in which it is located; it having a production capacity of about one million barrels of flour per year, while the total quantity of flour consumed in North Dakota per annum is about 600,000 barrels, of which the State Mill and Elevator has sold about 200,000 barrels per annum; and

2. The plant is unfavorably located in comparison with flour mills located in any of the larger centers of the east, either, for purposes of competing in the eastern markets in the sale of flour, or for the purpose of buying wheat advantageously from the spring wheat and winter wheat sections; and

3. The plant is unfavorably located with respect to the freight rate structures of the country; and,

Whereas, the State Mill and Elevator represents an investment of about \$5,000,000.00, of which amount \$4,500,000.00 is outstanding as an obligation of the taxpayers of the State in bonds that were issued to provide the capital to construct and operate the plant; that the annual interest on these bonds is \$258,250.00 all of which amount has, so far, been annually paid by the State out of funds provided by taxation; that in addition to these interest charges, the State has been, since 1925, obliged to levy taxes to provide a sinking fund with which to retire these bonds as they come due; that the operating bonds of \$1,500,000.00 mature in the following order:



\$250,000.00 due July 1st, 1928.

\$250,000.00 due July 1st, 1929.

\$250,000.00 due July 1st, 1932.

\$250,000.00 due July 1st, 1933.

\$500,000.00 due Jan. 1st, 1938.

That in addition to interest levies of more than a million dollars, the State has already up to 1926, levied \$250,000.00 for sinking fund purposes; that unless a substantial operating profit is made by the enterprise in the future, it is evident that the State will be required to levy sums sufficient not only for the annual interest charge above given, but to meet the whole principal of said bonds as well; and, there being no indications that this State industry will be able to make any better financial showing under State management in the future than it has in the past;

Now Therefore, Be It Resolved by the Twentieth Legislative Assembly of The State of North Dakota:

First: That from the report of said special committee and the reports and audits of said auditors, it appears and it is the judgment of this Assembly that the operation of the State Mill and Elevator under State management has been from the beginning a complete failure in all important respects, and that the people of the State of North Dakota are urged to take cognizance of the extent and causes of such failure, the salient facts contained in such reports, and the effect of the same upon the financial and economic welfare of the State; and,

Second: Be It Further Resolved, That it is the judgment of this Assembly that unless the State Mill and Elevator shall prove self-supporting during the present biennium, including the making of a gain sufficient to cover interest charges on its construction and operating bonds and depreciation, and, is reasonably successful in providing a beneficial market to the producers of wheat in North Dakota, then appropriate legislation should be enacted to solve the State Mill and Elevator problem on the following basis: (1) That the further management and operation of said enterprise by the State be discontinued; (2) that provision be made for the future management and operation of such industry by some private individual, corporation, or co-operative association; and, (3) that provision should be made that, in the event no private individual, corporation or co-operative association undertakes the management and operation of such enterprise, the same shall be liquidated.

Senator Atkins moved the adoption of the resolution.

The President returned to the chair.

#### MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to inform you that the

House has adopted the Conference Committee report on House Bill No. 349, and the speaker has appointed as a new conference committee Representatives Jardine, Oberg and Freeman.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Senator Hamilton moved that the last three paragraphs on page 4 of the typed resolution be stricken out.

Which motion prevailed.

Senator Hjelmstad moved the call of the Senate.

Senator Stevens moved that the call of the Senate be suspended.

Which motion prevailed.

The question being upon Senator Atkins motion, the question was put and the motion prevailed and the resolution was adopted.

Senator Ployhar moved that the concurrent resolution by Representative Freeman be read.

Senator Porter moved that the report of the Committee on Concurrent Resolution by Representative Freeman be adopted.

Roll call demanded.

Senator Hjelmstad moved the call of the Senate.

The call was granted and the roll call showed all Senators present excepting Senators Martin, O. A. Olson, Ritchie, Sathre and Tofsrud.

Senators Olson of Burleigh, Sathre and Tofsrud returned to the Senate Chamber.

Senator Hjelmstad moved that further business under the call of the Senate be suspended.

Which motion prevailed.

The question being on the adoption of Concurrent Resolution by Mr. Freeman on the State Mill and Elevator, 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.
Atkins	Hart	Rusch
Baird	Kretschmar	Seamands
Bond	Lynch	Steel
Brunsdale	McLachlin	Stevens
Carey	Murphy	Tofsrud
Crocker	Pathman	Van Arnam
Eastgate	Ployhar	Van Camp
Forbes	Porter	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bakken	Fredrickson	Olson of Eddy
Benson	Hamilton	Patten
Brant	Hjelmstad	Patterson
Conrath	McCrorry	Peck
Erickson	Magnuson	Sathre
Ettestad	Marshall	Schlosser
Fine	Olson of Barnes	Whitman
Fleckten	Olson of Burleigh	Wog

Absent and not voting:

Messrs.	Messrs.
Martin	Ritchie

So the resolution was declared lost.

Senator Hjelmstad moved that the vote by which Concurrent Resolution was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Sathre explained his vote: With the information I have been able to obtain on this matter I am not in a position to vote intelligently therefore I vote "no."

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 226. A Bill For an Act to Amend and Re-enact Section 506a6 and 506a9 of the Supplement to the Compiled Laws of 1913.

Senate Bill No. 246. A Bill For an Act to Amend and Re-enact Article 55b of Chapter 38 of the Political Code of the State of North Dakota, being sections 2976v1 to 2976v16, both inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over Any Public Highway by Motor Propelled Vehicles; Defining Auto 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 Punishment for Violation Thereof.

Senate Bill No. 49. A Bill For an Act to Amend and re-enact Sections 476, 486, 487, 488, 490, 493, 495, 504, and 505 of the Compiled Laws of the State of North Dakota, for the year 1913, the same being Sections 2, 12, 13, 14, 16, 19, 21, 25, 30, and 31 of Chapter 182 of the Session Laws of 1907, entitled "An Act to Regulate the Practice of Pharmacy, and Providing Penalties for Violating the Provisions Thereof."

Senate Bill No. 20. A Bill For an Act to regulate the occupation of hairdressers and cosmetologists to create a State Board of Hairdressers and Cosmetologists for the

licensing of persons to carry on and to teach such practices, to insure the better education of such practitioners, to provide rules regulating the proper conduct and sanitation of hairdressing and cosmetologist establishments and schools for the protection of the public health, and to provide penalties for violation thereof.

Senate Bill No. 34. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School at Valley City, North Dakota.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bill:

Senate Bill No. 112. A Bill For an Act to Provide for the Payment of an Existing Deficit in the Department of Public Instruction.

Also,

Senate Bill No. 36. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School, Minot, North Dakota.

Also,

Senate Bill No. 31. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Institution for the Feeble Minded at Grafton, North Dakota.

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 104. A Bill For an Act to Legalize the Execution and Acknowledgment of Certain Deeds, Mortgages, and Other Instruments in Writing, and the Record Thereof, and Making the Same or Certified Copies Thereof, Admissible in Evidence.

House Bill No. 127. A Bill For an Act Providing Maximum Punishments for Persons Convicted of a Felony Who Have Been Convicted of Two or More Felonies In Any State of the United States, and Prescribing the Procedure in Such Cases.

House Bill No. 207. A Bill For an Act to Amend and Re-

enact Section 3498, of the Compiled Laws of North Dakota, for the year 1913, relating to fees to be charged by the Clerk of the District Court.

House Bill No. 352. A Bill For an Act to Amend and Re-enact Sections 10180, 10181, 10182 and 10183 of the Compiled Laws of North Dakota for 1913 Prohibiting the Sale, Bartering or Giving Away of Snuff to Minors, Providing Penalties Therefor and Repealing Acts in Conflict Therewith.

House Bill No. 91. A Bill For an Act to Amend and Re-enact Section 17 of Chapter 162 of the Session Laws of North Dakota for the Year 1919, Known as the Workmen's Compensation Law, as Amended by the Session Laws of North Dakota for the Years 1921 and 1923.

House Bill No. 121. A Bill For an Act to Amend and Re-enact Section 489 of the Compiled Laws of 1913, Making Persons Eligible to Register as Apprentices in Pharmacy.

House Bill No. 157. A Bill for an Act to Amend and Re-enact Chapter 145 of the Session Laws of 1919, as embodied in Section 1755 Supplement to the 1913 Compiled Laws of North Dakota.

House Bill No. 238. A Bill For an Act Regulating the Use and Sale of Bottles and Glassware for Testing Milk and Cream for Butter Fat, and to repeal Section 2853 of the Supplement to the Compiled Laws of North Dakota.

House Bill No. 271. A Bill For an Act Empowering Foreign Executors, Administrators, Guardians, Heirs and Legatees of Deceased Non-residents whose Estates have been Probated Outside this State to Assign Mortgages; and Confirming and Legalizing Assignments heretofore made by such Executors, Administrators, Guardians, Heirs and Legatees.

House Bill No. 25. A Bill For an Act to Provide for the Nomination and Election of Candidates for the Offices of Presidential Electors, National Committeeman, Delegates to National Party Conventions, United States Senator, Members of Congress, Judges of the Supreme and District Courts, all Elective State and County Officers, Members of the Legislative Assembly, County Commissioners, Party Precinct Committeemen and County Official Newspaper; to Provide for Forms of Ballots and Requirements of New Parties with Reference Thereto; to Repeal All Acts or Parts of Acts in Conflict Herewith, including Sections 910 to 916 inclusive, Compiled Laws 1913 and to Change the Date of Holding all General, City, Township and Village Elections.

House Bill No. 29. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, and Miscellaneous General Expenses of the Department of Minimum Wage.

House Bill No. 40. A Bill For an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of The Agricultural College, Fargo, North Dakota.

House Bill No. 155. A Bill For an Act Relating to Fur Bearing Animals; Regulating the Taking Thereof, and Fixing Penalties.

House Bill No. 191. A Bill For an Act to Prescribe Who Shall be Qualified Electors in Certain Bond Elections in this State.

House Bill No. 198. A Bill For an Act to Amend and Re-enact Section 35, Chapter 161, Session Laws of 1915, as amended by Section 7, Chapter 224, Session Laws of 1923; and Section 36, Chapter 161, Session Laws of 1915, as amended by Section 5, Chapter 134, Session Laws of 1919, as amended by Section 8, Chapter 224, Session Laws of 1923; and Section 37, Chapter 161, Session Laws of 1915, Relating to Game and Fish.

House Bill No. 293. A Bill For an Act relating to the consolidation or merger of banks.

House Bill No. 298. A Bill For an Act to Provide for the Renewal of Corporate Existence and Repealing Section No. 4562 of the Compiled Laws of North Dakota, 1913.

House Bill No. 310. A Bill For an Act to Amend and Re-enact Section 630a4 of the Supplement to the Compiled Laws of North Dakota, for 1913, relating to notice given by Weed Commissioner, relative to the Sow Thistle and duties of Commissioner.

House Bill No. 348. A Bill For an Act Amending Section 375b3 of the Supplement to the Compiled Laws of North Dakota for the year 1913 relating to the duties of the State Printer.

House Bill No. 362. A Bill For an Act authorizinz the Commissioner of Agriculture and Labor to Declare Quarantine Measures, should it be necessary, to prevent the introduction of the European Corn Borer into North Dakota, and prescribing penalty for violations.

House Bill No. 5. A Bill For an Act to Amend and Re-enact Section 915 of the Compiled Laws of North Dakota for the year 1913.

House Bill No. 311. A Bill For an Act to Provide for the Payment of Outstanding Warrants issued by any Board of Drain Commissioners for expenses incurred and for services of surveyors, engineers and other persons or corporations, contracted for and rendered prior to the establishment of drains for the purpose of draining agricultural lands, in cases where any such Board has established such drain or drains, and same has thereafter been abandoned, or the construction thereof postponed for a period of more than two years, and providing for the reconveyance of land no longer required for Drainage purposes.

House Bill No. 85. A Bill For an Act to Amend Section 951 Compiled Laws of North Dakota 1913 Providing for Inspectors and Judges of Election, Their Qualifications and Duties.

House Bill No. 132. A Bill For an Act to Require Certificates of Title for Registered Motor Vehicles; to Facilitate the Recovery of Stolen or Unlawfully Taken Motor Vehicles; to Provide for the Licensing of Dealers in Used Motor Vehicles, Trailers, or Semi-trailers; to Prescribe the Powers and Duties of the Motor Vehicle Registration Department; to Impose Certain Fees to Carry out the Purpose of this Act; to Impose Penalties for Violations of this Act and to Make Uniform the Law Relating to the Subject Matter of This Act.

And the President signed the same in the presence of the Senate.

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 349. Hotel and Restaurant Inspection Act. An Act Providing for the inspection of hotels, lodging houses, boarding houses 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.

Having had the same under consideration beg leave to report that they have disagreed, and asked to be discharged, and a new Conference Committee be appointed.

G. PATTERSON,  
Chairman.

Senator Patterson 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. 112. A Bill For an Act to Provide for the Payment of an Existing Deficit in the Department of Public Instruction.

Senate Bill No. 36. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School, Minot, North Dakota.

Senate Bill No. 31. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Institution for the Feeble Minded at Grafton, North Dakota.

And the President signed the same in the presence of the Senate.

The President appointed as a Conference Committee on House Bill 349 Senators Hamilton, Whitman and Baird.

Senator Ployhar moved that the Senate do recess, subject to the call of the chair.

Which motion prevailed and the Senate recessed.

The Senate re-assembled pursuant to recess taken.

Senator Ployhar moved that the Senate do now recess until 7:00 P. M.

Which motion prevailed and the Senate recessed.

The Senate re-assembled at 7:50 P. M., pursuant to recess taken, the President presiding.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 155. A Bill For an Act to Amend and Re-enact Section 1194 of the Compiled Laws of 1913. relating to High Schools Established and Maintained by two or more School Districts, Providing a Board of Education therefor and Prescribing its Powers and Duties; Providing that Certain De Facto School Districts shall be Validated and Re-established under the Provisions of this Act.

Also,

Senate Bill No. 154. A Bill For an Act relating to and fixing the salaries of the County Auditor, the County Treasurer, the Register of Deeds, the County Sheriff, the Clerk of the District Court, the County Judge, the State's Attorney, and the County Superintendent of Schools, also fixing the number of and the salaries to be paid to the Deputies, and providing for Clerks and Assistants to be employed in the offices of the County Auditor, County Treasurer, Register of Deeds, Clerk of the District Court, County Sheriff, State's Attorney, County Judge and the County Superintendent of Schools, (in counties having a County Court of increased jurisdiction, and have a population exceeding forty thousand,) and repealing all acts or parts of acts in conflict therewith.

Also,

Senate Bill No. 217. A Bill For an Act Defining the Powers and Duties of the Board of Administration Relating to the Construction of Residence Halls or Dormitories on Lands of the Educational Institutions Under Its Control.

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved the report be adopted. Which motion prevailed and the report of the committee was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:



House Bill No. 245. A Bill For an Act to Amend and Re-enact Section 8895 of the Compiled Laws of North Dakota for the year 1913, and to Repeal Section 8896 of said Compiled Laws.

House Bill No. 252. A Bill For an Act to Provide for the Payment by the Bank of North Dakota of Taxes on Certain Lands that the State Treasurer as Trustee of the State of North Dakota holds as Security under Chapter 154, of the Session Laws of North Dakota for 1919 and Chapter 292 of the Session Laws of North Dakota for 1923 and Acts Amendatory thereof; Making an Appropriation therefor; Providing for the Reimbursement of the Bank of North Dakota therefrom and Establishing a Revolving Fund Therefor.

House Bill No. 255. A Bill For an Act making an appropriation for the Erection of a Building for girls and furnishing equipment therefor at the State Training School, Mandan, North Dakota.

House Bill No. 274. A Bill For an Act Governing Specifications and Bids upon Paving, Requiring Bids upon Several Types to be asked for.

House Bill No. 335. A Bill For an Act to prevent fraud and deception in the manufacture and sale of concentrated commercial feeding stuffs and providing for registration and labeling thereof and repealing Chapter 37 of the Session Laws of 1921, Sections 1 to 13, inclusive, and all other acts or parts of acts inconsistent herewith.

House Bill No. 318. A Bill For an Act to Amend and Re-enact Section 3704 of the Compiled Laws of North Dakota for 1913, as amended by Chapter 212 of the Laws of 1925, providing for a resolution declaring improvement work to be done by special assessments necessary, and permitting protests against said improvements to be filed by property owners.

House Bill No. 351. A Joint Resolution to Amend and Re-enact Section 179 of Article 11 of the Constitution of the State of North Dakota as Amended by Article 20 of the Amendments thereto, Relating to Revenue and Taxation.

House Bill No. 227. A Bill For an Act Making an Appropriation for Agricultural Fair purposes and providing for the division, expenditure and disbursement thereof.

House Bill No. 254. A Bill For an Act Making an Appropriation for the Purpose of Erecting a Ward Building at the State Hospital for the Insane at Jamestown.

House Bill No. 268. A Bill for an Act to Provide for the Taxing and Licensing of Motor Vehicles and Trailers, the Creation of a Department of Motor Vehicle Registration, the Appointment of a Registrar of Motor Vehicles, His Powers and Duties, Establishing the Method of Distribution of the Fees Received therefrom, Fixing Penalties for Violation of this Act and Providing for an Appropriation for Administering the Same and for

the Use of the State Highway Commission, and to make Uniform the Law Relating to the Subject Matter of this Act.

House Bill No. 140. A Bill For an Act Providing for the Voting of an Absent Voter Ballot by Electors who by Reason of Physical Disability are Unable to Attend Their Polling Place to Vote at any General or Primary Elections.

House Bill No. 202. A Bill For an Act to Amend Sections 7, 8 and 13, Chapter 292, Session Laws of 1923, Relating to the Bonds of North Dakota Real Estate Series; and to Amend Sections 9 and 12, Chapter 292, of the Session Laws of 1923, as Amended by Sections 2 and 3 of Chapter 100 of the Session Laws of 1925, Relating to the Bonds of North Dakota Real Estate Series.

House Bill No. 356. A Bill For an Act to Amend and Re-enact Section 2 of Chapter 213, of the Session Laws of North Dakota for 1925 Regulating the Expenditure of money for Traveling Expenses of Members, Officers, and Employees of State Departments.

Senate Bill No. 217. A Bill For an Act Defining the Powers and Duties of the Board of Administration Relating to the Construction of Residence Halls or Dormitories on Lands of Educational Institutions Under Its Control.

Senate Bill No. 154. A Bill For an Act relating to and fixing the salaries of the County Auditor, the County Treasurer, the Register of Deeds, the County Sheriff, the Clerk of the District Court, the County Judge, the State's Attorney, and the County Superintendent of Schools, also fixing the number of and the salaries to be paid to the Deputies, and providing for Clerks and Assistants to be employed in the offices of the County Auditor, County Treasurer, Register of Deeds, Clerk of the District Court, County Sheriff, State's Attorney, County Judge and the County Superintendent of Schools, (in counties having a County Court of increased jurisdiction, and having a population exceeding forty thousand,) and repealing all acts or parts of acts in conflict therewith.

Senate Bill No. 155. A Bill For an Act to Amend and Re-enact Section 1194 of the Compiled Laws of 1913, Relating to High Schools Established and Maintained by two or more School Districts, Providing a Board of Education therefor and Prescribing its Powers and Duties; Providing that Certain De Facto School Districts shall be Validated and Re-established under the Provisions of this Act.

And the President signed the same in the presence of the Senate.

Senate Bills 112, 36, 31, 226, 231, 246, 49, 20 and 34 were delivered to the Governor on March 4th.

Senate Bills Nos. 155, 154 and 217 were delivered to the Governor March 4th.

## SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 168. A Bill For an Act to Amend Section 8719 of the Compiled Laws of North Dakota for 1913, Relating to the Exemption of the Avails of Life Insurance Payable to the Personal Representative of a Deceased, his Heirs or Estate.

House Bill No. 41. A Bill for an Act to Amend and Re-enact Sections 560, 566, 567 and 571 of Article 22 of the Compiled Laws of North Dakota for the year 1913, Relating to the Barbers' Examining Board of the State of North Dakota; and to Provide for Said Board Adopting Rules and Regulations Relating to Sanitary Conditions in Barber Shops, Prohibiting the Occupation of Barbering upon Certain People, and Regulating the Power of Said Board in the Supervision of Barber Schools.

And the President signed the same in the presence of the Senate.

## REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 349. Hotel and Restaurant Inspection Act. An Act Providing for the inspection of hotels, lodging houses, boarding houses 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 have failed to come to an agreement. They therefore recommend that another Conference Committee be appointed.

For the House:

OSCAR S. OBERG,  
J. A. JARDINE,  
C. VERNON FREEMAN.

For the Senate:

D. H. HAMILTON,  
L. R. BAIRD,  
W. S. WHITMAN.

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 170. A Bill For an Act Providing For the Inspection of Scales, Weights and Measures under the Jurisdiction of the Board of Railroad Commissioners, Prescribing the Powers and Duties of said Board, Defining the Standard

of Weights and Measures, Providing Penalties for the Violation Thereof, Regulating the Use and Sale of Weights and Measures, Providing for the Fixation of Fees, Making an Appropriation to Carry Out the Provisions of this Act, and Repealing Chapter 344 of the Session Laws of North Dakota for 1923.

Have had the same under consideration and recommend that the same be indefinitely postponed.

For the House:  
C. A. MILLER,  
CHAS. F. STREICH,  
L. L. TWICHELL.

For the Senate:  
E. H. BRANT,  
JOSEPH G. FORBES,  
J. E. FLECKTEN.

Senator Patterson moved the adoption of the report. Which motion prevailed and the report was indefinitely postponed.

#### MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to inform you that the House has indefinitely postponed further action on House Bill No. 349.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 171. A Bill For an Act Amending and Re-enacting Section 2071c1 of the Supplement to the 1913 Com-piled Laws of North Dakota.

Also,

Senate Bill No. 184. A Bill For an Act to Amend and Re-enact Sections 3, 8 and 9, Chapter 159, Session Laws of 1919, and Section 3 of Chapter 154, Session Laws of 1925, Relat-ing to Insurance on Public Buildings, Providing for the Clas-sification of All Public Property, and Limiting the Amount of Insurance to be Carried by the State Fire and Tornado Fund.

Also,

Senate Bill No. 219. A Bill For an Act Appropriating the Sum of \$1,500.00 out of the State Highway Operating Fund of the Highway Commission, for the purpose of re-imburs-

ing certain Mechanics for losses sustained in the destruction of the Highway Commission Shops by fire.

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 19. 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:

That the House recede in its amendments to line 6 of subdivision 1, Section 3 of the printed bill, i. e., figures are to remain at \$3,600.00 as appearing in the printed bill and that the total of such subdivision 1 be corrected to read "\$25,150.00" instead of "\$24,550.00".

That the Senate concur in the House amendment to line 63 of subdivision 6 of Section 3 of the printed bill and to the changing the total in line 68 of said subdivision.

That the Senate concur in the House amendment inserting line 122½ in subdivision 9 of section 3 reading as follows: "122½ gasoline tax auditor, \$4,800.00".

That the Senate concur in House amendment changing total in line 123 of subdivision 9 of section 3 to \$42,400.00.

That the figures in line 129 of subdivision 9 of section 3, \$6,500.00 be stricken out and the figures \$6,000.00 be inserted in lieu thereof.

That the Senate concur in House amendment to line 131 of subdivision 9 of section 3 leaving figures at \$4,300.00.

That in line 135 of subdivision 9 of section 3, the figures \$68,000 be stricken out and the figures \$67,500.00 be inserted in lieu thereof.

That in line 143 of subdivision 10 of section 3, the figures \$3,000 be stricken out and the figures \$2,640.00 be inserted in lieu thereof.

That in line 151 of subdivision 10 of section 3, the figures \$32,400 be stricken out and the figures \$32,040 be inserted in lieu thereof.

That the Senate concur in House amendments to lines 163 and 167 of subdivision 11 of section 3.

That the Senate concur in House amendments to lines 246, 249, 253, 254, 255 and 257 of subdivision 16 of section 3.

That the Senate concur in House amendment to line 285 of subdivision 18 of section 3.

That line 287 of subdivision 18 of section 3 be amended by striking out the word "chief" and inserting the word "office" in lieu thereof and the Senate concur in House amendment raising amount from \$5,600 to \$7,000 in said line 287.

That in line 288 of subdivision 18 of section 3 be amended by inserting the word "assistant" before the word "office" in said line.

That Senate concur in House amendment to line 303 of subdivision 18 of section 3.

That in subdivision 19B of section 3, between lines 334 and 335, a new line numbered 334½ be inserted reading as follows: "Federal grain Inspector, \$4,800."

That Senate concur in House amendment to line 335 of subdivision 19B of section 3.

That the figures \$23,600 in line 343 of subdivision 19B of section 3 be stricken out and the figures \$28,400 be substituted in lieu thereof.

That the House recede from all its amendments to subdivision 21 of section 3.

That in line 378 of subdivision 22 of section 3, the House recede in its action to amend said line by striking out same and that said line be re-inserted to read as follows: "378 income tax field auditor \$5,800.00".

That line 379 of subdivision 22 of section 3, be amended by striking out the figures \$5,400 and inserting the figures \$4,800 in lieu thereof.

That between lines 386 and 387 of subdivision 22 of section 3, a new line renumbered 386½ be inserted to read as follows "386½ extra clerk hire, \$700".

That in line 394 of subdivision 22 of section 3, the figures \$60,580 be stricken out and the figures \$66,480 be inserted in lieu thereof.

That the Senate concur in House amendments to lines 392 and 404 of subdivision 23 of section 3.

That the Senate concur in House amendment to line 453 of subdivision 27 in section 3.

That the House recede from its amendment in striking out line 455 of subdivision 27 of section 3, and that said line be

re-inserted to read as follows: "455 assistant state engineer, \$4,800.00".

That the Senate concur in House amendments to line 466 of subdivision 27 of section 3.

That the figures \$41,240 in line 468 of subdivision 27 of section 3 be stricken out and the figures \$46,040 be inserted in lieu thereof.

That the House recede in its amendments to lines 471 and 481 of subdivision 28 of section 3.

For the House:

M. W. KELLY,  
WM. WATT,  
D. L. PETERS.

For the Senate:

JOHN W. BENSON,  
E. H. BRANT,  
O. T. TOFSRUD.

Senator Benson moved the adoption of the report.

Which motion prevailed.

Senator Benson then moved that the rules be suspended and Senate Bill 19 be considered properly engrossed and placed upon final passage.

Which motion prevailed.

Senate Bill No. 19. 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.

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.
Atkins	Forbes	Pathman
Baird	Fredrickson	Patten
Bakken	Hamilton	Patterson
Benson	Hjelmstad	Peck
Bond	Kretschmar	Ployhar
Brant	Lynch	Porter
Brunsdale	McCroy	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Wog
Fleckten	Olson of Eddy	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crocker	Ritchie	Van Camp
Hart	Rusch	Whitman
McLachlin	Sathre	

So the bill passed and the title was agreed to. Emergency clause declared carried.

Senator Bond moved that the vote by which Senate Bill No. 19 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 16. A Bill For an Act to Make an Appropriation from the State Prison Revolving Fund for the Construction of Buildings and Improvements and for the Purchase of Land for the State Penitentiary.

Have had the same under consideration and report that the House recedes from their amendments.

For the House:

EDWIN TRAYNOR,  
MINNIE D. CRAIG,  
J. M. THOMPSON.

For the Senate:

P T. KRETSCHMAR,  
FRANK E. PLOYHAR,  
O. H. OLSON.

Senator Kretschmar moved that the Conference Committee report on Senate Bill 16 be adopted, and that the Committee be discharged.

Which motion prevailed.

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 253. A Bill For an Act to Amend and Re-enact Sub-section B of Section 2976t15 of Supplement to the Compiled Laws of North Dakota for the Year 1913.

Have had the same under consideration and recommend that the same be amended as follows:

In line 4 of the printed bill strike out the figures "\$300,000.00" and insert in lieu thereof "\$340,000.00".



That in line 29 of the printed bill strike out the figures "\$300,000.00" and insert in lieu thereof "\$340,000.00".

For the House:  
WM. WATT,  
EINAR MUUS,  
HERMAN F. BUTT,

For the Senate:  
FRED VAN CAMP,  
P. T. KRETSCHMAR,  
L. O. FREDRICKSON.

Senator Kretschmar moved that the Committee report on House Bill 253 be adopted and that the Committee be discharged.

Which motion prevailed.

Senator Kretschmar then moved that House Bill 253 be placed on final passage.

Which motion prevailed.

House Bill No. 253. A Bill For an Act to Amend and Re-enact Sub-section B of Section 2976t15 of Supplement to the Compiled Laws of North Dakota for the Year 1913.

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.
Atkins	Forbes	Pathman
Baird	Fredrickson	Patten
Bakken	Hamilton	Patterson
Benson	Hjelmstad	Peck
Bond	Kretschmar	Ployhar
Brant	Lynch	Porter
Brunsdale	McCrorry	Schlosser
Carey	Magnuson	Seamands
Conrath	Marshall	Steel
Eastgate	Martin	Stevens
Erickson	Murphy	Tofsrud
Ettestad	Olson of Barnes	Van Arnam
Fine	Olson of Burleigh	Wog
Fleckten	Olson of Eddy	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crocker	Ritchie	Van Camp
Hart	Rusch	Whitman
McLachlin	Sathre	

So the bill passed and the title was agreed to.

Senator Bond moved that the vote by which House Bill No.

253 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Bond requested a return to the Eighth Order of Business.

Which request was granted.

Senator Bond then requested that the Secretary read a Resolution, and moved that the Resolution be printed in the Journal.

Which motion prevailed.

### RESOLUTION

Introduced by Senators Bond and Patterson

Whereas, the Hon. Walter J. Maddock, 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 Walter J. Maddock, 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 good will and friendship, the chair from which he has so fairly, ably and justly directed our deliberations, and

Further, a framed picture of the Senators and Officers over which he has presided is also presented to him, that we may continue to be remembered by him, as he will always be remembered by us.

### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 171. A Bill For an Act Amending Section 2071c1 of the Supplement to the 1913 Compiled Laws of North Dakota.

Senate Bill No. 184. A Bill For an Act to Amend and Re-enact Sections 3, 8 and 9, Chapter 159, Session Laws of 1919, and Section 3 of Chapter 154, Session Laws of 1925, Relating to Insurance on Public Buildings, Providing for the Classification of All Public Property, and Limiting the Amount of Insurance to be Carried by the State Fire and Tornado Fund.

Senate Bill No. 219. A Bill For an Act Appropriating the Sum of \$1,500.00 out of the State Highway Operating Fund

of the Highway Commission, for the purpose of re-imbursing certain Mechanics for losses sustained in the destruction of the Highway Commission Shops by fire.

House Bill No. 185. A Bill For an Act to Permit the Use of Guide Cards in Elections, to Assist in Enabling Elector to Vote for the Candidate of His or Her Choice.

And the President signed the same in the presence of the Senate.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bill:

Senate Bill No. 185. A Bill For an Act Providing for a Refund to Hail Tax Purchasers and Persons Paying Hail Taxes for Which Their Lands Were Not Liable, Designating the Funds From Which Payment Shall Be Made, and Declaring the Duty of the Insurance Commissioner in Relation Thereto.

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

#### MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 253.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Senator Hamilton requested a return to the Eighth Order of Business.

Which request was granted.

Senator Hamilton then moved that the President appoint a Committee of three or four, to be known as the "Mill and Elevator Committee", which Committee is to continue the work begun by the Fact-Finding Committee, and recommend a solution of the present State Mill and Elevator problem to the next legislature.

Which motion prevailed.

Senate Bills Nos. 171, 219 and 184 were delivered to the Governor March 4th.

Senate Bill No. 185 was delivered to the Governor March 4th.

## MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 16 and the bill passed by a vote of ayes 103, nays 6, absent 3.

Also, the House has adopted the report on Senate Bill No. 170.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 16; also Senate Bill No. 19, and Senate Bill No. 19 passed by a vote of ayes 108, absent 4.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Senator Stevens moved that the Senate do concur in the Conference Committee reports on Senate Bill 170 and House Bill 349.

Which motion prevailed.

## COURTESIES OF THE FLOOR

Courtesies of the floor were extended to: Mary C. Fairchild, W. E. Runey, Mr. and Mrs. S. A. Nesse, Mrs. Andrew Hagen, Nels Gjovig, Misses Emily and Theresa Sheldon and Mrs. Andrew Johnston.

## MESSAGE FROM THE HOUSE

Bismarck, North Dakota,  
March 4, 1927.

Mr. President: I have the honor to inform you that the House has rejected the Concurrent Resolution by Senator Atkins.

Also, Mr. President, the House has adopted the Concurrent Resolution by Joint Committee on Employment and return same herewith.

Also, the House has adopted the Concurrent Resolution as to mailing out Journals, introduced by Joint Committee on Employment.

Very respectfully,  
C. R. VERRY,  
Chief Clerk.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 237. A Bill For an Act relating to banks, providing for Secured Savings Deposits, fixing the reserve, limiting the investment of such deposits, exempting the same from the Depositors' Guaranty Fund Law, establishing a first lien on general assets, providing notice of withdrawal, the keeping of separate books and records, and providing a penalty for the violation of the provisions hereof.

Also,

Senate Bill No. 179. A Bill For an Act Amending and Re-enacting Sections 5012a2 and 5012a3 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Extinct Denominational and Religious Societies.

Also,

Senate Bill No. 218. A Bill For an Act Authorizing the Organization of Non-Profit Sharing Institutional Holding Associations and Defining Their Powers.

Also,

Senate Bill No. 16. A Bill For an Act to Make an Appropriation from the State Prison Revolving Fund for the Construction of Building and Improvements and for the Purchase of Land for the State Penitentiary.

Also,

Senate Bill No. 163. A Bill For an Act to amend and re-enact Section 714a8 and 714a13 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the designating of Depositories of Public Funds and fixing maximum and minimum rates of interest that may be paid thereon.

Also,

Senate Bill No. 253. A Bill For an Act to Amend and Re-enact Section 10246a1 of the Supplement to the Compiled Laws of North Dakota for 1913, Regulating and Fixing the Hours of Labor of Females and Providing Penalties for Violation Thereof.

And find the same correctly engrossed.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the committee was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 218. A Bill For an Act Authorizing the Organization of Non-Profit Sharing Institutional Holding Associations and Defining Their Powers.

Also,

Senate Bill No. 237. A Bill For an Act relating to banks, providing for Secured Savings Deposits, fixing the reserve, limiting the investment of such deposits, exempting the same from the Depositors' Guaranty Fund Law, establishing a first lien on general assets, providing notice of withdrawal, the keeping of separate books and records, and providing a penalty for the violation of the provisions hereof.

Also,

Senate Bill No. 179. A Bill For an Act Amending and Re-enacting Sections 5012a2 and 5012a3 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Extinct Denominational and Religious Societies.

Also,

Senate Bill No. 16. A Bill For an Act to Make an Appropriation from the State Prison Revolving Fund for the Construction of Buildings and Improvements and for the Purchase of Land for the State Penitentiary.

Also,

Senate Bill No. 163. A Bill For an Act to amend and re-enact Sections 714a8 and 714a13 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the designating of Depositories of Public Funds and fixing maximum and minimum rates of interest that may be paid thereon.

Also,

Senate Bill No. 253. A Bill For an Act to Amend and Re-enact Section 10246a1 of the Supplement to the Compiled Laws of North Dakota for 1913, Regulating and Fixing the Hours of Labor of Females and Providing Penalties for Violation Thereof.

And the President signed the same in the presence of the Senate.

Senator Baird formally presented the "Washington Elm Gavel" to the Historical Society, on behalf of the Senate.

Senate Bills Nos. 218, 253, 163, 16, 179 and 237 were delivered to the Governor March 4th.

The Senate re-assembled, pursuant to recess taken, the President presiding.

The President appointed as a "Mill and Elevator Committee", pursuant to Senator Hamilton's motion, Senators Hamilton, Schlosser and Fredrickson.

The President called the former President pro tem, Senator Murphy, to the chair.

Senator Eastgate moved that the Senate do now recess, subject to the call of the chair.

Which motion prevailed.

### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 253. A Bill For an Act to Amend and Re-enact Sub-section B of Section 2976t15 of Supplement to the Compiled Laws of North Dakota for the Year 1913.

House Bill No. 51. A Bill For an Act to Amend and re-enact Section 1342 of supplement to the Compiled Laws of 1913.

House Bill No. 211. A Bill For an Act Creating the Department of State Highways, Defining Its Powers and Duties, Providing for its Government and Imposing Penalties for Violations Thereof.

House Bill No. 208. A Bill For an Act to Provide for the Leasing and Sale of Islands and Accumulations of Land Formed in Beds of Navigable Streams. Whereas, there is no law in this State which provides for the leasing and sale of islands and accumulations of land formed in the beds of navigable streams in this state, now therefore:

House Bill No. 162. A Bill For an Act Creating a State Highway Commission, Defining its Powers and Duties and Fixing the Compensation of the Commission.

House Bill No. 204. A Bill For an Act to Amend and Re-enact Section 1190 of the Supplement to the Compiled Laws of 1913, Relating to Consolidation of Schools and Transportation of Pupils.

House Bill No. 23. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the State Historical Society.

House Bill No. 27. A Bill For an Act Making an Appropriation to Pay Salary, Stenographer and General Expenses of the Commissioner of Immigration.

House Bill No. 341. A Bill For an Act to be known as the Estate Tax Act, to establish a tax on gifts, legacies, inheritances, bequests, successions and transfers, to provide for its collection and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this act, and by any act hereby repealed; and to repeal sections 2346b1, 2346b2, 2346b3, 2346b4, 2346b5, 2346b6, 2346b7, 2346b8, 2346b9, 2346b10, 2346b11, 2346b12, 2346b13, 2346b14, 2346b15, 2346b16, 2346b17, 2346b18, 2346b19, 2346b20, 2346b21, 2346b22, 2346b23, 2346b24, 2346b25, 2346b26, 2346b27,

2346b28, 2346b29, 346b30, 2346b31, 2346b32, 2346b33,  
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 2346b52, 2346b53, 2346b54, 2346b55, 2346b56, 2346b57,  
 of the Supplement to the Compiled Laws of 1913, and all  
 acts or parts of acts in conflict with this act are hereby  
 repealed.

House Bill No. 52. A Bill For an Act Amending and Re-enacting Chapter 107, Laws of North Dakota for the year 1925, Relating to the Sale of Cigarettes, and Cigarette Papers and Wrappers and Papers Used and Prepared for the Making of Cigarettes; Providing for Issuing Licenses for the Purpose of Making sales Thereof and Furnishing of Bond; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof, and Penalty for Violation of this Act; and Defining the Duties of the Attorney General, State Auditor and State Treasurer Imposed Under the Provision of this Act; and Providing that Any Person Violating this Act shall be enjoined and that Any Building or Premises Made Use of for Purposes in Violation of this Act Shall be Deemed a Nuisance and Abated by Injunction; and to include Snuff within the provisions and requirements thereof.

And the President signed the same in the presence of the senate.

The President appointed as Senatorial members of the State Commission to plan for the bi-centennial anniversary celebration in 1932 of the birth of George Washington, Senators Steel, Hamilton and Whitman.

Mr. President: Your Committee on Enrollment and Engrössment respectfully report that they have examined the following bills:

Senate Bill No. 126. A Bill For an Act to Amend and Re-enact Sections 1, 2, 3, 5, 6, 10, 12, 14 and 21 of Chapter 182, Session Laws 1923, the same being Sections 5235a2, 5235a3, 5235a5, 5235a6, 5235a10, 5235a12, 5235a14 & 5235a21 of the Supplement to the 1913 Compiled Laws of North Dakota 1913-1925, Relating to the Definition of Securities, Indemnity Bond and Fees Collected by the State Securities Commission.

Also,

Senate Bill No. 19. 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. 55. A Bill For an Act to amend and re-enact Sections 189b5, 189b9 and 189b11 of the Supplement to



the 1913 Compiled Laws of the State of North Dakota relating to State Hail Insurance.

And find the same correctly enrolled.

WALTER H. SCHLOSSER,  
Chairman.

Senator Schlosser moved that the report be adopted, which motion prevailed and the report of the Committee was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 55. A Bill For an Act to amend and re-enact Sections 189b5, 189b9 and 189b11 of the Supplement to the 1913 Compiled Laws of the State of North Dakota relating to State Hail Insurance.

Senate Bill No. 126. A Bill For an Act to Amend and Re-enact Sections 1, 2, 3, 5, 6, 10, 12, 14 and 21 of Chapter 182, Session Laws 1923, the same being Sections 5235a2, 5235a3, 5235a5, 5235a6, 5235a10, 5235a12, 5235a14 & 5235a21 of the Supplement to the 1913 Compiled Laws of North Dakota 1913-1925, Relating to the Definition of Securities, Indemnity Bond and Fees Collected by the State Securities Commission.

Senate Bill No. 19. 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 the President signed the same in the presence of the Senate.

Senate Bills Nos. 55, 126 and 19 were delivered to the Governor March 4.

Senator Ployhar moved that the President appoint a Committee of three to notify the House that the Senate has completed its labors and is about to adjourn sine die.

Which motion prevailed.

The President appointed as such Committee Senators Ployhar, C. J. Olson and Van Arnam.

Senator Ployhar moved that the President appoint a Committee of three to notify the Governor that the Senate has completed its labors and is about to adjourn sine die.

Which motion prevailed.

The President appointed as such committee, Senators Benson, Schlosser and Baird.

The Committee appointed by the President to notify the House that the Senate is about to adjourn sine die 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 about to adjourn sine die reported that it had so notified the Governor, and that the Governor had no other messages to transmit to the Senate so the chairman moved that the Committee be discharged.

Which motion prevailed.

#### MESSAGE FROM THE HOUSE

The Committee of the House notified the Senate that the House is about to adjourn sine die.

Senator Ployhar moved that the Senate do now adjourn sine die.

Which motion prevailed and the Senate adjourned sine die.

W. D. AUSTIN,  
Secretary.

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## RECORD OF BILLS IN THE SENATE

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### SENATE BILLS

#### Senate Bill No. 1—(Rusch)

Senate Bill No. 1. A Bill For an Act to amend and re-enact Section 2202 of the Compiled Laws of the State of North Dakota for the year 1913 as amended and re-enacted by Section 5 of Chapter 199, Session Laws of 1925, relating to giving notice of expiration of period of redemption on property forfeited to the county at tax sale, issuance of tax deeds to the county and sale of property acquired by the county through tax deed.

Introduced, 12.

Reference, 12, 125.

Reported, 97.

Amended, 97.

Passed, 158, 927.

Received from House, 847.

Amended, 136, 847.

Conference, 881, 903.

Report of Conference, 925, 962.

Other action, 125, 926, 1064.

Sent to House, 164.

Sent to Governor, 1126.

#### Senate Bill No. 2—(Special Committee)

Senate Bill No. 2. A Bill for an Act Declaring that the Courts of this State shall take Judicial Notice of a Publication of Certain Laws of this State Prepared and Published Pursuant to the Provisions of Chapter 158, Session Laws 1925, and Commonly Known and Entitled "Supplement to the Compiled Laws of 1913", and that Amendments and Repeals thereof and Enactments of other Laws referring thereto shall be Deemed to Refer to Laws of the State as Appearing in such Publication.

Introduced, 14.

Reference, 14.

Reported, 25.

Passed, 25.

Received from House, 47.

Other action, 25, 26, 77.

Sent to House, 31.

Signed by Governor, 95.

**Senate Bill No. 3—(McLachlin)**

Senate Bill No. 3. A Bill for an Act providing that depositories of public funds may, with the consent of proper authorities, deposit and pledge as security in order to obtain the deposit of public funds, bonds, warrants, or bills receivable in an amount equal to the maximum deposit with such depository.

Introduced, 44.  
 Reference, 44, 145, 214.  
 Reported, 195, 282.  
 Amended, 195, 282, 344.  
 Passed, 346.  
 Received from House, 1012.  
 Sent to House, 362.  
 Indefinitely postponed, 1012.

**Senate Bill No. 4—(Forbes)**

Senate Bill No. 4. A Bill For an Act to amend and re-enact Section 4230 of the Compiled Laws of North Dakota for the year 1913.

Introduced, 44.  
 Reference, 44.  
 Reported, 86.  
 Amended, 86, 100.  
 Passed, 100, 200.  
 Received from House, 181.  
 Amended, 100, 181.  
 Amendments adopted, 200.  
 Other Action, 199, 200, 214.  
 Sent to House, 105.  
 Signed by Governor, 252.

**Senate Bill No. 5—(Bond)**

Senate Bill No. 5. A Bill for an Act Providing for the discontinuance of the Depositors Guaranty Fund and Limiting the Time to Which Depositors are Guaranteed by Said Fund and the Laws Relating Thereto.

Introduced, 44.  
 Reference, 44, 125.  
 Reported, 281.  
 Other action, 125.  
 Indefinitely postponed, 281.

**Senate Bill No. 6—(Whitman)**

Senate Bill No. 6. A Bill For an Act to appropriate the Sum of \$75,000, 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 Grand Forks, Grand Forks County, North Dakota, and the City of East Grand Forks, Polk County, Minnesota, Under the Provisions of Subdivision C of Section 2976T15 of the Supplement to the Compiled Laws 1913.

Introduced, 44.  
 Reference, 45.  
 Reported, 111.  
 Passed, 127.  
 Received from House, 216.

Other action, 228.  
Sent to House, 132.  
Signed by Governor, 252.

**Senate Bill No. 7—(Committee on Appropriations)**

Senate Bill No. 7. A Bill For an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid into or Credited to the General Fund.

Introduced, 47.  
Reference, 47.  
Reported, 111.  
Passed, 128.  
Received from House, 543.  
Other action, 604.  
Sent to House, 141.  
Sent to Governor, 658.  
Signed by Governor, 730.

**Senate Bill No. 8—(Committee on Appropriations)**

Senate Bill No. 8. A Bill For an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota National Guard or State Militia, as Provided for Under Chapter 35 of the Political Code of the Compiled Laws of North Dakota, for the Year 1913, and to Meet Other Requirements Prescribed by the Federal Statutes.

Introduced, 48.  
Reference, 48.  
Reported, 111.  
Passed, 129.  
Received from House, 542.  
Other Action, 604.  
Sent to House, 141.  
Sent to Governor, 658.  
Signed by Governor, 730.

**Senate Bill No. 9—(Committee on Appropriations)**

Senate Bill No. 9. A Bill For an Act Making 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 Reenacted by Chapter 266, Laws of 1915, and as Amended and Reenacted by the Initiated Law approved November 2nd, 1920, and as Provided for in Chapter 143, Laws of 1923.

Introduced, 48.  
Reference, 48.  
Reported, 111.  
Passed, 129.  
Received from House, 543.  
Other Action, 605.  
Sent to House, 141.  
Sent to Governor, 658.  
Signed by Governor, 730.

**Senate Bill No. 10—(Committee on Appropriations)**

Senate Bill No. 10. 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 Association.

Introduced, 48.  
 Reference, 48.  
 Reported, 112.  
 Passed, 130.  
 Received from House, 379.  
 Other Action, 401.  
 Sent to House, 141.  
 Sent to Governor, 421.  
 Signed by Governor, 467.

**Senate Bill No. 11—(Committee on Appropriations)**

Senate Bill No. 11. A Bill For an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Chapter 145 of the Session Laws of 1923, and Magpie Bounty as Provided For by Chapter 144 of Session Laws of 1923.

Introduced, 48.  
 Reference, 48.  
 Reported, 213.  
 Amended, 213.  
 Passed, 236.  
 Received from House, 846.  
 Other Action, 969.  
 Sent to House, 240.  
 Sent to Governor, 978.  
 Signed by Governor, 1080.

**Senate Bill No. 12—(Committee on Appropriations)**

Senate Bill No. 12. A Bill For an Act Making an Appropriation for Salaries, Clerkhire and Miscellaneous Expenses of the Game and Fish Board.

Introduced, 48.  
 Reference, 48.  
 Reported, 137.  
 Passed, 159.  
 Received from House, 777.  
 Other Action, 863.  
 Sent to House, 164.  
 Sent to Governor, 877.  
 Signed by Governor, 964.

**Senate Bill No. 13—(Committee on Appropriations)**

Senate Bill No. 13. A Bill For an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Rents, Repairs, Insurance and Upkeep of Grounds.

Introduced, 48.  
 Reference, 49.  
 Reported, 137.  
 Passed, 160, 983.  
 Received from House, 944.  
 Amended, 944.  
 Amendments Adopted, 983.  
 Other Action, 983, 1063.  
 Sent to House, 164.  
 Sent to Governor, 1126.

**Senate Bill No. 14—(Committee on Appropriations)**

Senate Bill No. 14. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate.

Introduced, 49.  
 Reference, 49.  
 Reported, 138.  
 Passed, 160, 845.  
 Received from House, 813.  
 Amended, 813.  
 Amendments Adopted, 845.  
 Other Action, 845, 969.  
 Sent to House, 164.  
 Sent to Governor, 978.  
 Signed by Governor, 1081.

**Senate Bill No. 15—(Committee on Appropriations)**

Senate Bill No. 15. A Bill For an Act to Amend and Re-enact Section 11,258 of the Compiled Laws of North Dakota, 1913, relating to the State Prison Revolving Fund.

Introduced, 49.  
 Reference, 49, 97.  
 Reported, 96, 194.  
 Indefinitely Postponed, 195.

**Senate Bill No. 16—(Committee on Appropriations)**

Senate Bill No. 16. A Bill For an Act to Make an Appropriation from the State Prison Revolving Fund for the Construction of Buildings and Improvements and for the Purchase of Land for the State Penitentiary.

Introduced, 49.  
 Reference, 49.  
 Reported, 364.  
 Amended, 364, 409.  
 Passed, 409.  
 Received from House, 1093.  
 Amended, 1093.  
 Conference, 1100, 1104.  
 Report of Conference, 1148, 1152.  
 Other Action, 1099, 1154.  
 Sent to House, 420.  
 Sent to Governor, 1154.

**Senate Bill No. 17—(Committee on Appropriations)**

Senate Bill No. 17. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Introduced, 49.  
 Reference, 49.  
 Reported, 332.  
 Amended, 332, 386.  
 Passed, 387.  
 Received from House, 1012.  
 Other Action, 1110.  
 Sent to House, 419.  
 Sent to Governor, 1126.

**Senate Bill No. 18—(Committee on Appropriations)**

Senate Bill No. 18. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Introduced, 49.  
 Reference, 49.  
 Reported, 363.  
 Amended, 363.  
 Passed, 410.  
 Received from House, 1073.  
 Amended, 1073.  
 Amendments Adopted, 1084.  
 Other Action, 1084, 1125.  
 Sent to House, 420.  
 Sent to Governor, 1130.

**Senate Bill No. 19—(Committee on Appropriations)**

Senate Bill No. 19. 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.

Introduced, 49.  
 Reference, 50.  
 Reported, 333.  
 Amended, 333, 335, 387, 388.  
 Passed, 430, 1148.  
 Received from House, 1021.  
 Amended, 428, 1022, 1023, 1024.  
 Amendments Adopted, 1147.  
 Conference, 1061, 1089.  
 Report of Conference, 1145, 1152.  
 Other Action, 1061, 1147, 1148, 1157.  
 Sent to House, 477.  
 Sent to Governor, 1157.

**Senate Bill No. 20—(Whitman)**

Senate Bill No. 20. A Bill For an Act to regulate the occupation of hairdressers and cosmetologists to create a State Board of Hairdressers and Cosmetologists for the licensing of persons to carry on and to teach such practices, to insure the better education of such practitioners, to provide rules regulating the proper conduct and sanitation of hairdressing and cosmetologist establishments and school for the protection of the public health, and to provide penalties for violation thereof.

Introduced, 50.  
 Reference, 50.  
 Reported, 222.  
 Amended, 222, 255.  
 Passed, 255, 1045.  
 Received from House, 1048.  
 Amended, 1049.  
 Amendments Adopted, 1045.



Other Action, 255, 1045, 1046, 1135.  
 Sent to House, 259.  
 Sent to Governor, 1142.

**Senate Bill No. 21—(Brunsdale and Sathre)**

Senate Bill No. 21. A Bill For an Act to Permit Religious Instruction of Pupils Attending Public School, and Defining the Powers of Board of Education, Boards of School Directors and School Officials in Relation thereto.

Introduced, 50.  
 Reference, 50.  
 Reported, 283.  
 Lost, 301.

**Senate Bill No. 22—(Murphy)**

Senate Bill No. 22. A Bill For an act to authorize a tax levy in cities and villages for the purpose of providing a fund for the maintenance or employment of a band for municipal purposes, and providing for submission of the question of levying a tax for such purpose to the voters of such cities and towns.

Introduced, 57.  
 Reference, 57.  
 Reported, 85.  
 Passed, 101, 840.  
 Received from House, 813.  
 Amended, 813.  
 Amendments Adopted, 839.  
 Other Action, 840, 969.  
 Sent to House, 105.  
 Sent to Governor, 978.  
 Signed by Governor, 1081.

**Senate Bill No. 23—(Committee on Appropriations)**

Senate Bill No. 23. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 200, Session Laws 1923, the same being Section 5220b9 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Depositors' Guaranty Fund Commission.

Introduced, 58.  
 Reference, 58.  
 Reported, 176.  
 Passed, 204.  
 Received from House, 379.  
 Other Action, 400.  
 Sent to House, 212.  
 Sent to Governor, 421.  
 Signed by Governor, 467.

**Senate Bill No. 24—(Committee on Appropriations)**

Senate Bill No. 24. A Bill For an Act to Amend and Re-enact Section 5 of the Initiated Measure entitled, "An Act to Impose a Tax Upon the Sale of Motor Vehicle Fuels; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels and for the Disposition of the Revenue Derived Therefrom; Regulating the Sale of Such Fuels and Fixing Penalties for the Violation of This Act. Repealing all Acts or parts of Acts in conflict with the

Provisions of this Act," and approved at a State-wide Election held June 30, 1926.

Introduced, 58.  
 Reference, 58.  
 Reported, 85.  
 Amended, 101.  
 Passed, 102.  
 Received from House, 177.  
 Other Action, 199, 254.  
 Sent to House, 105.  
 Signed by Governor, 252.

**Senate Bill No. 25—(Committee on Appropriations)**

Senate Bill No. 25. A Bill For an Act to Amend and Re-enact Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Disposition of Fees Collected by the State Securities Commission.

Introduced, 58.  
 Reference, 58.  
 Reported, 86.  
 Passed, 103, 254.  
 Received from House, 229.  
 Amended, 229.  
 Amendments Adopted, 253.  
 Other Action, 265.  
 Sent to House, 105.  
 Sent to Governor, 295.  
 Signed by Governor, 353.

**Senate Bill No. 26—(Committee on Appropriations)**

Senate Bill No. 26. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Special Fund Accruing from Fees collected by the State Securities Commission under the Provisions of Section 22 of Chapter 182, Session Laws 1923, the same being Section 5235a22 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

Introduced, 58.  
 Reference, 58, 98.  
 Reported, 97, 112.  
 Passed, 131.  
 Received from House, 543.  
 Other Action, 605.  
 Sent to House, 141.  
 Sent to Governor, 658.  
 Signed by Governor, 745.

**Senate Bill No. 27—(Committee on Appropriations)**

Senate Bill No. 27. A Bill For an Act to Amend and Re-enact Chapter 103, Session Laws 1917, the same being Section 2863b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

Introduced, 58.  
 Reference, 58.  
 Reported, 119.  
 Passed, 141, 234.

Received from House, 230.  
Amended, 230.  
Amendments Adopted, 233.  
Other Action, 265.  
Sent to House, 154.  
Sent to Governor, 295.  
Signed by Governor, 352.

**Senate Bill No. 28—(Committee on Appropriations)**

Senate Bill No. 28. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Fund Accruing from Testers' License Fees Collected and Paid into the Treasury under the provisions of Chapter 103, Session Laws 1917, the same being Section 2865b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925.

Introduced, 59.  
Reference, 59.  
Reported, 112.  
Passed, 132.  
Received from House, 543.  
Other Action, 605.  
Sent to House, 141.  
Sent to Governor, 658.  
Signed by Governor, 730.

**Senate Bill No. 29—(Committee on Appropriations)**

Senate Bill No. 29. A Bill For an Act to Amend and Re-enact Sections 12 and 13 of Chapter 91, Session Laws 1925, the same being Sections 2976v12 and 2976v13 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to Auto Transportation Companies.

Introduced, 59.  
Reference, 59.  
Reported, 120.  
Amended, 120.  
Passed, 142, 235.  
Received from House, 230.  
Amended, 230.  
Amendments Adopted, 234.  
Other Action, 251.  
Sent to House, 154.  
Veto, 277.

**Senate Bill No. 30—(Committee on Appropriations)**

Senate Bill No. 30. A Bill For an Act to Transfer to the General Fund in the State Treasury the Balance on Hand July 1, 1927, in the Auto Transportation Fund from Moneys Collected and Credited under the Provisions of Chapter 91, Session Laws 1925, the same being Sections 2976v1 to 2976v16, inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to Auto Transportation Companies.

Introduced, 59.  
Reference, 59.  
Reported, 120.  
Passed, 143.  
Received from House, 543.

Other Action, 605.  
 Sent to House, 154.  
 Sent to Governor, 653.  
 Veto, 732.

**Senate Bill No. 31—(Committee on Appropriations)**

Senate Bill No. 31. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Institution for the Feeble Minded at Grafton, North Dakota.

Introduced, 71.  
 Reference, 71.  
 Reported, 154.  
 Amended, 154.  
 Passed, 170.  
 Received from House, 1095.  
 Other Action, 1139.  
 Sent to House, 175.  
 Sent to Governor, 1142.

**Senate Bill No. 32—(Committee on Appropriations)**

Senate Bill No. 32. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School of Forestry at Bottineau.

Introduced, 71.  
 Reference, 71.  
 Reported, 194.  
 Passed, 219.  
 Received from House, 846.  
 Other Action, 969.  
 Sent to House, 222.  
 Sent to Governor, 978.  
 Signed by Governor, 1082.

**Senate Bill No. 33—(Committee on Appropriations)**

Senate Bill No. 33. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.

Introduced, 71.  
 Reference, 71.  
 Reported, 227.  
 Amended, 227.  
 Passed, 256.  
 Received from House, 904.  
 Other Action, 967.  
 Sent to House, 265.  
 Sent to Governor, 978.  
 Signed by Governor, 1079.

**Senate Bill No. 34—(Committee on Appropriations)**

Senate Bill No. 34. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School at Valley City, North Dakota.

Introduced, 71.  
 Reference, 71.

Reported, 363.  
 Amended, 363.  
 Passed, 411, 1078.  
 Received from House, 1074.  
 Amended, 1074.  
 Amendments Adopted, 1077.  
 Other Action, 1077, 1078, 1136.  
 Sent to House, 420.  
 Sent to Governor, 1142.

**Senate Bill No. 35—(Committee on Appropriations)**

Senate Bill No. 35. A Bill For an Act Making an Appropriation For the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal School, Mayville, North Dakota.

Introduced, 71.  
 Reference, 71.  
 Reported, 226.  
 Passed, 257.  
 Received from House, 846.  
 Other Action, 947.  
 Sent to House, 265.  
 Sent to Governor, 960.

Senate Bill No. 36. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School, Minot, North Dakota.

**Senate Bill No. 36—(Committee on Appropriations)**

Introduced, 72.  
 Reference, 72.  
 Reported, 226.  
 Amended, 227.  
 Passed, 257.  
 Received from House, 1094.  
 Other Action, 1139.  
 Sent to House, 265.  
 Sent to Governor, 1142.

**Senate Bill No. 37—(Forbes)**

Senate Bill No. 37. A Bill For an Act to Amend and Re-enact Section 5552 of the Compiled Laws of North Dakota for the year 1913.

Introduced, 72.  
 Reference, 72.  
 Amended, 136.  
 Passed, 161.  
 Received from House, 216.  
 Other Action, 228, 255.  
 Sent to House, 164.  
 Signed by Governor, 253.

**Senate Bill No. 38—(Baird)**

Senate Bill No. 38. A Bill For an Act Amending and Re-enacting Section 1, Chapter 63, Session Laws of North Dakota for 1915, prescribing the punishment for the crime of Murder in the First Degree.

Introduced, 72.  
 Reference, 72, 125.  
 Reported, 110.  
 Lost, 190.

**Senate Bill No. 39—(Forbes)**

Senate Bill No. 39. A Bill For an Act to Amend and Re-enact Sections 8075 and 8076 of the Compiled Laws of North Dakota for the Year 1913.

Introduced, 72.  
 Reference, 72, 302.  
 Reported, 278, 364.  
 Amended, 278, 364, 411, 430.  
 Passed, 431.  
 Received from House, 945.  
 Other Action, 1064.  
 Sent to House, 437.  
 Sent to Governor, 1126.

**Senate Bill No. 40—(C. J. Olson, a Concurrent Resolution)**

Senate Bill No. 40. A Concurrent Resolution—Constitutional Amendment—Length of Duration of the Sessions of the Legislative Assembly.

Introduced, 72.  
 Reference, 72.  
 Reported, 110.  
 Indefinitely postponed, 110.

**Senate Bill No. 41—(C. J. Olson, Concurrent Resolution)**

Senate Bill No. 41. A Concurrent Resolution providing for the Amendment of Section 45, Article 2, of the Constitution of the State of North Dakota, Relating to the Compensation and Mileage allowed Legislative Members.

Introduced, 72.  
 Reference, 73.  
 Reported, 110.  
 Amended, 110.  
 Passed, 126, 233.  
 Received from House, 215.  
 Amended, 215.  
 Amendments Adopted, 232.  
 Other Action, 232, 251.  
 Sent to House, 141.

**Senate Bill No. 42—(Committee on Appropriations)**

Senate Bill No. 42. A Bill For an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Section 2711 to 2729, Inclusive, of the Compiled Laws of North Dakota for the Year 1913.

Introduced, 76.  
 Reference, 76.  
 Reported, 113.  
 Amended, 113.  
 Passed, 132.  
 Received from House, 403.  
 Other Action, 426.  
 Sent to House, 141.

Sent to Governor, 437.  
Signed by Governor, 467.

**Senate Bill No. 43—(Committee on Appropriations)**

Senate Bill No. 43. A Bill For an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.  
Introduced, 76.  
Reference, 76.  
Reported, 138.  
Passed, 161.  
Received from House, 403.  
Other Action, 426.  
Sent to House, 164.  
Sent to Governor, 437.  
Signed by Governor, 467.

**Senate Bill No. 44—(Committee on Appropriations)**

Senate Bill No. 44. A Bill For an Act Appropriating Funds to Indemnify Owners of Animals Infected With Bovine Tuberculosis.  
Introduced, 76.  
Reference, 76.  
Reported, 138.  
Passed, 162.  
Received from House, 403.  
Other Action, 426.  
Sent to House, 164.  
Sent to Governor, 437.  
Signed by Governor, 467.

**Senate Bill No. 45—(Committee on Appropriations)**

Senate Bill No. 45. A Bill For an Act Making an Appropriation for the Per Diem and General Expenses of the State Live Stock Sanitary Board.  
Introduced, 76.  
Reference, 76.  
Reported, 138.  
Passed, 162.  
Received from House, 379.  
Other Action, 401.  
Sent to House, 164.  
Sent to Governor, 421.  
Signed by Governor, 467.

**Senate Bill No. 46—(Schlosser)**

Senate Bill No. 46. A Bill For an Act to Amend and Re-enact Sections 2, 4 and 7 of Chapter 123 of the Sessions Laws of 1919, An Act to Create a State Board of Electricians and Prescribing the Duties Thereof, Providing for the Classification, Examination and Licensing of Electricians and Electrical Workers. Prescribing Fees for Such Examination and License, and Providing for Inspection of Electrical Work Through the State Fire Marshal Under the Direction of the State Board.  
Introduced, 76.  
Reference, 76.  
Reported, 223.  
Amended, 223.

Passed, 258, 1070.  
 Received from House, 1013.  
 Amended, 1013.  
 Amendments Adopted, 1069.  
 Other Action, 1069, 1125.  
 Sent to House, 265.  
 Sent to Governor, 1130.

**Senate Bill No. 47—(Van Arnam)**

Senate Bill No. 47. A Bill For an Act to Amend and Re-enact Section 2898, Compiled Laws of North Dakota for 1913, Relating to the Manner of Labeling and Branding Seeds Offered for Sale Within the State of North Dakota.

Introduced, 76.  
 Reference, 76, 117.  
 Reported, 106, 121.  
 Amended, 106.  
 Passed, 143, 570.  
 Received from House, 545.  
 Amended, 546.  
 Amendments Adopted, 569.  
 Other Action, 569, 604.  
 Sent to House, 154.  
 Sent to Governor, 658.  
 Signed by Governor, 731.

**Senate Bill No. 48—(Patterson)**

Senate Bill No. 48. A Bill For an Act to Prohibit the Mortgaging of any Grain Prior to the Threshing Thereof, and any other Agricultural Crop Prior to its Harvest.

Introduced, 80.  
 Reference, 80.  
 Reported, 151.  
 Amended, 151, 203.  
 Other Action, 165.  
 Indefinitely postponed, 154.  
 Lost, 203.

**Senate Bill No. 49—(Murphy)**

Senate Bill No. 49. A Bill For an Act to amend and re-enact Sections 476, 486, 487, 488, 490, 493, 495, 499, 504, and 505 of the Compiled Laws of the State of North Dakota, for the year 1913, the same being Sections 2, 12, 13, 14, 16, 19, 21, 25, 30, and 31 of Chapter 182 of the Session Laws of 1907, entitled "An act to Regulate the Practice of Pharmacy, and Providing Penalties for Violating the Provisions Thereof."

Introduced, 88.  
 Reference, 88.  
 Reported, 368.  
 Amended, 368.  
 Passed, 431, 1044.  
 Received from House, 1050.  
 Amended, 1050.  
 Amendments Adopted, 1044.  
 Other Action, 431, 1044, 1045, 1135.  
 Sent to House, 433.  
 Sent to Governor, 1142.



**Senate Bill No. 50—(Rusch)**

**Senate Bill No. 50. A Bill For an Act to Amend and Re-enact Section 2163a7 of Supplement to Compiled Laws of the State of North Dakota 1913, being Section Seven of Chapter 318 Laws 1923.**

Introduced, 88.  
 Reference, 88.  
 Reported, 224.  
 Amended, 224.  
 Passed, 259.  
 Received from House, 543.  
 Other Action, 605.  
 Sent to House, 265.  
 Sent to Governor, 658.  
 Signed by Governor, 731.

**Senate Bill No. 51—(Tofsrud)**

**Senate Bill No. 51. A Bill an Act to Purchase Land for the Site for a Hospital for the Insane at or near Rugby, Pierce County, North Dakota in Accordance with Chapter 146 of the Laws of the Legislative Assembly for the Year 1917, and for Securing Plans for the Same; and Making Appropriation for the Same.**

Introduced, 88.  
 Reference, 88.  
 Reported, 184.  
 Indefinitely postponed, 184.

**Senate Bill No. 52—(Forbes)**

**Senate Bill No. 52. A Bill For an Act Authorizing Actions to be Commenced and Prosecuted by and against Partnerships and Associations, in Their Firm or Common Name, and making the Judgments in all such Actions Binding upon the Joint Property of all the Members or Associates of such Partnerships or Associations.**

Introduced, 88.  
 Reference, 88, 177.  
 Reported, 149, 225.  
 Amended, 149.  
 Passed, 170, 300, 842.  
 Received from House, 181, 814.  
 Amended, 814.  
 Amendments Adopted, 841.  
 Other Action, 177, 300, 842, 969.  
 Sent to House, 175, 300.  
 Sent to Governor, 978.  
 Signed by Governor, 1081.

**Senate Bill No. 53—(Forbes)**

**Senate Bill No. 53. A Bill For an Act Authorizing a Foreign Executor, Administrator, or Guardian to commence and prosecute or defend a Civil Action in the State of North Dakota.**

Introduced, 88.  
 Reference, 89.  
 Reported, 150.  
 Amended, 171.

Passed, 171, 325.  
 Received from House, 294.  
 Amended, 294.  
 Amendments Adopted, 325.  
 Other Action, 325, 341.  
 Sent to House, 175.  
 Sent to Governor, 351.  
 Signed by Governor, 394.

**Senate Bill No. 54—(Stevens)**

Senate Bill No. 54. A Bill For an Act to Repeal Sections 10,180, 10,181, 10,182 and 10,183, of the Compiled Laws of North Dakota for 1913, Prohibiting the Manufacture and Sale of Snuff in North Dakota and Providing a Penalty Therefor.  
 Introduced, 89.  
 Reference, 89.  
 Reported, 137.  
 Passed, 167.  
 Received from House, 329.  
 Sent to House, 173.  
 Indefinitely postponed, 329.

**Senate Bill No. 55—(Eastgate)**

Senate Bill No. 55. A Bill For an Act to amend and reenact Sections 189b1, 189b5, 189b9, 189b11, 189b12, 189b25, 189b29 and 189b30 of the Supplement to the Compiled Laws 1913.  
 Introduced, 89.  
 Reference, 89.  
 Passed, 305, 1067.  
 Received from House, 1050.  
 Amended, 1051.  
 Amendments Adopted, 1061.  
 Other Action, 1066, 1067, 1157.  
 Sent to House, 324.  
 Sent to Governor, 1157.

**Senate Bill No. 56—(Eastgate)**

Senate Bill No. 56. A Bill For an Act to appropriate \$1,000.00 to the North Dakota Poultry Association for the biennial period agreeable with Sections 5118, 5119, and 5120 of the Compiled Laws of 1913 for the State of North Dakota.  
 Introduced, 89.  
 Reference, 89.  
 Reported, 139.  
 Passed, 168.  
 Received from House, 427.  
 Sent to House, 175.  
 Indefinitely postponed, 427.

**Senate Bill No. 57—(Martin)**

Senate Bill No. 57. A Bill For an Act to Authorize Counties to issue Bonds and Warrants to procure Seed Grain and Feed for Needy Inhabitants Therein and Providing for the Issuance of Bonds and Warrants for Seed Grain by Counties and Aid by the State in respect thereto, and making an Appropriation Therefor.  
 Introduced, 89.

Reference, 89.  
Reported, 240.  
Amended, 241, 290, 291.  
Passed, 291.  
Received from House, 426.  
Other Action, 449.  
Sent to House, 348.  
Sent to Governor, 437.  
Signed by Governor, 468.

**Senate Bill No. 58—(Bakken)**

Senate Bill No. 58. A Bill For an Act providing for the Printing and placing of placards containing the Ten Commandments of the Christian religion, in school rooms and class rooms of the public institutions of learning.

Introduced, 89.  
Reference, 89.  
Reported, 137.  
Indefinitely postponed, 168.

**Senate Bill No. 59—(Whitman)**

Senate Bill No. 59. A Bill For an Act relating to and concerning the labeling and branding of flour offered or exposed for sale, or sold, within this state, prescribing regulations and providing penalties for violation thereof.

Introduced, 98.  
Reference, 98.  
Reported, 371.  
Amended, 371.  
Passed, 413.  
Received from House, 1130.  
Other Action, 413.  
Sent to House, 420.  
Indefinitely postponed, 1130.

**Senate Bill No. 60—(Rusch and Sathre)**

Senate Bill No. 60. A Bill For an Act providing for the licensing and regulation of the practice of barbering.

Introduced, 105.  
Reference, 105.  
Reported, 636.  
Indefinitely postponed, 636.

**Senate Bill No. 61—(Sathre)**

Senate Bill No. 61. A Bill For an Act to Amend and Re-enact Section 4863 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 163, Laws of North Dakota for 1919, Relating to Capital Stock Required by Domestic and Other Stock Insurance Companies.

Introduced, 113.  
Reference, 113.  
Reported, 376.  
Indefinitely postponed, 376.

**Senate Bill No. 62—(Baird)**

Senate Bill No. 62. A Bill For an Act to Amend and Re-enact Section 10994, of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 125, of the Ses-

sion Laws of North Dakota for the Year 1925, Relating to the Time for Taking and Completing Appeals to the Supreme Court in Criminal Cases.

Introduced, 113.  
Reference, 114.  
Reported, 150.  
Amended, 150.  
Passed, 179.  
Received from House, 294.  
Other Action, 324.  
Sent to House, 180.  
Sent to Governor, 351.

**Senate Bill No. 63—(Baird)**

Senate Bill No. 63. A Bill For an Act to Amend and Re-enact Section 10766 of the Compiled Laws of North Dakota for the Year 1913, Providing the Procedure Where Joint Affidavit Is Filed in Criminal Cases, Alleging Prejudice Against the Judge and Also Asking for a Change in Place of Trial.

Introduced, 114.  
Reference, 114.  
Reported, 150.  
Amended, 150.  
Passed, 172.  
Received from House, 263.  
Other Action, 285.  
Sent to House, 175.  
Sent to Governor, 295.  
Signed by Governor, 353.

**Senate Bill No. 64—(Baird)**

Senate Bill No. 64. A Bill For an Act to Amend and Re-enact Section 11002, Compiled Laws of North Dakota for 1913, Relating to the Duty of the Clerk of the District Court When Appeals in Criminal Cases are taken and Completed.

Introduced, 114.  
Reference, 114.  
Reported, 151.  
Amended, 151.  
Passed, 173.  
Received from House, 263.  
Other Action, 285.  
Sent to House, 175.  
Sent to Governor, 295.  
Signed by Governor, 353.

**Senate Bill No. 65—(Bakken)**

Senate Bill No. 65. A Bill For an Act to Amend and Re-enact, Section 3, of Chapter 162, of the Session Laws of the State of North Dakota for the Year 1919, and Acts Amendatory thereof, relating to the Workmen's Compensation Act.

Introduced, 114.  
Reference, 114.  
Reported, 636.  
Amended, 636, 693.  
Passed, 694.

Received from House, 906.  
 Other Action, 694, 947.  
 Sent to House, 924.  
 Sent to Governor, 960.

**Senate Bill No. 66—(Peck)**

Introduced, 114.  
 Reference, 114.  
 Other Action, 215.

**Senate Bill No. 67—(O. A. Olson)**

Senate Bill No. 67. A Bill For an Act to Amend and Re-enact Sub-Section 3 of Section 6635c of the Compiled Laws of North Dakota for the Year 1913, Relating to the Incontestable Clause to be Included in the Required Provisions of Life Policies.

Introduced, 114.  
 Reference, 114.  
 Reported, 264.  
 Passed, 290.  
 Received from House, 544.  
 Other Action, 605.  
 Sent to House, 324.  
 Sent to Governor, 658.  
 Signed by Governor, 731.

**Senate Bill No. 68—(Ployhar)**

Senate Bill No. 68. A Bill For an Act to Amend and Re-enact Section 6625 of the Compiled Law of the State of North Dakota for the Year 1913, Relating to Fire Insurance and Adopting and Relating to the Standard Form of Fire Insurance Policy for the State of North Dakota.

Introduced, 116.  
 Reference, 116.  
 Reported, 353.  
 Indefinitely postponed, 353.

**Senate Bill No. 69—(McLachlin)**

Senate Bill No. 69. A Bill For an Act providing for the discontinuance of the Depositors Guaranty Fund, as established by Chapter 200 of the Session Laws of 1923 and embodied in Chapter 31B of the Supplement to the 1913 Compiled Laws of North Dakota, being sections 5220B1 to 5220B41 thereof, limiting the time up to which deposits shall be guaranteed by said Fund, providing the extent to which guaranteed deposits shall be paid, the manner of administering such fund, and the duties of the Depositors Guaranty Fund Commission with reference to the administration of such Fund until guaranteed deposits shall have been paid to the extent provided, and repealing such parts of said Chapter 200 Session Laws of 1923, embodied in Chapter 31B Supplement to the 1913 Compiled Laws of North Dakota, and any other Acts or parts of Acts as are inconsistent herewith.

Introduced, 122.  
 Reference, 123.  
 Reported, 281.  
 Indefinitely postponed, 281.

**Senate Bill No. 70—(Whitman)**

Senate Bill No. 70. A Bill For an Act Authorizing Cities and School Districts to Take Out Group Life Insurance on Its Employees.

- Introduced, 123.
- Reference, 123.
- Reported, 184.
- Indefinitely postponed, 184.

**Senate Bill No. 71—(Van Arnam)**

Senate Bill No. 71. A Bill For an Act to Amend and re-enact Section 8122 of the Supplement to the Compiled Laws of North Dakota, 1913, relating to the time allowed for the reinstatement of a contract for deed after service of notice of cancellation thereof.

- Introduced, 123.
- Reference, 123.
- Reported, 225.
- Indefinitely postponed, 225.

**Senate Bill No. 72—(Fredrickson)**

Senate Bill No. 72. A Bill For an Act to Amend and Re-enact Section 6707, Compiled Laws, 1913, Relating to Contract Liens upon Crops, and Requiring all Contracts for Liens to Secure the Purchase Price or Rental of Land to be Filed for Record.

- Introduced, 123.
- Reference, 123, 607.
- Reported, 423, 633.
- Other Action, 607.
- Indefinitely postponed, 423, 634.

**Senate Bill No. 73—(Sathre)**

Senate Bill No. 73. A Bill For an Act Requiring Public Utilities to Obtain from the Board of Railroad Commissioners Certificates of Public Convenience and Necessity before Beginning the Construction or Operation of Public Utility Plants or Systems or the Exercising of any Rights or Privileges Under any Franchise or Certificate Hereafter Granted, or Under any Franchise Heretofore Granted, the Exercise of Which has not been commenced within one year from the Granting Thereof, or has been suspended or Discontinued for More Than One Year, and Prescribing the Procedure to be Followed in Such Matters.

- Introduced, 123.
- Reference, 124.
- Reported, 185.
- Amended, 185.
- Passed, 205.
- Received from House, 379.
- Other Action, 400.
- Sent to House, 212.
- Sent to Governor, 421.
- Signed by Governor, 467.

**Senate Bill No. 74—(Sathre)**

Senate Bill No. 74. A Bill For an Act Authorizing and Empowering the Board of Railroad Commissioners to ap-

**point Examiners for the Purpose of Holding Hearings, and Prescribing the Powers and Duties of Such Examiners.**

Introduced, 124.  
 Reference, 124.  
 Reported, 184.  
 Passed, 206, 571.  
 Received from House, 545.  
 Amended, 545.  
 Amendments Adopted, 570.  
 Other Action, 570, 604.  
 Sent to House, 212.  
 Sent to Governor, 658.  
 Signed by Governor, 731.

**Senate Bill No. 75—(Bond)**

Senate Bill No. 75. A Bill For an Act to Amend and Re-enact Section 4059, Compiled Laws 1913, as amended by Chapter 71, Session Laws 1915, and as amended by Chapter 178, Session Laws 1917, and as amended by Chapter 96, Session Laws 1921, and now Section 4059 of the Supplement to the Compiled Laws 1913.

Introduced, 124.  
 Reference, 124.  
 Reported, 186.  
 Amended, 186, 206.  
 Passed, 207.  
 Received from House, 906.  
 Sent to House, 212.

**Senate Bill No. 76—(Carey)**

Senate Bill No. 76. A Bill For an Act to Amend Chapter 162 of the Session Laws of North Dakota for 1919 as Amended by Chapter 73 of the Special Session Laws of North Dakota for the year 1919 and Chapter 141, 142, 143, 144 and 145 of the Session Laws of North Dakota for the year 1921 and Chapters 347, 349 and 350 of the Session Laws of North Dakota for the year 1923 and by Chapters 84, 220, 221, 222, 223, 225 and 226 of the Session Laws of North Dakota for the year 1925 by adding Sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40 relating to and providing for the benefit of employees insured and the dependents of employees killed in hazardous employments, fixing the duties and liability of employers and employees and providing additional methods of securing the payment of obligations arising in favor of insured employees and their dependents and providing for partial support of the North Dakota Workmen's Compensation Bureau from insurance companies and by repealing all acts and parts of acts insofar as they are in conflict with the aforesaid added sections.

Introduced, 140.  
 Reference, 140.  
 Reported, 336.  
 Amended, 336.  
 Passed, 393.  
 Received from House, 907.  
 Other Action, 393, 910.  
 Sent to House, 76.

Sent to Governor, 914.  
Veto, 1034.

**Senate Bill No. 77—(Martin)**

Senate Bill No. 77. A Bill For an Act Creating a Revolving Fund at the State Training School, Providing that the State Board of Administration shall Transfer Funds from State Prison Revolving Fund as Provided in Article 13 of Chapter 17 of the Compiled Laws of 1913, the Sum of \$25,000 to be Used in Providing Suitable Buildings, and Installing Suitable Machinery for the Manufacture of Motor Vehicle License Tags, Coffins, Caskets and Undertakers Fixtures and Supplies, and Providing for the Employment of the Inmates of the State Training School, and Providing for the Distribution of the Profits Derived therefrom to the Support and Maintenance of the Inmates thereof and Compensation to such Inmates for such Labor Performed.

Introduced, 140.  
Reference, 140, 214, 221.  
Reported, 185, 355.-  
Amended, 355, 404.  
Passed, 405.  
Other Action, 214, 405.  
Lost, 208.  
Sent to House, 433.

**Senate Bill No. 78—(Committee on Appropriations)**

Senate Bill No. 78. A Bill For an Act Making an Appropriation to Provide for the Payment of a Deficit in the State Wolf Bounty Fund.

Introduced, 140.  
Reference, 140, 214.  
Reported, 194.  
Passed, 219.  
Received from House, 811.  
Other Action, 214, 863.  
Sent to House, 222.  
Sent to Governor, 877.  
Signed by Governor, 964.

**Senate Bill No. 79—(O. H. Olson)**

Senate Bill No. 79. A Bill For an Act to amend and reenact Section 2132a1, 2132a5 and 2132a9 of the 1913-1925 Supplement to the 1913 Compiled Laws of North Dakota, known as the Classification of Acre Property Law.

Introduced, 141.  
Reference, 141.  
Reported, 424.  
Amended, 424.  
Passed, 453.  
Received from House, 812.  
Sent to House, 479.  
Indefinitely postponed, 812.

**Senate Bill No. 80—(Seamands)**

Senate Bill No. 80. A Bill For an Act to Amend and Reenact Section 3029 of the Compiled Laws of North Dakota



for the year 1913, relating to the method of obtaining a Peddler's License.

Introduced, 156.

Reference, 156.

Reported, 354.

Passed, 406.

Received from House, 846.

Other Action, 969.

Sent to House, 920.

Sent to Governor, 978.

Signed by Governor, 1081.

**Senate Bill No. 81—(Patten)**

Senate Bill No. 81. A Bill For an Act Providing that Each County Treasurer shall Receive Deposits for the Bank of North Dakota, and Providing for the Establishment of Branch Banks of the Bank of North Dakota, Providing for the Control, Operation and Management of such Branch Banks, Providing for the Transaction of Banking Business therein, and Repealing Acts or Parts of Acts in Conflict Herewith.

Introduced, 156.

Reference, 156.

Reported, 319.

Indefinitely postponed, 321.

**Senate Bill No. 82—(Patten)**

Senate Bill No. 82. A Bill For an Act Providing for the Creation of Rural Credit Associations, Providing how Formed, Power of, Purpose of, Qualification of Members, Number of Members, Liability of Members, Officers of, Funds how Deposited, Profit how Derived, Regulation of Interest Rates, Loans to Members how Made, and Terms thereof, Repealing Clause.

Introduced, 156.

Reference, 156.

Reported, 321.

Indefinitely postponed, 322.

**Senate Bill No. 83—(Van Camp)**

Senate Bill No. 83. A Bill For an Act to Amend and Re-enact Section 2645 of the Supplement to the Compiled Laws of 1913, relating to Wolf Bounty.

Introduced, 157.

Reference, 157.

Reported, 250.

Amended, 288.

Passed, 289.

Received from House, 544.

Other Action, 605.

Sent to House, 324.

Sent to Governor, 658.

Signed by Governor, 731.

**Senate Bill No. 84—(Atkins)**

Senate Bill No. 84. A Bill For an Act Authorizing the School Board of any School District whose Property is not Required by Law to be Insured against Loss by Fire or Tor-

nado by the State Fire and Tornado Fund to Insure the Property of such District against such Loss in Mutual Fire Insurance Companies or in Old Line Fire Insurance Companies.

Introduced, 157.  
Reference, 157.  
Reported, 194.  
Passed, 220.  
Received from House, 403.  
Other Action, 426.  
Sent to House, 222.  
Sent to Governor, 437.  
Signed by Governor, 467.

**Senate Bill No. 85—(Forbes)**

Senate Bill No. 85. A Bill For an Act to Amend and Re-enact Section 8099a of the Supplement to the Compiled Laws of 1913.

Introduced, 157.  
Reference, 157.  
Reported, 278.  
Amended, 278.  
Passed, 303, 973.  
Received from House, 815, 971.  
Amended, 815, 972.  
Amendments Adopted, 972.  
Conference, 843, 903, 962.  
Other Action, 842, 972, 1063.  
Sent to House, 324.  
Sent to Governor, 1126.

**Senate Bill No. 86—(Baird)**

Senate Bill No. 86. A Bill For an Act to amend and re-enact Section 2212 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the payment of all delinquent real estate taxes as a condition precedent to the recording of deeds or other instruments transferring title to lands.

Introduced, 157.  
Reference, 157, 267.  
Reported, 225, 365.  
Amended, 226.  
Indefinitely postponed, 365.

**Senate Bill No. 87—(McLachlin and Hjelmstad)**

Senate Bill No. 87. A Bill For an Act to Regulate Grain and Seed Warehouses; Defining Public Warehouses and Providing for the Bonding, Licensing and Supervision thereof and the Weighing, Storing, Buying, and Handling of Grain and Seeds; Prescribing the duties and powers of the Board of Railroad Commissioners in relation thereto; Providing for the Appointment of a Federal Licensed Inspector, and such other employees as may be deemed necessary to carry out the provisions of this Act and making an appropriation therefor; Providing Penalties and Repealing Sections: 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3117, 3123, 3135, 3136, 3137.

Introduced, 157.

Reference, 158.  
 Reported, 310.  
 Amended, 310, 385.  
 Passed, 386, 1028.  
 Received from House, 1024.  
 Amended, 1024.  
 Amendments Adopted, 1027.  
 Other Action, 1027, 1110.  
 Sent to House, 419.  
 Sent to Governor, 1126.

**Senate Bill No. 88—(Van Arnam)**

Senate Bill No. 88. A Bill For an Act to Amend and Re-enact Section 10,917 of the Compiled Laws of North Dakota for the year 1913 relating to causes for granting a new trial.

Introduced, 158.  
 Reference, 158.  
 Reported, 279.  
 Indefinitely postponed, 279.

**Senate Bill No. 89—(Van Arnam)**

Senate Bill No. 89. A Bill For an Act to Amend and Re-enact Section 3610 of the Compiled Laws of North Dakota, for the year 1913, Relating to Election of Officers.

Introduced, 166.  
 Reference, 166.  
 Reported, 186.  
 Indefinitely postponed, 186.

**Senate Bill No. 90—(Van Arnam)**

Senate Bill No. 90.- A Bill For an Act to Amend and Re-enact Section 3612 of the Compiled Laws of North Dakota, for the year 1913, Relating to Appointive Officers.

Introduced, 166.  
 Reference, 166.  
 Reported, 186.  
 Indefinitely postponed, 186.

**Senate Bill No. 91—(Atkins and Magnuson)**

Senate Bill No. 91. A Bill For an Act to Repeal Sections 3 and 4 of Chapter 154, Session Laws of the State of North Dakota for the Year 1925 Relating to Insurance of Public Buildings.

Introduced, 165.  
 Reference, 165.  
 Reported, 396.  
 Other Action, 451, 459, 510.  
 Lost, 432, 510.

**Senate Bill No. 92—(Sathre)**

Senate Bill No. 92. A Bill For an Act to Amend and Re-enact Section 9688, of the Compiled Laws of North Dakota for 1913, Relating to the Racing of Animals for Wager.

Introduced, 165.  
 Reference, 165.  
 Reported, 249.  
 Amended, 249.

Passed, 267.  
 Received from House, 379.  
 Other Action, 401.  
 Sent to House, 271.  
 Sent to Governor, 421.  
 Signed by Governor, 467.

**Senate Bill No. 93—(Fredrickson)**

Senate Bill No. 93. A Bill For an Act Providing for the Licensing of Dogs; Regulating the Keeping of Dogs, and Authorizing Their Destruction in Certain Cases; Imposing Powers and Duties on Certain State, County, City, Village and Township Officers and Employees, and Providing Penalties for the Violation of this Act; and Repealing All Acts and Parts of Acts in Conflict With this Act.

Introduced, 165.  
 Reference, 165.  
 Reported, 643.  
 Amended, 643.  
 Passed, 694.  
 Received from House, 1011.  
 Other Action, 232, 694.  
 Sent to House, 711.  
 Indefinitely postponed, 1012.

**Senate Bill No. 94—(Sathre and Atkins)**

Senate Bill No. 94. A Bill For an Act Fixing the Salaries and Providing for the Payment of Necessary Expenses of the Judges of the Supreme and District Court of the State of North Dakota.

Introduced, 165.  
 Reference, 166.  
 Reported, 369.  
 Other Action, 723, 724.  
 Indefinitely postponed, 371.  
 Lost, 724.

**Senate Bill No. 95—(Carey)**

Senate Bill No. 95. A Bill For an Act Making an Appropriation for the Payment of Compiled Laws of 1913 Purchased by the Secretary of State for Official Purposes.

Introduced, 166.  
 Reference, 166.  
 Reported, 248.  
 Passed, 268.  
 Received from House, 543.  
 Other Action, 605.  
 Sent to House, 271.  
 Sent to Governor, 658.  
 Signed by Governor, 731.

**Senate Bill No. 96—(Hamilton)**

Introduced, 166.  
 Reference, 166.  
 Other Action, 232.

**Senate Bill No. 97—(Baird)**

**Senate Bill No. 97. A Bill For an Act to Amend and Re-enact Section 7844 of the Compiled Laws of North Dakota for the year 1913, Relating to the Power of and Proceedings had in the Supreme Court on Appeals.**

Introduced, 176.  
 Reference, 176.  
 Reported, 279.  
 Passed, 303.  
 Received from House, 543.  
 Other action, 605.  
 Sent to House, 324.  
 Sent to Governor, 658.  
 Signed by Governor, 731.

**Senate Bill No. 98—(C. J. Olson)**

**Senate Bill No. 98. A Bill For an Act Relating to Deficiency Judgments.**

Introduced, 176.  
 Reference, 176.  
 Reported, 322.  
 Indefinitely postponed, 323.

**Senate Bill No. 99—(Schlosser)**

**Senate Bill No. 99. A Bill For an Act to Amend and Re-enact Section 8519, Compiled Laws of 1913, Relating to the Practice of Law by County Judges.**

Introduced, 177.  
 Reference, 177.  
 Reported, 279.  
 Amended, 279.  
 Passed, 304.  
 Received from House, 543.  
 Other Action, 232. 605.  
 Sent to House, 324.  
 Sent to Governor, 658.  
 Signed by Governor, 731.

**Senate Bill No. 100—(Schlosser)**

**Senate Bill No. 100. A Bill For An Act to Repeal Chapter 33 of the Session Laws of 1921, Being Sections 9191a1 to 9192a15 Inclusive, of the Supplement of the Laws of North Dakota for 1913, Relating to the Conciliation of Controversies.**

Introduced, 177.  
 Reference, 177.  
 Reported, 296.  
 Passed, 327.  
 Received from House, 544.  
 Other Action, 232.  
 Sent to House, 348.  
 Indefinitely Postponed, 545.

**Senate Bill No. 101—(Van Arnam)**

**Senate Bill No. 101. A Bill For an Act to Amend and Re-enact Section 8849 of the Compiled Laws of North Dakota, 1913. Relating to Decrees of Distribution in County Court.**

Introduced, 177.

Reference, 177.  
Reported, 226.  
Passed, 259, 569.  
Received from House, 545.  
Amended, 545.  
Amendments Adopted, 568.  
Other Action, 568, 604.  
Sent to House, 265.  
Sent to Governor, 658.  
Signed by Governor, 731.

**Senate Bill No. 102—(Hjelmstad)**

Senate Bill No. 102. A Bill For an Act to Amend and Re-enact Section 7419 of the Compiled Laws of the State of North Dakota, for 1913, Pertaining to Transfer of Paper and Filing Fees, when Place of Trial is Changed.

Introduced, 188.  
Reference, 188.  
Reported, 296.  
Indefinitely Postponed, 296.

**Senate Bill No. 103—(Tofsrud)**

Senate Bill No. 103. A Bill For an Act to Amend and Re-enact Section 7297 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to Holidays.

Introduced, 188.  
Reference, 188.  
Reported, 295.  
Amended, 296.  
Passed, 328, 841.  
Received from House, 816.  
Amended, 816.  
Amendments Adopted, 839.  
Other Action, 969.  
Sent to House, 348.  
Sent to Governor, 978.  
Signed by Governor, 1079.

**Senate Bill No. 104—(Tofsrud)**

Senate Bill No. 104. A Bill For an Act to Amend and Re-enact Section 2166 of the Supplement to the Compiled Laws of 1913 Relating to Delinquent Personal Property Taxes.

Introduced, 188.  
Reference, 188.  
Reported, 335.  
Amended, 335.  
Passed, 406.  
Received from House, 811.  
Sent to House, 420.  
Indefinitely Postponed, 812.

**Senate Bill No. 105—(Pathman)**

Senate Bill No. 105. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 160 of the Session Laws of 1913 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, as Amended.

and Re-enacted by Chapter 232 of the Session Laws of North Dakota for the Year 1923, Relating to State Hail Insurance.

Introduced, 201.

Reference, 201.

Reported, 372.

Passed, 414.

Received from House, 946.

Other Action, 414.

Sent to House, 420.

Indefinitely Postponed, 946.

**Senate Bill No. 106—(Pathman).**

Senate Bill No. 106. A Bill For an Act to Amend and Re-enact Section 26 of Chapter 160 of the Session Laws of 1919 as Amended by Chapter 38 of the Special Session Laws of the Sixteenth Legislative Assembly of the State of North Dakota for the Year 1921, as Amended and Re-enacted by Chapter 232 of the Sessions Laws of North Dakota for the Year 1923, Relating to State Hail Insurance, as Amended and Re-enacted by Chapter 151 of the Session Laws of North Dakota for the Year 1925 Relating to State Hail Insurance and Actions Against the Department.

Introduced, 202.

Reference, 202.

Reported, 373.

Passed, 415.

Received from House, 906.

Other Action, 415.

Sent to House, 420.

Indefinitely postponed, 906.

**Senate Bill No. 107—(C. J. Olson)**

Senate Bill No. 107. A Bill For an Act Amending and Re-enacting Section 10,548CL 1913, Forbidding Delay in the Proceedings Against Any Accused Person, Providing that Notice be Given to Accused Persons of his Right to Consult with an Attorney, Providing Penalties for Any State's Attorney or Officer Having the Accused in Charge, Denying to an Attorney the Privilege of Interviewing Any Accused Person, and Providing Regulations Therefor.

Introduced, 202.

Reference, 202.

Reported, 423.

Indefinitely postponed, 423.

**Senate Bill No. 108—(Magnuson)**

Senate Bill No. 108. A Bill For an Act to Amend and Re-enact Section 9 of Chapter 159 of the Session Laws for the Year 1919, Relating to Readjustment of Rates.

Introduced, 202.

Reference, 202.

Reported, 319.

Passed, 347.

Received from House, 777.

Other Action, 863.

Sent to House, 351.

Sent to Governor, 877.

Signed by Governor, 964.

**Senate Bill No. 109—(Baird, Hamilton and Schlosser)**

**Senate Bill No. 109.** A Bill For an Act Creating the Officer of Veterans' Service Commission; Providing the Qualifications, the Manner of Appointment, Duties, Salary, Tenure of Office of Such Officer, Providing an Appropriation Therefor, and Declaring an Emergency.

Introduced, 202.  
 Reference, 202.  
 Reported, 438.  
 Amended, 438.  
 Passed, 478, 1007.  
 Received from House, 982.  
 Amended, 982.  
 Amendments Adopted, 1006.  
 Other Action, 1006, 1007, 1063.  
 Sent to House, 481.  
 Sent to Governor, 1126.

**Senate Bill No. 110—(Van Arnam)**

**Senate Bill No. 110.** A Bill For an Act Providing For the Compulsory Licensing of Non-residents Making Auction Sales Within this State; Providing for the Manner of Payment of License Fee, and Providing a Penalty for the Violation Thereof.

Introduced, 202.  
 Reference, 202.  
 Reported, 295.  
 Amended, 295, 346.  
 Passed, 347.  
 Received from House, 544.  
 Other Action, 606.  
 Sent to House, 351.  
 Sent to Governor, 658.  
 Signed by Governor, 731.

**Senate Bill No. 111—(O. A. Olson)**

**Senate Bill No. 111.** A Bill For an Act Authorizing the Board of Administration of the State of North Dakota to Erect Upon the Capitol Grounds a Building to be Used for Executive Purposes and to be Known as the Agricultural Building of North Dakota.

Introduced, 203.  
 Reference, 203.  
 Reported, 369.  
 Indefinitely Postponed, 369.

**Senate Bill No. 112—(Committee on Appropriation)**

**Senate Bill No. 112.** A Bill For an Act to Provide for the Payment of an Existing Deficit in the Department of Public Instruction.

Introduced, 217.  
 Reference, 217.  
 Reported, 297.  
 Passed, 329.  
 Received from House, 1095.  
 Other Action, 1139.  
 Sent to House, 348.  
 Sent to Governor, 1142.



**Senate Bill No. 113—(Committee on Appropriations)**

Senate Bill No. 113. A Bill For an Act Making an Appropriation to Provide for the Payment of a Deficit in the General Maintenance Fund of the State Training School at Mandan, North Dakota.

Introduced, 217.  
 Reference, 217.  
 Reported, 332.  
 Passed, 407, 1085.  
 Received from House, 1074.  
 Amended, 1074.  
 Amendments, Adopted, 1084.  
 Other Action, 1084, 1125.  
 Sent to House, 420.  
 Sent to Governor, 1130.

**Senate Bill No. 114—(Brunsdale)**

Senate Bill No. 114. A Bill For an Act to Regulate, Concerning, Relating to the Production, Inspection, Testing, Analysis and Certification of Seeds, Offered or Exposed for Sale, or Sold as North Dakota Registered Certified Seed, Providing for Rules and Regulations with Reference Thereto, Prescribing Penalties for Violations of the Act, Providing for a Schedule of Equitable Fees, and Making an Appropriation.

Introduced, 217.  
 Reference, 217.  
 Reported, 563.  
 Amended, 563.  
 Passed, 611, 1032.  
 Received from House, 980.  
 Amended, 980.  
 Amendments Adopted, 1031.  
 Other Action, 1031, 1110.  
 Sent to House, 658.  
 Sent to Governor, 1126.

**Senate Bill No. 115—(Baird)**

Senate Bill No. 115. A Bill For an Act to Provide for the Compilation, Publication and Distribution of the Record of the Citizens of North Dakota Who Rendered Military Service on Behalf of the State and Assisted in the Administration of the Selective Service Act During the World War.

Introduced, 217.  
 Reference, 217.  
 Reported, 249.  
 Passed, 269.  
 Received from House, 905.  
 Other Action, 967.  
 Sent to House, 271.  
 Sent to Governor, 978.  
 Signed by Governor, 1079.

**Senate Bill No. 116—(Tofsrud)**

Senate Bill No. 116. A Bill For an Act to Amend and Re-enact Section 2618 of the Supplement to the Compiled Laws of 1913, Relating to the Herd Law.

Introduced, 217.

Reference, 217.  
 Reported, 335.  
 Indefinitely Postponed, 335.

**Senate Bill No. 117—(Magnuson)**

Senate Bill No. 117. A Bill For an Act Providing for an Election to Grant Authority to Governing Boards of Cities and Villages to Sell Electric Light Plants Owned by Such Cities and Villages, and Specifying the Procedure for Such Sale.

Introduced, 217.  
 Reference, 217.  
 Reported, 502.  
 Indefinitely Postponed, 502.

**Senate Bill No. 118—(Magnuson)**

Senate Bill No. 118. A Bill For an Act to Amend and Re-enact Section 2125, Compiled Laws 1913.

Introduced, 218.  
 Reference, 218.  
 Reported, 354.  
 Passed, 408.  
 Received from House, 660.  
 Sent to House, 420.  
 Indefinitely Postponed, 660.

**Senate Bill No. 119—(Rusch)**

Senate Bill No. 119. A Bill For an Act Relating to Insurance upon Lives of Directors, Officers, Agents and Employes of Corporations and Prescribing What Shall Constitute Evidence of Due Authority for all Corporate Actions with Reference Thereto.

Introduced, 218.  
 Reference, 218.  
 Reported, 319.  
 Amended, 319.  
 Passed, 348.  
 Received from House, 544.  
 Other Action, 348, 606.  
 Sent to House, 351.  
 Sent to Governor, 658.  
 Signed by Governor, 731.

**Senate Bill No. 120—(Stevens)**

Senate Bill No. 120. A Bill For an Act Declaring all Racing or Trial of Speed by or Between Automobiles or Other Motor Driven Vehicles a Common Nuisance, Making Anyone Participating, Aiding or Abetting Therein Guilty of a Misdemeanor, and Providing Additional Penalty Therefor.

Introduced, 218.  
 Reference, 218.  
 Reported, 678.  
 Amended, 678.  
 Passed, 714, 721.  
 Received from House, 812.  
 Other Action, 719, 721.  
 Sent to House, 724.  
 Indefinitely postponed, 812.

**Senate Bill No. 121—(O. A. Olson)**

Senate Bill No. 121. A Bill For an Act providing a twelve hour day for railway employees operating trains in the State of North Dakota.

Introduced, 235.

Reference, 235.

Reported, 297.

Indefinitely Postponed, 297.

**Senate Bill No. 122—(Ployhar)**

Senate Bill No. 122. A Bill For an Act relating to the sale of public utilities owned by municipalities and providing for election to determine same.

Introduced, 235.

Reference, 235.

Reported, 503.

Indefinitely Postponed, 503.

**Senate Bill No. 123—(Schlosser)**

Senate Bill No. 123. A Bill For an Act to regulate the Practice of Professional Engineering and Land Surveying in the State of North Dakota.

Introduced, 235.

Reference, 235.

Reported, 560.

Indefinitely Postponed, 562.

**Senate Bill No. 124—(Committee on Appropriations)**

Senate Bill No. 124. A Bill For an Act to Amend and Re-enact Section 2844 of the Supplement to the Compiled Laws of 1913.

Introduced, 254.

Reference, 254.

Reported, 596.

Indefinitely Postponed, 596.

**Senate Bill No. 125—(Sathre and Forbes)**

Senate Bill No. 125. A Bill For an Act to Amend and Re-enact Section 6745 of the Compiled Laws of North Dakota for 1913.

Introduced, 254.

Reference, 254.

Reported, 365.

Amended, 365.

Passed, 416.

Received from House, 903.

Other Action, 843, 928.

Sent to House, 420.

**Senate Bill No. 126—(Sathre)**

Senate Bill No. 126. A Bill For an Act to Amend and Re-enact Sections 1, 2, 3, 5, 6, 10, 12, 14 and 21 of Chapter 182, Session Laws 1923, the same being Sections 5235a2, 5235a3, 5235a5, 5235a6, 5235a10, 5235a12, 5235a14 & 5235a21 of the Supplement to the 1913 Compiled Laws of North Dakota 1913-1925, Relating to the Definition of Securities; Indemnity Bond and Fees Collected by the State Securities Commission.

Introduced, 254.

Reference, 254.  
 Reported, 524.  
 Amended, 524.  
 Passed, 573, 1120.  
 Received from House, 1058.  
 Amended, 1058.  
 Amendments Adopted, 1119.  
 Conference, 1061, 1089, 1104, 1105.  
 Report of Conference, 1102, 1119.  
 Other Action, 1046, 1120, 1157.  
 Sent to House, 658.  
 Sent to Governor, 1157.

**Senate Bill No. 127—(Ployhar)**

**Senate Bill No. 127. A Bill For an Act to Amend and Re-enact Section 7567 of the Supplement to Compiled Laws of North Dakota for 1913.**

Introduced, 254.  
 Reference, 254.  
 Reported, 365.  
 Amended, 416.  
 Passed, 417, 1083.  
 Received from House, 1075.  
 Amended, 1075.  
 Amendments Adopted, 1082.  
 Other Action, 1082, 1083, 1125.  
 Sent to House, 420.  
 Sent to Governor, 1130.

**Senate Bill No. 128—(Pathman)**

**Senate Bill No. 128. A Bill For an Act to Amend and Re-enact Section 3436 of the Compiled Laws of North Dakota for 1913, Relating to Kind of Material to be Used in Re-establishing Lost Section or Quarter Section Corners and Provisions to Establish Witness Corners Where a Monument at the True Point is Impractical and the Manner of Identifying Such Witness Corners.**

Introduced, 266.  
 Reference, 266.  
 Reported, 356.  
 Indefinitely Postponed, 356.

**Senate Bill No. 129—(Pathman)**

**Senate Bill No. 129. A Bill For an Act Providing for Re-establishing Section or Quarter Section Corners or Other Federal or State Monuments Destroyed Through Road, Street, Ditch or Other Public Works; Providing for Witness Corners, Where a Monument at the True Point is Impractical, the Manner of Identifying Such Witness Corners and Provisions by Whom and in Which Manner the Cost is to be Met.**

Introduced, 266.  
 Reference, 266.  
 Reported, 355.  
 Indefinitely Postponed.

**Senate Bill No. 130—(Hamilton)**

**Senate Bill No. 130. A Bill For an Act Making an Appropriation for the Purchase and Erection of an Iron Fence**

Around the Roosevelt Cabin, Which is Located Upon the Capitol Grounds, and For the Purchase and Erection of a Flag Pole at the Memorial Building.

Introduced, 266.  
 Reference, 266.  
 Reported, 332.  
 Amended, 332.  
 Passed, 409.  
 Received from House, 1012.  
 Other Action, 1110.  
 Sent to House, 420.  
 Sent to Governor, 1126.

**Senate Bill No. 131—(O. A. Olson)**

Senate Bill No. 131. A Bill For an Act Relating to and Covering Protection of Battery Service Station Owners of Electric Storage Batteries Upon Which the Word "Rental" or any Other Word, Mark or Character is Printed, Painted, Stamped or Attached to Identify the Same, and Providing Penalties.

Reference, 266.  
 Reported, 355.  
 Indefinitely Postponed, 356.

**Senate Bill No. 132—(Whitman)**

Senate Bill No. 132. A Bill For an Act Regulating the Licensing of Plumbers and Providing for the Supervision and Inspection of Plumbing, and Adoption and Enforcement of Minimum, Uniform Standards Therefore, and to Repeal All Acts and Parts of Acts in Conflict Herewith.

Introduced, 266.  
 Reference, 266.  
 Reported, 554.  
 Indefinitely Postponed, 554.

**Senate Bill No. 133—(Baird)**

Senate Bill No. 133. A Bill For an Act to Amend and Re-enact Section 7598 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Dismissal of Actions in the Courts of Record of this State which have been Pending for a Period of Five Years, Wherein the Plaintiff or his Successor in Interest has Neglected to Prosecute said Action.

Introduced, 287.  
 Reference, 287.  
 Reported, 366.  
 Amended, 366.  
 Passed, 417.  
 Received from House, 847.  
 Sent to House, 420.  
 Indefinitely Postponed, 847.

**Senate Bill No. 134—(Carey)**

Senate Bill No. 134. A Bill For an Act to Repeal Sections 917, 918 and 919 of the Compiled Laws of North Dakota of the year 1913; Relating to Registration of Voters.

Introduced, 287.  
 Reference, 287.  
 Reported, 503.

Passed, 538.  
 Received from House, 1012.  
 Other Action, 538, 1110.  
 Sent to House, 571.  
 Sent to Governor, 1126.

**Senate Bill No. 135—(Stevens)**

**Senate Bill No. 135. A Bill For an Act Forbidding any Person to Act or be Appointed as Game Warden, Deputy Game Warden, or Special Deputy Game Warden who is in the Employ or Acting Agent of any Person or Persons who Own, Operate, Hold or Possess any Land, or Lease upon Land, for Hunting Purposes within the State of North Dakota and Making the Violation thereof a Misdemeanor.**

Introduced, 287.  
 Reference, 287.  
 Reported, 375.  
 Amended, 375.  
 Passed, 418, 1008.  
 Received from House, 979.  
 Amended, 979.  
 Amendments Adopted, 1007.  
 Other Action, 1007, 1063.  
 Sent to House, 420.  
 Sent to Governor, 1126.

**Senate Bill No. 136—(Kretschmar)**

**Senate Bill No. 136. A Bill For An Act to Prevent the Procreation of Feeble-minded, Insane, Epileptic, Habitual Criminals, Moral Degenerates and Sexual Perverts, Who May be Inmates of State Institutions, Authorizing and Providing for the Sterilization of Such Persons and Providing for Appeals to the District Court in Certain Cases; and Repealing Sections 11429 to 11438 inclusive of the Compiled Laws of North Dakota for 1913.**

Introduced, 287.  
 Reference, 287, 512.  
 Reported, 421, 558.  
 Amended, 421, 511, 558.  
 Passed, 612.  
 Received from House, 846.  
 Other Action, 512, 969.  
 Sent to House, 658.  
 Sent to Governor, 978.  
 Signed by Governor, 1081.

**Senate Bill No. 137—(Rusch)**

**Senate Bill No. 137. A Bill For an Act Relating to, and Defining the Effect of, the Consolidation, Merger or other Transfer of the Business of Corporations, Including Banks and Trust Companies, organized under the Laws of this State, Heretofore or Hereafter Effected.**

Introduced, 288.  
 Reference, 288.  
 Reported, 557.  
 Passed, 614.  
 Received from House, 904.  
 Other Action, 967.

Sent to House, 658.  
 Sent to Governor, 978.  
 Signed by Governor, 1079.

**Senate Bill No. 138—(Van Camp)**

Senate Bill No. 138. A Bill For an Act to Regulate the Sale of Malt Sugar, Malt Extract, and Malt Syrup and to Prevent the Use of the Same in the Manufacture of Intoxicating Liquor and to Prescribe Regulations Therefor.

Introduced, 299.  
 Reference, 299.  
 Reported, 442.  
 Other Action, 443.  
 Indefinitely Postponed, 443.

**Senate Bill No. 139—(Whitman and Hamilton)**

Senate Bill No. 139. A Bill For an Act Making it Unlawful to Sell or Possess Cigarettes without being Stamped, Showing the Tax Thereon to Have Been Paid, and Providing Penalty Therefor.

Introduced, 299.  
 Reference, 299.  
 Reported, 595.  
 Amended, 595.  
 Passed, 662.  
 Received from House, 811.  
 Other Action, 662.  
 Sent to House, 687.  
 Indefinitely Postponed, 812.

**Senate Bill No. 140—(Carey)**

Senate Bill No. 140. A Bill For an Act to Amend and Re-enact Section 1008 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Return and Disposition of Election Ballots and Compensation of Election Officers.

Introduced, 299.  
 Reference, 299.  
 Reported, 445.  
 Passed, 539.  
 Received from House, 945.  
 Other Action, 507, 539, 1064.  
 Lost 478.  
 Sent to House, 571.  
 Sent to Governor, 1126.

**Senate Bill No. 141—(Patterson)**

Senate Bill No. 141. A Bill For an Act Providing that the Question of Operating and Conducting Moving Picture Shows in Any County in the State of North Dakota on the First Day of the Week Shall Upon Petition of a Certain Percentage of the Electors Therein Be Submitted to the Electors Thereof for Decision; Providing the Form of the Ballot to be Used at Such Election; and Providing that Upon a Favorable Vote of the Electors Voting Upon the Question, It Shall Thereafter Be Lawful to Operate and Conduct Moving Picture Shows Therein on Said Day.

Introduced, 299.

Reference, 300.  
 Reported, 635.  
 Amended, 636.  
 Other Action, 674, 676.  
 Indefinitely Postponed, 636.

**Senate Bill No. 142—(Patterson)**

Senate Bill No. 142. A Bill For an Act to Amend and Re-enact Section 696, Compiled Laws of 1913, as Amended by Chapter 249, Sessions Laws of 1917; Relating to Filling Vacancies in Public Offices.

Introduced, 300.  
 Reference, 300.  
 Reported, 421.  
 Passed, 454.  
 Received from House, 812.  
 Sent to House, 477.  
 Indefinitely Postponed, 812.

**Senate Bill No. 143—(Baird)**

Senate Bill No. 143. A Bill For an Act to Provide a Standard Time for the State of North Dakota and the Institution and Continuance Thereof.

Introduced, 326.  
 Reference, 326.  
 Reported, 396.  
 Passed, 433.  
 Received from House, 1011.  
 Sent to House, 437.  
 Indefinitely Postponed, 1012.

**Senate Bill No. 144—(O. H. Olson)**

Senate Bill No. 144. A Bill For an Act Exempting Co-operative Companies, Corporations and Associations from Personal Property Tax.

Introduced, 326.  
 Reference, 326.  
 Reported, 376.  
 Indefinitely Postponed, 376.

**Senate Bill No. 145—(Patterson)**

Senate Bill No. 145. A Bill For an Act for the Stamping of Notes Given for Machinery and Farm Equipment, Making Oral Warranties and Representations of Soliciting Agent Binding on Seller, Admission of Oral Evidence Varying Written Warranty, Providing for a Jury Trial, and Providing Penalty for Taking Notes Contrary to this Act.

Introduced, 326.  
 Reference, 326.  
 Reported, 527.  
 Indefinitely Postponed, 528.

**Senate Bill No. 146—(O. A. Olson and Ployhar)**

Senate Bill No. 146. A Bill For an Act Providing for the Leasing of State or School Lands supposed to Contain Oil and to Make and Establish Rules and Regulating relative to the Development thereof; Providing for Royalty to be Col-



lected therefrom, and for the Sale of Improvements on such Lands; for the Assignment thereof and for Geological Reports thereon.

Introduced, 326.  
Reference, 326.  
Reported, 654.  
Amended, 654, 695.  
Passed, 695.  
Received from House, 904.  
Other Action, 695, 967.  
Sent to House, 724.  
Sent to Governor, 978.  
Signed by Governor, 1079.

**Senate Bill No. 147—(Fleckten)**

Senate Bill No. 147. A Bill For an Act to Repeal Section 2173 of the Compiled Laws of the State of North Dakota, for the Year 1913 Relating to County Commissioners Contracting with the Sheriff for Collection of Delinquent Personal Property Taxes.

Introduced, 326.  
Reference, 327.  
Reported, 353.  
Indefinitely Postponed, 354.

**Senate Bill No. 148—(Tofsrud)**

Senate Bill No. 148. A Bill For an Act to amend and reenact Section 2193a of the Supplement to the 1913 Compiled Laws relating to abatements to purchasers of tax sale certificates on state land.

Introduced, 327.  
Reference, 327.  
Reported, 443.  
Passed, 501.  
Received from House, 904.  
Amended, 904.  
Amendments Adopted, 928.  
Other Action, 479, 928, 1064.  
Sent to House, 571.  
Sent to Governor, 1126.

**Senate Bill No. 149—(Baird)**

Senate Bill No. 149. A Bill For an Act to Amend and Reenact Section 3786 Compiled Laws of the State of North Dakota for 1913, Relating to Terms of Office of City Officers Under Commission Form of Government.

Introduced, 343.  
Reference, 343.  
Reported, 469.  
Indefinitely Postponed, 469.

**Senate Bill No. 150—(O. A. Olson)**

Senate Bill No. 150. A Bill For an Act to Amend and Reenact Section 1531 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the State Library.

Introduced, 344.  
Reference, 344.  
Reported, 444.

Passed, 479.  
 Received from House, 777.  
 Other Action, 863.  
 Sent to House, 488.  
 Sent to Governor, 877.  
 Signed by Governor, 960.

**Senate Bill No. 151—(Baird)**

Senate Bill No. 151. A Bill For an Act to Promote the Speedy Determination of Litigants on the Merits and Authorizing the Supreme Court to Make Rules Relating to Pleading, Procedure and Practice in the Courts of this State.

Introduced, 344.  
 Reference, 344.  
 Reported, 525.  
 Indefinitely Postponed, 525.

**Senate Bill No. 152—(Eastgate)**

Senate Bill No. 152. A Bill For an Act to Repeal Section 2845 of the Compiled Laws of 1913.

Introduced, 344.  
 Reference, 344.  
 Reported, 563.  
 Other Action, 662.  
 Indefinitely Postponed, 662.

**Senate Bill No. 153—(Eastgate)**

Senate Bill No. 153. A Bill For an Act to Amend and Re-enact Section 2854 of the Supplement to the Compiled Laws, 1913.

Introduced, 344.  
 Reference, 344.  
 Reported, 563.  
 Amended, 563.  
 Passed, 615.  
 Received from House, 905.  
 Other Action, 968.  
 Sent to House, 658.  
 Sent to Governor, 978.  
 Signed by Governor, 1080.

**Senate Bill No. 154—(Rusch)**

Senate Bill No. 154. A Bill For an Act relating to and fixing the salaries of the County Auditor, the County Treasurer, the Register of Deeds, the County Sheriff, the Clerk of the District Court, the County Judge, the State's Attorney, and the County Superintendent of Schools, also fixing the number of and the salaries to be paid to the Deputies, and providing for Clerks and Assistants to be employed in the offices of the County Auditor, County Treasurer, Register of Deeds, Clerk of the District Court, County Sheriff, State's Attorney, County Judge and the County Superintendent of Schools, (in Counties having a County Court of increased jurisdiction and have a population exceeding forty thousand,) and repealing all acts or parts of acts in conflict therewith.

Introduced, 358.  
 Reference, 358.  
 Reported, 648.

Amended, 648.  
 Passed, 696.  
 Received from House, 1015.  
 Amended, 1015, 1105.  
 Conference, 1089, 1097.  
 Report of Conference, 1104.  
 Other Action, 696, 1061, 1142.  
 Sent to House, 711.  
 Sent to Governor, 1142.

**Senate Bill No. 155—(Steel)**

Senate Bill No. 155. A Bill For an Act to Amend and Re-enact Section 1194 of the Compiled Laws of 1913, relating to High Schools Established and Maintained by two or more School Districts, Providing a Board of Education therefor and Prescribing its Powers and Duties; Providing that Certain De Facto School Districts shall be Validated and Re-established under the Provisions of this Act.

Introduced, 358.  
 Reference, 358.  
 Reported, 552.  
 Amended, 552, 615.  
 Passed, 615, 1072.  
 Received from House, 1075.  
 Amended, 1075.  
 Amendments Adopted, 1071.  
 Other Action, 615, 628, 1072, 1142.  
 Sent to House, 658.  
 Sent to Governor, 1142.

**Senate Bill No. 156—(Eastgate)**

Senate Bill No. 156. A Bill For an Act to Amend and Re-enact Section 7762 of the Supplement to the Compiled Laws 1913.

Introduced, 358.  
 Reference, 358.  
 Reported, 525.  
 Indefinitely Postponed, 525.

**Senate Bill No. 157—(Martin)**

Senate Bill No. 157. A Bill For an Act Making an Appropriation for the Construction of a State Radio Broadcasting Station at the Capitol in Bismarck, and providing for its construction and management.

Introduced, 359.  
 Reference, 359, 479.  
 Reported, 443, 682.  
 Other Action, 479, 684.  
 Indefinitely Postponed, 684.

**Senate Bill No. 158—(Brant)**

Senate Bill No. 158. A Bill For an Act providing for the assessment and taxation of railway property; the collection of railway taxes by the state treasurer; providing a method of apportionment and distribution thereof, and repealing Sections 2242, 2243, 2244 and 2246 of the Compiled Laws of 1913 and all Acts and parts of Acts in conflict with the provisions of this Act.

Introduced, 359.  
 Reference, 359.  
 Reported, 533.  
 Indefinitely Postponed, 534.

**Senate Bill No. 159—(Wog)**

Senate Bill No. 159. A Bill For an Act to Amend and Re-enact Section 3236 of the Supplement to the 1913 Compiled Laws of the State of North Dakota, relating to the removal of County Seat by ballot and notice of result.

Introduced, 359.  
 Reference, 359.  
 Reported, 649.  
 Amended, 649.  
 Other Action, 697.  
 Indefinitely Postponed, 698.

**Senate Bill No. 160—(Committee on Public Safety)**

Senate Bill No. 160. A Bill For an Act regulating the operation of vehicles on highways and providing for traffic signs and signals and defining the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act and to provide for the enforcement of this act and the disposition of fines and forfeitures collected hereunder and to make uniform the law relating to the subject matter of this act.

Introduced, 359.  
 Reference, 359.  
 Reported, 679.  
 Amended, 716.  
 Passed, 716, 1031.  
 Received from House, 1025.  
 Amended, 1025.  
 Amendments Adopted, 1030.  
 Other Action, 716, 1030, 1110.  
 Sent to House, 724.  
 Sent to Governor, 1126.

**Senate Bill No. 161—(Tofsrud)**

Senate Bill No. 161. A Bill For an Act to amend and re-enact Section 4251 of the Compiled Laws of 1913 relating to fees of pound master and notice of taking up estrays and sale of estrays.

Introduced, 359.  
 Reference, 359.  
 Reported, 598.  
 Passed, 663.  
 Received from House, 905.  
 Other Action, 968.  
 Sent to House, 687.  
 Sent to Governor, 978.  
 Signed by Governor, 1030.

**Senate Bill No. 162—(Committee on Warehouse and Grain**

Senate Bill No. 162. A Bill For an Act defining Insolvent Grain Warehousemen; Authorizing the Board of Railroad Commissioners to apply to the District Court for its

appointment as Trustee for the Benefit of Storage Receipt holders of such Warehousemen, and to Marshall the Trust Assets of such Insolvent and distribute the same among such Receipt holders.

(Grading)

Introduced, 359.  
 Reference, 360.  
 Reported, 558.  
 Passed, 617.  
 Received from House, 1012.  
 Sent to House, 658.  
 Sent to Governor, 1126.

**Senate Bill No. 163—(Lynch)**

Senate Bill No. 163. A Bill For an Act to amend and reenact Sections 714a8 and 714a13 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the designating of Depositories of Public Funds and fixing maximum and minimum rates of interest that may be paid thereon.

Introduced, 360.  
 Reference, 360.  
 Reported, 529, 607.  
 Amended, 529, 607.  
 Passed, 664, 1098.  
 Received from House, 981.  
 Amended, 981.  
 Conference, 1028, 1089.  
 Report of Conference, 1097, 1098.  
 Other Action, 573, 1027, 1085, 1098, 1154.  
 Sent to House, 687.  
 Sent to Governor, 1154.

**Senate Bill No. 164—(Patterson)**

Senate Bill No. 164. A Bill For an Act to Amend and Reenact Section 7619 of the Compiled Laws of North Dakota for the Year 1913, Relating to Order of Trial.

Introduced, 381.  
 Reference, 381.  
 Reported, 589.  
 Lost, 665.

**Senate Bill No. 165—(Conrath)**

Senate Bill No. 165. A Bill For an Act to Appropriate the sum of \$5,000.00 from the Moneys in the State Highway Fund, for the Purpose of Making a Preliminary Survey and Soundings of the Missouri River at or near Stanton, North Dakota, to determine the Advisability and Feasibility of Constructing a Bridge Across said River Between the City of Stanton, Mercer County, and the City of Underwood in McLean County. This location should connect Trail No. 25 with Trail No. 7 under the Provisions of Sub-section C of Section 2976t15 of the Supplement to the Compiled Laws of 1913.

Introduced, 381.  
 Reference, 381.  
 Reported, 397.  
 Indefinitely Postponed, 397.

**Senate Bill No. 166—(Stevens)**

Senate Bill No. 166. A Bill For an Act to Amend and Re-enact Section 10322a28 of the Supplement to the Compiled Laws 1913, and Repealing Section 10322a29 of the Supplement to the Compiled Laws 1913.

Introduced, 381.  
Reference, 381.  
Reported, 444.  
Passed, 480, 843.  
Received from House, 816.  
Amended, 816.  
Amendments, Adopted, 843.  
Other Action, 843, 969.  
Sent to House, 488.  
Sent to Governor, 978.  
Signed by Governor, 1079.

**Senate Bill No. 167—(Hjelmstad)**

Senate Bill No. 167. A Bill For an Act to Amend and Re-enact Section 6073 of the Compiled Laws of the State of North Dakota for 1913 as Amended by Section 2, Chapter 176, Laws of 1915, and by Section 2, Chapter 155, Laws of 1925, Pertaining to Usury.

Introduced, 381.  
Reference, 381.  
Reported, 531.  
Indefinitely Postponed, 533.

**Senate Bill No. 168—(O. A. Olsson)**

Senate Bill No. 168. A Bill For an Act Amending Section 375b3 of the Supplement to the Compiled Laws of North Dakota for the year 1913, Relating to the Duties of the State Printer.

Introduced, 381.  
Reference, 381.  
Reported, 444.  
Indefinitely Postponed, 445.

**Senate Bill No. 169—(Baird)**

Senate Bill No. 169. A Bill For an Act Limiting the Time in Which to File Claims Against the Returned Soldiers Fund Under the Provisions of Chapter 206, Laws of 1919, and Laws Amendatory Thereto.

Introduced, 382.  
Reference, 382.  
Reported, 472.  
Passed, 508.  
Received from House, 846.  
Other Action, 970.  
Sent to House, 542.  
Sent to Governor, 978.  
Signed by Governor, 1081.

**Senate Bill No. 170—(Erickson)**

Senate Bill No. 170. A Bill For an Act Providing For the Inspection of Scales, Weights and Measures under the Jurisdiction of the State Food Commissioner, Prescribing the Powers and Duties of said Board, Defining the Standard

of Weights and Measures, Providing Penalties for the Violation Thereof, Regulating the Use and Sale of Weights and Measures, Providing for the Fixation of Fees, and Repealing Chapter 344 of the Session Laws of North Dakota for 1923.

Introduced, 382.  
 Reference, 382.  
 Reported, 637.  
 Amended, 637, 698.  
 Passed, 699.  
 Received from House, 1026.  
 Amended, 1026.  
 Conference, 1068, 1089, 1102.  
 Report of Conference, 1102, 1143, 1152.  
 Other Action, 1068, 1108.  
 Sent to House, 711.  
 Indefinitely Postponed, 1144.

**Senate Bill No. 171—(Atkins)**

Senate Bill No. 171. A Bill For an Act Amending and Re-enacting Section 2071c1 of the Supplement to the 1913 Compiled Laws of North Dakota.

Introduced, 382.  
 Reference, 382, 501.  
 Reported, 499, 553.  
 Amended, 499, 553.  
 Passed, 617, 1068, 1122.  
 Received from House, 1059.  
 Amended, 1059.  
 Amendments Adopted, 1067.  
 Conference, 1099, 1103.  
 Report of Conference, 1121, 1126.  
 Other Action, 501, 1067, 1097, 1122, 1150.  
 Sent to House, 658.  
 Sent to Governor, 1151.

**Senate Bill No. 172—(Sathre and Tofsrud)**

Senate Bill No. 172. A Bill For an Act to Amend and Re-enact Section 224 of the Compiled Laws of North Dakota for the year 1913.

Introduced, 382.  
 Reference, 382.  
 Reported, 559.  
 Amended, 618.  
 Received from House, 1012.  
 Other Action, 1111.  
 Sent to House, 658.  
 Sent to Governor, 1126.

**Senate Bill No. 173—(Sathre and Schlosser)**

Senate Bill No. 173. A Bill For an Act to Amend and Re-enact Section 5121 of the Compiled Laws of North Dakota for the year 1913 as Amended and Re-enacted by Chapter 148, Session Laws of 1923; and Sections 5122, 5123, 5130, 5136 of the Compiled Laws for the year 1913, Relating to Building and Loan Associations, and to Regulate the Investments by and to Provide for the Creation of a Reserve Fund for Such Associations.

Introduced, 382.  
 Reference, 382.  
 Other Action, 568.

**Senate Bill No. 174—(Wog)**

Senate Bill No. 174. A Bill For an Act Requiring School Districts Maintaining a High School to Pay the High School Tuition of Pupils Residing in such Districts More Than Six Miles From Such High School When No Transportation by Vehicle is Furnished to Such Children.

Introduced, 382.  
 Reference, 383.  
 Reported, 499.  
 Amended, 572.  
 Passed, 572.  
 Received from House, 1011.  
 Sent to House, 658.  
 Indefinitely Postponed, 1012.

**Senate Bill No. 175—(Rusch)**

Senate Bill No. 175. A Bill For an Act Empowering and Authorizing Cities under the Commission Form of Government to Refund and Reissue special improvement warrants upon the Surrender of the Outstanding Warrants by the Holders Thereof.

Introduced, 383.  
 Reference, 383.  
 Reported, 469.  
 Passed, 509.  
 Received from House, 906.  
 Other Action, 842, 903.  
 Sent to House, 542.  
 Indefinitely Postponed, 906.

**Senate Bill No. 176—(Sathre and Forbes)**

Senate Bill No. 176. A Bill For an Act to Amend and Re-enact Section 690 of the Supplement to the 1913 Compiled Laws, Relating to the Removal of Public Officers by the Governor and Appeals Therefrom.

Introduced, 383.  
 Reference, 383, 607.  
 Reported, 529, 637.  
 Passed, 699, 974.  
 Received from House, 944.  
 Amended, 944.  
 Amendments Adopted, 973.  
 Other Action, 607, 973, 1063.  
 Indefinitely Postponed, 529.  
 Sent to House, 711.  
 Sent to Governor, 1126.

**Senate Bill No. 177—(Tofsrud)**

Senate Bill No. 177. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Relating to the Election of County Officers and Regulating Their Terms of Office.

Introduced, 383.  
 Reference, 383.



Reported, 445.  
Indefinitely Postponed, 445.

**Senate Bill No. 178—(Martin)**

Senate Bill No. 178. A Concurrent Resolution Recommending for Passage by a Vote of the People, a Bill to Close the State University at Grand Forks, North Dakota, the Agricultural College at Fargo, North Dakota, and the State Teachers College at Valley City, North Dakota, for a Period of Two Years, from and after the 20th day of June, A. D. 1927.

Introduced, 383.  
Reference, 383.  
Reported, 421.  
Indefinitely Postponed, 422.

**Senate Bill No. 179—(Benson)**

Senate Bill No. 179. A Bill For an Act Amending and Re-enacting Sections 5012a2 and 5012a3 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Extinct Denominational and Religious Societies.

Introduced, 383.  
Reference, 383.  
Reported, 677.  
Amended, 677.  
Passed, 717, 1118.  
Received from House, 980.  
Amended, 980, 1116.  
Amendments Adopted, 1117.  
Conference, 1061, 1089.  
Report of Conference, 1116.  
Other Action, 717, 1047, 1108, 1117, 1154.  
Sent to House, 724.  
Sent to Governor, 1154.

**Senate Bill No. 180—(Bond)**

Senate Bill No. 180. A Bill For an Act to Amend and Re-enact Sections 909a2 and 909a5 of the Supplement to the Compiled Laws of 1913.

Introduced, 384.  
Reference, 384.  
Reported, 445.  
Amended, 445.  
Passed, 507.  
Received from House, 945.  
Other Action, 506, 1064.  
Lost, 481.  
Sent to House, 571.  
Sent to Governor, 1126.

**Senate Bill No. 181—(Schlosser)**

Senate Bill No. 181. A Bill For an Act to Amend and Re-enact Sections 3874 and 3875 of the Compiled Laws of North Dakota for 1913, Relating to Tax Levy of Villages and Duties of County Auditors with Reference Thereto.

Introduced, 384.  
Reference, 384.  
Reported, 533.  
Passed, 574.  
Received from House, 846.

Other Action, 970.  
 Sent to House, 658.  
 Sent to Governor, 978.  
 Signed by Governor, 1081.

**Senate Bill No. 182—(Schlosser)**

Senate Bill No. 182. A Bill For an Act to amend and reenact Section 3812 of the Compiled Laws of the State of North Dakota for 1913, relating to additional duties of City Auditors under the Commission System of Government.

Introduced, 384.  
 Reference, 384.  
 Reported, 469.  
 Passed, 509.  
 Received from House, 905.  
 Other Action, 968.  
 Sent to House, 542.  
 Sent to Governor, 978.  
 Signed by Governor, 1080.

**Senate Bill No. 183—(Schlosser)**

Senate Bill No. 183. A Bill For an Act to amend and reenact Sections 3684a6, 3684a7 and 3684a8, of the Supplement to the Compiled Laws of North Dakota for 1913, relating to the finances of cities, towns and villages, (said sections constituting a part of what is known as the city budget law); repealing Sections 4038, 4039, 4040, 4041, and 4045, Compiled Laws of 1913.

Introduced, 384.  
 Reference, 384.  
 Reported, 551.  
 Amended, 551.  
 Passed, 620.  
 Received from House, 905.  
 Other Action, 968.  
 Sent to House, 658.  
 Sent to Governor, 978.  
 Signed by Governor, 1080.

**Senate Bill No. 184—(O. A. Olson)**

Senate Bill No. 184. A Bill For an Act to Amend and Reenact Sections 3, 8 and 9, Chapter 159, Session Laws of 1919, and Section 3 of Chapter 154, Session Laws of 1925, Relating to Insurance on Public Buildings, Providing for the Classification of All Public Property, and Limiting the Amount of Insurance to be Carried by the State Fire and Tornado Fund.

Introduced, 384.  
 Reference, 384.  
 Reported, 650.  
 Amended, 700.  
 Passed, 700, 1046.  
 Received from House, 979.  
 Amended, 979.  
 Amendments Adopted, 1046.  
 Other Action, 700, 1046, 1047, 1150.  
 Sent to House, 711.  
 Sent to Governor, 1151.

**Senate Bill No. 185—(Tofsrud)**

Senate Bill No. 185. A Bill For an Act Providing for a Refund to Hail Tax Purchasers and Persons Paying Hail Taxes for Which Their Lands Were Not Liable, Designating the Funds From Which Payment Shall Be Made, and Declaring the Duty of the Insurance Commissioner in Relation Thereto.

Introduced, 384.  
 Reference, 385.  
 Reported, 598.  
 Amended, 598.  
 Passed, 665, 1061.  
 Received from House, 1059.  
 Amended, 1060.  
 Amendments Adopted, 1060.  
 Other Action, 665, 1060, 1061, 1151.  
 Sent to House, 687.  
 Sent to Governor, 1151.

**Senate Bill No. 186—(Tofsrud)**

Senate Bill No. 186. A Bill For an Act to Amend and Re-enact Section 189b6 of the Supplement to the 1913 Compiled Laws of North Dakota Providing for a Flat Tax and Permanent Surplus and the Purposes Thereof.

Introduced, 385.  
 Reference, 385.  
 Reported, 679.  
 Indefinitely Postponed, 680.

**Senate Bill No. 187—(Sathre and Forbes)**

Senate Bill No. 187. A Bill For an Act Limiting the Time within which any Action may be Brought to Void a Foreclosure of a Mortgage, a Mortgage Foreclosure set Aside, or any Defense Interposed in any Action, by Virtue of any defect in the Form, Substance or Service of Notice of Intention to Foreclose a Mortgage.

Introduced, 389.  
 Reference, 389.  
 Reported, 525.  
 Amended, 525.  
 Passed, 575.  
 Received from House, 945.  
 Other Action, 575, 1064.  
 Sent to House, 589.  
 Sent to Governor, 1126.

**Senate Bill No. 188—(Sathre)**

Senate Bill No. 188. A Bill For an Act to Provide for the Closing of Schools in Certain Towns and Villages Upon the Consolidation of the Schools in Such School Districts and Providing the Procedure Therefor.

Introduced, 389.  
 Reference, 389.  
 Reported, 499.  
 Passed, 539.  
 Received from House, 1013.  
 Other Action, 539, 1111.  
 Sent to House, 571.  
 Sent to Governor, 1126.

**Senate Bill No. 189—(Whitman)**

Senate Bill No. 189. A Bill For an Act Relating to the Sale of Malt Sugar, Malt Extract and Malt Sirup, Providing for the Issuing of Licenses for the Purpose of Making Sales thereof and Furnishing of a Bond; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof, and Penalty for Violation of this Act; and Defining the Duties of the Attorney General, State Auditor and State Treasurer Imposed Under the Provision of this Act; and Providing that any Person Violating this Act shall be enjoined and that Any Building or Premises Made Use of for Purposes in Violation of this Act shall be Deemed a Nuisance and Abated by Injunction.

Introduced, 389.

Reference, 390.

Reported, 559.

Indefinitely Postponed, 559.

**Senate Bill No. 190—(Schlosser)**

Senate Bill No. 190. A Bill For an Act to Amend and Re-enact Section 4795 of the Compiled Laws of the State of North Dakota for 1913, Relating to Executive Officers and Financial Statements of Cities Organized Under the Commission System of Government.

Introduced, 391.

Reference, 391.

Reported, 502.

Amended, 502.

Passed, 540.

Received from House, 905.

Other Action, 968.

Sent to House, 589.

Sent to Governor, 978.

Signed by Governor, 1080.

**Senate Bill No. 191—(Schlosser)**

Senate Bill No. 191. A Bill For an Act to Amend and Re-enact Sections 3676, 3677 and 3680 of the Compiled Laws of the State of North Dakota for 1913, Relating to Finances of Cities Organized Under the General Laws of the State.

Introduced, 390.

Reference, 390.

Reported, 551.

Passed, 621.

Received from House, 945.

Other Action, 1064.

Sent to House, 658.

Sent to Governor, 1126.

**Senate Bill No. 192—(Schlosser)**

Senate Bill No. 192. A Bill For an Act to Amend and Re-enact Sections 3625 and 3626, Compiled Laws of the State of North Dakota for 1913, Relating to the Duties of City Auditors.

Introduced, 390.

Reference, 390.

Reported, 550.

Amended, 551.

Passed, 621.  
 Received from House, 905.  
 Other Action, 968.  
 Sent to House, 658.  
 Sent to Governor, 978.  
 Signed by Governor, 1080.

**Senate Bill No. 193—(Bakken)**

Senate Bill No. 193. A Bill For an Act to Amend and Re-enact Section 1240, Compiled Laws of 1913, as Amended by Chapter 196, Sessions Laws of 1919, being Section 1240 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to Adjacent Territory in Special School Districts.

Introduced, 390.  
 Reference, 390.  
 Reported, 553.  
 Indefinitely Postponed, 553.

**Senate Bill No. 195—(Seamands)**

Senate Bill No. 195. A Bill For an Act to Amend and Re-enact Section 2 of Chapter 155, Session Laws of 1925, the same being Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, Defining Usury.

Introduced, 390.  
 Reference, 391.  
 Reported, 526.  
 Amended, 526.  
 Passed, 576.  
 Received from House, 945.  
 Other Action, 1064.  
 Sent to House, 658.  
 Sent to Governor, 1126.

**Senate Bill No. 196—(Committee on State Affairs)**

Senate Bill No. 196. A Bill For an Act Authorizing the Board of Administration to Contract with William Laist to Serve the State of North Dakota as Custodian of the Capitol Building.

Introduced, 391.  
 Reference, 391.  
 Reported, 528.  
 Amended, 528, 577.  
 Passed, 577.  
 Received from House, 946.  
 Sent to House, 658.  
 Indefinitely Postponed, 946.

**Senate Bill No. 197—(Eastgate)**

Senate Bill No. 197. A Bill For an Act to Amend and Re-enact Section 2071c1 of the Supplement to the Compiled Laws of North Dakota for 1913, Authorizing County Commissioners to Erect Memorials and to Levy Taxes Therefor.

Introduced, 391.  
 Reference, 391.  
 Reported, 501.  
 Indefinitely Postponed, 501.

**Senate Bill No. 198—(Carey and Ettestad)**

Senate Bill No. 198. A Bill For an Act to Amend and Re-enact Section 1172 of the Compiled Laws of North Dakota, 1913, Relating to the Compensation of School Treasurers in Common and Consolidated School Districts.

Introduced, 391.  
 Reference, 391, 459.  
 Reported, 529.  
 Amended, 578.  
 Passed, 578, 1008.  
 Received from House, 1012.  
 Other Action, 1111.  
 Sent to House, 658.  
 Sent to Governor, 1126.

**Senate Bill No. 199—(Carey and Ettestad)**

Senate Bill No. 199. A Bill For an Act to Amend and Re-enact Section 4206 of the Compiled Laws of North Dakota 1913, Relating to the Compensation of Township Treasurers.

Introduced, 391.  
 Reference, 391, 459.  
 Reported, 530.  
 Amended, 530, 578.  
 Passed, 579.  
 Received from House, 1012.  
 Other Action, 1111.  
 Sent to House, 658.  
 Sent to Governor, 1126.

**Senate Bill No. 200—(Tofsrud)**

Senate Bill No. 200. A Bill For an Act to Amend and Re-enact Section 2163a5 of the Supplement to the Compiled Laws of 1913 relating to the rate of mills which may be levied by counties; and to amend and re-enact Section 1945 of the Compiled Laws of 1913 relating to county road funds and Section 1946 relating to the expenditure of county road funds and repealing Section 2150 of the Supplement to the Compiled Laws of 1913.

Introduced, 391.  
 Reference, 391.  
 Reported, 501.  
 Amended, 501, 541.  
 Passed, 541.  
 Received from House, 946.  
 Sent to House, 589.  
 Indefinitely Postponed, 946.

**Senate Bill No. 201—(Magnuson)**

Senate Bill No. 201. A Bill For an Act to Amend and Re-enact Sections 1, 3, 5, 7, 9, 10, 11, 12, 13, 15, 24, 25, 26 and 27 of Chapter 160 of the Session Laws of 1919 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, as Amended and Re-enacted by Chapter 232 of the Session Laws of North Dakota for the year 1923, as Amended and Re-enacted by Chapter 151

and Chapter 152 of the Session Laws of North Dakota for the year 1925.

Introduced, 391.  
Reference, 392.  
Reported, 555.  
Indefinitely Postponed, 557.

**Senate Bill No. 202—(Atkins)**

**Senate Bill No. 202.** A Bill For an Act providing for the investment of the funds of County Mutual Insurance Companies, and prescribing the character of such investment.

Introduced, 392.  
Reference, 392.  
Reported, 554.  
Amended, 555.  
Passed, 622, 1070.  
Received from House, 1060.  
Amended, 1060.  
Amendments Adopted, 1070.  
Other Action, 1070, 1125.  
Sent to House, 658.  
Sent to Governor, 1130.

**Senate Bill No. 203—(O. A. Olson)**

**Senate Bill No. 203.** An Act to Amend and Re-enact Section 4913, Chapter 18, Compiled Laws of 1913, Relating to Provisions Peculiar to Foreign Insurance Companies, Providing for conditions of Admission to do Business, Articles and Statement, Appointment of Commissioner for Service, Resident Agents, and Reinsurance.

Introduced, 452.  
Reference, 452.  
Other Action, 629.

**Senate Bill No. 204—(Sathre and Forbes)**

**Senate Bill No. 204.** A Bill for an Act to Legalize and make Valid All Sales of Real Estate, Made Prior to the Passage and Approval of this Act, whether Under Execution or by Advertisement, in All Cases where the Certificate of Sale was not Recorded in the Office of the Register of Deeds within Sixty (60) Days after the Date of Sale.

Introduced, 452.  
Reference, 452.  
Reported, 526.  
Passed, 580.  
Received from House, 945.  
Other Action, 1064.  
Sent to House, 658.  
Sent to Governor, 1126.

**Senate Bill No. 205—(Patterson)**

**Senate Bill No. 205.** A Bill For an Act for Appeals from the Decisions and Findings of the Guarantee Fund Commission. Defining what Questions May Be Appealed and How Appeals shall be Taken, Providing that the Holder of any Certificate of Deposit in any Closed Bank May Make Application to Have his Claim re-filed or Re-opened, and Amended by Tendering Payment of Any Bonus Received by him in any

and Every Form, and Validation such Claim as of Date of the Original Deposit Certificate. Exempting such Certificate from the Operation of Any Statute of Limitation.

Introduced, 452.

Reference, 452.

Other Action, 606.

**Senate Bill No. 206—(Erickson)**

Senate Bill No. 206. A Bill For an Act to Validate and Legalize Certain Acts of Certain City Officials in Respect to Special Assessment Water Works Districts, and to Prescribe the Procedure to be Taken in Respect to Assessments therein and the Issuance of Warrants.

Introduced, 456.

Reference, 456.

Reported, 502.

Passed, 542.

Received from House, 904.

Other Action, 968.

Sent to House, 589.

Sent to Governor, 978.

Signed by Governor, 1080.

**Senate Bill No. 207—(O. A. Olson)**

Senate Bill No. 207. A Bill For an Act to Require Certain Tax Records to be in Permanent and Bound Book Form.

Introduced, 473.

Reference, 474.

Reported, 650.

Indefinitely Postponed, 657.

**Senate Bill No. 208—(Fine)**

Senate Bill No. 208. A Bill For an Act to Amend and Re-enact Section 1725 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to the State Normal and Industrial School at Ellendale, North Dakota.

Introduced, 474.

Reference, 474, 488.

Reported, 639.

Indefinitely Postponed, 640.

**Senate Bill No. 209—(Fine)**

Senate Bill No. 209. A Bill For an Act to Amend and Re-enact Sections 1594 and 1595 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to the Granting of Diplomas in Normal Schools.

Introduced, 474.

Reference, 474.

Reported, 640.

Indefinitely Postponed, 640.

**Senate Bill No. 210—(Fine)**

Senate Bill No. 210. A Bill For an Act to Amend and Re-enact Section 10136 of the Supplement to the Compiled Laws of the State of North Dakota, for 1913, relating to liability for bringing intoxicating liquor into the State of North Dakota.

Introduced, 474.



Reference, 474.  
 Reported, 548.  
 Amended, 549.  
 Other Action, 629.

**Senate Bill No. 211—(Brant)**

Senate Bill No. 211. A Bill For an Act to Repeal Section 3239 of the Supplement to the Compiled Laws of North Dakota for 1913.

Introduced, 474.  
 Reference, 474.  
 Reported, 526.  
 Indefinitely Postponed, 527.

**Senate Bill No. 212—(Brant)**

Senate Bill No. 212. A Bill For an Act to Amend and Re-enact Section 44 of the Supplement to the Compiled Laws of North Dakota for the Year 1913 as Relating to Legislative Apportionment.

Introduced, 474.  
 Reference, 474.  
 Reported, 619.  
 Indefinitely Postponed, 619.

**Senate Bill No. 213—(Seamands)**

Senate Bill No. 213. A Bill For an Act to Amend and Re-enact Section 1438a1 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to High School Tuition Fee.

Introduced, 474.  
 Reference, 474.  
 Reported, 597.  
 Passed, 666, 1047.  
 Received from House, 1013.  
 Amended, 1013.  
 Amendments Adopted, 1047.  
 Other Action, 1047, 1125.  
 Sent to House, 687.  
 Sent to Governor, 1130.

**Senate Bill No. 214—(Fine)**

Senate Bill No. 214. A Bill For an Act to Repeal Sections 9849, 9850, 9851, 9852, 9853, 9854, 9855, 9856, 9857, 9858, 9859, 9860, 9861, 9862, 9863, 9864, 9865, 9866, and 9867, of the Compiled Laws of 1913, and to Enact in lieu thereof five new Sections relating to the crime of Arson, and providing penalty therefor.

Introduced, 475.  
 Reference, 475.  
 Other Action, 629.

**Senate Bill No. 215—(Ettestad)**

Senate Bill No. 215. A Bill For an Act to Levy a Tax of One Mill upon each Dollar of Assessed Valuation of All Taxable Property within the State for Each Year for the Purpose of Augmenting the Depositors' Guaranty Fund.

Introduced, 475.  
 Reference, 475.

Reported, 680.  
Amended, 680.  
Other Action, 714.  
Lost, 714.

**Senate Bill No. 216—(Forbes and Sathre)**

Senate Bill No. 216. A Bill For an Act Defining the Practice of Law and Prescribing Penalties for the Violation Thereof.

Introduced, 475.  
Reference, 475.  
Other Action, 629.

**Senate Bill No. 217—(Schlosser and Hamilton)**

Senate Bill No. 217. A Bill For an Act Defining the Powers and Duties of the Board of Administration Relating to the Construction of Residence Halls or Dormitories on Lands of the Educational Institutions Under Its Control.

Introduced, 475.  
Reference, 475.  
Reported, 530.  
Amended, 531.  
Passed, 580.  
Received from House, 1094.  
Amended, 1094.  
Conference, 1099, 1103.  
Report of Conference, 1118.  
Other Action, 1099, 1108, 217.  
Sent to House, 658.  
Sent to Governor, 1142.

**Senate Bill No. 218—(Schlosser and Hamilton)**

Senate Bill No. 218. A Bill For an Act Authorizing the Organization of Non-Profit Sharing Institutional Holding Associations and Defining Their Powers.

Introduced, 475.  
Reference, 475.  
Reported, 531.  
Amended, 581.  
Passed, 581.  
Received from House, 1095.  
Other Action, 1154.  
Sent to House, 658.  
Sent to Governor, 1154.

**Senate Bill No. 219—(O. A. Olson and Brant)**

Senate Bill No. 219. A Bill For an Act Appropriating the Sum of \$1,500.00 out of the State Highway Operating Fund of the Highway Commission, for the purpose of re-imbursing certain Mechanics for losses sustained in the destruction of the Highway Commission Shops by fire.

Introduced, 475.  
Reference, 475.  
Reported, 641.  
Passed, 701, 1118.  
Received from House, 812, 1113.  
Amended, 1113.  
Amendments Adopted, 1118.

Other Action, 701, 1118.  
 Sent to House, 711, 1101, 1150.  
 Indefinitely Postponed, 812.  
 Sent to Governor, 1151.

**Senate Bill No. 220—(Rusch)**

Senate Bill No. 220. A Bill For an Act to repeal Section 2306 of the Supplement to the Compiled Laws of 1913 and Sections 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, and 2346 of the Compiled Laws of North Dakota for the year 1913 relating to tax judgment procedure on lands forfeited to the State or County for taxes.

Introduced, 476.  
 Reference, 476.  
 Reported, 530.  
 Passed, 532.  
 Received from House, 847.  
 Sent to House, 658.  
 Indefinitely Postponed, 847.

**Senate Bill No. 221—(Lynch)**

Senate Bill No. 221. A Bill For an Act to Amend and Re-enact Section 10322a85 of the Supplement to the Compiled Laws of North Dakota 1913, Relating to Fish and the manner of taking.

Introduced, 476.  
 Reference, 476.  
 Reported, 598, 601.  
 Amended, 601.  
 Passed, 667.  
 Received from House, 946.  
 Sent to House, 687.  
 Indefinitely Postponed, 946.

**Senate Bill No. 222—(Patterson)**

Senate Bill No. 222. A Bill For an Act to Encourage the Sale of Gasoline or Motor Fuel for Use in High Compression Motors with Resulting Fuel Economy, Permitting the Coloring of such Motor Fuel and Prohibiting the Sale of so-called "Gasoline Improvers" which are worthless or harmful; Making Violations hereof a Misdemeanor and Providing the Penalty therefor.

Introduced, 476.  
 Reference, 476.  
 Reported, 638.  
 Amended, 638.  
 Passed, 702.  
 Received from House, 905.  
 Other Action, 702, 968.  
 Sent to House, 711.  
 Sent to Governor, 978.  
 Signed by Governor, 1080.

**Senate Bill No. 223—(O. A. Olson)**

Senate Bill No. 223. A Bill For an Act Providing that the

**Making, Signing or Procurement of a False Affidavit for Garnishment shall constitute a Misdemeanor.**

Introduced, 476.  
Reference, 476.  
Reported, 590.  
Lost, 667.

**Senate Bill No. 224—(Sathre)**

**Senate Bill No. 224. 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 Corporation Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.**

Introduced, 492.  
Reference, 492.  
Reported, 590.  
Passed, 668.  
Received from House, 905.  
Other Action, 963.  
Sent to House, 687.  
Sent to Governor, 978.  
Signed by Governor, 1082.

**Senate Bill No. 225—(Sathre)**

**Senate Bill No. 225. A Bill For an Act to amend and re-enact Section 89 of the Compiled Laws of the State of North Dakota of 1913 relating to the exchange of laws with other states.**

Introduced, 492.  
Reference, 492.  
Reported, 590.  
Passed, 669, 1069.  
Received from House, 1014.  
Amended, 1014.  
Amendments Adopted, 1068.  
Other Action, 1068, 1125.  
Sent to House, 687.  
Sent to Governor, 1130.

**Senate Bill No. 226—(Committee on Public Health)**

**Senate Bill No. 226. A Bill For an Act to Amend and Re-enact Section 506a6 and 506a9 of the Supplement to the Compiled Laws of 1913.**

Introduced, 492.  
Reference, 492.  
Reported, 640.  
Amended, 640.  
Passed, 703, 1084.  
Received from House, 1077.  
Amended, 1077.  
Amendments Adopted, 1083.  
Other Action, 703, 1084, 1135.  
Sent to House, 711.  
Sent to Governor, 1142.

**Senate Bill No. 227—(Bakken)**

Senate Bill No. 227. A Bill For an Act Repealing Chapter 27 of the Session Laws of North Dakota for the year 1921; Relating to Brand Inspectors.

Introduced, 492.

Reference, 492.

Reported, 591.

Indefinitely Postponed, 591.

**Senate Bill No. 228—(Wog)**

Senate Bill No. 228. A Bill For an Act Authorizing the Recall of County Commissioners and Providing Ways and Means for the Petitions and Special Elections to be Held for such Purpose.

Introduced, 492.

Reference, 492.

Reported, 591.

Indefinitely Postponed, 591.

**Senate Bill No. 229—(Martin)**

Senate Bill No. 229. A Bill for an Act Providing that in Certain Specified Cases the Plea of Temporary Insanity May Be Imposed to a Complete Bar to a Criminal Prosecution.

Introduced, 492.

Reference, 493.

Reported, 596.

Indefinitely Postponed, 596.

**Senate Bill No. 230—(Fine and Sathre)**

Senate Bill No. 230. A Bill For an Act to provide for the Assessment and Taxation of Property of Power Companies, defining the same, providing for furnishing information relative to such property, outlining duties of the Tax Commissioner, State Board of Equalization, County Auditor and County Treasurer. Repealing all Acts and parts of Acts in conflict with the provisions of this Act.

Introduced, 493.

Reference, 493.

Reported, 600.

Passed, 685.

Received from House, 811.

Sent to House, 711.

Indefinitely Postponed, 812.

**Senate Bill No. 231—(Whitman)**

Senate Bill No. 231. A Bill For an Act To amend and re-enact Subdivision (1) of Section 4059, of Chapter 96, of the Laws of 1921, relating to the Powers of Park Boards.

Introduced, 493.

Reference, 493.

Reported, 642.

Amended, 703.

Passed, 704, 1079.

Received from House, 1076.

Amended, 1077.

Other Action, 704, 1079.

Sent to House, 724.  
Sent to Governor, 1142.

**Senate Bill No. 232—(Fleckten)**

Senate Bill 232. A Concurrent Resolution.  
Introduced, 493.  
Reference, 493.  
Reported, 593.  
Indefinitely Postponed, 594.

**Senate Bill No. 233—(Fleckten)**

Senate Bill No. 233. A Bill For an Act to Amend and Re-enact Section 7637 of the Compiled Laws of North Dakota for the Year 1913, Relating to How Trial by Jury may be Waived.

Introduced, 493.  
Reference, 493.  
Reported, 591.  
Indefinitely Postponed, 591.

**Senate Bill No. 234—(Baird)**

Senate Bill No. 234. A Bill For an Act to Authorize the Supreme Court to Direct the Calling of Special Terms in any of the Counties of the State and to Designate a District Judge to Preside at such Term.

Introduced, 493.  
Reference, 493.  
Reported, 591.  
Passed, 670.  
Received from House, 905.  
Other Action. 968.  
Sent to House. 687.  
Sent to Governor, 978.  
Signed by Governor, 1081.

**Senate Bill No. 235—(Baird)**

Senate Bill No. 235. A Bill For an Act to Provide for a Fee upon the Filing of an Affidavit for Change of Judges in Civil Actions in the District Court for Prejudice or Bias of Judge thereof.

Introduced, 495.  
Reference, 495.  
Reported, 592.  
Indefinitely Postponed, 592.

**Senate Bill No. 236—(Ettestad)**

Senate Bill No. 236. A Bill For an Act to amend and re-enact Section 2151 of the Supplement to the Compiled Laws of 1913, relating to Township Tax Levies and elector's right to vote amounts for township purposes.

Introduced, 494.  
Reference, 494.  
Reported, 534.  
Passed, 583.  
Received from House, 1012.  
Other Action, 1111.  
Sent to House, 236.  
Sent to Governor, 1126.

**Senate Bill No. 237—(Ettestad)**

Senate Bill No. 237. A Bill For an Act relating to banks, providing for Secured Savings Deposits, fixing the reserve, limiting the investment of such deposits, exempting the same from the Depositors' Guaranty Fund Law, establishing a first lien on general assets, providing notice of withdrawal, the keeping of separate books and records, and providing a penalty for the violation of the provisions hereof.

Introduced, 494.  
 Reference, 494.  
 Reported, 638.  
 Amended, 639, 704.  
 Passed, 705, 1103.  
 Received from House, 1090.  
 Amended, 1090.  
 Amendments Adopted, 1103.  
 Other Action, 705, 1103, 1154.  
 Sent to House, 724.  
 Sent to Governor, 1154.

**Senate Bill No. 238—(Sch'osser and Sathre)**

Senate Bill No. 238. A Bill For an Act Appropriating the Sum of Five Thousand Dollars (\$5,000.00) From the General Funds of the State to Compensate Honorable Chas. M. Cooley, Judge of the First Judicial District of North Dakota, for Services Rendered as Special Judge Under Chapter 137 of the Session Laws of North Dakota for 1923.

Introduced, 494.  
 Reference, 494.  
 Reported, 641.  
 Passed, 706.  
 Received from House, 846.  
 Other Action, 706, 970.  
 Sent to House, 724.  
 Sent to Governor, 978.  
 Signed by Governor, 1081.

**Senate Bill No. 239—(O. A. Olson)**

Senate Bill No. 239. A Bill For an Act to Amend and Re-enact subsections 1, 2, 3, B1, of Section 21 and subsection (a), (b), (d), of section 22 of the Session Laws of North Dakota for the year 1923. Relating to personal exemptions allowed individuals and fiduciaries by the state income tax law and defining who shall be required to file individual and fiduciary state income tax returns under said law.

Introduced, 494.  
 Reported, 601.  
 Indefinitely Postponed, 601.

**Senate Bill No. 240—(O. A. Olson)**

Senate Bill No. 240. A Bill For an Act to Amend and Re-enact Section 10322a26 of the Supplement to the 1913 Compiled Laws of North Dakota.

Introduced, 494.  
 Reference, 494.  
 Reported 601.  
 Passed, 671.

Received from House, 945.  
Other Action, 1064.  
Sent to House, 687.  
Sent to Governor, 1126.

**Senate Bill No. 241—(O. A. Olson and Schlosser)**

Senate Bill No. 241. A Bill For an Act permitting cities and school districts to effect group life insurance coverage on its employees.

Introduced, 494.  
Reference, 495.  
Reported, 555.  
Indefinitely Postponed, 555.

**Senate Bill No. 242—(O. A. Olson)**

Senate Bill No. 242. A Bill For an Act to Amend and Re-enact Section 3999 of the Compiled Laws of North Dakota, for 1913, relating to Paid Fire Department and Fireman's Relief Association.

Introduced, 495.  
Reference, 495.  
Reported, 642.  
Indefinitely Postponed, 642.

**Senate Bill No. 243—(Ployhar)**

Senate Bill No. 243. A Bill For an Act to Amend and Re-enact Sections 2346a20, 2346a21 and 2346a22 of the Supplement to the Compiled Laws 1913.

Introduced, 495.  
Reference, 495.  
Reported, 651.  
Amended, 651.  
Passed, 722.  
Received from House, 946.  
Other Action, 721, 722.  
Lost, 707.  
Sent to House, 724.  
Indefinitely Postponed, 946.

**Senate Bill No. 244—(Fleckten)**

Senate Bill No. 244. A Bill For an Act to Establish a New Procedure for the Hearing and Determination of Small Claims in Contract or Tort.

Introduced, 495.  
Reference, 495.  
Reported, 592.  
Indefinitely Postponed, 592.

**Senate Bill No. 245—(O. A. Olson)**

Senate Bill No. 245. A Bill For an Act Regulating the Compensation to be paid by Life Insurance Companies to its agents.

Introduced, 495.  
Reference, 495.  
Other Action, 607.

**Senate Bill No. 246—(Atkins)**

Senate Bill No. 246. A Bill For an Act to Amend and Re-enact Article 55b of Chapter 38 of the Political Code of the



State of North Dakota, being sections 2976v1 to 2976v16, both inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over Any Public Highway by Motor Propelled Vehicles; Defining Auto 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 Punishment for Violation Thereof.

Introduced, 495.

Reference, 495.

Reported, 596.

Amended, 597.

Passed, 672, 1030.

Received from House, 980.

Amended, 981.

Amendments Adopted, 1029.

Other Action, 1029, 1048, 1135.

Sent to House, 687.

Sent to Governor, 1142.

**Senate Bill No. 247—(Fine)**

Senate Bill No. 247. A Bill For an Act clarifying what constitutes a consolidated school.

Introduced, 495.

Reference, 496.

Reported, 647.

Passed, 708.

Received from House, 847.

Other Action, 708.

Sent to House, 724.

Indefinitely Postponed, 847.

**Senate Bill No. 248—(Atkins)**

Senate Bill No. 248. A Bill For an Act Legalizing and Validating all legal publications made prior to the 1st day of January, 1927, contrary to the provisions of Chapter 187 of Session Laws, 1919, and of Initiated Measure relating to Official Newspapers approved November 2, 1920.

Introduced, 496.

Reference, 496.

Reported, 592.

Passed, 672.

Received from House, 945.

Other Action, 1065.

Sent to House, 687.

Sent to Governor, 1126.

**Senate Bill No. 249—(Ployhar)**

Senate Bill No. 249. A Bill For an Act Providing a Limitation for filing and bringing suit on claims against insolvent banks or their receivers.

Introduced, 496.

Reference, 496.

Reported, 631.

Amended, 632, 708.

Passed, 708, 975.

Received from House, 943.  
 Amended, 943.  
 Amendments Adopted, 974.  
 Other Action, 708, 974, 1064.  
 Sent to House, 724.  
 Sent to Governor, 1126.

**Senate Bill No. 250—(Kretschmar)**

Senate Bill No. 250. A Bill For an Act to Establish a Fund for Pensioning Police Officers in Cities and Cities under the Commission Form of Government and Providing for the Payment of Pensions to Retired Police Officers and their Dependents in case of Death.

Introduced, 496.  
 Reference, 496.  
 Reported, 642.  
 Indefinitely Postponed, 643.

**Senate Bill No. 251—(Hjelmstad)**

Senate Bill No. 251. A Bill For an Act to Provide annexation of land so that common school districts may be co-extensive with civil townships, and providing for equalization of assets and liabilities, and declaring an emergency.

Introduced, 496.  
 Reference, 496.  
 Reported, 641.  
 Indefinitely Postponed, 641.

**Senate Bill No. 252—(Schlosser)**

Senate Bill No. 252. A Bill For an Act to Amend and Re-enact Sub-division 5 of Section 2 of Chapter 165, Session Laws of North Dakota for the year 1925, Relating to Mothers Pensions.

Introduced, 496.  
 Reference, 496.  
 Reported, 678.  
 Indefinitely Postponed, 679.

**Senate Bill No. 253—(Whitman)**

Senate Bill No. 253. A Bill For an Act to Amend and Re-enact Section 10246a1 of the Supplement to the Compiled Laws of North Dakota for 1913, Regulating and Fixing the Hours of Labor of Females and Providing Penalties for Violation Thereof.

Introduced, 496.  
 Reference, 497.  
 Reported, 679.  
 Passed, 715, 1100.  
 Received from House, 1094.  
 Amended, 1094.  
 Amendments Adopted, 1099.  
 Other Action, 715, 1099, 1100, 1154.  
 Sent to House, 724.  
 Sent to Governor, 1154.

**Senate Bill No. 254—(Lynch)**

Senate Bill No. 254. A Bill For an Act to Amend and Re-enact Section 1438a2 of the Supplement to the 1913 Compiled Laws of North Dakota.

Introduced, 507.  
Reference, 508.  
Reported, 597.  
Amended, 685.  
Passed, 697.  
Received from House, 904, 1012.  
Other Action, 686, 697.  
Sent to House, 724.  
Indefinitely Postponed, 1012.

**Senate Bill No. 255—(Fleckten)**

Senate Bill No. 255. A Bill For an Act Creating a Municipal Court, Providing for the Appointment of a Judge or Judges of said Court Defining the Jurisdiction thereof and Delegating Power to the Judge thereof to Make from time to time Announce in Writing at least Thirty Days Prior to Going into Effect of Rules and Regulations Governing Practice therein, Providing that the Governor Appoint such Judges and Providing Fees that May Be Charged.

Introduced, 521.  
Reference, 522.  
Reported, 634.  
Indefinitely Postponed, 635.

**Senate Bill No. 256—(Stevens and Hamilton)**

Senate Bill No. 256. A Bill For an Act to Amend and Re-enact Section 5031 of the Compiled Laws of North Dakota of 1913, relating to Limit of Property that may be Acquired by Fraternal Corporations.

Introduced, 536.  
Reference, 536.  
Reported, 592.  
Amended, 593.  
Passed, 673.  
Other Action, 968.  
Sent to House, 687.  
Sent to Governor, 978.  
Signed by Governor, 1081.

**Senate Bill No. 257—(O. A. Olson)**

Senate Bill No. 257. A Bill For an Act to Reimburse and Pay Company "A", First Regiment North Dakota National Guard Training School, a Corporation, Allowance for Maintenance and Support of Company "A" for the last half of 1917, all of 1918, and all of 1919, and Appropriation.

Introduced, 571.  
Reference, 571.  
Reported, 642.  
Indefinitely Postponed, 642.

**Senate Bill No. 258—(Bakken)**

Senate Bill No. 258. A Bill For an Act to Validate and Legalize Certain Proceedings of Park Districts and their Commissioners Relating to Bond Issues.

Introduced, 571.  
Reference, 572.  
Reported, 643.  
Passed, 709.  
Received from House, 906.

Other Action, 709, 969.  
Sent to House, 724.  
Sent to Governor, 978.  
Signed by Governor, 1080.

**Senate Bill No. 259—(Martin)**

Senate Bill No. 259. A Bill For an Act to Control and Suppress Venereal Diseases, to Regulate and Control the Sale of Patent Medicines, Nostrums, Devices and Drugs Sold by any Person, Firm or Corporation, Fixing a License and Tax for the Sale of such Articles, Regulating all Persons that shall Treat Persons Afflicted with such Disease, Regulating the Hospital Treatment of such Patients and Regulating such Hospitals, Providing for Punishing Persons that become Chronic Patients Afflicted with such Disease and Providing for Unsexing such Person as become Chronic Patients through Repeated Exploits in the field of Promiscuous Sexual Intercourse, and Providing Fines and Penalties for such as Violate the Provisions of this Law.

Introduced, 610.  
Reference, 610, 629.  
Reported, 678.  
Other Action, 629.  
Indefinitely Postponed, 678.

**Senate Bill No. 260—(Stevens)**

Senate Bill No. 260. A Bill For an Act to Appropriate the sum of \$19,400.00 to reimburse members of the Twentieth Legislative Assembly for legislative expenses.

Introduced, 910.  
Passed, 911.  
Received from House, refused, 943.  
Other Action, 910, 911.  
Sent to House, 911.

# HOUSE BILLS

## House Bill No. 1.

House Bill No. 1. A Bill For an Act to provide for the Election and Appointment of United States Senator in Congress from this State in case of a Vacancy in such Office.

Received from House, 148.

First, Second Reading and Reference, 173.

Reported Back, 339.

Passed, 457.

Other Action, 505.

Returned to House, 477.

## House Bill No. 4.

House Bill No. 4. A Bill For an Act to Amend and Re-enact Section 3684a2 of the Supplement to the Compiled Laws of North Dakota for the year 1913.

Received from House, 148.

First, Second Reading and Reference, 173.

Reported Back, 187.

Passed, 208.

Other Action, 251.

Returned to House, 212.

## House Bill No. 5.

House Bill No. 5. A Bill For an Act to Amend and Re-enact Section 915 of the Compiled Laws of North Dakota for the year 1913.

Received from House, 404.

First, Second Reading and Reference, 433.

Reported Back, 922.

Passed, 989.

Other Action, 989, 1138.

Returned to House, 978.

## House Bill No. 6.

House Bill No. 6. A Bill For an Act to Appropriate \$4,200.00 to pay Travel Expense, and Stenographer's salary of the Dairy Division of the Department of Agriculture and Labor for the Period Commencing February 1, 1927, and ending June 30, 1927.

Received from House, 380.

First, Second Reading and Reference, 433.

Reported Back, 766.

Passed, 797.

Other Action, 873.

Returned to House, 864.

## House Bill No. 8.

House Bill No. 8. A Bill For an Act Making and Appropriation for the Care of Insane Patients Whose Residence Can Not Be Determined and Whose Care Must Be Borne by the State.

Received from House, 134.

First, Second Reading and Reference, 144.

Reported Back, 440.

-Passed, 482.  
Other Action, 505.  
Returned to House, 488.

**House Bill No. 9.**

House Bill No. 9. A Bill For an Act Making an Appropriation for the Payment of Salaries and Wages, Improvements and Repairs, Equipment and Miscellaneous Items for the State Hospital for the Insane at Jamestown, North Dakota.

Received from House, 449.  
First, Second Reading and Reference, 454.  
Reported Back, 758.  
Passed, 770.  
Other Action, 770, 861.  
Returned to House, 780.

**House Bill No. 10.**

House Bill No. 10. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

Received from House, 380.  
First, Second Reading and Reference, 433.  
Reported Back, 758.  
Passed, 771.  
Other Action, 771, 861.  
Returned to House, 780.

**House Bill No. 11.**

House Bill No. 11. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Normal and Industrial School at Ellendale.

Received from House, 181.  
First, Second Reading and Reference, 188.  
Reported Back, 759.  
Passed, 772.  
Other Action, 772, 861.  
Returned to House, 780.

**House Bill No. 12.**

House Bill No. 12. A Bill For an Act Making an Appropriation for the Payment of Salaries and Wages, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses of the State School of Science at Wahpeton, North Dakota.

Received from House, 181.  
First, Second Reading and Reference, 189.  
Reported Back, 790.  
Passed, 849.  
Other Action, 849, 873.  
Returned to House, 864.

**House Bill No. 13.**

House Bill No. 13. A Bill For an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses of the School for the Deaf at Devils Lake, North

Received from House, 178.  
First, Second Reading and Reference, 188.  
Reported Back, 825.  
Amended, 826, 881.  
Passed, 882.  
Other Action, 964.  
Returned to House, 903.

**House Bill No. 17.**

House Bill No. 17. A Bill For an Act Making an Appropriation to Provide for the Payment of an Existing Deficit in the Department of Motor Vehicle Registration.  
Received from House, 688.  
First, Second Reading and Reference, 748.  
Reported Back, 826.  
Passed, 882.  
Other Action, 965.  
Returned to House, 903.

**House Bill No. 18.**

House Bill No. 18. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Public Health.  
Received from House, 204.  
First, Second Reading and Reference, 210.  
Reported Back, 866.  
Passed, 940.  
Other Action, 1065.  
Returned to House, 960.

**House Bill No. 19.**

House Bill No. 19. A Bill For an Act Making an Appropriation for Use by the Board of Administration in Administering Child Welfare Laws.  
Received from House, 178.  
First, Second Reading and Reference, 188.  
Reported Back, 766.  
Passed, 798.  
Other Action, 873.  
Returned to House, 864.

**House Bill No. 20.**

House Bill No. 20. A Bill For an Act Making an Appropriation 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.  
Received from House, 342.  
First, Second Reading and Reference, 349.  
Reported Back, 767.  
Passed, 798.  
Other Action, 873.  
Returned to House, 864.

**House Bill No. 21.**

House Bill No. 21. A Bill For an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State, in compliance with

the Provisions of Sections 3993 to 3998, inclusive, of the **Compiled Laws for 1913.**

Received from House, 134.  
 First, Second Reading and Reference, 144.  
 Reported Back, 440.  
 Passed, 483.  
 Other Action, 505.  
 Returned to House, 488.

**House Bill No. 22.**

**House Bill No. 22. A Bill For an Act Making an Appropriation to Pay the Salary, Travel Expense and Miscellaneous Items of the State Transportation Officer.**

Received from House, 165.  
 First, Second Reading and Reference, 173.  
 Reported Back, 440.  
 Passed, 483.  
 Other Action, 505.  
 Returned to House, 488.

**House Bill No. 23.**

**House Bill No. 23. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the State Historical Society.**

Received from House, 229.  
 First, Second Reading and Reference, 236.  
 Reported Back, 866.  
 Amended, 866.  
 Passed, 940, 1099.  
 Conference, 978, 1007, 1086, 1104.  
 Other Action, 1155.  
 Returned to House, 960.

**House Bill No. 25.**

**House Bill No. 25. A Bill For an Act to Provide for the Nomination and Election of Candidates for the Offices of Presidential Electors, National Committeeman, Delegates to National Party Conventions, United States Senator, Members of Congress, Judges of the Supreme and District Courts, all Elective State and County Officers, Members of the Legislative Assembly, County Commissioners, Party Precinct Committeemen and County Official Newspaper; to Provide for Forms of Ballots and Requirements of New Parties with Reference Thereto; to Repeal All Acts or Parts of Acts in Conflict Herewith, including Sections 910 to 916 inclusive, Compiled Laws 1913 and to Change the Date of Holding all General, City, Township and Village Elections.**

Received from House, 583.  
 First, Second Reading and Reference, 623.  
 Reported Back, 923.  
 Passed, 991.  
 Other Action, 991, 1137.  
 Returned to House, 1010.

**House Bill No. 26.**

**House Bill No. 26. 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 as Prescribed by Section 2562 of the Compiled Laws of 1913.

Received from House, 135.  
 First, Second Reading and Reference, 144.  
 Reported Back, 440.  
 Passed, 484.  
 Other Action, 505.  
 Returned to House, 488.

**House Bill No. 27.**

House Bill No. 27. A Bill For an Act Making an Appropriation to Pay Salary, Stenographer and General Expenses of the Commissioner of Immigration.

Received from House, 342.  
 First, Second Reading and Reference, 349.  
 Reported Back, 826.  
 Amended, 826.  
 Passed, 883, 1087.  
 Conference, 978, 1007, 1085, 1104.  
 Other Action, 1087, 1155.  
 Returned to House, 908.

**House Bill No. 28.**

House Bill No. 28. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection.

Received from House, 181.  
 First, Second Reading and Reference, 189.  
 Reported Back, 470.  
 Passed, 516.  
 Other Action, 661.  
 Returned to House, 542.

**House Bill No. 29.**

House Bill No. 29. A Bill For an Act Making an Appropriation for the Purpose of Paying Salary, and Miscellaneous General Expenses of the Department of Minimum

Received from House, 727.  
 First, Second Reading and Reference, 750.  
 Reported Back, 917.  
 Passed, 992.  
 Other Action, 1137.  
 Returned to House, 1010.

**House Bill No. 30.**

House Bill No. 30. A Bill For an Act Making an Appropriation for the Florence Crittenton Home at Fargo, North Dakota.

Received from House, 135.  
 First, Second Reading and Reference, 145.  
 Reported Back, 441.  
 Passed, 484.  
 Other Action, 505.  
 Returned to House, 488.

**House Bill No. 31.**

House Bill No. 31. A Bill For an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds

of State Officials as Provided by Chapter 175, Session Laws of North Dakota for 1917.

Received from House, 125.

First, Second Reading and Reference, 132.

Reported Back, 441.

Passed, 485.

Other Action, 505.

Returned to House, 488.

**House Bill No. 33.**

House Bill No. 33. A Bill For an Act to amend and reenact Section 189B5 of the Supplement to the 1913 Compiled Laws of North Dakota; Relating to Crops Insured against Hail loss.

Received from House, 165.

First, Second Reading and Reference, 173, 792.

Reported Back, 970.

Other Action, 792.

Indefinitely Postponed, 970.

Returned to House, 978.

**House Bill No. 35.**

House Bill No. 35. A Bill For an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, New Building, Equipment, Public Health Laboratories, Lignite Testing, Clay Testing and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Received from House, 726.

First, Second Reading and Reference, 750.

Reported Back, 866.

Passed, 941.

Other Action, 1065.

Returned to House, 960.

**House Bill No. 36.**

House Bill No. 36. A Bill For an Act Making an Appropriation 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 the Year 1915.

Received from House, 148.

First, Second Reading and Reference, 173.

Reported Back, 441.

Passed, 486.

Other Action, 505.

Returned to House, 488.

**House Bill No. 37.**

House Bill No. 37. A Bill For an Act Making an Appropriation for the Inspection and Eradication of Bee Diseases, Under the Provisions of Chapter 140, Session Laws of North Dakota for the Year 1923.

Received from House, 148.

First, Second Reading and Reference, 173.

Reported Back, 470.

Passed, 516.

Other Action, 661.

Returned to House, 542.

**House Bill No. 38.**

House Bill No. 38. A Bill For an Act Making an Appropriation to pay the General Maintenance, and as an Offset for Federal Aid, in Extension Work of The Agricultural College.

Received from House, 726.

First, Second Reading and Reference, 750.

Reported Back, 877.

Passed, 942.

Other Action, 1065.

Returned to House, 960.

**House Bill No. 39.**

House Bill No. 39. A Bill For an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, New Buildings, Pure Seed and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota and its Branch Stations.

Received from House, 728.

First, Second Reading and Reference, 750.

Reported Back, 877.

Passed, 943.

Other Action, 1065.

Returned to House, 960.

**House Bill No. 40.**

House Bill No. 40. A Bill For an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of The Agricultural College, Fargo, North Dakota.

Received from House, 726.

First, Second Reading and Reference, 751.

Reported Back, 917.

Passed, 993.

Other Action, 993, 1137.

Returned to House, 1010.

**House Bill No. 41.**

House Bill No. 41. A Bill For an Act to Amend and Re-enact Article 20 of Chapter 5 of the political code of the Compiled Laws of North Dakota for the year 1913; relating to Barbers' Examining Board of the State of North Dakota; and providing Rules and Regulations with respect to the Sanitary conditions of Barber shops; prescribing who may follow the occupation of Barbering; and Regulate the power of said Board in the Supervision of Barber shops and Barber schools.

Received from House, 729.

First, Second Reading and Reference, 751.

Reported Back, 867.

Amended, 868.

Passed, 1036.

Other Action, 1036, 1090, 1143.

Returned to House, 1038.

**House Bill No. 45.**

House Bill No. 45. A Bill For an Act Making an Appropriation to Pay C. E. Lounsbury, Wahpeton, North Dakota,

**Balance Due Him for Witness Fees, Mileage and Attorney's Fees in the Investigation of the State Highway Commission.**

Received from House, 449.  
First, Second Reading and Reference, 454.  
Reported Back, 767.  
Passed, 799.  
Other Action, 873.  
Returned to House, 864.

**House Bill No. 46.**

House Bill No. 46. 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 1913.

Received from House, 135.  
First, Second Reading and Reference, 145.  
Reported Back, 470.  
Passed, 517.  
Other Action, 661.  
Returned to House, 542.

**House Bill No. 47.**

House Bill No. 47. 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.

Received from House, 135.  
First, Second Reading and Reference, 145.  
Reported Back, 470.  
Passed, 518.  
Other Action, 661.  
Returned to House, 542.

**House Bill No. 48.**

House Bill No. 48. A Bill For an Act Making an Appropriation to Pay the Burial Expenses of Inmates of the Penitentiary and State Training School as Prescribed by Chapter 12, Laws of 1915.

Received from House, 135.  
First Second Reading and Reference, 145.  
Reported Back, 471.  
Passed, 518.  
Other Action, 661.  
Returned to House, 542.

**House Bill No. 49.**

House Bill No. 49. A Bill For an Act Making an Appropriation to Pay for the Burial Expense of Honorably Discharged Sailors, Soldiers and Marines of the United States War of the Rebellion and Erection of Head Stones Therefor, as Authorized by Sections 3181, 3182, 3183, and 3184 of the Compiled Laws of 1913.

Received from House, 135.  
First, Second Reading and Reference, 145.  
Reported Back, 471.  
Passed, 519.  
Other Action, 661.  
Returned to House, 542.

**House Bill No. 50.**

House Bill No. 50. A Bill For an Act Making an Appropriation to Pay F. J. Graham, Ellendale, North Dakota, Balance Due Him for Services as Attorney for Special House Committee in the Investigation of the State Highway Commission.

Received from House, 450.

First, Second Reading and Reference, 454.

Reported Back, 767.

Passed, 800.

Other Action, 873.

Returned to House, 864.

**House Bill No. 51.**

House Bill No. 51. A Bill For an Act to Amend and re-enact Section 1342 of supplement to the Compiled Laws of 1913.

Received from House, 542.

First, Second Reading and Reference, 546.

Reported Back, 838.

Amended, 933.

Passed, 933, 1088.

Conference, 978, 1009, 1071, 1095, 1101.

Other Action, 1071, 1087, 1096, 1155.

Returned to House, 960.

**House Bill No. 52.**

House Bill No. 52. A Bill For an Act Amending and Re-enacting Chapter 107, Laws of North Dakota for the year 1925, to Provide for the Issuance of Licenses for the Sale of Snuff, Furnishing of Bonds Therefor, and for the Levy, Assessment, Collection and Payment of a Tax thereon; Providing for the Regulation of the Sale Thereof, and Penalties for the Violation of This Act; Defining the Duties of the Attorney General, State Auditor and State Treasurer imposed Under the Provisions of This Act; and Providing that any Person Violating the Provisions of this Act shall be Enjoined, and that any Building or Premises made Use of for Purposes in Violation of the Provisions of This Act shall be deemed a Nuisance and may be Abated by Injunction; and Providing for the Repeal of Chapter 91 of the Compiled Laws of North Dakota for the Year 1913, and Acts and Parts of Acts in conflict with the Provisions of this Act.

Received from House, 608.

First, Second Reading and Reference, 625.

Reported Back, 827.

Amended, 828, 884.

Passed, 884, 1128.

Conference, 960, 1103, 1120, 1121, 1126.

Other Action, 885, 1128, 1156.

Returned to House, 908.

**House Bill No. 53.**

House Bill No. 53. A Bill For an Act Providing for the Issuance of Duplicate Bonds, Warrants or other Obligations of the State of North Dakota, or of Any of the Political Subdivisions thereof in Case the Originals are Mutilated, Defaced, or Lost, and Prescribing the Procedure Therefor.

Received from House, 229.  
First, Second Reading and Reference, 236, 305.  
Reported Back, 280, 366.  
Amended, 366.  
Passed, 457.  
Other Action, 489, 606.  
Returned to House, 477.

**House Bill No. 54.**

House Bill No. 54. A Bill For an Act relating to and concerning the labeling and branding of flour offered or exposed for sale, or sold, within this state, prescribing regulations and providing penalties for violation thereof.

Received from House, 491.  
First, Second Reading and Reference, 512, 513.  
Reported Back, 562.  
Indefinitely Postponed, 562.  
Returned to House, 658.

**House Bill No. 55.**

House Bill No. 55. A Bill For an Act relating to school finances, providing that each school board or Board of Education of each school district, shall annually prepare a budget of proposed expenditures; providing for a public hearing in regard to proposed expenditures and levies; fixing a date for annual levy; providing that all expenditures must conform to the budget as adopted. Repealing Section 1182, Compiled Laws of 1913 as amended by Chapter 143, Session Laws of 1915; Sections 1211, 1212 and 1221, Compiled Laws of 1913, Section 1222, Compiled Laws of 1913 as amended by Chapter 139, Session Laws of 1915 and as again amended by Chapter 215, Session Laws of 1919; Section 1258 Compiled Laws of 1913 as amended by Chapter 144, Session Laws of 1915; Sections 1298, 1301, 1302 and 1331 Compiled Laws of 1913.

Received from House, 724.  
First, Second Reading and Reference, 751.  
Reported Back, 878.  
Indefinitely Postponed, 879.  
Returned to House, 978.

**House Bill No. 56.**

House Bill No. 56. A Bill For an Act to Amend and Re-enact Sections 4089a1, 4089a2, 4089a3 and 4089a4 of the Supplement to the Compiled Laws of North Dakota for the Year 1913, Providing that Townships and Municipalities May Contribute to the Support of District Fair Association.

Received from House, 229.  
First, Second Reading and Reference, 236.  
Reported Back, 340.  
Passed, 458.  
Other Action, 505.  
Returned to House, 477.

**House Bill No. 59.**

House Bill No. 59. A Bill For an Act to Amend Section 714A5 Supplement to the 1913 Compiled Laws of North Dakota, relating to the designation of depositories for public funds.

Received from House, 229.  
First, Second Reading and Reference, 236.  
Reported Back, 784.  
Passed, 801.  
Other Action, 873.  
Returned to House, 864.

**House Bill No. 62.**

House Bill No. 62. A Bill For an Act to Amend and Re-enact Sections 1 and 2, of Chapter 73, of the Session Laws of North Dakota for 1919, Providing for State Aid in the Construction of Bridges Across State Lines of Inter-State Highways, or Roads Across the Little Missouri River, or Roads Across Navigable Streams within the State of North Dakota.

Received from House, 450.  
First, Second Reading and Reference, 454.  
Reported Back, 781.  
Passed, 802.  
Other Action, 873.  
Returned to House, 864.

**House Bill No. 63.**

House Bill No. 63. A Bill For an Act to Appropriate the Sum of \$35,000.00 from the State Highway Bridge Fund for the Purpose of Aiding in the Construction of a Bridge Across the Little Missouri River at a Point at, or Near the Present Location of Chaloner's Ferry on Federal Highway No. 85, in McKenzie County, North Dakota, under the Provisions of Chapter 73, of the Laws of North Dakota for the Year 1919 and Acts Amendatory thereof.

Received from House, 728.  
First, Second Reading and Reference, 751.  
Reported Back, 781.  
Passed, 803.  
Conference, 874.  
Returned to House, 864.

**House Bill No. 65.**

House Bill No. 65. A Bill For an Act to Amend and Re-enact Section 2212 of the Supplement to the Compiled Laws of 1913 of the State of North Dakota; 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 and declaring an emergency exists.

Received from House, 215.  
First, Second Reading and Reference, 220.  
Reported Back, 280.  
Amended, 280.  
Passed, 306.  
Other Action, 342, 378.  
Returned to House, 324.

**House Bill No. 66.**

House Bill No. 66. A Bill For an Act to Amend and Re-enact Section 2262 of Chapter 34 of the Supplement of the Compiled Laws of 1913.

Received from House, 343.

First, Second Reading and Reference, 350.  
Reported Back, 354.  
Amended, 458.  
Passed, 459.  
Other Action, 506.  
Returned to House, 477.

**House Bill No. 68.**

House Bill No. 68. A Bill For an Act to Appropriate \$2,000.00 to the North Dakota State Corn Show for the Biennial period Ending July 1, 1929, Agreeable with Chapter 108 of the Session Laws of 1925.  
Received from House, 204.  
First, Second Reading and Reference, 210.  
Reported Back, 790.  
Passed, 850.  
Other Action, 850, 874.  
Returned to House, 864.

**House Bill No. 69.**

House Bill No. 69. A Bill For an Act to Amend and Re-enact Section 189c6 of the Supplement to the Compiled Laws 1913, Relating to Insurance on Municipally Owned Property.  
Received from House, 240.  
First, Second Reading and Reference, 260.  
Reported Back, 443.  
Passed, 519.  
Other Action, 661.  
Returned to House, 571.

**House Bill No. 73.**

House Bill No. 73. A Bill For an Act providing for the Deposition of Forfeiture and Pecuniary Penalties.  
Received from House, 271.  
First, Second Reading and Reference, 292.  
Reported Back, 367.  
Indefinitely Postponed, 367.  
Returned to House, 419.

**House Bill No. 75.**

House Bill No. 75. A Bill For an Act to Amend Subdivision 6 of Section 10628 of the Compiled Laws of North Dakota for 1913, Relating to the Arraignment of, and the Receiving of Pleas of Guilty in Criminal Cases Before District Judges.  
Received from House, 293.  
First, Second Reading and Reference, 305.  
Reported Back, 367.  
Lost, 807.  
Other Action, 806, 807.  
Indefinitely Postponed, 367.  
Returned to House, 419.

**House Bill No. 76.**

House Bill No. 76. A Bill For an Act to Appropriate the Sum of \$3,000.00 from any Moneys in the State Highway Fund, for the Purpose of Making a Preliminary Survey and Sounding of the Missouri River at or Near Washburn, North Dakota to Determine the Advisability and Feasibility of Con-



structing a Bridge Across said River Between the City of Washburn in McLean County and the City of Center in Oliver County, under the Provisions of Subsection C of Section 2976t15 of the Supplement to the Compiled Laws of 1913.

Received from House, 428.  
 First, Second Reading and Reference, 435.  
 Reported Back, 652.  
 Passed, 844.  
 Other Action, 806, 839, 844, 874.  
 Indefinitely Postponed, 793.  
 Lost, 807.  
 Returned to House, 864.

**House Bill No. 78.**

House Bill No. 78. A Bill For an Act to Amend and Re-enact Chapter 142, Section 1 of the Session Laws of 1915, the same being Section 1221a of the Supplement to the Compiled Laws of North Dakota for the year 1913, being an Act Requiring the Payment of Tuition for Attendance at any Model High or Graded or Elementary School Which is Operated, Maintained or in any Manner Connected with the State University, any Normal School or any Educational Institution of Higher Learning.

Received from House, 342.  
 First, Second Reading and Reference, 349.  
 Reported Back, 879.  
 Indefinitely Postponed, 879.  
 Returned to House, 978.

**House Bill No. 79.**

House Bill No. 79. 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 and Empowering the State Board to Supervise and control the Issuance of Certificates of Authority Thereto.

Received from House, 427.  
 First, Second Reading and Reference, 435.  
 Reported Back, 557.  
 Passed, 735.  
 Other Action, 861.  
 Returned to House, 780.

**House Bill No. 80.**

House Bill No. 80. A Bill For an Act Providing for an Increase of Surplus of Banking Associations and exempting such Surplus from Taxation.

Received from House, 342.  
 First, Second Reading and Reference, 349.  
 Reported Back, 618.  
 Passed, 743.  
 Other Action, 743, 861.  
 Returned to House, 780.

**House Bill No. 81.**

House Bill No. 81. A Bill For an Act to Amend and Re-enact Section 5172 of the Compiled Laws of North Dakota for 1913, Relating to the Limits of Loans by Banking Associations.

Received from House, 343.  
 First, Second Reading and Reference, 350.  
 Reported Back, 557.  
 Passed, 744.  
 Other Action, 744, 861.  
 Returned to House, 780.

**House Bill No. 83.**

House Bill No. 83. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 160 of the Session Laws of North Dakota for the year 1921, as Amended and Re-enacted by Chapter 232 of the Session Laws of North Dakota for the year 1923, as Amended and Re-enacted by Chapter 151 of the Session Laws of North Dakota for the year 1925, the same being Section 189b6 of the Supplement to the Compiled Laws of North Dakota of 1913; Relating to Flat Hail Insurance Tax and Permanent Surplus Fund.

Received from House, 343.  
 First, Second Reading and Reference, 350.  
 Reported Back, 498.  
 Passed, 613.  
 Other Action, 588, 612, 613, 762.  
 Returned to House, 658.

**House Bill No. 85.**

House Bill No. 85. A Bill For an Act to Amend Section 951 Compiled Laws of North Dakota 1913, Providing for Inspectors and Judges of Election, their Qualifications and Duties.

Received from House, 229.  
 First, Second Reading and Reference, 237.  
 Reported Back, 923.  
 Amended, 923.  
 Passed, 993.  
 Other Action, 993, 1015, 1135.  
 Returned to House, 1010.

**House Bill No. 86.**

House Bill No. 86. A Bill For an Act to Amend and Re-enact Section 3237 of the Compiled Laws of North Dakota for 1913, Pertaining to When County Seat Deemed Changes.

Received from House, 204.  
 First, Second Reading and Reference, 210.  
 Reported Back, 281.  
 Passed, 307.  
 Other Action, 378.  
 Returned to House, 324.

**House Bill No. 87.**

House Bill No. 87. A Bill For an Act to Amend and Re-enact Section 8 of Chapter 17, Session Laws of 1921, the same being Section 2790b7 of the Supplement to the 1913 Compiled Laws of North Dakota, 1913-1925, Relating to the Preservation and Control of Artesian Waters of this State.

Received from House, 229.  
 First, Second Reading and Reference, 237.  
 Reported Back, 833.  
 Passed, 885.

Other Action, 965.  
Returned to House, 903.

**House Bill No. 88.**

House Bill No. 88. A Bill For an Act to Repeal Sections 1707 and 1708 of the Compiled Laws of North Dakota for 1913, Relating to the Care, Maintenance and Instruction of Blind Children under School Age.

Received from House, 204.  
First, Second Reading and Reference, 210.  
Reported Back, 471.  
Passed, 520.  
Other Action, 661.  
Returned to House, 542.

**House Bill No. 91.**

House Bill No. 91. A Bill For an Act to Amend and Re-enact Section 17 of Chapter 162 of the Session Laws of North Dakota for the Year 1919, Known as the Workmen's Compensation Law, as Amended by the Session Laws of North Dakota for the Years 1921 and 1923.

Received from House, 476.  
First, Second Reading and Reference, 481.  
Reported Back, 872.  
Amended, 873.  
Lost, 948.  
Other Action, 948, 956, 977, 1137.  
Passed, 956.  
Returned to House, 978.

**House Bill No. 92.**

House Bill No. 92. A Bill For an Act Providing for the Investment of Moneys in the Workmen's Compensation Fund.

Received from House, 240.  
First, Second Reading and Reference, 260.  
Reported Back, 784.  
Passed, 803.  
Other Action, 874.  
Returned to House, 864.

**House Bill No. 93.**

House Bill No. 93. A Bill For an Act to Amend and Re-enact Section 4 of Chapter 162 of the Session Laws for the Year 1919, as amended by Chapter 145 of the Session Laws of 1921, as Amended by Chapter 220 of the Session Laws of 1925.

Received from House, 725.  
First, Second Reading and Reference, 751, 842.  
Reported Back, 787, 868.  
Passed, 950.  
Other Action, 842, 1065.  
Indefinitely Postponed, 787.  
Returned to House, 960.

**House Bill No. 95.**

House Bill No. 95. A Bill for An Act to Amend and re-enact Section 4609c30 of the Supplement to the Compiled Laws of 1913.

Received from House, 215.  
First, Second Reading and Reference, 220.  
Reported Back, 280.  
Amended, 281.  
Passed, 307.  
Other Action, 342, 378.  
Returned to House, 324.

**House Bill No. 97.**

House Bill No. 97. A Bill For an Act to Repeal Section 17 of Chapter 174, Session Laws 1919, Making an Annual Appropriation for the Purpose of Carrying Out the Provisions of said Chapter.

Received from House, 380.  
First, Second Reading and Reference, 433.  
Reported Back, 549.  
Passed, 736.  
Other Action, 861.  
Returned to House, 780.

**House Bill No. 98.**

House Bill No. 98. A Bill For an Act to Repeal Section 7 of Chapter 203, Session Laws 1919, relating to Vocational Education.

Received from House, 342.  
First, Second Reading and Reference, 349.  
Reported Back, 471.  
Passed, 520.  
Other Action, 661.  
Returned to House, 542.

**House Bill No. 100.**

House Bill No. 100. A Bill for an Act to Amend Sections 2869-2870-2871-2872 and 2873 of the Compiled Laws of North Dakota for the year 1913 and Sections 2261 and 2262 of the Supplement to the Compiled Laws of 1913 and providing for the levy of a tax, the same to be expended for the destruction of rodent pests in a county, or in organized and unorganized townships in such county and repealing all acts and parts of acts in conflict herewith.

Received from House, 491.  
First, Second Reading and Reference, 513.  
Reported Back, 868.  
Indefinitely Postponed, 869.  
Returned to House, 978.

**House Bill No. 102.**

House Bill No. 102. A Bill for an Act to Amend and Re-enact Section 3535 of the Compiled Laws of North Dakota, year 1913 relating to per diem and mileage of witnesses.

Received from House, 272.  
First, Second Reading and Reference, 292.  
Reported Back, 367.  
Indefinitely Postponed, 367.  
Returned to House, 419.

**House Bill No. 104.**

House Bill No. 104. A Bill for an Act to Legalize the Execution and Acknowledgement of Certain Deeds, Mort-

gages, and Other Instruments in Writing, and the Record Thereof, and Making the Same or Certified Copies Thereof, Admissible in Evidence.

Received from House, 263, 515.

First, Second Reading and Reference, 270, 488.

Reported Back, 447, 820.

Amended, 820.

Passed, 886.

Other Action, 488, 977, 1136.

Indefinitely Postponed, 448.

Returned to House, 477, 908.

#### House Bill No. 106.

House Bill No. 106. A Bill for an Act to Amend and Re-enact sections 8651-8657 and 8682 of the Compiled Laws of 1913 relating to the qualification, appointment, removal and discharge of Executors, Administrators and Guardians, and to repeal all acts and parts of acts in conflict herewith.

Received from House, 343, 488.

First, Second Reading and Reference, 350.

Reported Back, 395.

Amended, 521, 791.

Passed, 521, 792.

Conference, 791.

Other Action, 487, 687, 792, 812, 862.

Lost, 460.

Returned to House, 477, 571.

#### House Bill No. 109.

House Bill No. 109. A Bill For an Act to Reveal Sections 1804 and 1806, of the Compiled Laws of North Dakota for 1913, Relating to the State Trolley Line.

Received from House, 380.

First, Second Reading and Reference, 433.

Reported Back, 788.

Other Action, 789.

Indefinitely Postponed, 789.

Returned to House, 903.

#### House Bill No. 111.

House Bill No. 111. A Bill For an Act Making an Appropriation for the Purpose of Carrying out the Provisions of Chapter 17, Session Laws of 1921, Relating to Preservation and Control of the Artesian Waters of the State, for the Biennial Period from July 1, 1927 to June 30, 1929.

Received from House, 351.

First, Second Reading and Reference, 360.

Reported Back, 767.

Passed, 801.

Other Action, 874.

Returned to House, 864.

#### House Bill No. 112.

House Bill No. 112. A Bill for an Act Providing for the Establishment, Maintenance and Operation, for the Benefit of the State, of a Plant at the State Penitentiary for the Manufacture of Automobile License Tags and Road Markers, and Making an Appropriation Therefor.

Received from House, 271.

First, Second Reading and Reference, 292.  
Reported Back, 468.  
Indefinitely Postponed, 469.  
Returned to House, 542.

**House Bill No. 113.**

House Bill No. 113.—Concurrent Resolution.—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.

Received from House, 380.  
First, Second Reading and Reference, 433.  
Reported Back, 527.  
Indefinitely Postponed, 527.  
Returned to House, 571.

**House Bill No. 116.**

House Bill No. 116. A Bill For an Act Giving the Legislative Assent of the State of North Dakota to the Purpose of the Grants of Money Authorized and Provided for in the Act of Congress Entitled, "An Act to Authorize the More Complete Endowment of Agricultural Experiment Stations, and For Other Purposes," Approved February 24, 1925.

Received from House, 342.  
First, Second Reading and Reference, 349.  
Reported Back, 787.  
Passed, 804.  
Other Action, 874.  
Returned to House, 864.

**House Bill No. 119.**

House Bill No. 119. A Bill For an Act to Amend and Re-enact Sub-division 3 of Section 6637, Compiled Laws of 1913, Relating to Form and Provisions Required in Insurance Policies.

Received from House, 293.  
First, Second Reading and Reference, 305.  
Reported Back, 339.  
Passed, 462.  
Other Action, 506.  
Returned to House, 477.

**House Bill No. 121.**

House Bill No. 121. A Bill For an Act to Amend and Re-enact Section 439 of the Compiled Laws of 1913, Making Persons Eligible to Register as Apprentices in Pharmacy.

Received from House, 343.  
First, Second Reading and Reference, 350.  
Reported Back, 869.  
Amended, 869.  
Passed, 950.  
Other Action, 977, 1137.  
Returned to House, 960.

**House Bill No. 123.**

House Bill No. 123. A Bill For an Act Governing Borrowing by Means of Bond Issues by Counties, Cities, Villages, Townships, School Districts, Park Districts and other Munic-

ipalities as Defined Herein; and Repealing Sections 1272, 1274, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1333, 1336, 1337, 1338, 1339, 1422, 3449, 3450, 3452, 3453, 3454, 3456, 3457, 3458, 3459, 3462, 3463, 3464, 3465, 3466, 3467, 3468, 3469, 3470, 3868, 4014, 4015, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4254, 4255, 4256, 4257, 4258, 4259, 4260, 4261 of the Compiled Laws of North Dakota for the year 1913 and repealing Sections 1273, 1274a1, 1274a2, 1275, 1276, 1277, 1303, 1307, 1321a14, 1332, 1334, 1335, 1341, 1421, 1422, 3451, 3743c1, 3743c2, 3743c3, 3882a1, 3882a2, 4016, 4037b, 4037c, 4037d1 and 4037d2 of the Supplement to the Compiled Laws of 1913, and all Acts and Parts of Acts in Conflict Herewith.

Received from House, 450.

First, Second Reading and Reference, 454, 455.

Reported Back, 594.

Passed, 763.

Other Action, 863.

Returned to House, 807.

#### House Bill No. 124.

House Bill No. 124. A Bill For an Act to Authorize and Empower Cities, Towns or Villages to Purchase, Erect, Operate and Maintain, Enlarge, Improve, and Extend, or Lease from any Person, Firm or Corporation, or Sell or Lease to any Person, Firm or Corporation, any Electric Light and Power Plant, Site, Buildings and Equipment Thereof, or any Electric Distribution System and Equipment Thereof, or any Electric Transmission Line and Equipment Thereof, or all or any Part or Parts of any of Such Plants, Systems and Lines, and any Interest in any Such Plant, System or Line Within and Without the Corporate Limits of Such City, Town or Village, and Providing for the Issuance of Bonds and the Levying of Special Assessments and the Creating of Special Assessment Districts in Connection with the Exercise of any of the Powers above Granted, and Providing for the Legalization and Validation of Purchases and Sales and the Issuance of Bonds Heretofore Made and Repealing Chapter 255 of the Session Laws of North Dakota for the Year 1923, being Section 3992b1 and 3992b2 of the Supplement to the 1913 Compiled Laws of the State of North Dakota.

Received from House, 329.

First, Second Reading and Reference, 330.

Reported Back, 376.

Amended, 377.

Passed, 462.

Other Action, 489, 606.

Returned to House, 477.

#### House Bill No. 127.

House Bill No. 127. A Bill For an Act Providing Maximum Punishments for Persons Convicted of a Felony Who Have Been Convicted of Two or More Felonies In Any State of the United States, and Prescribing the Procedure in Such Cases.

Received from House, 380.

First, Second Reading and Reference, 433, 434, 692, 721.

Reported Back, 632, 819.

Amended, 819.  
Passed, 887.  
Other Action, 692, 721, 977, 1136.  
Indefinitely Postponed, 632.  
Returned to House, 908.

**House Bill No. 128.**

House Bill No. 128. A Bill For an Act to Amend and Re-enact Section 10833 of the Compiled Laws of North Dakota for 1913 Providing for Separate Trials When Two or More Defendants are Jointly Charged with Any Criminal Action.

Received from House, 351.  
First, Second Reading and Reference, 360.  
Reported Back, 423.  
Passed, 463.  
Other Action, 506.  
Returned to House, 477.

**House Bill No. 132.**

House Bill No. 132. A Bill For an Act to Require Certificates of Title for Registered Motor Vehicles; to Facilitate the Recovery of Stolen or Unlawfully Taken Motor Vehicles; to Provide for the Licensing of Dealers in Used Motor Vehicles, Trailers, or Semi-trailers; to Prescribe the Powers and Duties of the Motor Vehicle Registration Department; to Impose Certain Fees to Carry out the Purpose of this Act; to Impose Penalties for Violations of this Act and to Make Uniform the Law Relating to the Subject Matter of This Act.

Received from House, 490.  
First, Second Reading and Reference, 132.  
Reported Back, 913.  
Amended, 913.  
Passed, 994.  
Other Action, 1015, 1139.  
Returned to House, 1010.

**House Bill No. 134.**

House Bill No. 134. A Bill For an Act Defining the Crime of Aggravated Assault and Battery and Prescribing the Punishment Therefor.

Received from House, 380.  
First, Second Reading and Reference, 434.  
Reported Back, 632.  
Indefinitely Postponed, 632.  
Returned to House, 903.

**House Bill No. 135.**

House Bill No. 135. A Bill For an Act to Amend and Re-enact Section 10605 of the Compiled Laws of North Dakota for the Year 1913, Relating to Examination of Witnesses in Preliminary Examinations.

Received from House, 380.  
First, Second Reading and Reference, 434.  
Reported Back, 759.  
Passed, 773.  
Other Action, 863.  
Returned to House, 807.



**House Bill No. 136.**

House Bill No. 136. A Bill For an Act to Amend and Re-enact Section 3382 of the Compiled Laws of North Dakota for 1913 Providing for a Contingent Fund for the State's Attorney of Each County.

Received from House, 343.

First, Second Reading and Reference, 350.

Reported Back, 423.

Amended, 424.

Passed, 463.

Other Action, 489, 606.

Returned to House, 477.

**House Bill No. 138.**

House Bill No. 138. A Bill For an Act to Amend and Re-enact Sections 10804 and 10805 of the Compiled Laws of North Dakota for the Year 1913, Relating to Challenges to Jurors in Criminal Cases.

Received from House, 343.

First, Second Reading and Reference, 350.

Reported Back, 367.

Amended, 367.

Passed, 464.

Other Action, 489, 606.

Returned to House, 477.

**House Bill No. 140.**

House Bill No. 140. A Bill For an Act Providing for the Voting of an Absent Voter Ballot by Electors who by Reason of Physical Disability are Unable to Attend Their Polling Place to Vote at any General or Primary Elections.

Received from House, 404.

First, Second Reading and Reference, 434.

Reported Back, 924.

Amended, 995.

Passed, 995.

Other Action, 995, 1090, 1142.

Returned to House, 1011.

**House Bill No. 144.**

House Bill No. 144. A Bill For an Act Making an Appropriation of \$21,495.88 to Repay the Bank of North Dakota for a Loan Made to the Hospital for the Insane and also for the Payment of any Interest Due Thereon.

Received from House, 552.

First, Second Reading and Reference, 360.

Reported Back, 550.

Passed, 737.

Other Action, 862.

Returned to House, 780.

**House Bill No. 147.**

House Bill No. 147. A Bill For an Act to amend and re-enact Section 4220 of the Supplement to the Compiled Laws of the State of North Dakota for the year 1913 relating to the compensation of the township clerks and supervisors.

Received from House, 427.  
First, Second Reading and Reference, 435.  
Reported Back, 468.  
Indefinitely Postponed, 468.  
Returned to House, 543.

**House Bill No. 151.**

House Bill No. 151. A Bill For an Act Making it the Duty of the State Engineer to Assist County Boards of Flood Irrigation in the Performance of their Duties and Making an Appropriation therefor.

**House Bill No. 152—(Thompson of Ramsey)**

Received from House, 491.  
First, Second Reading and Reference, 513.  
Reported Back, 551.  
Passed, 737.  
Other Action, 862.  
Returned to House, 780.

**House Bill No. 152.**

House Bill No. 152. A Bill For an Act to Amend and Re-enact Section 5167 of the Compiled Laws of 1913 as amended by Chapter 94, Session Laws of 1925, Requiring Regular and Special Reports to the State Examiner by Banking Associations, Savings Banks and Trust Companies, and Providing Penalties for Failure to Make the Same.

Received from House, 427.  
First, Second Reading and Reference, 435.  
Reported Back, 558.  
Passed, 738.  
Other Action, 862.  
Returned to House, 780.

**House Bill No. 153.**

House Bill No. 153. A Bill For an Act to Amend and Re-enact Section 14, Chapter 161, Session Laws of 1913, Relating to Game and Fish; Right of Search and Seizure, and to Repeal Section 15, Chapter 161, Session Laws of 1915.

Received from House, 352.  
First, Second Reading and Reference, 360.  
Reported Back, 535.  
Passed, 734.  
Other Action, 862.  
Returned to House, 780.

**House Bill No. 155.**

House Bill No. 155. A Bill For an Act Relating to Fur Bearing Animals; Regulating the Taking Thereof, and Fixing Penalties.

Received from House, 659.  
First, Second Reading and Reference, 747.  
Reported Back, 922.  
Passed, 996.  
Other Action, 1138.  
Returned to House, 1010.

**House Bill No. 157.**

House Bill No. 157. A Bill For an Act to Amend and

Re-enact Chapter 145 of the Session Laws of 1919, as embodied in Section 1755 Supplement to the 1913 Compiled Laws of North Dakota.

Received from House, 427.  
 First, Second Reading and Reference, 435, 792.  
 Reported Back, 787, 869.  
 Amended, 869.  
 Passed, 951.  
 Other Action, 792, 977, 1137.  
 Indefinitely Postponed, 787.  
 Returned to House, 960.

**House Bill No. 160.**

House Bill No. 160. A Bill For an Act to Amend and Re-enact Section 4 of Chapter 292, Session Laws of 1923, the same being Section 2290-c-4 of the Supplement to the Compiled Laws of North Dakota for 1913.

Received from House, 451.  
 First, Second Reading and Reference, 455.  
 Reported Back, 759.  
 Passed, 774.  
 Other Action, 863.  
 Returned to House, 807.

**House Bill No. 162.**

House Bill No. 162. A Bill For an Act Creating a State Highway Commission, Defining its Powers and Duties and Fixing the Compensation of the Commission.

Received from House, 727.  
 First, Second Reading and Reference, 752.  
 Reported Back, 917.  
 Amended, 1036.  
 Passed, 1037.  
 Other Action, 1037, 1101, 1165.  
 -Returned to House, 1089.

**House Bill No. 165.**

House Bill No. 165. A Bill For an Act to appropriate the sum of \$5,000.00 from any Moneys in the State Highway Fund, for the Purpose of Making a Preliminary survey and Sounding of the Missouri River at or near Garrison, North Dakota, to determine the Advisibility and Feasibility of Constructing a Bridge Across said River Between the city of Garrison in McLean County and the City of Mannheim in Mercer County, under the Provisions of Subsection C of Section 2976t15 of the Supplement to the Compiled Laws of 1913.

Received from House, 427.  
 First Second Reading and Reference, 435, 693.  
 Reported Back, 653, 782.  
 Other Action, 693, 805.  
 Indefinitely Postponed, 782.  
 Returned to House, 903.

**House Bill No. 166.**

House Bill No. 166. A Bill For an Act conferring additional powers upon the Governor to open and close seasons in

any and all subdivisions of the State when deemed necessary for the better protection of game birds, fish or animals.

Received from House, 352.  
 First, Second Reading and Reference, 360.  
 Reported Back, 535.  
 Amended, 535.  
 Passed, 734.  
 Other Action, 812, 862.  
 Returned to House, 780.

**House Bill No. 167.**

House Bill No. 167. A Bill For an Act providing a hearing upon claims rejected by the Depositors' Guaranty Fund Commission of the State of North Dakota, for appeals from Final Decisions Rendered by said Commission to the District Court of Burleigh County and for Appeals from said District Court to the Supreme Court, and providing for the procedure upon such hearing and appeals.

Received from House, 659.  
 First, Second Reading and Reference, 747.  
 Reported Back, 915.  
 Amended, 916.  
 Lost, 1038.  
 Other Action, 1038.  
 Returned to House, 1038.

**House Bill No. 168.**

House Bill No. 168. A Bill For an Act to Amend Section 8719 of the Compiled Laws of North Dakota for 1913, Relating to the Exemption of the Avails of Life Insurance Payable to the Personal Representatives of a Deceased, his Heirs or Estate.

Received from House, 352.  
 First, Second Reading and Reference, 361, 692, 865.  
 Reported Back, 527, 783, 925.  
 Amended, 925, 996.  
 Passed, 997.  
 Other Action, 692, 865, 997, 1090, 1143.  
 Indefinitely Postponed, 783.  
 Returned to House, 1011.

**House Bill No. 169.**

House Bill No. 169. A Bill For an Act to Amend and Re-enact Section 4799 of the Compiled Laws of the State of North Dakota for the Year 1913; Relating to Free Passes, Franks and Special Privileges Prohibited, Exceptions.

Received from House, 491.  
 First, Second Reading and Reference, 513.  
 Reported Back, 562.  
 Amended, 739, 740.  
 Other Action, 740, 812.  
 Returned to House, 780.

**House Bill No. 170.**

House Bill No. 170. A Bill For an Act Providing For the Placing of Placards Containing the Ten Commandments of the Christian Religion, in School Rooms and Class Rooms of Public Institutions of Learning.

Received from House, 380.  
 First, Second Reading and Reference, 434.  
 Reported Back, 835.  
 Passed, 932.  
 Other Action, 866, 932, 1009.  
 Indefinitely Postponed, 835.  
 Returned to House, 943.

#### House Bill No. 171.

House Bill No. 171. A Concurrent Resolution To Amend and Re-enact Section 7 of Article 1 of the Constitution of the State of North Dakota, Relating to the Right of Trial by Jury.

Received from House, 456.  
 First, Second Reading and Reference, 455.  
 Reported Back, 760.  
 Indefinitely Postponed, 760.  
 Returned to House, 903.

#### House Bill No. 174.

House Bill No. 174. A Bill For an Act to Prescribe the Manner of Taking and Killing Game Birds and Animals, Prohibiting the Use of Traps, Snares, Lights and Other Artificial Means, and Repealing Sections 10332a24 and 10322a25 of the Supplement to the Compiled Laws 1913, and Any and All Acts in Conflict.

Received from House, 352.  
 First, Second Reading and Reference, 361.  
 Reported Back, 444.  
 Passed, 547.  
 Other Action, 508, 762.  
 Lost, 487.  
 Returned to House, 589.

#### House Bill No. 175.

House Bill No. 175. A Bill For an Act Making an Appropriation for Medical and Hospital Expenses of the Last Sickness, and For Funeral Expenses, of Hon. J. W. O'Neill, Who Died in Bismarck While in the Performance of His Duties as a Member of the Twentieth Legislative Assembly.

Received from House, 293.  
 First, Second Reading and Reference, 293.  
 Reported Back, 237.  
 Amended, 297.  
 Passed, 298.  
 Other Action, 298, 308, 358, 842.  
 Returned to House, 300.

#### House Bill No. 176.

House Bill No. 176. A Bill For an Act to Amend and Re-enact Section 1958a3 of the Supplement to the Compiled Laws of North Dakota of 1913, said Section being Chapter 11 of the Session Laws of North Dakota of 1925; An Act to Appropriate the sum of \$75,000.00, 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 1919.

Received from House, 404.

First, Second Reading and Reference, 434.

Reported Back, 653.

Passed, 794.

Other Action, 794, 865.

Returned to House, 864.

**House Bill No. 177.**

House Bill No. 177. A Bill For an Act Authorizing the Board of Railroad Commissioners to Require the Extension of Electric Transmission Lines, and the Service Furnished Thereby, to Cities, Towns, Villages, and the Inhabitants Thereof, Within or Contiguous to the Territory Served by Such Transmission Lines, and to Fix the Rates and Charges for Such Service, and the Rules and Regulations to be Observed in Connection Therewith.

Received from House, 450.

First, Second Reading and Reference, 455.

Reported Back, 787.

Passed, 851.

Other Action, 874.

Returned to House, 864.

**House Bill No. 180.**

House Bill No. 180. A Bill For an Act Making an Appropriation for the North Dakota Children's Home Society, of Fargo, North Dakota.

Received from House, 427.

First, Second Reading and Reference, 435.

Reported Back, 549.

Passed, 741.

Other Action, 862.

Returned to House, 780.

**House Bill No. 181.**

House Bill No. 181. A Bill For an Act Making an Appropriation of \$8,000.00 for the Maintenance, Improvements, Repairs, Rents, Insurance and Upkeep of the State Capitol Building for the Balance of the Fiscal Year Ending June 30, 1927.

Received from House, 380.

First, Second Reading and Reference, 431.

Reported Back, 550.

Passed, 742.

Other Action, 861.

Returned to House, 780.

**House Bill No. 183.**

House Bill No. 183. A Bill For an Act to Appropriate the Sum of Twenty Thousand (\$20,000.00) Dollars for the purpose of Aiding in the Construction of a Bridge and Approaches Across Box Elder Creek of the State Line between North Dakota and South Dakota at a Point approximately five miles east of the Montana State Line, under the Provisions of Chapter 73 of the Laws of North Dakota for the Year 1919.

Received from House, 490.  
First, Second Reading and Reference, 513.  
Reported Back, 831.  
Passed, 936.  
Other Action, 936, 1009.  
Returned to House, 943.

**House Bill No. 185.**

House Bill No. 185. A Bill For an Act to Permit the Use of Guide Cards in Elections, to Assist in Enabling Elector to Vote for the Candidate of His or Her Choice.

Received from House, 476.  
First, Second Reading and Reference, 481.  
Reported Back, 924.  
Other Action, 998.  
Lost, 998.

**House Bill No. 187.**

House Bill No. 187. A Bill For an Act to Provide Protection on the Lives of Children by Fraternal Benefit Societies and to Repeal Section 5070a of the Supplement to the Compiled Laws of 1913.

Received from House, 608.  
First, Second Reading and Reference, 626.  
Reported Back, 783.  
Indefinitely Postponed, 783.  
Returned to House, 903.

**House Bill No. 188.**

House Bill No. 188. A Bill For an Act to Amend Section 2664, Supplement to the Compiled Laws of 1913, Relating to Estrays and the Sale Thereof.

Received from House, 608.  
First, Second Reading and Reference, 626.  
Reported Back, 880.  
Passed, 952.  
Other Action, 1065.  
Returned to House, 960.

**House Bill No. 189.**

House Bill No. 189. A Bill For an Act to Appropriate the sum of \$3,000.00 from any Moneys in the State Highway Fund, for the Purpose of Making a Preliminary Survey and Sounding of the Missouri River at or near Elbowoods, North Dakota, on State Highway Route No. 24, to Determine the Advisability and Feasibility of Constructing a Bridge Across Said River on Said State Highway Route, Under the Provisions of Subsection C. of Section 2976t15 of the Supplement to the Compiled Laws of 1913.

Received from House, 428.  
First, Second Reading and Reference, 436.  
Reported Back, 653.  
Passed, 795.  
Other Action, 874.  
Returned to House, 864.

**House Bill No. 191.**

House Bill No. 191. A Bill For an Act to Prescribe Who

Shall be Qualified Electors in Certain Bond Elections in this State.

Received from House, 724.  
 First, Second Reading and Reference, 752.  
 Reported Back, 924.  
 Passed, 1005.  
 Other Action, 1006, 1138.  
 Returned to House, 1010.

**House Bill No. 192.**

House Bill No. 192. A Bill For an Act Defining the Effect of Instruments, Affecting Real and Personal Property Belonging to a Trust, Executed by Trustees in Their Representative Capacity as Trustee.

Received from House, 491.  
 First, Second Reading and Reference, 514.  
 Reported Back, 760.  
 Passed, 775.  
 Other Action, 863.  
 Returned to House, 807.

**House Bill No. 193.**

House Bill No. 193. A Bill For an Act to Amend and Re-enact Section 4206 of the Compiled Laws of North Dakota for the year 1913; Relating to the Compensation of Township Treasurer.

Received from House, 450.  
 First, Second Reading and Reference, 455.  
 Reported Back, 918.  
 Indefinitely Postponed, 918.  
 Returned to House, 978.

**House Bill No. 194.**

House Bill No. 194. A Bill For an Act to Amend and Re-enact Section 3688, Compiled Laws of North Dakota, 1913, relating to Vacation of Streets, Alleys and Public Grounds in Cities.

Received from House, 659.  
 First, Second Reading and Reference, 746.  
 Reported Back, 827.  
 Passed, 887.  
 Other Action, 965.  
 Returned to House, 903.

**House Bill No. 197.**

House Bill No. 197. A Bill For an Act to Transfer the Sum of \$25,000.00 from the Fund Appropriated to the North Dakota Agricultural College for Equipment to said College's Fund for Maintenance.

Received from House, 450.  
 First, Second Reading and Reference, 455.  
 Reported Back, 759.  
 Passed, 773.  
 Other Action, 773, 862.  
 Returned to House, 780.

**House Bill No. 198.**

House Bill No. 198. A Bill For an Act to Amend and Re-enact Section 35, Chapter 161, Session Laws of 1915, as



amended by Section 7, Chapter 224, Session Laws of 1923; and Section 36, Chapter 161, Session Laws of 1915, as amended by Section 5, Chapter 134, Session Laws of 1919, as amended by Section 8, Chapter 224, Session Laws of 1923; and Section 37, Chapter 161, Session Laws of 1915, Relating to Game and Fish.

Received from House, 727.

First, Second Reading and Reference, 752.

Reported Back, 922.

Passed, 1008.

Other Action, 1138.

Returned to House, 1010.

#### House Bill No. 199.

House Bill No. 199. A Bill For an Act to Amend and Re-enact Section 10322a4 of the Supplement to the Compiled Laws 1913 relating to the powers and duties of the North Dakota Game and Fish Board.

Received from House, 609.

First, Second Reading and Reference, 626.

Reported Back, 733.

Passed, 770.

Other Action, 862.

Returned to House, 780.

#### House Bill No. 200.

House Bill No. 200. A Bill For an Act to Amend and Re-enact Section 3969, of the Compiled Laws of North Dakota for the year of 1913, as amended by Chapter 79, of the Session Laws of North Dakota for the year of 1919, and Chapter 32, of the Session Laws of North Dakota for the year of 1921 and Chapter 172 of the Session Laws of North Dakota for the year 1923, Relating to excluding farm lands from the limits of Cities, towns and villages.

Received from House, 450.

First, Second Reading and Reference, 456.

Reported Back, 760.

Lost, 796.

Returned to House, 903.

#### House Bill No. 202.

House Bill No. 202. A Bill For an Act to Amend Sections 7, 8 and 13, Chapter 292, Session Laws of 1923, Relating to the Bonds of North Dakota Real Estate Series; and to Amend Sections 9 and 12, Chapter 292, of the Session Laws of 1923, as Amended by Sections 2 and 3 of Chapter 100 of the Session Laws of 1925, Relating to the Bonds of North Dakota Real Estate Series.

Received from House, 727.

First, Second Reading and Reference, 202.

Reported Back, 971.

Amended, 971.

Passed, 1039.

Other Action, 1039, 1090, 1142.

Returned to House, 1048.

#### House Bill No. 204.

House Bill No. 204. A Bill For an Act to Amend and Re-enact Section 1190 of the Supplement to the Compiled Laws

of 1913, Relating to Consolidation of Schools and Transportation of Pupils.

Received from House, 490.  
 First, Second Reading and Reference, 514, 934.  
 Reported Back, 836, 936, 937.  
 Amended, 934, 936.  
 Conference, 978, 1009, 1071, 1101.  
 Other Action, 934, 935, 1155.  
 Returned to House, 960.

**House Bill No. 207.**

House Bill No. 207. A Bill For an Act to Amend and Re-enact Section 3498, of the Compiled Laws of North Dakota, for the year 1913, relating to fees to be charged by the Clerk of the District Court.

Received from House, 491.  
 First, Second Reading and Reference, 514.  
 Reported Back, 819.  
 Amended, 888.  
 Passed, 888.  
 Other Action, 977, 1136.  
 Returned to House, 908.

**House Bill No. 208.**

House Bill No. 208. A Bill For an Act to Provide for the Leasing and Sale of Islands and Accumulations of Land Formed in Beds of Navigable Streams.

Received from House, 450.  
 First, Second Reading and Reference, 456.  
 Reported Back, 918.  
 Amended, 1016.  
 Passed, 1016.  
 Other Action, 1101, 1155.  
 Returned to House, 1089.

**House Bill No. 209.**

House Bill No. 209. A Bill For an Act to Amend and Re-enact Section 1240 of the Supplement to the Compiled Laws of 1913, Relating to Special School Districts.

Received from House, 583.  
 First, Second Reading and Reference, 623.  
 Reported Back, 835.  
 Passed, 934.  
 Other Action, 1009.  
 Returned to House, 943.

**House Bill No. 211.**

House Bill No. 211. A Bill For an Act Creating the Department of State Highways, Defining Its Powers and Duties, Providing for its Government and Imposing Penalties for Violations Thereof.

Received from House, 728.  
 First, Second Reading and Reference, 756.  
 Reported Back, 918.  
 Amended, 1016.  
 Passed, 1017.  
 Other Action, 1101, 1155.  
 Returned to House, 1089.

**House Bill No. 214.**

House Bill No. 214. A Bill For an Act to Provide for the Granting of Decrees of Separation from Bed and Board, Specifying the Grounds upon which such Decree may be entered, and providing for the Maintenance of Spouse or Children, and for the Division by the Court, of Joint and Separate Property of Husband and Wife.

Received from House, 490.

First, Second Reading and Reference, 514.

Reported Back, 819.

Amended, 819.

Passed, 889.

Other Action, 962, 1009.

Returned to House, 903.

**House Bill No. 215.**

House Bill No. 215. A Bill For an Act relating to banking, regulating the administration of the affairs of insolvent banks, providing for their liquidation, vesting the proceedings and requesting it to assume original jurisdiction in Supreme Court with jurisdiction of such liquidation pro- 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 continuing receiverships, and making an appropriation to meet the ex- penses incident to carrying out the purpose of this Act, and directing the Supreme Court to exercise its supervisory au- thority over the District Court in proceedings for liquidat- ing the affairs of insolvent banks, and providing for the re- opening and reorganization of closed or suspended banks, and providing for liquidation of closed banks by the depos- itors therein, and designating a custodian of records and property after winding up receiverships, and providing for the covering into the general fund of the state of unclaimed dividends.

Received from House, 609.

First, Second Reading and Reference, 626.

Reported Back, 875.

Passed, 953.

Other Action, 1065.

Returned to House, 960.

**House Bill No. 216.**

House Bill No. 216. A Bill for an Act Creating a Judi- cial Council for the State of North Dakota, and Providing for the Continuous Study of the Administration of Justice.

Received from House, 490.

First, Second Reading and Reference, 514.

Reported Back, 785.

Passed, 851.

Other Action, 965.

Returned to House, 903.

**House Bill No. 217.**

House Bill No. 217. 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 Be-

tween the States of North Dakota and South Dakota, Respecting the Use, Control, Utilization and Regulation of the Waters of the James River and the Rights of said States Thereto.

Received from House, 490.  
First, Second Reading and Reference, 514.  
Reported Back, 786.  
Passed, 852.  
Other Action, 965.  
Returned to House, 903.

**House Bill No. 218.**

House Bill No. 218. A Bill For an Act to Amend and Re-enact Section 4915, Supplement to the 1913 Compiled Laws of North Dakota.

Received from House, 477.  
First, Second Reading and Reference, 481.  
Reported Back, 784.  
Passed, 853.  
Other Action, 853, 875.  
Returned to House, 864.

**House Bill No. 219.**

House Bill No. 219. A Bill For an Act to Amend and re-enact Sections 6762 and 6764 of the Compiled Laws of North Dakota for the year 1913, relating to the renewal and filing of chattel mortgages and providing for the cancellation and satisfaction thereof and removing them from the public files.

Received from House, 725.  
First, Second Reading and Reference, 752.  
Reported Back, 761.  
Passed, 796.  
Other Action, 875.  
Returned to House, 864.

**House Bill No. 220.**

House Bill No. 220. A Bill For an Act to appropriate the sum of Thirty Thousand (\$30,000.00) Dollars From any moneys in the State Highway Fund, for the purpose of aiding in the construction of a Bridge across the Bois De Sioux River, Between the city of Wahpeton, Richland County, North Dakota, and the city of Breckenridge, Wilkin County, Minnesota, Under the Provisions of Chapter 73 of the laws of North Dakota for the year 1919.

Received from House, 491.  
First, Second Reading and Reference, 514, 515.  
Reported Back, 654.  
Passed, 769.  
Other Action, 769, 862.  
Returned to House, 780.

**House Bill No. 221.**

House Bill No. 221. A Bill For an Act to Prohibit the Sale of Cattle at Public Auction, Mortgage Foreclosure Sale or Sale by Order of Any Court, Unless the Same Shall Have Been Tuberculin Tested and Found Free of Tuberculosis.

Received from House, 491.  
First, Second Reading and Reference, 515.  
Reported Back, 598.  
Indefinitely Postponed, 598.  
Sent to House, 658.

**House Bill No. 223.**

House Bill No. 223. A Bill For an Act to Amend and Re-enact Sections 714a8 and 714a13 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Proposals for the Designation of Depositories and Rates of Interest on Public Funds.

Received from House, 725.  
First, Second Reading and Reference, 752, 805.  
Reported Back, 786, 918.  
Other Action, 804.  
Indefinitely Postponed, 786, 919.  
Returned to House, 978.

**House Bill No. 224.**

House Bill No. 224. A Bill For an Act to Amend and Re-enact Sections 2189, 2191, 2192 and 2197 and to repeal Section 2197a of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to tax sales and Redemption therefrom.

Received from House, 727.  
Reported Back, 818.  
Passed, 890.  
Other Action, 965.  
Returned to House, 903.

**House Bill No. 225.**

House Bill No. 225. A Bill For an Act Requiring the Board of Railroad Commissioners to Investigate and Fix Rates, Charges, Practices, Rules and Regulations of Carriers and Railroad Corporations for the Transportation of Fuel, Specifying the Proceedings therefor, Making an Appropriation for such Purpose and for the Defense of such Rates, and Repealing Sections 4798a1 to 4798a5, inclusive, of the Supplement to the Compiled Laws 1913, and Repealing Sections 4795a1 to 4795a11, inclusive, of the Supplement to the Compiled Laws 1913, so far as the same is Applicable to Rates for the Transportation of Fuel.

Received from House, 534.  
First, Second Reading and Reference, 623, 624.  
Reported Back, 783.  
Passed, 854.  
Other Action, 965, 1019.  
Returned to House, 903.

**House Bill No. 226.**

House Bill No. 226. A Bill For an Act to Amend and Re-enact Section 714a15 of the Supplement to the Compiled Laws of 1913 relating to the report of the treasurer under the public depository law (714a1 to 714a20 of the Supplement to the Compiled Laws of 1913).

Received from House, 490.  
First, Second Reading and Reference, 515.

Reported Back, 869.  
Passed, 953.  
Other Action, 1066.  
Returned to House, 960.

**House Bill No. 227.**

House Bill No. 227. A Bill For an Act Making an Appropriation for Agricultural Fair purposes and providing for the division, expenditure and disbursement thereof.

Received from House, 725.  
First, Second Reading and Reference, 752.  
Reported Back, 971.  
Passed, 1040.  
Other Action, 1040, 1141.  
Returned to House, 1048.

**House Bill No. 228.**

House Bill No. 228. A Bill For an Act to Amend and Re-enact Section 544 of the Compiled Laws of 1913.

Received from House, 542.  
First, Second Reading and Reference, 546.  
Reported Back, 870.  
Indefinitely Postponed, 870.  
Returned to House, 978.

**House Bill No. 230.**

House Bill No. 230. A Bill For an Act to Amend and Re-enact Section 10 of Chapter 181 of the Session Laws of 1925, Relating to the Establishment of Railroad Crossings.

**House Bill No. 231—(Standley and Erickson of Kidder)**

Received from House, 727.  
First, Second Reading and Reference, 753.  
Reported Back, 782.  
Passed, 854.  
Other Action, 965.  
Returned to House, 903.

**House Bill No. 238.**

House Bill No. 238. A Bill For an Act Regulating the Use and Sale of Bottles and Glassware for Testing Milk and Cream for Butter Fat.

Received from House, 727.  
First, Second Reading and Reference, 753.  
Reported Back, 833.  
Amended, 833.  
Passed, 938.  
Other Action, 977, 1137.  
Returned to House, 960.

**House Bill No. 240.**

House Bill No. 240. A Bill For an Act to Appropriate \$2,000.00 for the Payment of the Expenses to be Incurred by Boys and Girls Club Work at State Fairs.

Received from House, 688.  
First, Second Reading and Reference, 743.  
Reported Back, 827.  
Passed, 891.  
Other Action, 965.  
Returned to House, 903.

**House Bill No. 243.**

House Bill No. 243. A Bill For an Act to Amend and Re-enact Section 189b3 of the Supplement to the Compiled Laws of 1913.

Received from House, 727.  
First, Second Reading and Reference, 753.  
Reported Back, 867.  
Lost, 954.  
Other Action, -955, 956, 1066.  
Passed, 956.  
Returned to House, 978.

**House Bill No. 244.**

House Bill No. 244. A Bill For an Act to Amend and Re-enact Section 8887 of the Compiled Laws of North Dakota for the year 1913.

Received from House 583.  
First, Second Reading and Reference, 624.  
Reported Back, 761.  
Passed, 776.  
Other Action, 863.  
Returned to House, 807.

**House Bill No. 245.**

House Bill No. 245. A Bill For an Act to Amend and Re-enact Section 8895 of the Compiled Laws of North Dakota for the year 1913, and to Repeal Section 8896 of said Compiled Laws.

Received from House, 583.  
First, Second Reading and Reference, 624.  
Reported Back, 916.  
Passed, 1018.  
Other Action, 1141.  
Returned to House, 1028.

**House Bill No. 246.**

House Bill No. 246. A Bill For an Act to Amend and Re-enact Section 234, Compiled Laws 1913, and Section 5146 (10) of the Supplement to the Compiled Laws 1913, being Sub-division 3 of Chapter 219, Session Laws 1917.

Received from House, 728.  
First, Second Reading and Reference, 753.  
Reported Back, 876.  
Passed, 955.  
Other Action, 1066.  
Returned to House, 978.

**House Bill No. 247.**

House Bill No. 247. A Bill For an Act to Amend and Re-enact Section 1 of Chapter 101 of the Session Laws of 1925 relating to the signing of bonds by public officials.

Received from House, 583.  
First, Second Reading and Reference, 624.  
Reported Back, 761.  
Passed, 777.  
Other Action, 863.  
Returned to House, 807.

**House Bill No. 249.**

House Bill No. 249. A Bill For an Act to Amend and Re-enact Section 6954a1 Supplement to the 1913 Compiled Laws, relating to the collection of items through banking channels and establishing the liability of collecting agencies.

Received from House, 659.

First, Second Reading and Reference, 747.

Reported Back, 876.

Passed, 957.

Other Action, 957, 1066.

Returned to House, 978.

**House Bill No. 250.**

House Bill No. 250. 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 Bureaus; 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.

Received from House, 728.

First, Second Reading and Reference, 753.

Reported Back, 784.

Amended, 859.

Lost, 860.

Other Action, 793, 860, 861.

Indefinitely Postponed, 784.

Returned to House, 903.

**House Bill No. 251.**

House Bill No. 251. A Bill For an Act Providing that the Right of Any County Holding a Tax Certificate, or Other Tax Lien on Lands Acquired by the State Treasurer as Trustee of the State of North Dakota under the Provisions of Chapter 154 of the Session Laws of North Dakota for 1919 and Chapter 292 of the Session Laws of North Dakota for 1923 and Acts Amendatory Thereof, to enforce the Collection of the Same shall be Suspended until July 1st, 1929; Providing the rate of Interest such Tax Certificates and Tax Liens Shall Bear; and Prohibiting the Assignment or Transfer of All Tax Certificates or Tax Liens Held by the County on any Lands that have been Foreclosed Under Said Acts.

Received from House, 609.

First Second Reading and Reference, 626, 627.

Reported Back, 870.

Passed, 958.

Other Action, 1066.

Returned to House, 973.

**House Bill No. 252.**

House Bill No. 252. A Bill For an Act to Provide for the Payment by the Bank of North Dakota of Taxes on Certain Lands that the State Treasurer as Trustee of the State of



North Dakota holds as Security under Chapter 154, of the Session Laws of North Dakota for 1919 and Chapter 292 of the Session Laws of North Dakota for 1923 and Acts Amendatory thereof; Making an Appropriation thereof; Providing for the Reimbursement of the Bank of North Dakota therefrom and Establishing a Revolving Fund Therefor.

Received from House, 658.

First, Second Reading and Reference, 745.

Reported Back, 919.

Passed, 1019.

Other Action, 1019, 1141.

Returned to House, 1028.

**House Bill No. 253.**

House Bill No. 253. A Bill For an Act to Amend and Re-enact Sub-section B of Section 2976t15 of Supplement to the Compiled Laws of North Dakota for the Year 1913.

Received from House, 728.

First, Second Reading and Reference, 753.

Reported Back, 827.

Amended, 827.

Passed, 891, 1149.

Conference, 960, 1148.

Other Action, 1149, 1150, 1151, 1155.

Returned to House, 903.

**House Bill No. 254.**

House Bill No. 254. A Bill For an Act Making an Appropriation for the Purpose of Erecting a Ward Building at the State Hospital for the Insane at Jamestown.

Received from House, 727.

First, Second Reading and Reference, 753.

Reported Back 970.

Passed, 1041.

Other Action, 1141.

Returned to House, 1048.

**House Bill No. 255.**

House Bill No. 255. A Bill For an Act making an appropriation for the Erection of a Building for girls and furnishing equipment therefor at the State Training School, Mandan, North Dakota.

Received from House, 725.

First, Second Reading and Reference, 754.

Reported Back, 917.

Other Action, 1141.

Returned to House, 1028.

**House Bill No. 261.**

House Bill No. 261. A Bill For an Act Authorizing and providing for the submission of controversies between the State Highway Commission of the State of North Dakota and parties contracting therewith to arbitration, and providing for the entry of judgment as in cases of arbitration between other parties and providing for the enforcement of such judgments.

Received from House, 583.

First, Second Reading and Reference, 624.

Reported Back, 820.  
Amended, 820.  
Passed, 892.  
Other Action, 962, 1009.  
Returned to House, 908.

**House Bill No. 263.**

House Bill No. 263. A Bill For an Act to Amend and Re-enact Section 2546a6 of the Supplement to the Compiled Laws of North Dakota, year 1913, for Application for Mothers Pension, and Hearing.

Received from House, 584.  
First, Second Reading and Reference, 624.  
Reported Back, 872.  
Passed, 959.  
Other Action, 1066.  
Returned to House, 978.

**House Bill No. 264.**

House Bill No. 264. A Bill For an Act Authorizing and Empowering the Board of Park Commissioners of the Park District of any City, to Contract for the Purchase of Lands for Park Purposes, upon Deferred and Installment payments; Limiting the Amount of such Purchases; and Requiring all payments so made therefor, to be made from Revenues derived from the Tax Levy of such District authorized by Law; Repeal.

Received from House, 689.  
First, Second Reading and Reference, 750.  
Reported Back, 829.  
Passed, 893.  
Other Action, 965.  
Returned to House, 903.

**House Bill No. 266.**

House Bill No. 266. A Bill For an Act to Amend and Re-enact Section 2618 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913.

Received from House, 659.  
First, Second Reading and Reference, 746.  
Reported Back, 831.  
Indefinitely Postponed, 831.  
Returned to House, 903.

**House Bill No. 267.**

House Bill No. 267. A Bill For an Act to Amend and Re-enact Section 4550 of the Compiled Laws of North Dakota for the year 1913, Providing the Place of Holding of Stockholders and Directors meetings, and Repealing Section 4550 of the Compiled Laws of North Dakota for the year 1913.

Received from House, 584.  
First, Second Reading and Reference, 624.  
Reported Back, 879.  
Passed, 960.  
Other action, 1066.  
Returned to House, 978.

**House Bill No. 268.**

House Bill No. 268. A Bill for an Act to Provide for the Taxing and Licensing of Motor Vehicles and Trailers, the Creation of a Department of Motor Vehicle Registration, the Appointment of a Registrar of Motor Vehicles, His Powers and Duties, Establishing the Method of Distribution of the Fees Received therefrom, Fixing Penalties for Violation of this Act and Providing for an Appropriation for Administering the Same and for the Use of the State Highway Commission, and to make Uniform the Law Relating to the Subject Matter of this Act.

Received from House, 729.

First, Second Reading and Reference, 756.

Reported Back, 920.

Passed, 1042.

Other Action, 1042, 1141.

Returned to House, 1048.

**House Bill No. 269.**

House Bill No. 269. A Bill For an Act to Amend and Re-enact Section 9167 of the Compiled Laws of the State of North Dakota for 1913 relating to Stay of Execution in Forcible Detainer.

Received from House, 584.

First, Second Reading and Reference, 625.

Reported Back, 761.

Indefinitely Postponed, 762.

Returned to House, 903.

**House Bill No. 270.**

House Bill No. 270. A Bill For an Act to Validate Sales of Real Estate Made by an Executor or Administrator pursuant to contract, which has not been confirmed by the County Court.

Received from House, 688.

First, Second Reading and Reference, 748.

Reported Back, 822.

Passed, 893.

Other Action, 966.

Returned to House, 903.

**House Bill No. 271.**

House Bill No. 271. A Bill For an Act Empowering Foreign Executors, Administrators, Guardians, Heirs and Legatees of Deceased Non-residents whose Estates have been Probated Outside this State to Assign Mortgages; and Confirming and Legalizing Assignments heretofore made by such Executors, Administrators, Guardians, Heirs and Legatees.

Received from House, 584.

First, Second Reading and Reference, 625.

Reported Back, 822.

Amended, 938.

Passed, 939.

Other Action, 977, 1137.

Returned to House, 960.

**House Bill No. 274.**

House Bill No. 274. A Bill For an Act Governing Specifications and Bids upon Paving, Requiring Bids upon Several Types to be asked for.

Received from House, 584.

First, Second Reading and Reference, 625.

Reported Back, 921.

Passed, 1020.

Other Action, 1020, 1141.

Returned to House, 1028.

**House Bill No. 275.**

House Bill No. 275. 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 State of North Dakota, the Provinces of Saskatchewan and Manitoba and the Dominion of Canada and the United States of America, Respecting the Use, Control, Utilization and Disposition of the Waters of the Mouse River (named the Souris River in Canada) and the Rights of said State of North Dakota and said Provinces and the Dominion of Canada and the United States Thereto.

Received from House, 659.

First, Second Reading and Reference, 746.

Reported Back, 786.

Passed, 855.

Returned to House, 903.

**House Bill No. 277.**

House Bill No. 277. A Bill For an Act empowering and Authorizing Cities and Villages to Refund and Reissue Special Improvement Warrants upon the Surrender of the Outstanding Warrants by the Holders Thereof.

Received from House, 687.

First, Second Reading and Reference, 747.

Reported Back, 830.

Passed, 894.

Other Action, 966.

Returned to House, 903.

**House Bill No. 279.**

House Bill No. 279. A Bill For an Act to Permit the District Court to Parole Persons Confined in the County Jail, Serving a Sentence, to the County Commissioners of the Various Counties of the State for the Purpose of Performing Work and Labor upon the Construction, Maintenance and Up Keep of State, County and Township Roads, and Providing that Such Persons in Such Confinement in any County May Be Transferred by any Presiding District Judge, from One County to any Other County in the State, Upon an Order Issued After a Proper Application and Hearing Before said Judge, and be Committed to the Sheriff of such County in Accordance with the Terms of his Sentence, and for the Paroles of such Persons Serving Sentence in any County Jail, and Providing for Maintenance and Support and Compensation, and Punishment of such Persons that may Violate their Paroles.

Received from House, 660.

First, Second Reading and Reference, 745.  
Reported Back, 822.  
Passed, 895.  
Other Action, 966.  
Returned to House, 903.

**House Bill No. 285.**

House Bill No. 285. A Bill For an Act to Amend and Re-enact Section 3551a1 of the Supplement to the Compiled Laws of North Dakota for the year 1913, relating to the salaries of County Auditor, County Treasurer, Sheriffs and county superintendents of schools.

Received from House, 659.  
First, Second Reading and Reference, 746.  
Reported Back, 829.  
Amended, 829.  
Passed, 896.  
Other Action, 962, 1010.  
Returned to House, 903.

**House Bill No. 292.**

House Bill No. 292. A Bill For an Act Relating to the Recording of Sheriff's Deeds and Other Conveyances of Real Property Acquired by the Bank of North Dakota, as Agent for the State Treasurer as Trustee of the State of North Dakota under the Provisions of Chapter 154 of the Session Laws of North Dakota for 1919 and Chapter 292 of the Session Laws of North Dakota for 1923, and Acts Amendatory thereof; Prescribing the Duties of the County Auditor and Register of Deeds in respect thereto; and Providing that Section 2212 of the Supplement to the Compiled Laws of North Dakota for 1913 shall not be Applicable Thereto.

Received from House, 688.  
First, Second Reading and Reference, 749.  
Reported Back, 823.  
Passed, 897.  
Other Action, 966.  
Returned to House, 903.

**House Bill No. 293.**

House Bill No. 293. A Bill For an Act relating to the consolidation or merger of banks.

Received from House, 688.  
First, Second Reading and Reference, 748.  
Reported Back, 876.  
Passed, 984.  
Other Action, 1138.  
Returned to House, 978.

**House Bill No. 295.**

House Bill No. 295. A Bill For an Act to Amend and Re-enact Section 7377 of the Compiled Laws of the State of North Dakota for 1913, relating to limitations of actions.

Received from House, 688.  
First, Second Reading and Reference, 749.  
Reported Back, 823.  
Indefinitely Postponed, 823.  
Returned to House, 903.

**House Bill No. 296.**

House Bill No. 296. A Bill For an Act to Amend and Re-enact Subdivision 6, of Section 381 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Duties of the State Historical Society.

Received from House, 584.

First, Second Reading and Reference, 625.

Reported Back, 785.

Passed, 856.

Other Action, 966.

Returned to House, 903.

**House Bill No. 298.**

House Bill No. 298. A Bill For an Act to Provide for the Renewal of Corporate Existence and Repealing Section No. 4562 of the Compiled Laws of North Dakota, 1913.

Received from House, 584.

First, Second Reading and Reference, 625.

Reported Back, 879.

Passed, 985.

Other Action, 1138.

Returned to House, 978.

**House Bill No. 303.**

House Bill No. 303. A Bill For an act providing for the selection of jurors for service in district courts and in courts of increased jurisdiction, and repealing sections 817 and 819 of the compiled laws for 1913 and all acts and parts of acts in conflict therewith.

Received from House, 728.

First, Second Reading and Reference, 754.

Reported Back, 823.

Indefinitely Postponed, 824.

Returned to House, 903.

**House Bill No. 305.**

House Bill No. 305. A Bill For an Act to Amend and Re-enact Section I of Chapter 182 of the Session Laws of 1923, being Section 5235A1 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913.

Received from House, 660.

First, Second Reading and Reference, 745.

Reported Back, 916.

Other Action, 916.

Indefinitely Postponed, 916.

Returned to House, 978.

**House Bill No. 306.**

House Bill No. 306. A Bill For an Act Relating to the Deposits of Money by Executors, Administrators and Guardians in Solvent Banks or Trust Companies.

Received from House, 688.

First, Second Reading and Reference, 749.

Reported Back, 877.

Amended, 985.

Lost, 985.

Other Action, 985.

Returned to House, 306.

**House Bill No. 309.**

**House Bill No. 309.** A Bill For an Act requiring agents of railroad companies to report to the Sheriffs of their respective counties the fact that emigrant cars are ordered, and relating further to the duties of the sheriffs and providing penalties therefor.

Received from House, 660.

First, Second Reading and Reference, 745.

Reported Back, 782.

Indefinitely Postponed, 783.

Returned to House, 903.

**House Bill No. 310.**

**House Bill No. 310.** A Bill For an Act to Amend and Re-enact Section 630a4 of the Supplement to the Compiled Laws of North Dakota, for 1913, relating to notice given by Weed Commissioner, relative to the Sow Thistle and duties of Commissioner.

Received from House, 659.

First, Second Reading and Reference, 746.

Reported Back, 871.

Passed, 986.

Other Action, 1138.

Returned to House, 978.

**House Bill No. 311.**

**House Bill No. 311.** A Bill For an Act to Provide for the Payment of Outstanding Warrants issued by any Board of Drain Commissioners for expenses incurred and for services of surveyors, engineers and other persons or corporations, contracted for and rendered prior to the establishment of drains for the purpose of draining agricultural lands, in cases where any such Board has established such drain or drains, and same has thereafter been abandoned, or the construction thereof postponed for a period of more than two years, and providing for the reconveyance of land no longer required for Drainage purposes.

Received from House, 688.

First, Second Reading and Reference, 749.

Reported Back, 880.

Passed, 987.

Other Action, 1138.

Returned to House, 978.

**House Bill No. 313.**

**House Bill No. 312.** A Bill For an Act amending and Re-enacting Section 11110A1 of the supplement to the Compiled Laws of North Dakota for 1913, prescribing the punishment for the Crime of Murder in the First Degree.

Received from House, 584.

First, Second Reading and Reference, 625.

Reported Back, 790.

Amended, 791.

Passed, 857.

Other Action, 857, 864, 966.

Returned to House, 864.

**House Bill No. 314.**

House Bill No. 314. A Bill For an Act to Amend and Re-enact Section 1370 of the Compiled Laws of North Dakota for the year 1913, Relating to Teachers' Examinations Conducted by County Superintendent and Repealing All Acts and Parts of Acts in Conflict Herewith.

Received from House, 659.

First, Second Reading and Reference, 746.

Reported Back, 835.

Passed, 897.

Other Action, 966.

Returned to House, 903.

**House Bill No. 315.**

House Bill No. 315. A Concurrent Resolution. For an Amendment to Section 82, Article three of the Constitution of the State of North Dakota as amended by Article 43 of the amendments thereto, Relating to the Election of State Officers and Fixing the Qualifications and Terms of said Officers.

Received from House, 728.

First, Second Reading and Reference, 754.

Reported Back, 833.

Indefinitely Postponed, 834.

Returned to House, 903.

**House Bill No. 317.**

House Bill No. 317. A Bill For an Act Authorizing the State Board of Armory Supervisors to Convey the Armory Located in the City of Hillsboro, State of North Dakota, to the City of Hillsboro.

Received from House, 687.

First, Second Reading and Reference, 747.

Reported Back, 872.

Passed, 949.

Other Action, 1066.

Returned to House, 960.

**House Bill No. 318.**

House Bill No. 318. A Bill For an Act to Amend and Re-enact Section 3704 of the Compiled Laws of North Dakota for 1913, as amended by Chapter 212 of the Laws of 1925, providing for a resolution declaring improvement work to be done by special assessments necessary, and permitting protests against said improvements to be filed by property owners.

Received from House, 725.

First, Second Reading and Reference, 754.

Reported Back, 871.

Passed, 1036.

Other Action, 1141.

Returned to House, 1048.

**House Bill No. 319.**

House Bill No. 319. A Bill For an Act Providing for Special assessments for the construction of Sewer and Water Connections, and Providing for a Special Assessment fund for that purpose.



Received from House, 687.  
First, Second Reading and Reference, 747.  
Reported Back 830.  
Passed, 898.  
Other Action, 966.  
Returned to House, 903.

**House Bill No. 321.**

House Bill No. 321. A Bill For an Act to Amend and Re-enact Section 3705 of the Compiled Laws of North Dakota for 1913, relating to the Advertising for Bids for Special Improvements.

Received from House, 687.  
First, Second Reading and Reference, 747.  
Reported Back, 830.  
Passed, 899.  
Other Action, 1010.  
Returned to House, 943.

**House Bill No. 327.**

House Bill No. 327. A Bill For an Act to Provide for the Protection of River Bottom Lands and Defining the Powers and Duties of the Boards of County Commissioners in Connection Therewith.

Received from House, 725.  
First, Second Reading and Reference, 754.  
Reported Back, 818.  
Passed, 899.  
Other Action, 966.  
Returned to House, 903.

**House Bill No. 328.**

House Bill No. 328. A Bill For an Act to amend and re-enact Section 3711 of the Supplement to the Compiled Laws of 1913, relating to special assessments and the issuance of warrants for public improvements.

Received from House, 725.  
First, Second Reading and Reference, 754.  
Reported Back, 830.  
Passed, 900.  
Other Action, 967.  
Returned to House, 903.

**House Bill No. 331.**

House Bill No. 331. A Bill For an Act to Amend and Re-enact Section 1151 of the Compiled Laws of North Dakota, for 1913, relating to election of officers of Common School Districts, and prescribing qualifications therefore.

Received from House, 727.  
First, Second Reading and Reference, 754.  
Reported Back, 834.  
Passed, 901.  
Other Action, 901, 967.  
Returned to House, 903.

**House Bill No. 333.**

House Bill No. 333. A Bill For an Act to Amend Section 1443 of the Compiled Laws of North Dakota for the Year 1913 Pertaining to State Aid to Graded Consolidated and

Rural Schools; to Repeal Section 1444 of the Compiled Laws of North Dakota for the Year 1913 Pertaining to State School Inspection and to Repeal All Acts and Parts of Acts in Conflict with this Act.

Received from House, 726.

First, Second Reading and Reference, 755.

Reported Back, 834.

Indefinitely Postponed, 834.

Returned to House, 903.

**House Bill No. 334.**

House Bill No. 334. A Bill For an Act to amend and reenact Section 2642 of the Compiled Laws of North Dakota of 1913, relating to the liability of owners of dogs killing sheep and other domestic animals.

Received from House, 688.

First, Second Reading and Reference, 748.

Reported Back, 831.

Passed, 961.

Other Action, 967.

Returned to House, 903.

**House Bill No. 335.**

House Bill No. 335. A Bill For an Act to prevent fraud and deception in the manufacture and sale of concentrated commercial feeding stuffs and providing for registration and labeling thereof and repealing Chapter 37 of the Session Laws of 1921, Sections 1 to 13, inclusive, and all other acts or parts of acts inconsistent herewith.

Received from House, 687.

First, Second Reading and Reference, 748.

Reported Back, 921.

Passed, 1021.

Other Action, 1021, 1141.

Returned to House, 1028.

**House Bill No. 336.**

House Bill No. 336. A Bill For an Act Requiring Counties to Pay the Tuition for Children Attending School in the State whose Parents Reside upon County Poor Farms Owned by such Counties.

Received from House, 726.

First, Second Reading and Reference, 755.

Reported Back, 834.

Passed, 902.

Other Action, 967.

Returned to House, 903.

**House Bill No. 341.**

House Bill No. 341. A Bill For an Act to be known as the Estate Tax Act, to establish, a tax on gifts, legacies, inheritances, bequests, successions and transfers, to provide for its collection and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this act, and by any act hereby repealed; and to repeal sections 2346b1, 2346b2, 2346b3, 2346b4, 2346b5, 2346b6, 2346b7, 2346b8, 2346b9, 2346b10, 2346b11, 2346b12, 2346b13, 2346b14, 2346b15, 2346b16, 2346b17, 2346b18, 2346b19, 2346b20, 2346b21,

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 repealed.

Received from House, 726.  
 First, Second Reading and Reference, 755.  
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 Returned to House, 935.

**House Bill No. 348.**

House Bill No. 348. A Bill For an Act Amending Section 375b3 of the Supplement to the Compiled Laws of North Dakota for the year 1913 relating to the duties of the State  
 Received from House, 688.  
 First, Second Reading and Reference, 748.  
 Reported Back, 870.  
 Passed, 988.  
 Other Action, 1138.  
 Returned to House, 978.

**House Bill No. 349.**

House Bill No. 349. Hotel and Restaurant Inspection Act. An Act Providing for the inspection of hotels, lodging houses, boarding houses 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.

Received from House, 729.  
 First, Second Reading and Reference, 756.  
 Reported Back, 825.  
 Amended, 825.  
 Passed, 929.  
 Conference, 977, 1009, 1134, 1139, 1143, 1152.  
 Indefinitely Postponed, 1144.  
 Returned to House, 935.

**House Bill No. 351.**

House Bill No. 351. A Joint Resolutoin to Amend and Re-enact Section 179 of Article 11 of the Constitution of the State of North Dakota as Amended by Article 20 of the Amendments thereto, Relating to Revenue and Taxation.

Received from House, 689.  
 First, Second Reading and Reference, 749.  
 Reported Back, 921.  
 Lost, 1029.  
 Other Action, 1029, 1043, 1044, 1141.

Passed, 1043.

Returned to House, 1048.

**House Bill No. 352.**

House Bill No. 352. A Bill For an Act to Amend and Re-enact Sections 10180, 10181, 10182 and 10183 of the Compiled Laws of North Dakota for 1913 Prohibiting the Sale, Bartering or Giving Away of Snuff to Minors, Providing Penalties Therefor and Repealing Acts in Conflict Therewith.

Received from House, 689.

First, Second Reading and Reference, 749.

Reported Back, 828.

Amended, 828.

Passed, 931.

Other Action, 977, 1137.

Returned to House, 935.

**House Bill No. 353.**

House Bill No. 353. A Bill For an Act Providing the percentage of contracts of public corporations which shall be held back until the completion of such contracts.

**House Bill No. 354—(Erickson of Kidder)**

Received from House, 724.

First, Second Reading and Reference, 755.

Reported Back, 829.

Passed, 931.

Other Action, 1010.

Returned to House, 943.

**House Bill No. 355.**

House Bill No. 355. A Bill For an Act to amend and re-enact Section 1162 of the Compiled Laws of North Dakota for the year 1913 pertaining to meetings of the school board in common school districts and prescribing their compensation therefor.

Received from House, 725.

First, Second Reading and Reference, 755.

Reported Back, 835.

Indefinitely Postponed, 835.

Returned to House, 903.

**House Bill No. 356.**

House Bill No. 356. A Bill For an Act to Amend and Re-enact Section 2 of Chapter 213, of the Sessions Laws of North Dakota for 1925 Regulating the Expenditure of money for Traveling Expenses of Members, Officers, and Employees of State Departments.

Received from House, 689.

First, Second Reading and Reference, 750, 875.

Reported Back, 871, 922.

Amended, 922.

Passed, 1032.

Other Action, 875, 1090, 1142.

Indefinitely Postponed, 871.

Returned to House, 1038.

**House Bill No. 361.**

House Bill No. 361. A Bill For an Act Relating to Live Stock Passes across Railroads.

Received from House, 725.  
First, Second Reading and Reference, 756.  
Reported Back, 831.  
Indefinitely Postponed, 831.  
Returned to House, 903.

**House Bill No. 362.**

House Bill No. 362. A Bill For an Act authorizinz the Commissioner of Agriculture and Labor to Declare Quarantine Measures, should it be necessary, to prevent the introduction of the European Corn Borer into North Dakota, and prescribing penalty for violations.

Received from House, 688.  
First, Second Reading and Reference, 748.  
Reported Back, 871.  
Passed, 988.  
Other Action, 1138.  
Returned to House, 978.

**House Bill No. 363.**

House Bill No. 363. A Bill For an Act Transferring the Sum of One Hundred Thousand Dollars (\$100,000.00) from the Special Bridge Fund Provided by Subdivision (C) of Section 2976t15 of the Supplement to the Compiled Laws of North Dakota for 1913, to the General Fund of the State.

Received from House, 729.  
First, Second Reading and Reference, 756.  
Reported Back, 785.  
Passed, 858.  
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## Concurrent Resolution "F"—(Stevens and Peck)

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Introduction, 87.  
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Passed, 209.  
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**Concurrent Resolution "G"—(Peck)**

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Reference, 201.  
Reported back, 377.  
Passed, 419.  
Sent to House, 420.  
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**Concurrent Resolution "H"—(Baird)**

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**Concurrent Resolution "K"—(Bakken)**

Introduction, 537.  
Reference, 537.  
Reported back, 595.  
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Other action, 710.

**Concurrent Resolution "M"—(Benson and Schlosser)**

Introduction, 610.  
Reference, 611.  
Reported back, 639.  
Passed, 711.  
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